

# STATES OF JERSEY

## OFFICIAL REPORT

**TUESDAY, 22nd NOVEMBER 2022**

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[9:30]

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

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



May I ask for procedural guidance? I have not noticed that the report in respect of the Common External Relations Policy is on the list and neither the statement, which I sought leave of the Bailiff. It is obviously not an urgent matter but just for procedurally I wonder if you would be kind enough to confirm the arrangements of the lodging of the R. and of the statement? It was not vitally important, it is just a matter that was asked to be taken in this sitting.

**The Greffier of the States (in the Chair):**

Deputy, the statement is actually on the Consolidated Order Paper but the report has yet to appear at the Greffe. I think it has just been presented on the Government website. It is on the website now.

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

Okay, it must have just been when I checked earlier. So it will be taken as normal. Thank you.

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

May I raise something? I note that on the website, which is the public website where it says “View Order Paper”, the amendment to the fifth amendment is not on the Order Paper, and there is an issue that the public cannot see what we are debating when things are lodged late and simply cannot see what is being proposed. So if you go to the “View Order Paper” on the States Assembly, which is the first click you go to. I might be wrong and, if so, then I apologise obviously. But just to make that issue because I think it is important for transparency.

**The Greffier of the States (in the Chair):**

Apologies, it should of course be the Consolidated Order Paper which is uploaded on to our website, as that is the most recent Order Paper showing any amendments that have occurred since the principal Order Paper was produced last Thursday. If it is not up on our website we will make sure that it is up immediately. I do apologise to members of the public who perhaps have gone on to the website and have not seen the most up-to-date version of the Order Paper.

## **APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS**

### **1. Nomination of Deputy A. Howell of St. John, St. Lawrence and Trinity as a Member of the Health and Social Security Scrutiny Panel**

**The Greffier of the States (in the Chair):**

Turning to the most up-to-date version of the Order Paper, under F, Appointment of Ministers, Committees and Panels there is a nomination by the chair of the Health and Social Security Panel for Deputy Howell of St. John, St. Lawrence and Trinity to be made a member of that panel.

#### **1.1 Deputy G.P. Southern of St. Helier Central (Chair, Health and Social Security Scrutiny Panel):**

It gives me great pleasure to propose Andy Howell of St. John, St. Lawrence and Trinity as a member of the Health and Social Security Scrutiny Panel. She has already done some serious good work since she has been co-opted, and making her a full member I look forward to many enjoyable days in her company.

**The Greffier of the States (in the Chair):**

Is that nomination seconded? **[Seconded]** Are there any other nominations? Very well, I can announce that Deputy Howell has been appointed as a member of the Health and Social Security Scrutiny Panel. **[Approbation]**

### **2. Written Questions**

## 2.1 Deputy M.B Andrews of St. Helier North of the Minister for Social Security regarding an enhanced data series to assess the labour force participation rate (WQ. 252/2022)

### Question

Will the Minister advise whether she considers that there needs to be an enhanced data series to assess the labour force participation rate, and if so, why?

### Answer

#### Labour force participation rate

The labour force participation rate is the proportion of a country's working-age population that engages actively in the labour market, either by working or looking for work. It indicates the size of the labour supply available to produce goods and services, relative to the working-age population.

Labour force participation rate (%) =

$$\frac{\text{No. employed} + \text{No. unemployed}}{\text{Working-age population}} \times 100$$

This measure is also referred to as the economic activity rate. In 2021, Jersey's labour force participation rate (or economic activity rate) was 84%.<sup>1</sup>

#### Our labour market data

More data and analysis are always useful in developing policy. However, this must be balanced with the extra time and cost of collecting and analysing the data.

We can measure our labour force participation rate from the 2011 and 2021 Censuses.

Between the Censuses, we have other indicators of the number of employed, unemployed and the working age population. For example:

- Employment: The number of jobs – produced by Statistics Jersey twice a year. [Link](#)
- Employment: The number of Social Security contributors – produced by Customer and Local Services annually. [Link](#)
- Unemployment: The number of people registered as “Actively Seeking Work” – produced by Statistics Jersey quarterly. [Link](#)
- Working-age population: Estimates and projections produced by Statistics Jersey. [Link](#)

Note that the number of people who are registered as “Actively Seeking Work” is an underestimate of the total number of unemployed people who are looking for work as some people who are unemployed and looking for work may not register as Actively Seeking Work. We can use the 2021 Census to adjust for this as we continue to receive more regular numbers of people “Actively Seeking Work”.

#### International experience

Other countries that measure labour force participation rates between censuses carry out a Labour Force Survey (LFS). In this survey, a large sample size is important to provide quality data and

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<sup>1</sup> 2021 Census, Bulletin 4: Employment, page 3: [R CensusBulletin4 20220727 SJ.pdf \(gov.je\)](#)

insights, especially when looking at groups in the population, by age or gender, for example. The costs of conducting a LFS in a small jurisdiction like Jersey can be disproportionate to the benefit derived from the data as well as imposing a large burden on the resident population to respond.

### Conclusion

Accurate and timely data sources are a key component in delivering well evidenced government policies. In this case, the advantages of collecting extra data need to be weighed against the resources that would be required. There are no current plans to introduce additional specific surveys to measure labour force participation, as we believe that the data currently available is sufficient and that the work required in obtaining additional data is disproportionate to the benefit that would be achieved.

## **2.2 Deputy R.S. Kovacs of St. Saviour of the Minister for Treasury and Resources regarding the 2020 tax return (WQ.253/2022)**

### **Question**

With reference to the 2020 tax return, will the Minister advise the following in relation to rental income declared from residential properties –

- (a) how many individuals declared residential rental income –
  - (i) on their principal place of residence, such as through informal lodgings;
  - (ii) on other property in their ownership including, if identifiable, broken down into single or multiple properties;
- (b) whether any residential rental property income was declared in Company returns from either 2019 or 2020, and if so, how much; and,
- (c) whether any non-residents declared income from Jersey residential property, and if so, how many and how much was the total rental declared for taxable purposes?

### **Answer**

Revenue Jersey can only collect information necessary to fulfil its functions of assessing and collecting income tax. The information available to Revenue Jersey can be variable depending upon how taxpayers may have declared various income streams.

The Comptroller of Revenue has advised me that around 670 taxpayers declared income arising from renting rooms in a principal place of residence in submitted 2020 tax returns.

The Comptroller understands that most taxpayers who declare rental income on personal tax returns are largely declaring income arising from renting dwellings. On that basis, the Comptroller estimates that up to around 4,760 taxpayers will have declared rental income in respect of one property (usually likely to be a dwelling); and that around 1,850 taxpayers will have declared rental income in respect of multiple properties (usually likely to be dwellings). It should be noted that these numbers are likely to be exaggerated as some taxpayers will be declaring income arising from dwellings in other jurisdictions; renting out car-parking spaces; garages; land; and so on. They will also include income arising to an estimated 680 non-residents in respect of Jersey residential property.

It is estimated that around £10 million of income arising from Jersey residential property was taxed in the hands of non-residents but a greater margin of error will exist in this estimate because it is not possible to isolate certain expenses or carry-forward losses.

Revenue Jersey does not hold information on the number and types of properties from which companies' rental income arises. Income is declared (and is assessed for income tax) on an aggregate basis.

#### Notes

Counts have been rounded to the nearest 10 and values to the nearest £100k. The information provided is based on tax returns which have been filed for the 2020 year of assessment: it does not take account of those taxpayers who have not filed a tax return and have been served with a Default Assessment.

A "taxpayer" may be an individual or married couple or civil partnership, or the separately assessed individuals of a married couple or civil partnership.

Some properties are rented out by more than one taxpayer, eg siblings renting out an inherited property. In such instances, the apparent number of properties would be overstated.

This data can mingle Jersey and non-Jersey rental income which, in some cases, is difficult to isolate.

### **2.3 Deputy R.J.Ward of St. Helier Central of the Minister for Treasury and Resources regarding rental income paid to landlords by tenants without 'Entitled' housing qualifications (WQ 254/2022)**

#### **Question**

Will the Minister indicate the estimated revenue gained by the States of Jersey through the taxation of rental income paid to landlords by tenants without 'Entitled' housing qualifications (for example. Registered only) per year for the last 5 years; and will the Minister further provide the estimate of the total income gained by the landlords of such tenants, per year for the last 5 years?

#### **Answer**

Revenue Jersey can only collect information necessary to fulfil its functions of assessing and collecting income tax. Revenue Jersey does not need – and consequently does not require - taxpayers who are landlords to disaggregate their rental income and expenses according to the residential status of their tenants.

### **2.4 Deputy S.Y. Mézec of St.Helier South of the Minister for Economic Development, Tourism, Sport and Culture regarding Jersey's aircraft registry (WQ.256/2022)**

#### **Question**

Will the Minister provide a breakdown, per year, of the set up and maintenance of Jersey's aircraft registry since its inception and will he further provide a breakdown, per year, of the income it has produced?

#### **Answer**

##### **Set-up costs 2013 - 2017**

Since the decision was made on 17th September 2013 by the then Minister for Economic Development to pursue a Jersey Aircraft Registry until 1st February 2017, £860,801 was spent on establishing and developing the Jersey Aircraft Registry (JAR).

This breaks down as follows:

- IT development - £372,000
- Registrar services - £115,000

- Insurance - £25,000
- Specialist Advice & Consultancy - £177,000
- Civil Aviation Authority (CAA) - £15,000
- External Marketing, admin and PR support - £32,000
- Travel and associated expenses - £17,000
- External legal advice - £11,000
- Miscellaneous including internal resources - £96,000

Following an internal review of Registry performance in late 2016, a decision to pursue a new Aircraft Registry business model was taken. As a consequence of this decision, further expenditure was almost exclusively limited to Officer time and insurance costs. The former was accommodated within existing department staff and has not required additional spend while the latter is set out in the table below.

Additional costs incurred by Government to maintain the registry are included below:

<b>Year</b>	<b>Costs</b>
2016	£66,000
2017	£8,151.30
2018	£7,340.50
2019	£7,755.94
2020	£7,448.66
2021	£7,304.30
2022	£7,514.72

Operational responsibility for the Aircraft Registry was formally transferred to Ports of Jersey Limited with effect from 1 May 2020, the Government of Jersey has incurred the following non-recurring costs that are directly attributable to the Registry after the transfer was effected:

- development of documentation (Aviation Requirements and Advisory Circulars) - £25,000
- internal audit - £5,300

Since assuming Operational responsibility for the Registry, Ports of Jersey have incurred the following costs:

<b>Year</b>	<b>Sum</b>
2019	£32,000
2020	£14,675
2021	£76,160
2022	£42,520

## JAR income

- In 2016, total record fee income generated by the JAR was £11,789
- In 2017, total recorded fee income generated by the JAR was £15, 617
- The JAR did not generate any income in 2018
- The JAR did not generate any income in 2019

Any income generated following the transfer of operational responsibility effected in May 2020 was payable to Ports of Jersey Limited rather than Government, however the JAR has not generated any income for PoJ since taking over responsibility.

## 2.5 Deputy L.V. Feltham of St. Helier Central of the Minister for Housing and Communities regarding analyses from the last 5 years of current unmet housing need (WQ.257/2022)

### Question

Will the Minister provide the details of any analyses from the last 5 years of current unmet housing need that have been undertaken and any scenario-planning or estimation of the future housing required to be supplied by the Affordable Housing Gateway, including any analyses undertaken regarding key worker accommodation requirements?

### Answer

Analyses of current unmet need, scenario-planning and estimations of future housing requirement to be supplied by the affordable housing gateway are publicly available:

The [Objective Assessment of Housing Need](#) (2018) provides an analysis of Jersey's future housing requirements. It provides a comprehensive evidence-base of the island's housing requirements across a range of different population scenarios, as according to projections made for the 10-year period beyond 2018. This report includes reference to key worker accommodation.

The [Jersey's Future Housing Needs Report 2019-2021](#) (2019), produced by Statistics Jersey, provides an assessment of future housing requirements based on the intentions of households over the three-year period 2019-2021.

The [Key Worker Housing Report](#) (2019) examined the suitability of current key worker housing and set out potential solutions to address staff recruitment and retention pressures faced by a number of government departments.

The [Bridging Island Plan Preferred Strategy](#) (2020) set out a framework for the preparation of the new Island Plan, establishing the proposed spatial strategy for development, the planning assumption for future population growth, and analysis of housing needs and delivery mechanisms.

The [Assessment of Housing Supply Methodology \(2021\)](#) sets out how future housing demand and supply to support the development of the Bridging Island Plan was calculated.

The [Independent Planning Inspectors Report](#) (2022) into the draft Bridging Island Plan assessed and made recommendations in relation to housing demand and supply.

The [Bridging Island Plan](#) (2022) sets out the planning framework for the delivery of homes relative to identified demand and supply requirements. This includes provision for key worker accommodation.

The [Affordable Housing Gateway](#) provides monthly updated statistics for current unmet social housing requirements.

In terms of government key workers, there is on-going work with regard to identifying long-term strategic needs, skills and work force planning.

**2.6 Deputy G.P. Southern of St. Helier Central of the Minister for Economic Development, Tourism, Sport and Culture regarding the Retained E.U. Law (Revocation and Reform) Bill (WQ.258/2022)**

**Question**

Will the Minister state what assessment, if any, has been undertaken of the extent to which the Island's trade or economy will be affected by the U.K. Government's proposal to move away from the Retained E.U. Law (Revocation and Reform) Bill by the end of 2023; and will he further advise what impact, if any, such changes will have, particularly on food standards and employment laws?

**Answer**

The UK Retained EU Law (Revocation and Reform) Bill is currently at bill stage. If passed, the Bill will not affect Jersey laws, but it will allow the UK to develop standards that diverge from EU-based standards. Without knowing the detail of how UK standards might diverge from EU-based standards and in which fields, it is impossible to estimate the impact on Jersey. Jersey continues to have good on-going engagement with colleagues in Whitehall and so will be able to pick up on changes which may be of consequence to the Island before they are being brought into being.

**2.7 Deputy M.B. Andrews of St. Helier North of the Minister for Infrastructure regarding any outstanding legislative work in relation to speed cameras (WQ.259/2022)**

**Question**

Will the Minister provide an update on any outstanding legislative work in relation to speed cameras?

**Answer**

The Department for Infrastructure, Housing and Environment is actively progressing work on a new Road Law for the Island that will address the issue of speed detection and speed limit enforcement. Preliminary engagement work is ongoing with the Island's Police forces to ensure that all current and future technical options are comprehensively addressed and accounted for.

**2.8 Deputy M.B. Andrews of St. Helier North of the Minister for Social Security regarding allowing for the concurrent payment of Home Carer's Allowance to individuals who are also in receipt of a States pension (WQ.260/2022)**

**Question**

Will the Minister advise whether she is considering allowing for the concurrent payment of Home Carer's Allowance to individuals who are also in receipt of a States pension?

## Answer

I am not considering allowing for the concurrent payment of Home Carer's Allowance (HCA) to individuals who are also in receipt of a States Pension (OAP).

However, I have set out my intention to review the Social Security benefit landscape as part of my Ministerial Plan.

I would be happy to meet with the Deputy to discuss this matter further.

## 2.9 Deputy M.B. Andrews of St. Helier North of the Minister for Health and Social Services regarding locum staff (WQ.261/2022)

### Question

Will the Minister provide the number of locum staff recruited within Health and Community Services each year since 2017?

### Answer

#### Locum Staff

Please see below the number of locum (medical) staff recruited within Health and Community Services by year since 2017:

Year	Total
2017	59
2018	103
2019	92
2020	81
2021	123
2022 (as of 31st October 2022)	153

Please note that locums are used to cover vacancies, annual leave and sickness absence. It is also worth noting that more than one locum may be used to cover the duration of the absence.

#### Agency Nurses and AHPs

The data shown below is the number of agency (nurses and Allied Health Professional) staff used within Health and Community in 2022 as of 31 October 2022.

Agency nurses used	131
Agency AHPs used	75

It is worth noting that agency staff are used to cover vacancies, but more than one agency worker may be used to cover the duration of the vacancy

The headcount numbers for 2022 can be provided because for this year all agency workers have recorded their shifts on the electronic roster system in use in HCS.



However, the information for previous years is not available in a centralised database and therefore will require a manual exercise and as such this part of the response will follow on Monday 21 November 2022. Please note though that the figures for Agency AHPs will only be available for the period from the middle of 2021 when their recruitment was transferred to the central team. Prior to this date, Agency AHPs were recruited locally by managers.

**2.10 Deputy T.A. Coles of St. Helier South of the Minister for Health and Social Services regarding objectives from ‘Prevention of Suicide in Jersey: A Framework for Action 2015-2020’ (WQ.262/2022)**

**Question**

Given that ‘Prevention of Suicide in Jersey: A Framework for Action 2015-2020’ aimed to improve mental health and wellbeing in vulnerable groups, to reduce stigma about suicidal feelings, to reduce the risk of suicide in high-risk individuals and to improve information and support to those bereaved or affected by suicide, will the Minister advise –

to what extent these four objectives were met and what actions, if any, are outstanding;

- (a) when the next strategy will be completed and what its primary objectives will include; and
- (b) whether any central body of information and advice detailing voluntary organisations, sources of counselling and peer support (similar to the information pages provides on the MyStates section of the Government of Jersey intranet) is available or, if not, whether one will be made publicly available?

**Answer**

Further time is required to compile a response to the question. The Minister will submit a full response by Monday 21st November 2022 if not sooner.

**2.11 Deputy R.S. Kovacs of St. Saviour of the Chair of the Comité Des Connétables regarding Residential properties relating to Parish Rates (WQ.264/2022)**

**Question**

Will the Chair provide the following details for each Parish, collected in accordance with the Rates (Jersey) Law 2005, for the most recent whole calendar year –

- (a) the number of residential properties, if any, that were unoccupied for the whole of the calendar year;
- (b) the reason, if known, as to why each of these residential properties were unoccupied; and
- (c) the number of residential properties where the owners were either unknown or uncontactable?

**Answer**

The Rates (Jersey) Law 2005 requires every owner of land to make a return as at 1 January.

That return must give the name of the occupier. Occupier is defined in the 2005 Law as -

“occupier”, in relation to land, means the person entitled to occupy and use the land by virtue of being –

- (a) the owner of the land; or

- (b) the person to whom the land is let under a lease or tenancy agreement, other than a person who is a landlord (whether or not immediate) of the occupier of the land;

The definition relates to the person “entitled to occupy and use the land”. It is not about whether the residential property is “occupied” or “unoccupied”.

So there is always an occupier for every residential property. If there is no tenant then the owner is the occupier.

The answers to the questions are therefore -

(a) In accordance with the Rates (Jersey) Law 2005 there is always an ‘occupier’ for every residential unit as defined by the Law. Put simply, the Law does not have the concept of ‘unoccupied’. So, no residential properties were unoccupied for the whole of the calendar year.

(b) All residential properties had an occupier, as defined in the Rates Law, so none were “unoccupied”.

(c) For the most recent whole calendar year, being 2021, two Parishes each reported one residential property where the owner was either unknown or uncontactable. In both cases this related to a deceased owner where neither the heirs nor an executor had been identified.

## **2.12 Deputy R.S. Kovacs of St. Saviour of the Minister for Housing and Communities regarding residential properties for purchase in Jersey (WQ.264/2022)**

### **Question**

Will the Minister provide the following details in relation to residential properties for purchase in Jersey –

- (a) how many properties, and of what type (for example house or flat, 1-bed/2-bed), are currently available; to include separate figures for both the private and the social housing sector, if known, and the number that are for affordable housing;
- (b) how many properties, and of what type (for example house or flat, 1-bed/2-bed), are either planned, or in the process of being built, including separate figures for both the private and the social housing sector, if known, and the number that are for affordable housing and by what date they will be built; and
- (c) how many people are currently on the waiting list for the ‘First-time buyer’ scheme with Andium Homes, for what type of properties and the timeframe for each?

### **Answer**

- (a) It is not possible to identify the total number of homes across the Island that are currently available to purchase. Although Andium’s Homebuy scheme has a number of affordable homes to purchase, the status of available homes changes on a daily basis because a sale will take some eight weeks from viewing to passing contract in court. However, as of Friday 11 November, Andium Homes had 18 properties available for affordable purchase:

<b>Homes available to purchase through the Andium Homebuy scheme</b>	<b>One Bed</b>	<b>Two Bed</b>	<b>Three Bed</b>	<b>Four Bed</b>
In Void Refurbishment/Marketing Period	0	2	4	0
Under Offer	2	2	7	1
<b>Total</b>	<b>2</b>	<b>4</b>	<b>11</b>	<b>1</b>

(b) It is not possible to identify the number and type of all homes currently planned or in the process of being built. Andium Homes is currently delivering the following:

	Cyril Le Marquand Court (Ann Court)	Mayfair	Le Marais (refurbished)	Edinburgh House (La Collette)	The Limes	The Limes (refurbished)
Studio	0	0	14	0	0	0
1 bed flat	105	147	14	73	39	14
2 bed flat	27	50	28	65	80	3
3 bed flat	0	4	0	9	6	
Total	132	201	56	147	125	17
PC	Jul-23	Aug-25	Mar-23	Jul-23	Jul-24	Jul-24

	New-build total (excluding refurbished)	Refurbished total	In-development total
Studio	0	14	14
1 bed flat	364	28	392
2 bed flat	222	31	253
3 bed flat	19	0	19
Total	605	73	678

Andium Homes has the following housing projects in planning or post-planning and pre-construction:

	Brewery	Pomme D'or	Northern Quarter	Total in planning or post-planning and pre-construction
Studio flat	0	0	0	0
1 bed flat	172	10	122	304
2 bed flat	85	2	41	128
3 bed mixed	5 flats		6 houses	11
Total	262	12	169	443
PC	Feb-27	Sep-24	Apr-26	

Summary:

	Grand total (excluding refurbished)	Grand total
Studio	14	28
1 bed	696	724
2 bed	381	412
3 bed	30	30
Total	1121	1194

Andium Homes plan to sell one-third of their new-build programme as affordable homes. It is not possible, at this stage, to identify which of those homes will be sold.

- (c) As of Friday 11 November, there were 1,995 active applications on the Assisted Purchase Pathway. Applicants are assessed against the Minister's [eligibility criteria](#) for bed size need.

[Affordable housing purchase schemes \(gov.je\)](#)

	<b>Bed-size need</b>
One bed	891
Two bed	519
Three bed	450
Four bed	104
Five+ bed	31
<b>Total</b>	<b>1995</b>

Average waiting times within these bed-size needs, based on 2022 sales, are as follows:

One bed	1 year 8 months
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Two bed	3 years 5 months
Three bed	4 years 8 months
Four bed	3 years 4 months

**2.13 Deputy R.S. Kovacs of St. Saviour of the Minister for the Environment regarding planning permission for Fields 378 and 379, Rue à la Dame and Le Bassacre du Milieu and du Nord in St. Saviour (WQ. 265/2022)**

**Question**

In light of the fact that, in December 2001, planning permission was approved for Fields 378 and 379, Rue à la Dame and Le Bassacre du Milieu and du Nord in St. Saviour; will the Minister provide the details of what the planning permission allowed for, and of any conditions attached to the permissions granted?

**Answer**

Details of planning permission, together with associated planning conditions, for all development which requires permission, is available on the online planning register: [Planning application search \(gov.je\)](https://www.gov.je/citizen/planning/pages/planning.aspx)<sup>2</sup>

Planning application reference P/2001/1713 was approved on 10 January 2002.

The approved scheme consisted of 42 No. 3 Bedroom units and 21 No. 4 Bedroom units with associated car parking, landscaping and access roads at Fields 378, 379 and Field Cottage, La Rue a la Dame, St. Saviour.

The planning permission was granted subject to the following conditions:

**Standard Condition**

A. If the development hereby permitted has not commenced within three years of the decision date, this permission shall cease to be valid.

**Reason:** The Planning and Environment Committee reserves the right to reconsider this proposal consequent on any future change of circumstances or policy.

**Condition(s)**

1. A. The 60 dwellings to which this permission relates on land known as Fields 378 and 379 in the Parish of St. Saviour shall not without the consent of the Planning and Environment Committee be transferred by sale, cession, gift, exchange or other form of transfer to any person who does not satisfy the criteria specified in the schedule hereto.
- B. The 60 dwellings to which this permission relates on land known as Fields 378 and 379 in the Parish of St. Saviour shall not without the consent of the Planning and Environment Committee be occupied by any person who does not satisfy the criteria specified in the schedule hereto and who does not occupy the accommodation as his sole or principal place of residence.

Persons to whom the proposed residential development of 60 dwellings on land at Fields 378 and 379, Five Oaks, St. Saviour may be transferred in accordance with condition A above, or who may occupy these dwellings in accordance with condition B above.

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<sup>2</sup> <https://www.gov.je/citizen/planning/pages/planning.aspx>

1) any person who:-

i) does not own, and has not previously owned, whether as a sole owner or jointly or in common with any other person or persons,

a) any immovable property

b) either in his own name or as beneficial owner shares in any company, ownership of which confers the right to occupy residential accommodation.

and:-

ii) is neither married to, nor buying as co-owner with, any person who does not fall within (i) above.

2) any person who has been approved by the Housing Committee as being a person to whom consent should be granted to acquire or to occupy the residential accommodation as the case may be notwithstanding the fact that he does not fall within (1) above.

2. The development hereby permitted shall commence within three years of the date of this permit, which shall otherwise cease to be valid.

3. The development hereby approved shall be carried out entirely in accordance with the plans and documents permitted under this permit. No variations shall be made without the prior written approval of the Planning and Environment Committee.

4. The development hereby approved must not be commenced until such time or after works are commenced to:-

a. provide a footpath to serve La Rue de Deloraine;

b. provide an improved visibility splay at the junction of La Rue de Deloraine and St. Saviour's Hill;

in accordance with the standards and requirements set out in the development brief for this site.

5. The development hereby permitted of the site shall not commence until the access to it via land at Field Cottage has been created with adequate visibility, whereby everything within the visibility sight lines, including gate, walls, railings and plant growth is to be permanently restricted in height to 900mm above road level, as detailed on drawing CA (642.10.11F)

6. Construction traffic associated with the development of this site shall be routed along La Rue de Deloraine only in order to gain access and egress to and from the site, and shall not use La Rue a la Dame and Bel Air Lane.

7. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Planning and Environment Committee, a scheme of landscaping which shall provide details of the following:-

i. All existing trees, hedgerows and other plants, walls, fences and other features which it is proposed to retain on the site and on adjoining land within the same ownership;

ii. The position of all new trees and/or shrubs, this must include the species of plant(s)/tree(s) to be planted, their size, number and spacing and the means to be used to support and protect them.

iii. Other landscape treatments to be carried out or features to be created, for example, any excavation works, surfacing treatments, or means of enclosure;

iv. The measures to be taken to protect existing trees and shrubs; and,

v. The arrangements to be made for the maintenance of the landscaped areas.

8. Prior to the commencement of the development hereby permitted full details, including a plan which is to scale, showing the position, design, materials and type of all boundary treatments to be erected on all external boundaries of the site must be submitted to and approved by the Planning and Environment Committee.
9. All peripheral landscaping and boundary treatments approved under this permission, shall be carried out and completed prior to the commencement of dwellings and associated infrastructure on the site. Until such time that this work is undertaken, the commencement of development on the site shall not be permitted.
10. Prior to the commencement of the development hereby permitted, full details of the design and landscaping of proposed areas of open space within the site, including children's play areas, shall be submitted to and approved by the Planning and Environment Committee.
11. Except where they have been identified for felling on an approved landscaping plan, all the trees on the site shall be protected for the duration of the development hereby permitted, unless agreed otherwise in writing with the Planning and Environment Committee, in the following ways and thereafter maintained;
  - i. No demolition, site clearance or building operations shall commence until suitable fencing, of a height not less than 1.3 metres, has been erected around each tree or group of trees, on or overhanging the site, at a radius from the trunk of 5 metres or around the crownsread, whichever is the greater. Such fencing shall be maintained until development is complete.
  - ii. No trenches, including any trench for services or drains shall encroach within the crownsread of any trees which are on or overhanging the site;
  - iii. The burning of materials, including any obtained by site clearance or demolition, shall take place within 6 metres of the furthest extent of a canopy of any tree or group of trees on or overhanging the site;
  - iv. No topsoil or other spoil from excavation shall be disposed within the crownsread of trees within the site;
  - v. No tree shall be felled, lopped, topped, or in any way destroyed or removed, unless the prior written consent of the Planning and Environment Committee is received.
  - vi. In the event that any tree or part of a hedge is removed, damaged or dies, another tree/plant shall be planted at the same place and shall be of the same size and species, unless otherwise agreed, and planted in the next available planting season.
12. Notwithstanding the indications on the approved plans, prior to the commencement of the development hereby permitted, full details of all external materials and colours to be used to construct the development, including those to be used for buildings, walls and other hard surfaces, shall be submitted to and approved by the Planning and Environment Committee.
13. Prior to the commencement of the development hereby permitted, full details of proposed lighting for internal site access routes shall be submitted to and approved by the Planning and Environment Committee.
14. Prior to the commencement of the development hereby permitted full details showing the routeing of proposed foul and surface water drainage must be submitted to and approved by the Planning and Environment Committee.
15. Attic space at second floor level in house types A (3 bed), B (3 bed), C (3 bed) D (3bed), E and E1 (3 bed), G (4/4/3 bed), F (3 bed) and I (3 bed) is to be used for the purposes of storage

only. Use as habitable floorspace shall not be permitted without the express consent of the Planning and Environment Committee.

16. Parking provision amounting to three dedicated car parking spaces for each residential unit shall be provided and maintained thereafter.

### **Reason(s)**

1. To ensure that the land and property the subject of this application remains in the use for which it was designated by the States, in the best interests of the community.  
NB. For the avoidance of doubt, the above condition does not apply to those three dwellings to which this permission relates on land known as Field Cottage, La Rue de Deloraine, St. Saviour.
2. For avoidance of doubt
3. To ensure that the development is carried out and completed in accordance with the details approved by the Planning and Environment Committee.
4. To ensure that those works specified are commenced and completed prior to the occupation of dwellings on the site as they are considered to be important in the interests of improving highway safety.
5. In the interest of highway safety.
6. In the interest of highway safety.
7. To ensure that before development proceeds provision is made for a landscaping regime that will enhance the appearance of the development and help to assimilate it into the landscape.
8. To ensure that the features are appropriate as they are considered to be important to ensure a satisfactory resultant appearance and in the interest of protecting the amenities of neighbours.
9. To ensure that the benefits of the approved landscaping scheme are not delayed and consequently make an early contribution to the amenity of the site in the interest of sustaining and enhancing landscape quality and also to ensure that the amenities of occupiers of neighbouring properties are protected.
10. This scheme has been approved on the basis that it complies with the requirements of the Planning and Environment Committee and this facility must be provided and made available for the use of the occupiers of any dwelling approved by this application.
11. To protect the trees on and near the site. These features are considered to make an important contribution to the character of the area and for that reason the Planning and Environment Committee wants to retain control over their removal or replacement.
12. To safeguard the visual amenities of the area.
13. To provide for the safety of users of the development.
14. To ensure that the implementing of associated infrastructure does not adversely affect the amenities of the locality.
15. To safeguard the amenities of the area.
16. To ensure an appropriate level of car parking space on the site.

### **2.14 Deputy G.O. Southern of St. Helier Central of the Minister for Social Security regarding the Income Support Scheme (WQ. 266/2022)**

#### **Question**

Will the Minister provide details of –



- (a) the number of special payments made under the Income Support Scheme and the total amounts paid, broken down by year over the past 10 years, and
- (b) the number and amounts paid in grants and loans for larger one-off items of expenditure during the same period, broken down by –
  - (i) essential household equipment;
  - (ii) rental deposits;
  - (iii) removal expenses;
  - (iv) medical needs; and
  - (v) funeral expenses?

**Answer**

Information on special payment expenditure is publicly available online through the Open Data website at <https://opendata.gov.je/dataset/cls-income-support/resource>

The recorded numbers for 2011 and 2012 differ slightly from the formats used in subsequent years. This means that the tables for these years in part (b) of the question do not separate out grants and loans.

The data for 2021 will be released by the end of November. The below tables therefore cover the period from 2011-2020.

A)

**Income Support Special Payments paid under the Income Support (Special Payments) (Jersey) Regulations 2007**

Year	Number of special payments made	Total amounts paid (£000)
2011	2439	1420
2012	2560	1522
2013	2301	1209
2014	2354	1570
2015	2589	1196
2016	1961	1025
2017	1095	738
2018	1321	1057
2019	861	674
2020	733	685

There are a small number of additional payments made in 2013 and 2018 that are recorded separately from the categories that were used to generate this answer. There are fewer than 10 claims in each category and the total amounts paid for each category is less than £2000.

B) The following tables break down the amounts for grants and loans for the specified categories

<b>Year Ending</b>	<b>Special Payment Category</b>	<b>Total Number of Payments in Year</b>	<b>Total Number of Payments as Grants in Year</b>	<b>Total Number of Payments as Loans in Year</b>	<b>Total Annual Value £000</b>
<b>31/12/2011</b>	Essential household equipment	<b>531</b>	<b>N/A</b>		<b>181</b>
<b>31/12/2012</b>	Essential household equipment	<b>535</b>	<b>N/A</b>		<b>197</b>
31/12/2013	Essential household equipment	497	491	<10	182
31/12/2014	Essential household equipment	491	480	11	210
31/12/2015	Essential household equipment	459	343	116	218
31/12/2016	Essential household equipment	246	<10	245	141
31/12/2017	Essential household equipment	209	<10	208	132
31/12/2018	Essential household equipment	212	0	212	133
31/12/2019	Essential household equipment	180	<10	175	130
31/12/2020	Essential household equipment	149	13	136	138

<b>Year Ending</b>	<b>Special Payment Category</b>	<b>Total Number of Payments in Year</b>	<b>Total Number of Payments as Grants in Year</b>	<b>Total Number of Payments as Loans in Year</b>	<b>Total Annual Value £000</b>
31/12/2011	Rental deposit	<b>202</b>	<b>N/A</b>		<b>187</b>
31/12/2012	Rental deposit	<b>227</b>	<b>N/A</b>		<b>165</b>
31/12/2013	Rental deposit	249	0	249	243
31/12/2014	Rental deposit	289	<10	282	343
31/12/2015	Rental deposit	272	<10	267	325
31/12/2016	Rental deposit	187	<10	186	248
31/12/2017	Rental deposit	177	<10	176	229
31/12/2018	Rental deposit	136	0	136	217
31/12/2019	Rental deposit	149	<10	148	256
31/12/2020	Rental deposit	117	<10	117	201

<b>Year Ending</b>	<b>Special Payment Category</b>	<b>Total Number of Payments in Year</b>	<b>Total Number of Payments as</b>	<b>Total Number of Payments</b>	<b>Total Annual Value £000</b>
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			Grants in Year	as Loans in Year	
31/12/2011	Removal expenses	<b>49</b>	N/A		<b>8</b>
31/12/2012	Removal expenses	<b>40</b>	N/A		<b>7</b>
31/12/2013	Removal expenses	35	35	0	7
31/12/2014	Removal expenses	51	50	<10	11
31/12/2015	Removal expenses	63	41	22	13
31/12/2016	Removal expenses	28	0	28	8
31/12/2017	Removal expenses	19	<10	18	3
31/12/2018	Removal expenses	21	<10	18	4
31/12/2019	Removal expenses	10	<10	<10	3
31/12/2020	Removal expenses	10	0	10	3

Year Ending	Special Payment Category	Total Number of Payments in Year	Total Number of Payments as Grants in Year	Total Number of Payments as Loans in Year	Total Annual Value £000
31/12/2011	Medical expenses	<b>1623</b>	N/A		<b>991</b>
31/12/2012	Medical expenses	<b>1733</b>	N/A		<b>1097</b>
31/12/2013	Medical expenses	1493	1364	129	732
31/12/2014	Medical expenses	1491	1301	190	950
31/12/2015	Medical expenses	1744	1567	177	550
31/12/2016	Medical expenses	1465	1305	160	561
31/12/2017	Medical expenses	660	550	110	317
31/12/2018	Medical expenses	901	790	111	601
31/12/2019	Medical expenses	473	380	93	187
31/12/2020	Medical expenses	414	356	58	252

Year Ending	Special Payment Category	Total Number of Payments in Year	Total Number of Payments as Grants in Year	Total Number of Payments as Loans in Year	Total Annual Value £000
31/12/2011	Funerals	<b>34</b>	N/A		<b>53</b>
31/12/2012	Funerals	<b>25</b>	N/A		<b>56</b>

31/12/2013	Funerals	27	27	0	45
31/12/2014	Funerals	32	32	0	56
31/12/2015	Funerals	51	49	<10	90
31/12/2016	Funerals	35	35	0	67
31/12/2017	Funerals	30	30	0	57
31/12/2018	Funerals	51	51	0	102
31/12/2019	Funerals	49	49	0	98
31/12/2020	Funerals	43	43	0	91

## **2.15 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding waiting lists for Ophthalmic interventions (WQ.267/2022)**

### **Question**

Further to the response to [Written Question 204/2022](#), will the Minister advise what actions she is considering to ensure that waiting lists for ophthalmic interventions, including relatively simple cataract operations which can have a considerable impact on the lives of elderly people, are significantly reduced; and will she undertake to set targets for such reductions and to report on the success of meeting these targets to the Assembly on a regular basis?

### **Answer**

When a referral for ophthalmic treatment is received at the General Hospital, they are clinically triaged by the ophthalmology consultants as either, rejected, urgent, soon, or routine. Patients are then added on to the appropriate outpatient waiting list dependant on both clinical priority and sub speciality.

The ophthalmology department have changed the theatre allocation to ensure the capacity in theatre utilisation is managed efficiently to maximise cataract surgery.

All waiting list data is already made publicly available and reported on regularly and can be found on gov.je [here](#).

With regard to ophthalmic waiting lists specifically, the following action is being taken: an ophthalmologist is now in a full-time substantive post in the department. There are more interviews for Doctors to take place this November.

This staffing will support clinical activity to focus on NEW routine referrals whilst continuing to manage the emergency, urgent and soon activity and ongoing treatment of patients already under the care of the ophthalmology department.

## **2.16 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding projects achieved or to achieve with the proposed allocation to the Digital Care Strategy (WQ. 268/2022)**

### **Question**

Will the Minister outline what each of the following projects have achieved to date, and what they are intended to achieve within the proposed allocation to the Digital Care Strategy of £5.3 million in the Government Plan 2023-2026 –

- (a) Patient Administration Systems (PAS) and Acute Electronic Patient Record (EPR) - Release 1,2;
- (b) Electronic Prescribing and Medicines Administration (EPMA);
- (c) Cancer screening faecal immunochemical test (FIT) programme;
- (d) GP Order Comms;
- (e) Tele-radiology;
- (f) VNA Phase 2;
- (g) Care partner replacement;
- (h) Ophthalmology electronic patient record (EPR);
- (i) E-consent for surgery;
- (j) Cervical cancer screening; and
- (k) Scantrack replacement?

**Answer**

Please see responses below.

Project	Achievements to date	Objectives as part of the £5.3 million bid in the <a href="#">Proposed Government Plan 2023-2026</a> and it's <a href="#">Annex</a>
Patient Administration Systems (PAS) and Acute Electronic Patient Record (EPR) - Release 1,2;	<ul style="list-style-type: none"> <li>- Delivery stage for release 1</li> <li>- Future state – To Be workflows complete</li> <li>- UAT Test scripts 95% complete</li> <li>- Infrastructure hosting environments set- up</li> <li>- Integration system interfacing testing 95% complete</li> <li>- Configuration build ready for UAT testing</li> <li>- Data Migration of Trak data to IMS platform on schedule</li> <li>- Team in place to support implementation of new EPR Solution</li> </ul>	<ul style="list-style-type: none"> <li>- Replaced current EPR System TrakCare by Q2, 2023</li> <li>- Implemented new EPR IMS MAXIMS functionality release 1 to 5 by 2024</li> <li>- Achieved HIMSS level 6 digital maternity (paper lite) by 2024</li> <li>- Provide a single source of patient information available at point of care</li> <li>- Managed the significant cultural &amp; procedural change required in the transition from paper to computer based patient medical records.</li> </ul>
Electronic Prescribing and Medicines Administration (EPMA);	<ul style="list-style-type: none"> <li>- Implementation of Pharmacy &amp; Stock Control system</li> <li>- Roll-out of e-Prescribing &amp; drug administration to all In-patient wards in the JGH</li> <li>- Rollout to Sandybrook &amp; Orchard House</li> <li>- Training for all users both face-to-face &amp; online modules</li> </ul>	<ul style="list-style-type: none"> <li>- Rollout to all Outpatients Clinic, across all sites</li> <li>- Implementation of Critical Care modules</li> <li>- Configuration &amp; implementation of Chemotherapy functionality</li> <li>- Implementation into ED &amp; Theatres</li> </ul>
Cancer screening faecal immunochemical test (FIT) programme;	<ul style="list-style-type: none"> <li>- Reached planning and design stage.</li> <li>- Phase 1 design specification drafted and shared with suppliers.</li> </ul>	<ul style="list-style-type: none"> <li>- Phase 1 to automate creation of FIT screening orders in the pathology system and return of screening results to the call/recall system Q1 2023.</li> <li>- Phase 2 to:</li> </ul>

		<ul style="list-style-type: none"> <li>○ integrate the above with the new EPR system.</li> <li>○ Improve sourcing of clients.</li> <li>○ Improve communication with clients by optional use of SMS messaging.</li> </ul> <p>by Q3 2023.</p>
<p>GP Order Comms;</p>	<ul style="list-style-type: none"> <li>– Implementation of Order Comms infrastructure</li> <li>– Integration/translation from the Order Comms infrastructure via the Health Integration Layer (HIL) into the Radiology Information System (RIS) and Pathology Laboratory Information Management System (LIMS)</li> <li>– Electronic ordering via EMIS Web (GP Patient Administration System (PAS)) for Radiology Requests enabled - Oct 20 along with electronic delivery of related Reports</li> <li>– Development by EMIS of Pathology specific code to allow Pathology electronic ordering and reports</li> <li>– Pathology Catalogue of 507 GP orderable tests developed</li> <li>– Development of a bespoke GPOC Test environment that is the first of its kind in its functionality</li> <li>– Pre UAT of Pathology catalogue</li> <li>– Full UAT of all 507 GP orderable tests underway</li> </ul>	<ul style="list-style-type: none"> <li>– Complete the Pathology implementation – Pilot and Go-Live</li> </ul>

	<ul style="list-style-type: none"> <li>- Pilot planned with 2 practices</li> <li>- Go-Live strategy agreed</li> </ul>	
Tele-radiology;	<ul style="list-style-type: none"> <li>- 80% of CAS alarms installed to date onto the new UMO platform.</li> <li>- Aim to complete by end of Nov-2.</li> <li>- Also working in parallel towards implementing Mitel integration, and decommissioning of Jontec</li> </ul>	<ul style="list-style-type: none"> <li>- The current Community Alarm Service is outdated and in need of an overhaul to bring the service in line with the JCM and HCS24.</li> </ul>
VNA Phase 2;	<ul style="list-style-type: none"> <li>- Initial discovery exercise completed with Hospital departments</li> <li>- Evaluating proposal from partner on how to proceed</li> </ul>	<ul style="list-style-type: none"> <li>- Migration of all Dicom compatible imagery onto the Independent Clinical archive that can be accessed by health care professionals via an InContext link in the EPR</li> </ul>
Care partner replacement;	<ul style="list-style-type: none"> <li>- Business Justification Stage</li> <li>- Resource being secured to move project into the procurement process</li> </ul>	<ul style="list-style-type: none"> <li>- Replacement solution agreed by 2023 and replaced by 2024</li> </ul>
Ophthalmology electronic patient record (EPR);	<ul style="list-style-type: none"> <li>- Planning &amp; Design Stage</li> <li>- Resource being secured to move project through the procurement, planning and design states</li> </ul>	<ul style="list-style-type: none"> <li>- Replacement solution in place by 2023</li> </ul>
E-consent for surgery;	e-Consent is not an active project yet. It moved from pipeline phase and moved into business justification.	
Cervical cancer screening; and	<ul style="list-style-type: none"> <li>- Planned for 2023 and in pipeline</li> </ul>	<ul style="list-style-type: none"> <li>- Increased screening rates and early detection of cancers</li> <li>- Full end to end automating of cervical cancer screening</li> <li>- Testing done locally</li> </ul>



		<ul style="list-style-type: none"> <li>- Patients will be recalled at appropriate time scales</li> <li>- Will follow on from the work done on FIT</li> </ul>
Scantrack replacement	<ul style="list-style-type: none"> <li>- Reached business justification stage.</li> </ul>	<ul style="list-style-type: none"> <li>- Replace Scantrack with an alternate system providing the same functionality as Scantrack and capacity for expansion Q1 2023.</li> <li>- Extend use of the replacement system to additional areas of HCS Q2/Q3 2023.</li> </ul>
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**2.17 Deputy R.J. Ward of St. Helier Central of the Minister for Health and Social Services regarding their response to Written Question 247/2022 (WQ.269/2022)**

**Question**

Further to her response to Written Question 247/2022 will the Minister advise –

- (a) the planned date for delivering outcomes of the review detailed therein and discussed at a meeting with the Minister on 5th August 2022;
- (b) the projected date for any changes to the existing policy; and
- (c) whether cancer patients undergoing surgery will be included in the group defined as “Cancer patients for Planning Day and radiotherapy/chemotherapy treatment only”?

**Answer**

- (a) It is expected that internal review of the current policy will be completed by 1 December 2022. As stated in the [Minister’s response tabled on Monday 31 October](#), policy changes would:

*“...incur a cost to the taxpayer and, as such, would require a proposal in the next Government Plan once the relevant data has been collected and business case prepared before it is then considered by the Minister, Council of Ministers, the Health and Social Services Scrutiny Panel, and the States Assembly as part of the Government Plan process.”*

Therefore, any outcome can only be delivered once a detailed proposal has been considered and approved by the States Assembly.

- (b) The projected date for any changes to the existing policy will be dependent on the financial approvals required as outlined in (a) above.

However, as part of the meeting on 5 August 2022, the Minister agreed an immediate change to policy to allow the Travel Office to consider requests for a travel companion that

fall outside the existing policy. It is recognised that amendments need to be made to the relevant page on [gov.je](http://gov.je) to reflect said change and it is expected that these will be completed shortly.

- (c) Under the current policy, free of charge travel for non-clinical escorts for the time of actual surgery is not included, however this is being discussed and may possibly change in line with the review discussed in (a). Patients who have protracted periods of care off island, are already supported by the provision of escort travel.

## **2.18 Deputy R.J. Ward of St. Helier Central of the Chief Minister regarding the digital registration of all properties (WQ.270/2022)**

### **Question**

Further to the response to Written Question 215/2022 regarding the digital registration of all properties, will the Minister indicate what progress, if any, has been made in respect of quality assurance, fact-checking and consideration of the scoping report for this work; and will the Minister further provide the time scale for completion of the report and of any related actions?

### **Answer**

Quality assurance, fact-checking, and consideration of the scoping report for this work has now been completed, with all the officials who inputted into the report having now had opportunity to provide their comments.

The report is therefore now complete and has now been issued to the responsible Ministers for their consideration (and will be provided to the relevant Scrutiny Panel).

The report will support and inform the policy position of the government in relation to matters such as mechanisms to protect and support private rental tenants, and other actions included in the 2023 Ministerial Plans.

## **2.19 Deputy R.J. Ward of St. Helier Central of the Minister for Infrastructure regarding active travel projects (WQ.271/2022)**

### **Question**

Further to the response to Written Question 196/2022 regarding active travel projects, will the Minister indicate what meetings, if any, have been held regarding active travel plans; will the Minister further outline what projects scored highest against the Sustainable Transport Policy's principles and Government's common strategic policies; and will he state what projects he will prioritise for action in the coming 6 months?

### **Answer**

I was briefed by Officers on 20th October 2022 on the Active Travel policy programme to better understand what work has been done to date and how this workstream is being taken forward based on the primary evidence base that was published in December 2021.

A briefing to the Constable of St Helier and his officers on 14th October provided an update on this project and the progress of the St Helier Mobility Plan.

To support this, officers have been working to prioritise active travel projects against the Sustainable Transport Policy's principles, the Government's common strategic priorities as well

as the multiple criteria used to prioritise the policies when the Carbon Neutral Roadmap was developed.

Currently, the proposed projects ranking highest across both behavioural change and infrastructure schemes prioritised for commencement during the next 6 months are as follows:

- **Love to Ride** – a cycling initiative which is designed to increase physical activity by changing travel behaviour. This is done through a ‘log your rides’ application which includes elements of gameplay with incentives and enables competition between organisations
- **Beat the Street** - a walking initiative which is designed to increase physical activity by changing travel behaviour, particularly around schools. This can be done using technology as an engagement tool to incentivise walking for school age children
- **Safer Routes to School in St Saviour’s School Cluster** – implementing measures in order to make it easier to walk, cycle and wheel to school
- **Primary School Traffic-free School Street** - implementing measures to reduce traffic outside a school in order to make it easier to walk, cycle and wheel to school; and
- **Bike Wash Stands** – Providing an on-street bike washstand for cyclists to use to wash down their bikes on St Aubin’s Bay.

## **2.20 Deputy C.S. Alves of St. Helier Central of the Minister for Health and Social Services regarding the Post-16 Strategy for Jersey (WQ.272/2022)**

### **Question**

Will the Minister advise what the current average processing time is for the results of tests undertaken at the sexual health (GUM (genitourinary medicine)) clinic; and will she provide the average waiting time for results per month since January 2019?

### **Answer**

Unfortunately, we do not currently hold the data with which to provide the average processing times for the results of tests undertaken at the GUM clinic. Furthermore, nor can any of the data that we do hold be interpreted in such a way so as to allow for manual retrieval of the information.

However, below is a description of the current turnaround time:

- 1) Symptomatic patients are seen the same or the following day – samples are taken and depending on the situation patients are treated syndromically at the time.
- 2) Asymptomatic patients are seen in same day appointments on Mon/Wed/Fri. Patients can attend the clinic between 08:00-09:00 on a first-come first-served basis. When the clinics are full patients are advised to return on the next available clinic.
- 3) The interval between the taking of a GUM sample to a patient being informed of their result and treated is –
  - If the samples test positive for an STI, the results are communicated less than 1 week from sampling. Time from patient notification of their result to treatment is 1- 2 days.
  - If the samples test positive for an STI result and needs referral to the UK for further analysis, then the result can be received within < 2weeks. Time from patient notification of their result to treatment is 1- 2 days.

- Negative results are texted to the patient within 4-5 weeks - all patients are told if they do not receive correspondence from the GUM clinic within 10 days, they can assume they do not have an STI until such time that they receive their results. \*

\* In 2019, symptomatic patients and positive STI results had a similar turnaround time to the above but negative results were communicated to patients within 2 weeks. Circa mid-2021, the number and complexity of cases has increased explaining the increased time in communicating negative results.

**2.21 Deputy C.S. Alves of St. Helier Central of the Minister for Children and Education regarding the Retraining Strategy (WQ.273/2022)**

**Question**

Will the Minister provide an update on the progress on development of the Retraining Strategy?

**Answer**

In 2021 the development of the Retraining Strategy was paused due to the re-priorisation of resources to support the pandemic response. The Government continued to learn from the outcomes of the Fiscal Stimulus Retraining initiative which came to a close in March 2022.

Due to the success of the Retraining fiscal Stimulus initiative, further funding was allocated from the Economic Recovery fund to continue this initiative throughout 2022.

The Retraining Strategy was retitled as the Further Education & Skills white paper to avoid confusion with the fiscal stimulus initiative. This paper is positioned as an actionable agenda of change for Jersey's Skills provision and is due to be published by the end of 2022.

**2.21 Deputy C.S. Alves of St. Helier Central of the Minister for Children and Education regarding the Post-16 Strategy for Jersey (WQ.274/2022)**

**Question**

Will the Minister provide an update on the progress of the Post-16 Strategy for Jersey?

**Answer**

Delivery of the post-16 strategy continues, of the 14 recommendations, 6 are completed and 8 are ongoing.

Key objective	Feb-22	Nov-22
<b>Key objective 1 –Ensuring that Jersey has a highly skilled workforce that will maintain and boost its future economy</b>		
We will drive change and identify future skill needs, and will review and develop provision to meet those needs	The Labour Market tool established just before the pandemic – MyInsights – has allowed for initial identification of future skills needs. This data helped inform the course selection by Highlands College and the Digital Jersey Academy for the Retrain fiscal stimulus	CYPES is a key partner in the new Government of Jersey (GoJ) Labour Shortages Task Force and is leading on the improvement of labour market skills data. Along with the Chief Economist and the Director of Statistics and Analytics, CYPES are engaging with the University of Ulster to establish the formulas and data needed to create a Skills Barometer for Jersey to aid

	<p>fund. This LMI system is being developed to strengthen skills analysis of the needs of the Jersey workforce (current and future) during 2022.</p> <p>CYPES has increased industry engagement via the Jersey Employer Groups and other industry groups to ensure ongoing review and development of needs and provisions.</p> <p>Skills directorate working closely with the department for the Economy on the Future Economic Plan as well as strengthening links with this department and AOLs with regular meetings to exchange information and coordinate actions.</p>	<p>the prediction of future skills gaps.</p> <p>Skills Jersey has continued working closely with the Jersey Employers Group to review the 10 skills identified in the strategic workforce, as well as engaging with the Chamber of Commerce on the results of their skills survey and the Institute of Directors on the skills lead internship initiative. Skills and other GoJ departments have also engaged with Jersey Finance throughout the year to identify the industries demands and needs and establish a strategy to tackle these. This paper is currently in a first draft.</p>
<p>Ensure that future skills requirements for the public sector are recognised and met</p>	<p>The Skills directorate are collaborating with People Services to analyse skills needs based on MyInsights data and customised research (e.g. procurement academy needs.) This collaboration led to the creation of new internships and apprenticeship pathways (e.g. Cyber security and Commercial and Procurement) for the public sector.</p>	<p>Skills continues to work with People Services on the delivery specific apprenticeship pathways and the following research has been commissioned in 2022:</p> <p>On-Island psychology pathways</p> <p>Feasibility of pan-island HE provisions</p> <p>BA (Hons) Social Work redevelopment and apprenticeship route, in partnership with the University of Plymouth</p> <p>BSc (Hons) Accounting and Finance, in partnership with the University of Plymouth and the Institute of Chartered Accountants in England and Wales</p> <p>Jersey Youth service the apprenticeship level programme</p>
<p>Ensure opportunities for updating skills, retraining in new skills and lifelong learning</p>	<p>The Retrain fiscal stimulus fund provided a successful example of how to deliver relevant upskilling and allowed lifelong learning to flourish. The analysis of LMI and the delivery of relevant training provisions relating to these needs by Highlands College and the Digital Jersey Academy</p>	<p>The extension of the Retrain model through the use of Economic Recovery funding has enabled further upskilling, retraining in new skills and lifelong learning. The Q3 report on this initiative is appendix 1.</p> <p>This initiative continues into Q1 2023 and provides a test bed for any proposed Jersey Skills Fund.</p>

	modelled how Jersey could promote and enable lifelong learning.	Highlands College has also refreshed and revamped their Adult Community Education provision to ignite lifelong learning in Jersey.
Encourage and develop apprenticeships as an integral pillar of post-16 provision	The apprenticeship funding model was reviewed and after public consultation and more equitable model was designed to allow more individuals to access subsidised from GoJ. This model is scheduled to be launched in 2022.	The launch of the model was paused due to the change in the economic environment and the 2022 change of assembly. Apprenticeship funding form parts of the upcoming FE and Skills white paper.
We will encourage University College Jersey and other providers to work with government departments and other public sector bodies to identify needs that are not being met or new needs that will be required in the future, and to develop provision to meet these needs	<p>Highlands College and University College Jersey offer a responsive portfolio of programmes to meet the needs of islanders and industry across almost all sectors. Recently the College has re-enforced its commissioning model to ensure it recovers costs of development. Recent developments include:</p> <p>BA Social Work in partnership with Health and Social Services</p> <p>BEng Engineering in partnership with the channel island group of professional engineers</p> <p>Level 3 &amp; Level 5 Residential childcare in partnership with Health and Social Services</p> <p>58 Fiscal stimulus funded programmes across a range of sectors – 600 students enrolled</p> <p>The International Qualification in Skills for the Future in partnership with the Edge Foundation</p> <p>Design, Engineer, Construct in partnership with Garenne</p> <p>Programmes to support the carbon neutral road map such as</p>	<p>Higher Education apprenticeship pathways are being researched in partnership with Highlands College and University College Jersey (UCJ) :</p> <p>On-Island psychology pathways</p> <p>Feasibility of pan-island HE provisions</p> <p>BA (Hons) Social Work redevelopment and apprenticeship route, in partnership with the University of Plymouth</p> <p>BSc (Hons) Accounting and Finance, in partnership with the University of Plymouth and the Institute of Chartered Accountants in England and Wales</p> <p>Jersey Youth service the apprenticeship level programme</p> <p>UCJ, Jersey International Centre of Advanced Studies (JICAS), the Digital Jersey Academy and the Institute of Law have established a higher education forum where they can communicate and work together.</p>

	<p>Electric vehicle maintenance</p> <p>A NEET mitigation programme</p> <p>Several other developments are also within the scoping or design phases prior to formal launch.</p> <p>The Institute of Education – design phase (entry, mid and late phase teacher development)</p> <p>Jersey Apprenticeships in public services – scoping phase (GoJ organisation development)</p> <p>Fiscal social recovery approximately 20 programmes – launch phase</p> <p>Jersey identity / Heritage – scoping phase – 3rd sector, Construction and Tourism</p> <p>It is important to distinguish the College’s role is to meet the education and training needs, we could lead on anticipating future demand, should additional resources be made available.</p>	
<p>Ensure that Highlands College and, within Highlands, University College Jersey are enabled to respond flexibly and rapidly to needs as they arise. In order to do so we will need to ensure that the funding and governance of Highlands College is sufficiently flexible.</p>	<p>The Education Reform Programme has gone some way to address long standing funding deficits. However, key provision such as apprenticeships, English, Maths and student support does not currently cover costs and are internally cross-subsidised. This leaves limited room for investment in infrastructure, curriculum development, resources and the College’s dated estate. Governance arrangements have been reviewed and found to be fit for purpose following the addition of several new sector specific governors. The Chair and Principal have instigated a recruitment campaign targeting representation from wider cultural backgrounds.</p>	<p>The FE and Skills actionable agenda (due to be published circa Q4 2022) includes related actions.</p>

<b>Key objective 2 –Providing access to tertiary education for all through widening participation, equality of opportunity and improving educational and employment outcomes</b>		
<p>Ensure that all islanders—whatever their age, gender or ability –maximise their educational potential</p>	<p>Careers event such as the Skills Show, virtual Q&amp;A’s with employers and careers support workshops (eg CV and interview skills) have been opened up to all Islanders by the improvement and embracing of technology such as Teams.</p> <p>The Skills Show website has been developed to be an all year-round careers tool providing not only school students and staff to access careers insights and tools but also promoted to and target at all Islanders to use.</p>	<p>As well as a continuation of the above events, the Skills directorate is working with various industry and employer groups to create a central calendar to increase and simplify the promotion of lifelong learning events and initiatives. Jersey Library are a key partner in this 2023 initiative and are working closely with Skills.</p>
<p>Ensure that students receive good advice and guidance on future direction and careers</p>	<p>As well as the above, Careers Guidance 121s for year 11s have been increased and the % of jersey secondary schools receiving direct employer contact/insights (Trident excluded) via Skills Jersey has increased. See Appendix 2</p>	<p>The next update on the above figures will be end of 2022.</p>



<p>Ensure that more vulnerable people are supported to participate in post-16 education and to enter meaningful careers</p>	<p>Skills Jersey’s Careers guidance team have created a bespoke careers programme for Mont à L’Abbé including careers 121s work insights and experience.</p> <p>Increased allocation of Skills Coaching to support transitions with 77% of students engaged in coaching achieving a positive destinations.</p> <p>People Services have created an apprenticeship care leavers guarantee.</p> <p>Highlands College performs exceptionally well in this area and it’s important that it does so as the most inclusive educational institution in Jersey. The College routinely monitors distinct groups and leaders intervene as required. As a result no significant gaps in performance exist, during 2020/21:</p> <p>Gender +/- 2% performance gap</p> <p>Disadvantage (JPP) +/- 1% performance gap</p> <p>Students with difficulties or disabilities (LLDD) +/- 4% performance gap</p> <p>Second language learners (EAL) +/- 1% performance gap</p> <p>At the end of study 92% of students will progress to positive next steps within 2 months. This figure has fallen to 85% following the impact of the pandemic. The College has been responsive in launching a NEET mitigation programme to respond the 7% differential.</p>	<p>This work is ongoing.</p>
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<p>We need to ensure there is sufficient information about the options for post-16 education available to young people and they have the means to access these, including logistics of accessing such provision, for example transport.</p>	<p>Highlands College has explored this in some detail recently conducting ‘blind’ student and parent focus groups. Evidence suggests that advice and guidance both internally and from school careers advisors is effective. The College sees approximately 50% of the islands 6th formers enrolling at Highlands each year. Following enrolment 5% of students will work with staff to change programmes within the first 6 weeks of study. Finally, 95% of students are retained to the end of the programme chosen. This strongly suggests good effective IAG is available to most young people. College attendance is above 90% which again would suggest that the logistics of accessing education is not a barrier.</p> <p>However, challenges still remain in accessing and communicating with private school pupils alongside improving perceptions amongst some parents that A-levels are the optimal route through education, there is work to do in promoting technical education as an equivalent route to both Higher Education and employment.</p>	<p>No update at this time.</p>
<p>We can build on the current arrangements that are in place between sixth forms, which should extend far as possible to Highlands College and Hautlieu School. This is a matter for individual institutions, but the government will seek to facilitate this. Once such collaboration is routine, it should also extend to</p>	<p>Three of Jersey’s schools now access the Jersey Progression Award in vocational skills delivered at the Highlands college campus and featuring as part of the Jersey 8 (approximately 140 pupils). In addition, Highlands, with support from CYPES, is currently within the design phase of developing a Jersey based Institute of Education which will lead and manage teacher training, CPD and the sharing of best practice across the education sector.</p>	<p>The Design Engineer Construct programme continues to be the flagship model for how local industry and Jersey schools are working in partnership.</p> <p>The DEC qualification is now studied by over 1000 Jersey students from the age of 11 through to 18, with 164 at GCSE and A-Level standard, all from what was an initial cohort of 10 students who began the DEC journey in 2018.</p> <p>With Level 2 firmly established, the first Level 3 DEC qualification launched jointly in 2021 by Highlands College and Hautlieu School, giving island students a choice of</p>

<p>sharing best teaching practice, best practice on widening participation, extending vocational provision at private schools, and so on</p>		<p>two centres at which to study the programme and, in that, two possible routes to a similar outcome; students can opt to study the programme as one third of an entirely construction-focused suite of qualifications at Highlands or alongside A-Levels at Hautlieu to achieve comparable UCAS points. Both centres use the same lead teacher to deliver the Level 3 content, providing a consistent and rigorous approach to the qualification and an opportunity to streamline resources and bring further practitioners into DEC teaching as the cohorts continue to grow.</p>
<p>We will encourage University College Jersey in particular, together with private providers, to offer part-time provision, and we will study carefully the experience of England where it appears that unless significant subsidies available part-time study will be out of reach for many people</p>	<p>Part time routes exists within University College Jersey for key provision such as Business and Finance, Construction, Engineering and Childcare. The College is also working through plans to extend part time routes to Social Work, Sport and Adult Access to Education.</p> <p>A recent review of professional and technical education in Jersey has been conducted by Martin Doel OBE. The report recommended the government review its position and look to develop an adult skills funding strategy. The College is hopeful that recommendations made will be adopted.</p>	<p>UCJ are actively exploring part time and apprenticeships routes with Skills (detailed in Key Objective 1).</p>

<p><b>Key objective 3 –Ensuring the quality and appropriateness of post-16 education provision</b></p>		
<p>Ensure opportunities for industry to be involved in planning and delivering education and re-skilling</p>	<p>As part of the JEG engagement with schools and college work a curriculum matching exercise has begun with senior advisors to identify what employers can offer as a resource within each part of the curriculum.</p>	<p>The Design Engineer Construct programme continues to be the flagship model for how local industry and Jersey schools are working in partnership.</p> <p>The DEC qualification is now studied by over 1000 Jersey students from the age of 11 through to 18, with 164 at GCSE and A-Level standard, all from what was an initial cohort of 10 students who began the DEC journey in 2018.</p> <p>DEC is now offered by 7 school and college</p>

		<p>centres and is developing a pipeline of talent with the realistic opportunity to follow a career in any one of the wide-ranging roles across the local Built Environment sector.</p> <p>At the heart of this pathway is a committed local construction industry, with every DEC school being sponsored and supported by a local business. These organisations provide frequent support for classroom delivery, with weekly visits from professionals in their teams. As a result, students are engaging confidently with experts from their field, architects, engineers, surveyors, project managers, planning and design teams etc, and the quality of work now being produced is of the highest standard for GCSE and A-Level portfolios. And in addition, we are now seeing increasing numbers looking to follow a post 18 qualification on-island and this provision is currently being widened in anticipation of the future demand, to help fill the skills gap in Jersey's construction industries.</p> <p>Two of our all-girl schools have in September this year, introduced the DEC scheme to Years 7 and 9, as the DEC learning programme continues to thrive, an outstanding opportunity to realign the perceived gender bias in the built environment workforce has become a reality. A core group of DEC teachers are now well established as a collaborative network for sharing ideas and best practice, and a DEC Steering group has also been formed with the membership including colleagues from schools, Highlands College, Skills Jersey and the Jersey Construction Council.</p> <p>Details of cohort in appendix 3.</p> <p>The FE and Skills actionable agenda (due to be published end of 2022) includes actions to develop this type of model into other industry sectors.</p>
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We will explore ways to continue to support Jersey-domiciled students who wish to study abroad	Skills Jersey has created a permanent HE development role which we will lead on exploring ways to continue to support Jersey-domiciled students who wish to study abroad.	The FE and Skills actionable agenda (due to be published circa Q4 2022) includes actions to develop this further.  The HE development role is due to be in post from December 2022 and work has begun on modernising the ‘Student Opportunities page’ where employers can promote all types of opportunities to Jersey students e.g. internships, paid work, project work etc.
Encourage students from abroad to continue their further and higher-education studies in Jersey	There is both the will and the demand to progress this objective in a meaningful way. However, until student accommodation is sourced and/or developed this objective is unlikely to progress beyond relatively small partnership opportunities. For example, a Memorandum of Understanding with Caen University is being established to facilitate exchanges and French students accessing, in small numbers, some modules of degree programmes.	No further update.
We will review and develop the future of the University College Jersey	University College Jersey is developing continually, it represents over 90% of Jersey’s Higher Education provision with approximately 180 full and part-time student enrolments each year. New programmes are regularly developed in partnership with Government and/or industry.	Skills Jersey have commissioned UCJ to explore a partnership between with The Guernsey Institute Higher Education Partnership, to widen the access to Higher Education provision across the Channel Islands.

## Appendices

### Appendix 1

	<b>Applications</b>	<b>Attendees</b>
<b>Digital Jersey Short Courses</b>	885	525
<b>Highlands College Short courses</b>	44	31
<b>Total</b>	<b>929</b>	<b>556</b>

### Appendix 2

	2016	2017	2018	2019	2020	2021
<b>% of Jersey secondary schools receiving direct employer contact/insights via Skills Jersey (Trident excluded)</b>	63%	72%	72%	91%	100%	100%
<b>% of year 11 students receiving careers guidance 121s</b>	45%	44%	69%	72%	73%	90%

### Appendix 3

DEC STUDENT NUMBERS FOR 2022-23					TOTALS	
Key Stage 3	Year 10 Level 2	Year 11 Level 2	Year 12 Level 3	Year 13 Level 3	Key Stage 4-5	All pupils
940	75	48	27	14	164	1104

## 2.22 Deputy T.A. Coles of St. Helier South of the Chief Minister regarding the Jersey Performance Framework and the Common Strategic Policy (WQ.275/2022)

### Question

Will the Minister advise –

- how many of the key indicators presented in the Common Strategic Policy annexe are directly linked to the Jersey Performance Framework Indicators that are currently published as part of the Framework; and
- how many are new indicators for the Common Strategic Policy 2023-2026 and, of these, how they fit into the Jersey Performance Framework, if at all?"

### Answer

- The Jersey Performance Framework ([Jersey Performance Framework \(gov.je\)](https://www.gov.je/jersey-performance-framework)) consists of the Island Outcomes and Indicators of sustainable wellbeing, along with the Service Performance Measures ([Government departments' Performance Measures 2022](https://www.gov.je/government-departments-performance-measures-2022)) which measure the extent to which departments have achieved their in-year targets.

The majority of the indicators listed in the Monitoring Impact annex of the Common Strategic Policy have been sourced from the Island Outcomes and Indicators Framework that was based on the Future Jersey consultation with Islanders. There are 29 indicators listed in the annex; 17 are directly taken from the Island Outcomes and Indicators framework.

Two indicators are based on the departmental service performance measures – e.g. ‘Monitor the full suite of indicators on health service quality and waiting times’ references the suite of indicators contained within the [Health and Community Services Performance Measures 2022 \(gov.je\)](https://www.gov.je/health-and-community-services-performance-measures-2022) and the HCS Quality and Performance reports published quarterly [Health and Community Services Quality and Performance Reports \(gov.je\)](https://www.gov.je/health-and-community-services-quality-and-performance-reports)

(b) The annex highlights the following as new indicators:

- Increase % of young Islanders who see Jersey as the right place to build their careers and lives
- Reduce skills shortages in key sectors, through a skills barometer and training for Islanders
- Reduce gender-based violence

In addition we will also be adapting the way we publish data for the following indicators:

- ‘Increase the % of Islanders in each age group who report good or very good health’. At the moment there is an indicator that measures ill health (long-term health conditions that affects their day-to-day activities)
- ‘Increase % with access to open space at home’ is a new indicator
- ‘Increase wellbeing scores for pupils in Years 4, 6, 8, 10 and 12’ – this information is not currently within the Island Outcome Indicator framework but is published every two years in the Children and Young Persons Survey report.

The following indicators are variants on the measures in the Island Outcomes Indicators framework:

- The annex includes ‘Increase total GVA per person’ whereas the Island Outcome Indicator is GVA per Full Time Equivalent – there is value in both measures, which are produced by Statistics Jersey
- Increase the number of Islanders with qualifications above Level 4 – currently the Island Outcomes Indicators report on pupils achieving at Level 3
- ‘% who are satisfied with the area in which they live’ is an extension of the current indicator ‘% of St Helier residents who are very satisfied with St Helier as a place to live
- ‘reduce inequality in attainment for key groups (of children and families)’. Performance at KS2, GCSE etc is reported through the CYPES Service Performance Measures, but analyses to identify inequality is not yet published as part of the Jersey Performance Framework. The attainment for key groups, such as those in receipt of Jersey Premium, will be published within the planned CYPES attainment reports in 2023 (and subsequently) which will cover attainment at Key Stages 1 & 2, GCSE and A-Level and equivalent qualifications.

The Chief Statistician will work with departments to define and develop the indicators to support consistent reporting against the metrics in the Monitoring Impact annex of the CSP, in the context of the insight available from the whole suite of island outcomes and indicators.

Whether and how new indicators will be incorporated into the Jersey Performance Framework will be considered as part of a review initiated by the Chief Statistician of the data published within the Performance Framework. This aims to review/refresh the number of indicators, to make them more relevant, to improve their presentation and to make them easier to use. It is likely that the current suite of 192 Island Outcome Indicators and 223 Service Performance Measures will be reduced, but new indicators can be added.

**2.23 Deputy S.Y. Mézec of St. Helier South of the Chief Minister regarding applications under Regulation 2(1)(e) of the Control of Housing and Work (Residential and Employment Status) (Jersey) Regulation 2013 (WQ.276/2022)**

**Question**

Will the Minister provide a breakdown for each of the last five years of how many applications under Regulation 2(1)(e) of the Control of Housing and Work (Residential and Employment Status) (Jersey) Regulation 2013 have been made and how many were rejected?

**Answer**

<https://www.gov.je/government/freedomofinformation/pages/foi.aspx?ReportID=5586>

	2017	2018	2019	2020	2021	2022 (to 07/11/2022)
<b>Applications</b>	36	17	20	22	25	12
<b>Approved</b>	34	14	19	20	23	9
<b>Refused</b>	2	3	1	2	2	3

**2.24 Deputy S.Y Mézec of St. Helier South of the Minister for External Relations and Financial Services regarding overseas visits he has attended this year (WQ.277/2022)**

**Question**

Will the Minister provide a full breakdown of the overseas visits he has attended this year since taking office, including the cost of each visit and the number of officers who accompanied him on each one?

**Answer**

Since 2017, following a review by the Chief Minister of the time, spending on travel costing more than £500 has been published regularly on the Government Open Data Source website, which is accessible [here](#).

Figures for travel by the Minister of External Relations (MER) will be available in due course once all statements and invoices have been received for the visits since taking office in July 2022.

Where the Minister's official meetings are in London, he is joined by officers from the Jersey London Office so no flight or hotel costs are incurred for them. Similarly for engagements in France, which are organised by the Bureau des Isles Anglo Normandes (BIAN), and to Brussels, which are coordinated by the Channel Islands Brussels Office (CIBO). The meetings in France and Brussels were joint visits with Guernsey.

Title	Destination	Travel Start Date	Travel End Date	Officers
French Embassy - Bastille Day	London	14/7/2022	14/7/2022	JLO
Jersey Finance Parliamentary Reception	London	20/7/2022	21/7/2022	JLO



Commonwealth Games	Birmingham	27/7/2022	29/7/2022	JLO
Diplomatic introductory meetings	London	21/8/2022	23/8/2022	JLO
Diplomatic introductory meetings	London	7/9/2022	12/9/2022	JLO
Jersey London Office & meeting with new LG	London	16/9/2022	20/9/2022	JLO
Labour Party Conference	Liverpool	24/9/2022	28/9/2022	JLO
Conservative Party Conference	Birmingham	1/10/2022	5/10/2022	JLO
IMF/World Bank	Washington DC	10/10/2022 2	17/10/2022 2	2
Joint CI, Normandy, Brittany summit & Paris	France	17/10/2022 2	21/10/2022 2	BIAN +3
CI Brussels Office - EU Parliament	Brussels	7/11/2022	9/11/2022	CIBO +1

## 2.25 Deputy S.Y. Mézec of St. Helier South of the Minister for Treasury and Resources regarding rising interest rates (WQ.278/2022)

### Question

Will the Minister outline how rising interest rates are anticipated to affect tax income as a result of any changes in economic activity they are expected to provoke?

### Answer

The latest income forecast, produced by the [Income Forecast Group \(IFG\) for Summer 2022](#) has been used to inform the income estimates in the Government Plan 2023 – 2026.

The IFG Summer 2022 forecast outlines the impact of rising interest rates, which has a positive impact on some parts of the financial sector, driving growth for the Jersey economy and thus Government incomes. This is predominantly seen through the increase forecast in Corporate Income taxes, but also in Personal Income tax largely through interest rate rises indirectly leading to increases in average earnings in the financial sector.

The IFG Summer 2022 forecast is based on the economic assumptions published in the [Fiscal Policy Panel Medium Term Report – July 2022](#). This report should be read alongside the IFG forecast which further details the effect of rising interest rates. The economic forecasts in the July 2022 report, have been upgraded since their March 2022 report, which has been mainly “attributable to accelerated growth in financial services profits reflecting higher interest rates.”

The Fiscal Policy Panel have recently published their [Annual Report in November 2022](#), this includes updated economic assumptions which reflects a further increase in interest rate projections from the July assumptions. We are currently considering whether the changes to assumptions indicate the need for an updated forecast, especially in the context of ongoing

uncertainty. If new income forecast is appropriate, we would aim to produce by the end of November 2022.

**2.26 Deputy L.V. Feltham of St. Helier Central of the Minister for Housing and Communities regarding data in respect of the number of applications to the Affordable Housing Gateway (WQ.279/2022)**

**Question**

Will the Minister provide data in respect of the number of current applications, the total number of applications received in 2022 to date and the total number of applications for each of the past five years (2017 to 2021 inclusive) made to the Affordable Housing Gateway, broken down as follows –

- (a) by the number of bedrooms required according to the Affordable Housing Gateway definitions (differentiated also between bedsits and one-bedroom homes);
- (b) the number of people included in the application;
- (c) the number of applications including children;
- (d) the number of applications that were made by people living in conditions considered overcrowded at the time of application;
- (e) the number of applications which included people with accessibility requirements; and
- (f) the number of applicants who requested access to a parking space?

**Answer**

The total number of applications received in 2022 to date and the total number of applications for each of the past five years (2017 to 2021 inclusive) made to the Affordable Housing Gateway:

	<b>2022 01/01 - 08/11</b>	<b>2021</b>	<b>2020</b>	<b>2019</b>	<b>2018</b>	<b>2017</b>
<b>Total number of applications</b>	1,148	1,430	1,156	1,033	1,140	963

- (a) the number of bedrooms required according to the Affordable Housing Gateway definitions (differentiated also between bedsits and one-bedroom homes):

	<b>2022 01/01 - 08/11</b>	<b>2021</b>	<b>2020</b>	<b>2019</b>	<b>2018</b>	<b>2017</b>
<i>(Bedsits) 0</i>	120	118	138	169	152	125
<i>1</i>	337	445	305	301	352	325
<i>2</i>	300	363	335	361	355	271
<i>3</i>	124	164	198	134	166	135
<i>4</i>	14	18	32	22	35	16

5	1	2	2	2	7	2
<i>Not specified</i>	252	320	146	44	73	89

(b) and (c) the application data does not allow for a straightforward analysis of the number of people (adults and children) included in each application. It is not possible to provide the answers to these questions in the timeframe provided.

(c) the number of applications that were made by people living in conditions considered overcrowded (as declared by the applicant) at the time of application:

<b>2022 01/01 - 08/11</b>	<b>2021</b>	<b>2020</b>	<b>2019</b>	<b>2018</b>	<b>2017</b>
134	150	173	101	115	79

(d) the number of applications which included people with accessibility requirements:

	<b>2022 01/01 - 08/11</b>	<b>2021</b>	<b>2020</b>	<b>2019</b>	<b>2018</b>	<b>2017</b>
Total number of applications	805	970	861	818	785	633
Disabled Property required	7	10	8	5	3	2
Ground floor specified	157	217	218	303	293	177
Lift specified	540	630	539	457	448	419
Medical mobility needs declared	101	113	96	53	41	35

(e) the number of applicants who requested access to a parking space:

<b>2022 01/01 - 08/11</b>	<b>2021</b>	<b>2020</b>	<b>2019</b>	<b>2018</b>	<b>2017</b>
736	892	755	575	595	420

**2.27 Deputy L.V. Feltham of St. Helier Central of the Minister for Housing and Communities regarding data in respect of the Affordable Housing Gateway (WQ.280/2022)**

**Question**

Will the Minister provide data in respect of –

- (a) the number of homes allocated by the Affordable Housing Gateway in 2022 to date and the total for each of the past five years (2017-2021 inclusive); and
- (b) the number of homes currently available for allocation by the Affordable Housing Gateway; and
- (c) the homes currently in development or planned for development that will become available;

with, in each instance, the statistics broken down as follows –

- (i) the number of bedrooms in the home (differentiated between maisonettes, bedsits, one-bedroom, two-bedroom, three-bedroom and four-bedroom homes);
- (ii) the number of homes that would see 2 or more children sharing a bedroom (broken down by the number of children sharing a bedroom);
- (iii) the number of homes that would have children of different genders sharing a bedroom;
- (iv) the number of homes that meet specific accessibility needs;
- (v) the number of homes with no outside space, those with a balcony, and those with a garden; and
- (vi) the number of homes with access to a parking space?

**Answer**

- (a) The Affordable Housing Gateway does not allocate any homes. The Gateway is a waiting list, which Andium Homes and the other social housing providers use in order to allocate their respective vacant homes. However, the total number of homes allocated are:

<b>2022 01/01 - 08/11</b>	<b>2021</b>	<b>2020</b>	<b>2019</b>	<b>2018</b>	<b>2017</b>
484	420	323	271	356	283

- (b) It is not possible to provide the total number of homes currently available for allocation because the Government only has access to Andium Homes’ data. There are other social housing providers that allocate homes to Islanders on the Gateway. Andium Homes advertise all their vacant homes on their website:

[Homes to rent \(andiumhomes.je\)](http://andiumhomes.je)

This changes on a weekly basis as properties are allocated, and new properties come through as tenants give notice or when new supply is being delivered. Properties are only advertised once keys have been returned from outgoing tenants and void refurbishment works are nearing completion. Therefore, in addition to those listed on the website, at any given time there will be more homes that are still going through the process.

As of Monday 14 November, Andium has:

- 15 homes where notice has been given – keys not yet returned from outgoing tenants
- 19 properties that are undergoing various levels of void refurbishment works
- 18 properties advertised on the website that are due to be allocated.

There are an additional 47 new homes which are being advertised at Cyril Le Marquand Court – these are due for completion at the end of November.

(c) As explained in (b), it is only possible to provide the figures in relation to Andium Homes, which is currently delivering the following:

	Cyril Le Marquand Court (Ann Court)	Mayfair	Le Marais (refurbished)	Edinburgh House (La Collette)	The Limes	The Limes (refurbished)
Studio	0	0	14	0	0	0
1 bed flat	105	147	14	73	39	14
2 bed flat	27	50	28	65	80	3
3 bed flat	0	4	0	9	6	
Total	132	201	56	147	125	17
PC	Jul-23	Aug-25	Mar-23	Jul-23	Jul-24	Jul-24

Andium Homes' housing projects in planning or post-planning and pre-construction:

	Brewery	Pomme D'or	Northern Quarter	Total in planning or post-planning and pre-construction
Studio flat	0	0	0	0
1 bed flat	172	10	122	304
2 bed flat	85	2	41	128
3 bed mixed	5 flats		6 houses	11

Total	262	12	169	443
PC	Feb-27	Sep-24	Apr-26	

Summary:

	Grand total (excluding refurbished)	Grand total
Studio	14	28
1 bed	696	724
2 bed	381	412
3 bed	30	30
Total	1121	1194

- (i) s above.
- (ii) It is not possible to provide this answer because homes are allocated to applicants based on their family's needs. Therefore, if children required separate rooms then they would be allocated a home to meet these needs. Homes will not be offered if more than two children would have to share a room because the property would be deemed to be grossly overcrowded.
- (iii) It is Gateway policy that children of different genders share a bedroom up until the age of five. Once the eldest is five they would qualify for their own room. If there is more than five years between children who are the same gender, they would also qualify for their own room. It is not possible to provide a breakdown of the number of homes in which this is the case.
- (iv) All Andium Homes properties are built to building bye-laws accessibility standards. Andium holds a dedicated medical adaptation budget to cater for individual client requirements. Where new homes have been pre-allocated to clients with specific accessibility needs, these will be addressed in partnership with the client and their occupational therapist, where possible.
- (v) All Andium Homes properties are built to Planning standards with a mix of private and communal amenity space. It is not possible to provide a breakdown of this space in the time given.
- (vi) All Andium Homes properties have access to a parking permit, rather than a parking space.

**2.28 Deputy M.B. Andrews of St. Helier North of the Minister for Home Affairs regarding the number of U.K. Police Officers recruited to the States of Jersey Police (WQ.281/2022)**

**Question**

Will the Minister confirm the number of U.K. Police Officers recruited to the States of Jersey Police each year since 2017?

**Answer**

SoJP have recruited the following numbers of ‘experienced Police Officers’ from the U.K.-Serving UK Police Officers who transferred to SoJP:

2017: 0

2018: 7

2019: 6

2020: 4

2021: 1

2022: 2

Total: 20

Ex UK Police Officers who joined SoJP (retired or with short service gap before joining SoJP):

2017: 1

2018: 0

2019: 0

2020: 2

2021: 0

2022: 1

Total: 4

Above combined:

2017: 1

2018: 7

2019: 6

2020: 6

2021: 1

2022: 3

Total: 24

Of these, 17 are working for the States of Jersey Police currently.

**2.29 Deputy M.B. Andrews of St.Helier North of the Minister for Treasury and Resources regarding personal income tax paid by the top 5% of taxpayers (WQ.282/2022)**

**Question**

Will the Minister advise the total amount of personal income tax paid by the top 5% of taxpayers as part of the overall government revenue for each year since 2017?

## Answer

The personal income tax estimated below has been calculated from the 5% of highest-earning taxpayers and may include tax paid at a partnership level or through company distributions which will have already been taxed at 20%. Accordingly, the estimate of tax paid is likely to be understated.

		2017	2018	2019	2020
Personal tax from top 5%	£ million	137	135	138	139
Overall Revenue	£ million	1,189	1,244	1,305	1,290
Personal tax as % of Overall Revenue		12%	11%	11%	11%
<b>Total Personal Tax Revenue £ million</b>					
		428	453	475	463
<b>Tax from top 5% as % of Personal Tax Revenue</b>					
		32%	30%	29%	30%

## Notes

1. As High-Value Residents (as defined in the Income Tax (Jersey) Law 1961) are subject to different taxation arrangements, they have been excluded from these figures. For these purposes, a taxpayer will include married couples and people in civil partnerships.
2. A taxpayer may be in the highest income bracket but pay a relatively low amount of personal income tax if all or part of their income has already been subjected to taxation. For example, a taxpayer who received a distribution of £300,000 from a 20% tax paying company, would see £60,000 of tax relating to that income being paid at the company, and would therefore not be included in these personal tax totals.
3. Overall revenue has been interpreted to mean total income of the States in the Consolidated Accounts, before gains/losses on financial assets, as reported in the Annual Report and Accounts (ARA).
4. Total personal tax revenue has been taken from [Government of Jersey tax receipts](#) on Gov.je.
5. A change in accounting policy in 2019<sup>3</sup> means that, for 2017 and 2018, the prior year basis personal income tax for a year of assessment was recognised after the year the taxable earnings were earned. In subsequent years the taxation revenue from all personal income tax is recognised in the period in which the event generating the revenue occurs. Taxpayers in the top 5% may have been prior year basis or current year basis taxpayers, and therefore personal tax has simply been taken from the year of assessment and compared against the same year in the ARA.

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<sup>3</sup> Annual Report and Accounts Page 200 - [R Government of Jersey Annual Report and Accounts 2019.pdf](#)



**2.30 Deputy M.B. Andrews of St.Helier North of the Minister for Health and Social Services regarding staff who have been recruited from overseas to work in the Health and Community Services Department (WQ.283/2022)**

**Question**

Will the Minister advise the total number of staff who have been recruited from overseas to work in the Health and Community Services Department in 2021 and 2022 to date?

**Answer**

2021	2022
64	67

**2.31 Deputy L.K.F Stephenson of the Comité Des Connétables regarding Connétables' allowances expenses or special payments (WQ.284/2022)**

**Question**

Will the Chair provide details of any arrangements that allow Connétables –

- (a) to claim allowances / expenses / special payments in addition to their States Assembly salary;
- (b) how any such amounts are set and agreed; and
- (c) how many Connétables are currently in receipt of such payments?

**Answer**

- a. Arrangements for payments to Connétables in addition to their States Assembly salary vary from Parish to Parish.
- b. Some Parishes approve a single payment to the Connétable towards expenses they incur on behalf of the Parish. Such amounts are decided by the Parish Assembly when approving the estimates for the Parish for the coming year in accordance with Article 21(2) of the Rates (Jersey) Law 2005. The sum is shown in Parish accounts which are available online on the Parish's website.
- c. Currently five Parishes provide for Connétable's expenses or an allowance in the estimates for 2022/23 (available on the Parishes websites); these are St Brelade (£2,500), St Lawrence (£1,500), St Martin (£1,500), St Ouen (£2,000) and St Peter (£3,000).

Note – further information about payments has been issued in response to two FOI requests; see [Connetables-payments-2019-2021.pdf \(comite.je\)](#) and [Honorary-Police-payments-since-2015.pdf \(comite.je\)](#)

**2.32 Deputy L.K.F Stephenson of the Commonwealth Parliamentary Association (Jersey Branch) Executive Committee regarding the cost of States Members' attendance at Commonwealth Parliamentary Association events (WQ.285/2022)**

## Question

Will the Chair advise –

- (a) the total cost of States Members' travel, accommodation and food associated with attendance at Commonwealth Parliamentary Association events around the world for each of the last five years, including to date in 2022; and
- (b) who is able to represent the Island at such events and explain the selection process?

## Answer

2018: £26,310.40

2019: £22,227.21

2020: £9,592.25

2021: £6,607.38

2022: £15,814.46

Total: £80, 551.70

The work of the CPA is invaluable. It allows Members to share knowledge, experience and skills across a global network. Jersey gains and gives back in equal measure and through its involvement in the CPA is able to have a distinct international presence and provide professional development opportunities for members.

In 2019 the budget for the Jersey Branch of the CPA was increased for the first time since 1997 from £40,000 to £50,000 to meet the costs of participation in the vast array of opportunities made available by the CPA for Members to meet and network with colleagues across the Commonwealth. It is worth noting that the Jersey Branch pays its subscription to the CPA from the same budget line and that currently stands at £30,000. Most conferences provide food and accommodation as part of the event, but there are subsistence allowances which are applied to meet the cost of any meals (excluding alcohol). Bookings for CPA events are made through the Government travel system and in accordance with accepted travel guidelines to ensure value for money.

When an invitation to an event is received by the Branch Secretary (the Greffier) it is circulated to all Members seeking expressions of interest. Members are encouraged to submit an application form by a set deadline, outlining their particular interest in the visit. These submissions are then considered by the Executive Committee who prioritise selection based on several criteria to ensure fairness, objectivity and that the delegation we send is balanced. Consideration is given to a Member's length of service; gender; experience; familiarity, knowledge or specific interest in the conference theme; and also whether they have attended any similar events (with priority being given to those who have not). The focus of the Committee is to share the opportunities afforded by CPA equally across the membership of the Assembly.

### **2.33 Deputy L.K.F Stephenson of the President of the Assemblée Parlementaire de la Francophonie Jersey Branch (Executive Committee) regarding the cost of States Members' attendance at Assemblée Parlementaire de la Francophonie events (WQ.286/2022)**

## Question

Will the President advise –

- (a) the total cost of States Members' travel, accommodation and food associated with attendance at Assemblée Parlementaire de la Francophonie events around the world for each of the last five years, including to date in 2022; and
- (b) who is able to represent the Island at such events and explain the selection process?

## Answer

The expenditure on Members' attendance at events organised by the Assemblée Parlementaire de la Francophonie (APF) are shown below (including to date in 2022):

2018:	£1,812.78
2019:	£9,609.02
2020:	£0
2021:	£0
2022:	£4,581.31
Total:	£16,003.11

The Members who attended conferences during this period were former Senator John Le Fondré, Deputy Montfort Tadier, Connétable Michael Jackson, Deputy Kirsten Morel, Deputy Geoff Southern and Deputy Raluca Kovacs.

In accordance with the Branch Rules for the Jersey Section of the APF, it is the Executive Committee of the Branch that decides the States Members who will comprise the delegations that attend APF Conferences. The only specification within the Branch Rules themselves is that members of delegations must enjoy a good standard of spoken French and are able to read French. However, one of the annual conferences to which the Branch receives an invitation is the Conférence des Présidents, and it is expected that the President (or Vice-President) of the Section will normally attend that particular conference.

In recent years, delegations have essentially comprised members who have also sat on the Executive Committee. It is apparent, however, that within the current Assembly there is a larger number of French-speaking members, or members with an interest in the work of the APF, than during previous terms; and the current Executive Committee will therefore consider how to ensure the opportunities to attend APF conferences are made more widely available across the membership than may have been the case in previous years.

### **2.34 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding estimates of the anticipated maintenance and repair costs for the General Hospital at the Gloucester Street site (WQ.287/2022)**

## Question

Will the Minister –

- (a) provide estimates of the anticipated maintenance and repair costs for the General Hospital at the Gloucester Street site to ensure that it remains fit for purpose and safe for the 3 years from 2023 to 2026 while the development of new facilities goes ahead; and
- (b) advise what measures, if any, will be put in place to maintain the existing facilities during the same period?

**Answer**

- a. The budget allocated for the routine maintenance of the Hospital estate is currently circa £7m per annum. In addition to this, the capital programme allows for investment of £5m for backlog maintenance. This allowance in future budgets was due to decrease in the anticipation of the delivery of a new hospital by 2026. Following the publication of the 100-day review, the single site, single phase Overdale scheme, will not be deliverable by 2026. With this announcement the estates team have commenced detailed work to cost what this may mean financially to maintain the hospital beyond 2026. Currently the anticipated figure is not known and given the changes to the market, would not be prudent to estimate at this time.
- b. There is already a well established and comprehensive programme of backlog maintenance in place to ensure that all hospital sites remain operational and safe, ensuring mandatory fire safety requirements and statutory safety legislation are met. In addition to this the team are competent and capable to react responsively to any unplanned works. This maintenance plan will remain in place until it is superseded by new maintenance plans that support the new healthcare facilities.

**2.35 Deputy G.P. Southern of St.Helier Central of the Minister for Social Security regarding measures under consideration for the Health Access Scheme (WQ.288/2022)**

**Question**

What measures, if any, does the Minister have under consideration to increase the number of groups eligible for the Health Access Scheme, such as those with a disability or the elderly, in order to reduce the cost of primary care to those with multi-morbidities?

**Answer**

I have committed to reviewing the Health Access Scheme in my Ministerial Plan. This review will consider the role it plays in helping people access general practice services, and the rationale for any adaptation to membership.

**2.36 Deputy T.A. Coles of St. Helier South of the Minister for Infrastructure regarding the Our Hospital Site Shortlisting Report (WQ.289/2022)**

**Question**

Will the Minister advise whether any calculation of the cost profiles and manpower implications, such as requirement of staff, was undertaken for each of the shortlisted sites indicated in the [Our Hospital Site Shortlisting Report](#) of July 2020, including split site options; and, if so, will the Minister provide this calculation?

## Answer

All of the criteria applied as part of the assessment for the shortlisted sites appears in the site evaluation report, which is available at [gov.je](http://gov.je)<sup>4</sup>. These criteria were developed from classifications established from best practice:

- Clinical
- Locational
- Environmental
- Economic & Social

The Outline Business Case for the single-site Overdale Scheme, R.124-2021<sup>5</sup>, notes that there would be more detailed work required to fully understand facilities management and workforce costs.

### **2.37 Deputy T.A. Coles of St. Helier South of the Minister for Treasury and Resources regarding the money borrowed through the Revolving Credit Facility (WQ.290/2022)**

#### **Question**

Will the Minister state whether the money borrowed through the Revolving Credit Facility, in response to Covid-19, was borrowed at a fixed rate; and, if so, at what rate and for how long?

#### **Answer**

The interest terms of the Revolving Credit Facility ('RCF') were linked to a floating rate known as LIBOR (London InterBank Offered Rate) at the time the RCF was originally put in place. During the term of the facility LIBOR linked borrowing facilities have been legally required to transition to the replacement floating rate known as SONIA (Sterling OverNight Index Average).

The total interest cost is a combination of the SONIA rate (2.9266% on 17<sup>th</sup> November 2022) plus a margin which is negotiated with banks in a commercial manner and is protected by the confidentiality wording within the RCF agreement.

The interest terms apply from when the RCF was originally put in place in May 2020 until the expiry date in May 2023.

### **2.38 Deputy R.J. Ward of the Minister for Health and Social Services regarding patient travel for medical treatment off island (WQ.291/2022)**

#### **Question**

Further to [Written Question 247-2022](#), the response to which stated that, in 2021, £734,158 was spent on air fares for those travelling out of the Island for medical treatment, will the Minister advise –

- (a) how many patients qualified for a paid flight for a travel companion and, of these, how many patients –

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<sup>4</sup> [OH Site Evaluation Report.pdf \(gov.je\)](#)

<sup>5</sup> [r.124-2021 \(re-issue\).pdf \(gov.je\)](#)

- (i) were under 18 years;
  - (ii) were over 75 years;
  - (iii) had a medical reason authorised by their consultant; or
  - (iv) were patients with cancer attending a Planning Day and / or radiotherapy / chemotherapy treatment;
- (b) the number of patients who did not qualify for a travel companion but were given discretion for a paid flight for a travel companion;
- (c) of those patients who qualified, how many chose to travel with a companion; and
- (d) the amount spent on flights for patients and the cost of flights for travel companions broken down by groups a(i) to (iv) above?

**Answer**

General note on answers below:

Patients under the age of 18 and over the age of 75 qualify automatically by age therefore the detail provided below is retrieved by filtering the age as they are all guaranteed to qualify.

As the age groups above automatically qualify, the only patients who would qualify for a medical reason are by definition aged 18-74. However, there currently is not sufficient additional data to differentiate between qualifying and non-qualifying for a medical reason as part of the reporting from the system. We therefore cannot determine the cost of qualifying patients in this group.

- (a) Please see table below.

Note: due to the complexity of the (iv), we have separated (iv) into three separate criteria.

Note: the figures below include medical escorts, not just travel companions. The current system does not allow us to separate the date therefore further time and resources would be required to report solely on travel companions.

Criteria	Total
<b>Question a)</b>	
Number of patients who qualified for a paid flight for a travel companion	Of a total 1520 patients, 889 qualified for a paid travel companion. Patients may have been referred more than once and required multiple flights.  In total this equated to 4523 patient flights and 2284 paid travel companion flights.
Of the number of patients who qualified for a paid flight for a travel companion, the number who were under 18 years	In this age group all 263 patients qualified for a travel companion.

Of the number of patients who qualified for a paid flight for a travel companion, the number who were over 75 years	In this age group all 218 patients qualified for a travel companion.
Of the number of patients who qualified for a paid flight for a travel companion, the number who had a medical reason authorised by their consultant	408 patients between the age of 18-74 qualified for a travel companion which was authorised by their consultant.
Of the number of patients who qualified for a paid flight for a travel companion, the number with cancer and attending a planning day	The current system does not allow us to report on this data therefore further time and resources would be required to get the data.
Of the number of patients who qualified for a paid flight for a travel companion, the number with cancer and attending radiotherapy treatment	The current system does not allow us to report on this data therefore further time and resources would be required to get the data.
Of the number of patients who qualified for a paid flight for a travel companion, the number with cancer and attending chemotherapy treatment	The current system does not allow us to report on this data therefore further time and resources would be required to get the data.

(b) Please see table below.

Criteria	Total
Of those patients who did not qualify for a travel companion, number given discretion for a paid flight for a travel companion	Only qualifying patients receive a paid travel companion.

(c) Please see table below.

Criteria	Total
Of those patients who qualified for a travel companion, number that chose to travel with a companion	<p>From the current data by age group:</p> <p>0-17; 263 qualified patients travelled with 270 travel companions.</p> <p>75+; 218 qualified patients travelled with 163 travel companions.</p> <p>18-74; The current system does not allow us to report on those who medically qualified for a travel companion therefore further time and resources would be required to get the data.</p>

(d) Please see table below.

Note: due to the complexity of the (iv), we have separated (iv) into three separate criteria.

Criteria	Total Spent on Patient Flights	Total Spent on Companion Flights
Number of patients who qualified for a paid flight for a travel companion	<p>Spend data is based on total patients and does not separately record those who qualify for travel companions.</p> <p>A total of £494,302.45 was spent on patient flights, this includes both, those who qualified and those who did not qualify for travel companion.</p>	A total of £240,146.56 was spent on travel companion flights.
Of the number of patients who qualified for a paid flight for a travel companion, the number who were under 18 years	£82,115.85	£109,994.28
Of the number of patients who qualified for a paid flight for a travel companion, the number who were over 75 years	£65,284.70	£33,178.43
Of the number of patients who qualified for a paid flight for a travel companion, the number who had a medical reason authorised by their consultant – this only applies to those aged 18-74 as those aged outside of that range automatically qualify.	We pay for all patient flights if there is a medical reason. If it is medically indicated, the costs for travel companions will be paid for. However, as explained above in the general note, the current system does not allow us to report on those in this age group who have qualified for medical reasons. Further time and resources would be required to get the data.	£92,375.53 was spent on travel companions for those patients aged 18-74 (qualified for a medical reason) – this is based on the total cost of escorts minus those aged <18 or >75.
Of the number of patients who qualified for a paid flight for a travel companion, the number with cancer and attending a planning day	Data related to patients with a companion for planning, or receiving their treatment for radiotherapy or chemotherapy cannot be easily extracted from the system due to how the data is currently being captured and reported on.	Data related to patients with a companion for planning, or receiving their treatment for radiotherapy or chemotherapy cannot be easily extracted from the system due to how the data is currently being captured and reported on.
Of the number of patients who qualified for a paid flight for a travel companion, the number with cancer and attending radiotherapy treatment	Data related to patients with a companion for planning, or receiving their treatment for radiotherapy or chemotherapy cannot be easily extracted from the system due to how	Data related to patients with a companion for planning, or receiving their treatment for radiotherapy or chemotherapy cannot be easily extracted from the



	the data is currently being captured and reported on.	system due to how the data is currently being captured and reported on.
Of the number of patients who qualified for a paid flight for a travel companion, the number with cancer and attending chemotherapy treatment	Data related to patients with a companion for planning, or receiving their treatment for radiotherapy or chemotherapy cannot be easily extracted from the system due to how the data is currently being captured and reported on.	Data related to patients with a companion for planning, or receiving their treatment for radiotherapy or chemotherapy cannot be easily extracted from the system due to how the data is currently being captured and reported on.

### **2.39 Deputy R.J. Ward of St. Helier Central of the Minister for Treasury and Resources regarding bonds and borrowing for the new hospital (WQ.292/2022)**

#### **Question**

Will the Minister provide the Government's assessment of the current position of bonds and borrowing for funding the construction of a new hospital?

#### **Answer**

In answering [wq.233-2022.pdf \(gov.je\)](#) the Minister set out his assessment of the potential bond costs associated with the approvals as currently provided by P.80/2021: Our Hospital – Budget, Financing and Land Assembly. The costs today are marginally lower than those quoted in that original response.

The Minister also indicated that the recent volatility experienced in financial markets and the subsequent impacts on long-term interest rates mean that the funding strategy for Our Hospital as set out P.80/2021 would need careful review before committing to any borrowing.

The Review of Our Hospital Project has now been published and provides an opportunity to explore new funding solutions which will more closely align any borrowing to the cash flow profile of the project, which should lead to lower borrowing costs.

### **2.40 Deputy R.J. Ward of St. Helier Central of the Minister for Health and Social Services regarding the capacity of Health and Community Services to staff a multi-site hospital (WQ.293/2022)**

#### **Question**

Will the Minister state what assessments, if any, have been made of the capacity of Health and Community Services to staff a multi-site hospital; and will she further advise whether, within any such assessment, staff would be based in one location or expected to travel between sites to deliver services?

#### **Answer**

As outlined in the Minister for Infrastructure's report on the Our Hospital Project<sup>6</sup>, the next steps for the project are for it to undertake: "...further consultation with stakeholders, especially healthcare staff on the services that should be provided in any hybrid or phased solution".

It is envisioned that the above work will inform an assessment of functional briefs and resources for HCS to support a multi-site hospital, as well as any requirements for staff to travel between sites to deliver services, as is already the case with the current multi-site model of care delivered between Jersey General Hospital and Overdale Hospital's Samarès Ward.

**2.41 Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter regarding St. Peter regarding all online access to the Our Hospital Project at Overdale (WQ.294/2022)**

**Question**

Will the Minister explain why all online access to the Our Hospital Project at Overdale via [www.ourhospital.je](http://www.ourhospital.je) has been removed, whether it will be reinstated and, if so, when?

**Answer**

The website, ourhospital.je was by managed by the former Design and Delivery Partner (DDP). In the interest of minimising costs in relation to the Our Hospital Project, the website has been decommissioned and will be managed in-house by Government of Jersey colleagues. All key sources of information with reference to the project will be available through the gov.je web domain.

Therefore, there are currently no plans to reinstate the external website [www.ourhospital.je](http://www.ourhospital.je), and future publications relating to the project will be published on gov.je.

**2.42 Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter regarding transferring legal responsibility for Financial Services from the Minister for External Relations and Financial Services to the Minister for Treasury and Resources (WQ.295/2022)**

**Question**

Will the Chief Minister advise whether it is still her intention to transfer legal responsibility for Financial Services from the Minister for External Relations and Financial Services to the Minister for Treasury and Resources; and, if so, when will the transfer take place?

**Answer**

I committed as part of the 100-Day Plan to reorganise Government Departments to provide for direct accountability of Ministers. Some transfers have already taken place, and work continues to strengthen lines of ministerial accountability. Deputy Gorst, Deputy Ozouf and I are due to meet shortly to discuss financial services.

In the meantime, the Treasury Minister has been appointed as an Assistant Minister for External Relations and Financial Services and has been delegated responsibility for financial services. Accordingly, for the time being, the Minister for External Relations and Financial Services and the Minister for Treasury and Resources will act concurrently for this area of policy.

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<sup>6</sup> 'A Review of the Our Hospital Project: Advice to the Assembly About Whether Changes Can Be Made to Deliver a More Affordable and Appropriate Alternative' ([R.154/2022](#)), presented by the Minister for Infrastructure, 1 November 2022.

Both Ministers have a strong record of supporting and representing the financial services industry within and outside the Island. That will endure in any event, and irrespective of who has formal political and legal responsibility within Government for financial services.

**2.43 Deputy R.S. Kovacs of St. Saviour of the Minister for Treasury and Resources regarding the revenue gained through International Services Entities fees (WQ.296/2022)**

**Question**

Given that International Services Entities (I.S.E.) fees are an elective alternative to Goods and Services Tax and are available to limited classes of financial services business and those that are part of the Jersey supply chain; will the Minister outline the revenue gained through such fees for each year since they were introduced, broken down for the different categories –

- (a) banks;
- (b) trust company businesses;
- (c) fund services;
- (d) business and fund functionaries;
- (e) collective investment funds;
- (f) unregulated funds and companies / partnerships and trustees of trusts that do not form a link in a value chain leading to consumption of goods or services by individuals resident in Jersey;

and will the Minister further highlight what the fee was for each entity type in each year?

**Answer**

ISE listing is available to limited classes of businesses which are not part of the Jersey supply chain. This reduces administrative costs for Government and compliance burdens for businesses which might otherwise be subject to complicated rules around “partial exemption” while making negligible taxable supplies in Jersey.

Information is not available for the period 2008 to 2010.

Available information for the years 2011 to 2018 is reported in the Tax Statistical Digests<sup>7</sup> on Gov.je.

<https://www.gov.je/SiteCollectionDocuments/Tax%20and%20your%20money/ID%20Tax%20Statistical%20Digest%202016%2020181113.pdf>

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<sup>7</sup> Revenue Jersey Statistics on Gov.je:

<https://www.gov.je/taxesmoney/incometax/technical/guidelines/pages/revenuejerseystatistics.aspx>

Regulation 4	Description	Law at 01/01/2021	Law at 01/01/2020	Law at 01/01/2019	Law at 01/01/ 2012	Law at 01/01/2008
(1)(a)(i)(A)	Affiliation Leader	13,100				7,500
			9,350		7,500	
(1)(a)(i)(B)	plus Per Vehicle	300				100
			200		200	
(1)(a)(ii)(A)	Participating member	300				100
			200		200	
(1)(a)(ii)(B)	plus Per vehicle	300				100
			200		200	
(1)(a)(iii)(A)	Participating member	13,100				7,500
			9,350		7,500	
(1)(a)(iii)(B)	plus Per vehicle	300				100
			200		200	
(1)(b)	Banking Business	78,300				30,000
			58,000		50,000	
(1)(c)	Collective Investment Fund	4,700				2,500
			3,120		2,500	
(1)(ca)	Managed manager	4,700		wef 1/1/18		
			3,120		-	
(1)(d)	Managed manager other	950				500
			625		500	
(1)(da)	AIF services business	4,700		wef 1/1/18		
			3,120		-	
(1)(e)	Fund services business - non managed entity	4,700				2,500
			3,120		2,500	
(1)(f)	Fund services business - managed entity	950				500
			625		500	
(1)(fa)	Fund services business and manager	4,700		wef 1/1/18		
			3,120		-	
(1)(g)	Body Corporate	750				100
			500		200	
(1)(h)	Trustee					
			-		-	
(1)(i)	AIF or CIF - not affiliated	300				100
			200		200	
(1)(j)	Anstalt, Stiftung or foundation	750				100
			500		200	

<https://www.gov.je/SiteCollectionDocuments/Tax%20and%20your%20money/ID%20Tax%20Statistical%20Digest%202017%2020200101%20JB.pdf>

For 2019 onwards, statistics are currently being collated for the next Tax Statistical Digest. I have asked the Comptroller of Revenue to send these to the Deputy as soon as they have been collated and assured.

The revenue from listing fees was approximately £9 million in all years up until 2021 when it rose to £13 million following the revalorisation which took place in the Government Plan 2021-2024. The listing fees for each year are set out in the Goods and Services Tax (International Services Entities) (Jersey) Regulations 2008 (as amended). Salient changes since 2008 are specified in the table below.

**2.44 Deputy M.R. Le Hegarat of St. Helier North of the Minister for Health and Social Services regarding the £500,000 allocated to the Head of Expenditure for Health and Community Services (WQ.297/2022)**

**Question**

Will the Minister outline how the £500,000 allocated to the Head of Expenditure for Health and Community Services through adoption of the Health and Social Security Scrutiny Panel's amendment to the Government Plan 2022–2025 ([P.90/2021 Amd. \(9\)](#)) has been used; and will the Minister further advise whether there is any outstanding funding from this amount, and if so, how much and how any remaining budget will be allocated?

**Answer**

The table below provides an analysis of the planned utilisation and workstreams for the recurrent allocation from Government Plan 2022-2025.

Description	Amount
Director of Mental Health & Social Care (new position / interim role)	178,000
Psychological Therapies	112,760
Additional F3 Doctor Aug-Dec 2022	17,550
Consultant Pharmacist	91,910
Medicines Optimisation Technician	51,950
Peer Support Worker	41,830
Non-Pay Allowance	6,000
<b>Total</b>	<b>500,000</b>

**2.45 Deputy M.R. Le Hegarat of St. Helier North of the Minister for Economic Development, Tourism, Sport and Culture regarding Agricultural Loans (WQ.298/2022)**

**Question**

Will the Minister state –

- (a) how many Agricultural Loans, if any, are outstanding beyond their term;
- (b) what the value is of the outstanding loans; and,
- (c) what steps have been taken to resolve any such outstanding debt?

**Answer**

There are no Agricultural Loans outstanding beyond their term.

There are 2 active Agricultural Loans with a total value of £16,366.57. The loans are due to be fully repaid in 2023 which is in accordance with the originally agreed repayment schedule.

#### **2.46 Deputy M.R. Le Hegarat of St. Helier North to the Minister for Health and Social Services regarding the redevelopment of Clinique Pinel (WQ.299/2022)**

##### **Question**

In relation to the redevelopment of Clinique Pinel, will the Minister advise –

- (a) the expected completion date of all works;
- (b) the date on which services will move into the facility; and
- (c) whether the work will be completed within budget?

##### **Answer**

- (a) The contractor is currently reporting a completion date of the 15th March 2023.
- (b) The completion and handover is phased:
  - Phase 1 of the remodelling and extensions to Clinique Pinel (14 en-suite bedrooms and associated activity space) was handed over on 12 September 2022. These rooms were occupied from 22 September 2022 by Cedar ward.
  - The remodelling and extensions to Rosewood House will be handed over (in full) on 28 November 2022.
  - The final phase completion and handover of Clinique Pinel reported currently by the contractors is 15 March 2023, factoring in risk assessment the final movement of services is anticipated for April 2023.
- (c) Since the works commenced there have been a number of additions to the project to address identified legacy defects. Presently, the project manager is predicting an overspend of £836,000, however, £300K of additional funding is presently in next year's Government Plan leaving the current/predicted short fall of circa £536,000.

#### **2.47 Deputy L.V. Feltham of St. Helier Central of the Minister for Infrastructure regarding the Our Hospital project (WQ.300/2022)**

##### **Question**

In relation to the Our Hospital project, will the Minister detail –

- (a) how clinical requirements were considered in the recent review; and
- (b) whether the previously approved clinical requirements for the new hospital will now need to be reviewed or revised in light of the outcome of the recent review?

##### **Answer**

- a) During the Review of Our Hospital Project over 20 interviews were held with the Review Team with over 60 stakeholders, of which approximately 21 were from a clinical background and provided evidence on the requirements to the review. In addition, the Medical Director for Health and Community Services reviewed the draft report and provided feedback from a clinical perspective. The review concluded that all of the options investigated are able to deliver safe clinical and operational services.
- b) The previously approved functional brief for the Our Hospital project will need to be reviewed or revised in due course, to provide assurance of an appropriate split of services over sites. However, the fundamental collation of requirements and agreement to standards will not need to be revisited, as these have recently been established and this work can be reused and reapplied to a hybrid, phased option. The Minister for Health and Social Services will work closely with the Minister for Infrastructure on this.

**2.48 Deputy L.V. Feltham of St. Helier Central to the Minister for Health and Social Services regarding clinical risk assessments in the latest review of the Our Hospital project (WQ.301/2022)**

**Question**

Will the Minister detail what clinical risk assessments have been undertaken as part of the latest review of the Our Hospital project?

**Answer**

Additional time is required to prepare a response. A final response will be submitted on Monday 28 November 2022 if not sooner.

**2.49 Deputy L. V. Feltham of St. Helier Central to the Minister for Infrastructure regarding traffic modelling in relation to a multi-site hospital (WQ.302/2022)**

**Question**

Will the Minister –

- (a) detail what traffic modelling has been undertaken to identify the changes, if any, that will be required to the road network to service the multi-site hospital cited as the preferred option within the Our Hospital review; and
- (b) state whether any such modelling undertaken has considered access for emergency services to each site and the patient / visitor parking requirements and if so, what models have been produced?

**Answer**

- (a) The review was not intended to provide detailed information to identify traffic changes which may be required to service a multi-site hospital. Nor was the review intended to review any traffic modelling that may have already been completed for the previously approved scheme, or to provide new traffic modelling for the project.
- (b) The review recognises that additional detailed work will be required to develop a case for investment into the preferred option. In this context, traffic and road provision for a

multi-site hospital will be reviewed and revised as part of the development of more detailed proposals, which will be brought back to the Assembly in due course.

## **2.50 Deputy S.Y Mézec of St. Helier South to the Minister for the Environment regarding inspections of rental properties (WQ.303/2022)**

### **Question**

Will the Minister provide a breakdown, per month since the States debated and rejected the [Draft Public Health and Safety \(Rented Dwellings\) \(Licensing\) \(Jersey\) Regulations 202- \(P.33/2021\)](#) in which it was proposed to introduce a landlord licensing scheme, of –

- (a) how many inspections of rental properties have occurred;
- (b) how many of any homes inspected were found to have fallen below statutory minimum standards; and
- (c) what action, if any, has been taken against those found in breach of the rules?

### **Answer**

#### **Context**

The Housing and Nuisance team within Environmental and Consumer Protection undertakes inspections of rented dwellings for a variety of reasons. This includes but is not limited to:

- following up on complaints or requests for advice in relation to the Public Health and Safety (Rented Dwellings) (Jersey) Law 2018 (minimum standards and prescribed hazards)
- in line with the registration, renewal and inspection provisions contained within the Lodging Houses (Registration) (Jersey) Law 1962
- progressing applications under the Rent Safe scheme
- following up on complaints received in relation to the Residential Tenancy (Jersey) Law 2011 and subordinate legislation, for example, in respect to the conditions report at the start or end of a tenancy
- following complaints received in relation to the Statutory Nuisances (Jersey) Law 1999; specifically relating to premises prejudicial to health, for example, relating to noise, odour or pest infestations
- as part of multi-agency safeguarding work where there are concerns for a tenant or neighbours due to the condition of a rented property.

In answering parts (a) and (b), it has been assumed that the reference to falling below minimum standards relates to a failure to meet one or more of either the minimum standards or prescribed hazards outlined in the Public Health and Safety (Rented Dwellings – Minimum Standards and Prescribed Hazards) (Jersey) Order 2018.

#### **Data**

P.33/2021 was debated on 20 July 2021. The data for 2021 is not in an easily retrievable format. It is anticipated it would take 4 weeks for officers to retrospectively examine inspection records



to extract the information requested.

(a) The figures in brackets in the table below relate to the number of dwellings where one or more matters fell below minimum standards or where prescribed hazards were present at inspection.

Not every case would have resulted in an inspection.

Inspection Type	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22
1. Minimum standards and / or prescribed hazards complaint / advice	18 (14)	13 (12)	15 (11)	8 (7)	7 (7)	12 (10)	7 (6)	4 (3)	4 (4)	7 (7)
2. Lodging House - individual dwellings	45	35	101	103	127	25	26	44	69	88
3. Rent Safe	16 (1)	71 (5)	61 (4)	39 (5)	19 (1)	6 (0)	19 (8)	38 (0)	161 (9)	36 (6)
4. Tenancy related complaint / advice	1 (0)	8 (1)	3 (1)	5 (1)	8 (1)	3 (0)	6 (4)	7 (3)	3 (1)	5 (0)
5. Statutory nuisance complaint / advice	2 (1)	0 (0)	8 (6)	7 (6)	6 (3)	3 (1)	9 (6)	7 (3)	10 (7)	2 (2)
6. Safeguarding	1 (0)	4 (1)	6 (4)	2 (1)	2 (2)	2 (2)	1 (0)	0 (0)	0 (0)	1 (1)

(c) Rented dwellings falling below minimum standards or where prescribed hazards were present at the time of inspection for the period 1 January to 31 October 2022.

This data has been split out into 3 categories in the table below. The data is not in an easily retrievable format. It is anticipated it would take 4 weeks for officers to retrospectively examine inspection records to extract the information requested by month. The table below indicates the hazards and instances of falling below minimum standards by category against the source of inspection.

### 1. Complaints / Service Requests

The data relates to 217 rented dwellings, of which 139 (64%) had one or more matters falling below minimum standards or where prescribed hazards were present at the time of inspection.

### 2. Lodging House inspections

The table relates to 663 rented dwellings in 66 lodging houses. Of these, 59 (89%) lodging houses had one or more matters falling below minimum standards or where prescribed hazards were present at the time of inspection.

### 3. Rent Safe Inspections

The table relates to 466 rented dwellings, of which 39 (8%) had one or more matters falling below minimum standards or where prescribed hazards were present at the time of inspection.

There are a few points to note when looking at the figures.

1. There may be multiple defects leading to a hazard. For example, damp and mould could be caused by one or more of water ingress, poor ventilation, and insufficient heating.
2. The figures relate to matters where landlords had responsibility.

Hazards and Minimum Standards	1. Complaints / Service Requests by primary theme								2. Lodging Houses	3. Rent Safe
	Disrepair	Drainage	Overcrowding	Residential Tenancy	Minimum standards	Safeguarding	Premises prejudicial to health	Noise		
	Frequency of occurrence found on inspection									
Smoke detection	4				7	4			30	2
Carbon monoxide					1	1				
Gas certificate / inspection	1									
Electrical certificate / inspection	10			4	15	2			153	2
Damp and mould	30	1		5	27	4	1		91	2
Excess cold	16			4	16	2			178	8
Excess heat				1	1					
CO and fuel combustion products					1					
Radiation						1				
Volatile organic compounds					1					
Crowding and space	1		2		3				1	
Entry by intruders	5			2	4				6	
Lighting	1			2	3	2			17	3
Noise	1			2	3			33		
Domestic hygiene, pests, and refuse	3			3	5	3			12	
Food safety	2				4	1			38	
Personal hygiene, sanitation, and drainage	4			1	6	2	1		16	7
Falling on level surfaces etc.				1	4	1			48	1
Falling on stairs etc.	5				6	1			20	12
Falling between levels	5			1	11				92	17
Electrical hazards	3			1	9	1			70	5
Fire	6			2	13	1			18	
Collision and entrapment	3				3					
Position and operability of amenities etc.					3					1
Flames, hot surfaces etc.					1				1	
Structural collapse etc.	4	1		1	3				9	3

3. The data does not indicate the severity of the matter.

(c) Action taken is dependent on the specific circumstances of each case.

They broadly fall into the following categories.

1. Tenant requesting inspection and advice but no officer communication with the landlord

This is linked to tenants' real fear of revenge evictions and being asked to leave on the expiry of the tenancy. In some circumstances, they may not have an agreement so are more vulnerable. The Residential Tenancy Law only requires agreements after 20<sup>th</sup> March 2013 provided the property is 'self-contained'.

Officers respect these requests and do not take matters further unless there is a significant or immediate risk to health.

2. In some circumstances, officers are asked to inspect properties on an informal basis by the tenant. During / after the inspection, officers will discuss findings with the tenant and agree on next steps.

This can range from officer intervention to assisting the tenant in respect of how to address issues with their landlord and / or managing agent. Some choose to decline assistance. Tenants are asked to come back to us when they eventually vacate, but in practice this does not happen.

3. Where tenants are happy for officers to raise matters with their landlord, and during / following Lodging House and Rent Safe inspections officers will:

- Provide advice during the inspection and are happy to walk through the property discussing each point in detail
- Following the inspection, provide a follow-up report with one or more of:
  - Hazard awareness advice
  - A list of hazards / potential breaches of the legislation along with a schedule of required works
  - A list of recommendations
  - Timeframes for a response to be provided and / or relevant matters to have been completed.

Environmental and Consumer Protection adopts a four-phase approach to enforcement: engage, explain, encourage and enforce. Initially officers will try to work with relevant parties to ensure matters are dealt with in appropriate timescales, safeguarding the health and safety of tenants. It should be noted that in determining relevant timescales, consideration is given to the risk to health and safety of tenants, potential delays obtaining materials and availability of contractors.

Where such measures are unsuccessful, or significant risk exists, officers can serve improvement or prohibition notices requiring steps to be undertaken in specific timeframes. Within the timeframe requested, one improvement notice, and one prohibition notice were served, both in September 2021.

**2.51 Deputy S.Y. Mezec of St. Helier South of the Chair of the Privileges and Procedures Committee regarding the delivery on the recommendations made by the Election Observers Mission in 2018 (WQ.304/2022)**

**Question**

Will the Chair provide an updated timetable for the delivery on the recommendations made by the Election Observers Mission in 2018?

**Answer**

The recommendations made by the Election Observers Mission in 2018 were delivered through the electoral reforms approved by the States Assembly during the last term. The Committee's attention is now focussed on delivering the recommendations made in the latest [Election Observers Mission Report 2022](#). The latest report makes 14 recommendations in total which are due to be discussed by the Committee before the end of the year.

**3. Oral Questions**

**3.1 Deputy B.B. de S.DV.M. Porée of St. Helier South of the Minister for Social Security regarding cold weather bonus payments (OQ.123/2022)**

Will the Minister consider extending cold weather bonus payments to individuals in receipt of long-term incapacity benefits and, if not, why not?

**Deputy E. Millar of St. John, St. Lawrence and Trinity (The Minister for Social Security):**

I thank the Deputy for her question. No, I will not be considering extending cold weather bonus payments to individuals in receipt of long-term incapacity benefit. Long-term incapacity allowance is a benefit that is available to anyone who has paid social security regardless of their household income as long as they are assessed as having a long-term health condition. It is not a means-tested benefit. There are around 4,500 claimants of this benefit but the majority are for relatively low awards. Some of the recipients will be in full-time work and many will not be on a low income. These factors mean that long-term incapacity is not a good way to target additional benefits to seek to help low-income people. To extend the bonus to everyone who receives L.T.I.A. (long-term incapacity allowance) at the moment would create a significant cost pressure at a time when we should be targeting any new spending to those who most need it. People with disabilities who are on low income already receive cold weather payments through income support. Pensioner households who receive income support or do not pay tax are also eligible for cold weather support. Other working households are receiving support through other changes we have made in the mini-Budget.

**3.1.1 Deputy G.P. Southern:**

It seems strange to me that the Minister should refuse point blank to examine this possibility since she has deliberately informed us that she is going to conduct a full review of the entire benefit system. It seems to me common sense that this should be included in that review. Can the Minister please say why and why not?

[9:45]

**Deputy E. Millar:**

Long-term incapacity will of course form part of the review and changes that are required at that point, having conducted the review, having seen all the benefits that are available to persons with disabilities and long-term incapacities, will be considered as part of that review. But right at this moment, I am not intending to extend cold weather payments simply to people who receive long-term incapacity.

**3.1.2 Deputy G.P. Southern:**

The answer leaves me somewhat confused. There are reasons why you should examine the review of all benefits but you are prepared to make an exception in this case and not examine that. It does not make sense to me. In what way does it make sense to her?

**Deputy E. Millar:**

I think I have explained why it is not appropriate simply to give people in long-term incapacity further benefits. It is not means tested and it may not mean targeted benefit is going to those who are most in need of it. There is an incapacity review ... there is a full review of incapacity benefits underway. That will begin with the short-term incapacity allowance. It is already underway focusing on short-term incapacity. We will begin looking fully as part of that review. We will begin looking fully at long-term incapacity towards the end of next year. It is a very big project and we cannot speculate further at this stage, however there are reports issued by my predecessor, which cover this matter in some detail.

**3.1.3 Deputy S.Y. Mézec of St. Helier South:**

Could the Minister explain of those who claim long-term incapacity allowance how many of those also claim income support and how many do not claim income support?

**Deputy E. Millar:**

I do not have those figures in front of me. I can provide them at a later date. But many of the people ... I understand some of the people who receive long-term incapacity are certainly not on income support and many of them will earn quite significant incomes. I can provide the details, if the Deputy wishes.

**3.1.4 Deputy S.Y. Mézec:**

I would be very surprised if it was many. I would have thought that number would be comparatively small. Of course it is the case that many who claim long-term incapacity allowance will also claim income support and therefore be eligible for the cold weather bonus payments that way, but does it not make sense to the Minister to examine those who are on the periphery of being able to claim income support but who, for whatever reason, cannot, to examine whether extending this bonus payment to those in a similar way to what has been done with the community cost bonus, might be a good way of helping some people who comparatively are towards the lower end of the income scale and could do with the help?

**Deputy E. Millar:**

I do not believe that having long-term incapacity will necessarily stop someone claiming any of the benefits that they are entitled to if their means merit it. We have a full programme in the mini-Budget. Long-term incapacity is an old-fashioned benefit. It is not well-targeted. I believe that under other circumstances Reform would also agree with that. The benefit does need review. The previous Minister has published expert reports, which are available for review. We are looking at it. Income support is a much better benefit. People who are on income support and long-term incapacity

will be receiving cold weather payments and, as I have already said, using long-term incapacity as a means of simply giving further benefits is not the most well-targeted way of achieving the aim.

**3.1.5 Deputy R.J. Ward:**

It was interesting to see a report in the news today about doctors prescribing heating payments to patients in the U.K. (United Kingdom). One of the reasons being it helped with long-term care and saved the health service an enormous amount of money because it meant that there was less hospitalisation. Is this one of the things that the Minister could consider and one of the reasons why extending cold weather payments, in the long term, could save us a significant amount of money?

**Deputy E. Millar:**

I also saw that report this morning and I thought it was very interesting. It is the first time I have heard of that. Paying people's electricity bills ... Jersey does not, in some sectors, have the same issues with electricity and fuel prices as they are encountering in the U.K. It is a large subject. It was not clear to me whether the payment of electricity was coming from a Health budget or a Social Security budget. It would require a lot of detail. However, I would emphasise that what we have done as part of the mini-Budget is we have increased the cold weather payment for this year to a guaranteed £70 a month regardless of weather. In the past that has been significantly less. It is not weather related. So even if we have a relatively mild winter those who qualify for cold weather support will receive it this year on a guaranteed basis between October and March. The initiative that the Deputy is talking about is clearly something that is quite new. It is being explored in one or 2 regions in England and Scotland, as I understood the report, and it would need very careful consideration and funding.

**3.1.6 Deputy R.J. Ward:**

Is the Minister aware of the number of people who go to ... one of the things that foodbanks hand out are energy vouchers because people are facing trouble with their heating costs as the winter comes. Would this not be one of the ways in which we understand the reality of life for many on this Island as opposed to just saying, actually, energy is not a problem on this Island?

**Deputy E. Millar:**

I do not think I said energy was not a problem. We have provided a full package of measures. The initiatives that Deputy Ward is discussing clearly have a great deal of merit, but they would require very careful consideration and budgeting and deciding whether that funding comes from Health. The budget was particularly aimed at people who have significant health conditions such as cardiovascular disease and other specific health conditions, so the question would be where the funding comes from. It is a very big subject and would need careful thought, thank you.

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

Please may I raise the défaut on Deputy Farnham?

**The Greffier of the States (in the Chair):**

Do Members agree to raise the défaut on Deputy Farnham? The défaut is raised. Deputy Porée, do you have a final supplementary? Sorry, Deputy Alves, your light was on.

**3.1.7 Deputy C.S. Alves of St. Helier Central:**

The review into the benefit system that the Minister mentioned, can she inform the Assembly how this review will be conducted and by whom?

**Deputy E. Millar:**

It will be conducted by my officers. It will be a review of all their benefits to look at any that are not working, what is working well, what is not working well, to look at any that are obsolete and to look at obvious changes that can be made. We are aiming to do that relatively quickly over the course of next year.

### **3.1.8 Deputy C.S. Alves:**

Did the Minister consider looking at maybe an independent reviewer or somebody outside of her own department?

### **Deputy E. Millar:**

An independent review would be quite costly. Someone would have to come in. They would have to understand the benefit system. It would take much longer to bring an independent in. My officers are aware of issues. Where there are issues with the way benefits operate at the periphery, as Deputy Ward suggests, my officers are aware of where issues arise and they are best placed to conduct an initial review. To the extent we needed independent or expert advice it will be sought at a later date. But I think to bring in an independent expert would cost us money that could be better used elsewhere.

### **3.2 Deputy T.A. Coles of St. Helier South of the Minister for Social Security regarding employment legislation to protect employees when a business is sold (OQ.119/2022)**

Will the Minister advise whether she has any plans to introduce employment legislation to protect the terms and conditions of employees when a business is sold, similar to the Transfer of Undertakings (Protection of Employment) legislation in the U.K.?

### **Deputy E. Millar (The Minister for Social Security):**

I thank the Deputy for his question. It is particularly interesting and one that I have encountered many times in my career as a lawyer, having to deal with a lack of T.U.P.E. (Transfer of Undertakings (Protection of Employment) and how we deal with transfer of employees. I recently published my Ministerial priorities for 2023. I am committed to completing and implementing a review on zero-hour contracts and similar employment practices. I am also committed to a full investigation into the creation of an official living wage rate for Jersey. These employment law issues, which I think are important affecting people right now, sit alongside a full work plan covering other areas under my remit, as discussed recently with my Scrutiny Panel. These are my priorities in respect of employment legislation for 2023. I will keep this issue under consideration for future years but I have no plans to introduce this legislation in the near future.

### **3.2.1 Deputy G.P. Southern:**

Does the Minister accept that the issue of T.U.P.E. and the transfer of undertakings is intrinsically linked to insecure working practice and, in particular, to zero-hours contracts? If we are to solve the problem that is a problem of zero-hours contracts in our economy then we need to include T.U.P.E. alongside that.

### **Deputy E. Millar:**

No, I do not agree with the Deputy that the question of zero hours contracts and T.U.P.E. are linked. The 2 are very different things. Zero-hours contracts I absolutely agree need review. That is part of my Ministerial priorities; the review of zero-hours contracts. It is also being investigated by the Employment Forum. The Employment Forum also have a full programme of work for 2023. T.U.P.E. arises where a business is being transferred. A zero-hours contract, there are ways of dealing with business transfers and in my experience, employees are not prejudiced when the employments are transferred. T.U.P.E. does not prevent redundancies. It simply means that the employees are taken over by the new employer and the new employer can make redundancies, provided they follow

fair process and they do not make any distinction between their own existing employees and any new employees they accrue as a transfer of business. I think to suggest that anyone who is acquiring a business now in Jersey that they are then going to make numerous people redundant is a very low risk indeed because anyone buying a business now ... most businesses tell us that they are crying out for staff so why you would buy a business and not take the employees with you would be quite unusual. A purchase of a business will want employees and it is normally a condition precedent of the sale and purchase contract. If employees are not transferred the employees ... sorry, I can talk about this for quite some time. Our laws do give employees protection. Article 50 of the Employment Law gives employees protection that if they do not transfer automatically when the business is sold their existing employer must either redeploy them or give them full notice and redundancy in line with their employment rights. I would remind the Deputy as well that we are in a position of almost full employment in Jersey. I do not disagree that zero-hours contracts need looking at but I do not think there is a need to link zero hours and T.U.P.E. together.

### **3.2.2 Deputy G.P. Southern:**

Could the Minister inform the Assembly what enforcement officers she has in place to prevent malpractice when this does occur in the employment market?

### **Deputy E. Millar:**

I do not think enforcement of employment law legislation sits with my department. The Jersey Employment and Discrimination Tribunal can hear claims where people are not given redundancy pay or claims for unfair dismissal. Employees can go to that where they have those rights. I say again, however, that in my experience when someone is buying a business, they very much want to take the employees with them.

### **3.2.3 Deputy S.Y. Mézec:**

Is the Minister aware that the T.U.P.E. legislation in the U.K. has been in place for several decades now, having been introduced under Margaret Thatcher, that well-known bastion of workers' rights, and does she therefore regard the situation that Jersey has in not providing these protections to workers here as a position which is to the right even of Margaret Thatcher, and that it is a settled matter that T.U.P.E. regulations do provide protection to employees and would be a good thing if they were at least at some point introduced in Jersey?

### **Deputy E. Millar:**

I have seen transactions virtually collapse because employees do not consent to being transferred or because unions object to the fact that there is no T.U.P.E. and that employees' rights are not protected. I think that is a misunderstanding. As I previously said, Jersey employment law already provides safeguards for employees who are employed in businesses that are or may be the subject of transfers. T.U.P.E. legislation has not historically provided as many safeguards and critically does not guarantee employment on the transfer of a business. Employees can be made redundant when their business transfers by the new employer. Again, it is not simply a case of adopting U.K. legislation and bolting it into Jersey. T.U.P.E. is not a standalone issue in Jersey. We have to look at its interface with the Control of Housing and Work Law, licensing systems for employees; so these things all need to be dealt with. We also need to be careful that in a situation where businesses are already struggling, giving them additional bureaucracy and red tape when we do not need it, is unnecessary when a continuing volatile environment for business. We are in full employment and I cannot really envisage a situation where someone would buy a considerable business and not want to take the employees with them.

[10:00]



### **3.2.4 Deputy S.Y. Mézec:**

It may well be the case that she cannot envision those situations, but they do happen. I have a close family member who lost their job when her business was taken over in this way. She can fail to envision it as much as she likes but it can and does occasionally happen in Jersey. Would it not be the case that we can join other jurisdictions in putting a protection in place in our rules and say when you buy a company you are buying the employment contracts as well. Then if they do go on to make those people redundant at least they are making them redundant on the basis of years of service as opposed to day one employment. Even that would be an improvement from where we are now. If she does regard those as good things, would she indicate to us when we might expect to be able to see that kind of legislation in Jersey?

### **Deputy E. Millar:**

As I say, I do not think this is something that needs dealing with just at the moment. It is a very complex question. It was looked at almost 10 years ago and Ministers since then have reached a view that it is not of overall benefit to employers and employees. I have great sympathy for the Deputy's family member. That is unusual. In my experience, employees have a considerable amount of power. They have to be asked to consent to moving. Their period of continuous employment is protected. We have not had, I believe, in Jersey the vast amounts of outsourcing and transfers of businesses that generated T.U.P.E. in the first place. It is not a priority at the moment. It will be kept under review but there are more important things for the team to do. I would rather not divert the work that is already happening on zero hours and living wage into something that may be a nice to have in some jurisdictions but which is not something where there is clear detriment at the moment.

### **3.2.5 Deputy T.A. Coles:**

I found it interesting that the Minister mentions about businesses being sold and successful and failing ... many people do not sell a successful business but they would seem to want to remove themselves from a failing business. My question is: does she believe there is anything under our laws that protects employees from fire and rehire conditions, which may be forced upon them when a transaction is carried out?

### **Deputy E. Millar:**

On the contrary, people regularly sell successful businesses. There are all sorts of reasons why a business would be sold; the owner may wish to retire, they may be consolidating, they may find increasing regulation more than they want, but I can absolutely assure that successful businesses are sold regularly in this Island and their businesses continue to do very well. If the firing and rehiring, as I say, employees are generally asked to consent ... if they are not employed directly by the company being bought employees are asked to consent to moving. If they consent to move that is generally done in a contract where they preserve all their employment rights and the period of continuous employment. If they refuse to go, as I say it might be unusual for an employer not to offer them work, there is a risk that they would lose their job however their current employee still has to observe all their employment rights and they could then take another job elsewhere. I believe it is a relatively infrequent occurrence in Jersey, and I do not believe it requires the work to bring in T.U.P.E.-style legislation which works for Jersey.

### **3.3 Deputy S.Y. Mézec of H.M. Attorney General regarding ensuring officers abide by the Rule of Law (OQ.116/2022)**

Will H.M. (His Majesty) Attorney General explain what efforts, if any, he takes to ensure that all officers who carry out functions that fall within his office's responsibility abide by the Rule of Law?

**Mr. M.H. Temple Q.C., H.M. Attorney General:**

All employees within the Law Officers' Department abide by the Rule of Law and will be liable to disciplinary proceedings if they do not, in accordance with the relevant disciplinary procedure. Further, the Law Officers' Department is annually inspected by an independent assessor, Lexcel, which is an accredited organisation. Lexcel's accreditation of the department was renewed last month. Insofar as the Deputy's question relates to the XY judicial review proceedings, which were the subject of press comment earlier this month, I regret that I cannot comment further as it relates to a live criminal investigation.

**3.3.1 Deputy S.Y. Mézec:**

The first part of his answer is of course very reassuring, but it is at odds with what is being reported at the moment where there is an apparent admission of a search taking place that was unlawful. How is that position consistent with what he has just said in assuring us that all of his officers consistently abide by the Rule of Law?

**The Attorney General:**

As I have just said, this relates to a live criminal investigation. It is very important that live criminal investigations are not subject to political interference in the work of law enforcement authorities. I am not going to comment on any disciplinary proceedings either of the police or in my department, and I regret I cannot answer the Deputy's question any further for the reasons I have just explained.

**The Greffier of the States (in the Chair):**

Can I just draw attention to Standing Order 10(10), which does say that a question should not refer to a case pending in a court of law in such a way as might prejudice the case. That is for those seeking to ask further supplementaries to be mindful of that Standing Order. No supplementaries, then you do not have a right to a final supplementary.

**3.4 Deputy G.P. Southern of the Minister for Health and Social Services regarding waiting times for ophthalmic hospital appointments (OQ.121/2022)**

Following her response to Written Question 204/2022, will the Minister provide the definitions of the categories "urgent", "soon" and "routine" in terms of prioritising ophthalmic interventions; and, in light of postponed appointments and given the critical waiting time that is between referral from the G.P. (general practitioner) and the operation being performed, will she state whether a waiting time of 200 days is reflective of patients' current experiences?

**Deputy K. Wilson of St. Clement (The Minister for Health and Social Services):**

I thank the Deputy for his question. The definitions for "urgent", "soon" and "routine" in terms of prioritising ophthalmic interventions are as follows. "Urgent", to be seen within 2 weeks; "soon" to be seen within 6 weeks and there is no identified standard for a routine appointment, or a routine wait. The average waiting time for a routine ophthalmology appointment is 200 days and therefore it is reflective of the experience of some patients. However, we know that other patients have experienced longer waiting times. Some have waited over 400 days. The triaging of referrals is carried out by consultants in ophthalmology, and this is an individual consultant decision depending on the information contained on the referral. We concentrate on the clinical information relating to the risk of sight loss and whether this risk will be temporary, for example, from cataract or permanent, for example, from untreated retinal detachment or progressive glaucoma. There are no set guidelines at the moment as to how to triage these referrals because many patients are being referred with more than one problem. For example, some have what they call watery eye condition, some have a cataract

condition and raised eye pressure. Therefore, this has always remained an individual consultant decision. Specifically for cataract referrals, the consultant practice is to prioritise patients with severe visual loss or patients, for example, with only one seeing eye.

#### **3.4.1 Deputy G.P. Southern:**

Does the Minister accept that a wait of the order of 400 days is unacceptable in this jurisdiction given that if one was to go private one might get a cataract operation or the consequences of a cataract operation cleared up within 24 hours, is the reality, if you go private?

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

I agree that the waiting list and the waiting times for treatment are completely unacceptable. There is a combination of factors around this, particularly in relation to recruitment difficulties that we have experienced in the Ophthalmology Department. But also we are recovering post-COVID and there is a particular backlog. One of the things that we are trying to achieve is to reduce those waiting lists and to come up with some schemes that will tackle some of those who have been waiting, in particular, over 90 days. I would be happy to bring forward more details of those schemes in due course.

#### **The Greffier of the States (in the Chair):**

I believe the Constable of St. Mary is going to be making a contribution to the charities appeal.

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

This question that was asked about access to private care within 24 hours. Is that the case and is that the case that that private care will happen on Island as well and so, therefore, there is a 2-tier provision if you can pay for it?

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

Thank you, Deputy. I think people have freedom of choice in relation to securing access to healthcare. I do not have any details in relation to private practice in front of me but I would be happy to provide those details if the Deputy would like to see the comparisons.

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

The theme in answers that we get at moment which is details can be provided later, sometimes they do not appear. May I ask, is it the case that the same ophthalmologists are doing private work at the same time using our facilities and, therefore, you can cut back on your waiting time as long as you can pay, as long as you have the capacity to pay?

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

I would like to just respond to the Deputy by saying that I would be happy - and I genuinely mean this - to provide some comparisons around waiting times for private practice and also for services provided by the States, if I can get that data for him.

#### **3.4.4 Deputy L.V. Feltham of St. Helier Central:**

Has the Minister or her officers undertaken a root cause analysis to determine what has caused these extremely long waiting lists?

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

I think, as I have explained before, we have had some problems in the department in relation to recruitment. The team have changed the clinical model to try and move it from a consultant-led model to a middle-grade model where we have got more junior doctors being able to respond more proactively. We are actively recruiting in November for a consultant post as well. We also have the

backlog of COVID, which is affecting most of the waiting lists. But I can assure you we are on to this to try and bring those waiting list times down for people.

**3.4.5 Deputy L.V. Feltham:**

Given the backlog that the Minister has talked about and the need for recruitment, has the Minister had any conversations with consultants to perhaps identify whether there is a possibility for consultants to do some of the work for public patients in the time that they are currently spending on private patients?

**Deputy K. Wilson:**

As you know, the department is at full stretch at the moment, given some of the shortfalls. Most of our activity, public activity, is managed appropriately within the resources that we have got. I think the activity will improve and the waiting list will see some reduction when we have got a full team in place.

**Deputy L.V. Feltham:**

Ma'am, could I ask the Minister to answer my question as to whether any conversations had taken place with consultants?

**Deputy K. Wilson:**

I am not aware directly of any consultant conversations with myself but, again, I can ask the team to see what discussions have taken place. I am not privy to their everyday conversations but I can follow that up for her.

**3.4.6 Deputy G.P. Southern:**

Is the Minister not in danger of overseeing the process of inventing a 2-tier system for healthcare on this Island? Will she commit herself publicly to ensuring that the health and care service remains free at the point of delivery?

**Deputy K. Wilson:**

I would like to just remind us that we already have a health service which is providing service free at the point of delivery.

[10:15]

But one of the things that we do have is an offer of choice and it is up to an individual to be able to choose which way they access healthcare.

**Deputy G.P. Southern:**

Sorry, it is a 2-tier system then; is that what the Minister is confirming?

**Deputy K. Wilson:**

What I have just said is that the system, the public health system, is there for everybody's use. If people choose to exercise their choice to go privately that is their individual choice.

**3.5 Deputy R.J. Ward of the Minister for the Environment regarding electric bike schemes (OQ.114/2022)**

Will the Minister advise whether funding for any planned electric bike schemes will be taken from the budget for speeding up adoption of electric vehicles, and whether the active travel budget of £1.7 million will be untouched by any such scheme; will the Minister further indicate what consideration will be given to those on lower incomes, struggling families and those with disabilities to ensure they are included in any scheme?

**Deputy J. Renouf of St. Brelade (The Minister for the Environment):**

I can confirm that work is underway to develop a further e-bike incentive scheme under Policy TR1 in the carbon neutral roadmap. But the eligibility, timing, value and further details of the scheme have yet to be finalised. However, I can also confirm that money used to fund such a scheme would come from the electric vehicle or E.V. (electric vehicle) part of the Climate Emergency Fund, for which over £4 million has been allocated and not from the active travel budget. As far as the second part of the question is concerned, any scheme to incentivise the purchase of e-bikes will necessarily support those who have the resources to pay a significant part of the cost of an e-bike. I recognise that this is unlikely to include people on very low incomes. However, the policies being developed as part of the carbon neutral roadmap need to be considered as a whole. Different policies are designed to target different groups. I would also emphasise that one of the reasons for encouraging the rapid take up of e-bikes is to help the development of a significant second-hand market, which will lower the price barrier to entry. Finally, in terms of people with disabilities, we are looking at ways to ring-fence a proportion of the funding to go towards e-bikes that are adapted to meet the needs of the mobility impaired and those with disabilities in recognition of the particularly high cost of this kind of bike.

**3.5.1 Deputy R.J. Ward:**

I thank the Minister for the reassurance that the active travel fund will not be touched with this scheme. Can I ask the Minister to confirm some idea of this type of subsidy? Because an e-bike can be over £2,000, they are often over £2,000 and to many even a subsidy of half of that would make them really inaccessible. Therefore, would he extend this scheme to non-e-bikes as well to get people cycling and use, for example, some of the charities like Acorn, who can refurbish bikes, to make bikes almost free for people with their small subsidy?

**Deputy J. Renouf:**

I would rather not get drawn at this stage on the precise details of policy under development. It risks giving advice to people, so to speak, that might not come to pass and I think that would be unfortunate. On the more general point though, I would take issue with the idea that every single thing we have to do in the carbon neutral roadmap should be equally applicable. I think the idea is that we target different schemes of different segments of the population and indeed different end-users. We will have schemes to help people with removing carbon heating systems, high carbon heating systems. We will have schemes for transport and those schemes for transport will be targeted in different ways. We already have schemes, thanks to the Deputy, to do with bus subsidies. We will have schemes to do with active travel and we will have schemes to do with e-bikes and, in the fullness of time, with E.V.s. Those are all different schemes aimed to target different groups. I do feel that we should offer incentives also to people higher up the income scale to try and nudge their behaviour in the direction that we know they need to go, that we know the Island needs to go. I do think that that spread of incentives needs to be borne in mind.

**3.5.2 Deputy G.P. Southern:**

What I noticed there was the use of what appears to be free electric bikes for the wealthy, is that not the case?

**Deputy J. Renouf:**

No, it is not the case. I specifically said I was not going to get drawn on the details of what the subsidy schemes might involve. I can say that that is not an example that is currently within our range of considerations.

### **3.5.3 Deputy G.P. Southern:**

But, nonetheless, the Minister suggests that the wealthy are a target.

#### **Deputy J. Renouf:**

I think I explained quite comprehensively that we need to target a range of measures. The need is to encourage people at all income scales to make changes in behaviour. There is, therefore, a spread of measures designed to go right across the income distribution and right across many different forms of transport, and indeed home heating when we come to that as well. I do think that this will be a balanced set of proposals when they come forward. They will also be available to scrutinise through the Scrutiny Panel. We are indeed consulting with different actors in each sector to make sure that we arrive at schemes that are appropriate, that cover a wide range of the options and a wide range of people so that everybody can contribute.

### **3.5.4 Deputy S.Y. Mézec:**

By the Minister's admission that there will be measures, you are proposing that some may be more progressive than others. Could he confirm whether anything is being considered in such a scheme as this to ensure that the on-Island benefit is maintained as much as possible and that there is not any inadvertent subsidising of electric bikes for people who will not use them on Island but perhaps could even locate them off-Island at their second homes, rather than focusing on active travel and stopping people from driving their cars in Jersey?

#### **Deputy J. Renouf:**

I think that is something that we should certainly bear in mind. There are limits when you design these schemes to how prescriptive you can be. We want to encourage the use of e-bikes and indeed other forms of electric transport. It is possible that people will take those forms of transport off-Island. Were they to take them off-Island as their sole use, then that would obviously be a problem, as would people trying to sell them for a profit. That is why we have to judge the level of support that we give in order to make sure that it is enough to incentivise a change in behaviour but not too generous to encourage perverse outcomes.

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

May I ask the Minister what the timescale is for a programme and what the lead-in will be for bicycle shops that will be asked to stock what is extremely expensive stock with no guarantee that perhaps the people they are targeting will be part of the scheme to buy it? What would the lead-in be for those shops? What assurance can the Minister give to those shops that they are not going to buy stock that will not be used and what is the timescale for final scheme?

#### **Deputy J. Renouf:**

The scheme I think is we are looking at a timetable of within the next few months, certainly well within the first quarter of next year. The Deputy may also be aware that we are also in conversation with retailers and with bicycle advocacy groups, precisely to make sure that nothing in our scheme comes as a surprise. We are able to match the scheme that we come up with, with the ability of the market to supply the vehicles. I hope very much that we get that right. I certainly look forward to further discussions. Our officers will be having further discussions with those representative groups and of course the Scrutiny Panel will also be able to tackle us on any proposals we bring forward to make sure that we have stayed within the sensible parameters.

**3.6 Deputy M.B. Andrews of St. Helier North of the Minister for Housing and Communities regarding the digital register of property (OQ.113/2022)**

Will the Minister provide an update on the digital register of all property, including beneficial ownership?

**Deputy D. Warr of St. Helier South (The Minister for Housing and Communities):**

I thank the Deputy for his question. A report was commissioned by the last Government on the Digital Property Register, which has recently been completed and shared with me literally in the last week, but I have not yet considered its contents. I have been clear all along that we must get to grips on data. I hope this report will help us move forward and I am keen to learn how a register of all property, if it is possible, can be used to support our understanding of the property market in Jersey. I apologise for my frog-like throat.

**The Greffier of the States (in the Chair):**

Deputy Andrews, no further supplementaries.

**3.7 Deputy L.V. Feltham of the Minister for Infrastructure regarding funding for the road safety strategy (OQ.120/2022)**

Given that, in response to Written Question 164/2022, the Minister stated that a business case for funding the road safety strategy had been submitted for inclusion in the Government Plan 2023-26, will the Minister explain why there is no revenue expenditure growth allocated for this purpose within the published Government Plan 2023-26 and why delivery of the road safety strategy does not appear within his Ministerial plan?

**Deputy T. Binet of St. Saviour (The Minister for Infrastructure):**

I thank the Deputy for the question. I can confirm that our department did submit a business case into the Government Plan 2023-26. All Government business cases are assessed and subjected to a prioritisation process. Regrettably in this instance the bid was not successful against competing government-funded priorities. Regardless of this, I will continue to seek ways to deliver this important initiative, and to that end I have asked officers to review alternative funding options, such as through the Car Park Trading Fund.

**3.7.1 Deputy L.V. Feltham:**

Given the level of risk of injury to people and potential death due to road safety or roads being unsafe, why did Ministers not consider this to be a priority?

**Deputy T. Binet:**

I would refer the Deputy to my earlier response. But I would add that on a personal level this is extremely important to me, and I know it is to other Ministers, and we are determined that we are going to fund this one way or the other. I think the Deputy can rest assured that this will proceed, regardless of what is or is not within the Government Plan.

**3.7.2 Connétable K. Shenton-Stone of St. Martin:**

I believe this proposition was passed unanimously, so I am really disappointed in the Government for not pursuing this. Could the Minister please confirm to the Assembly how he intends to prioritise in improving road safety as part of his Ministerial brief? There is not a pot of money being put aside for this for the Government Plan, how he intends to implement the recommendations of the road safety strategy during the lifetime of this Assembly?

**Deputy T. Binet:**

Once again, if I can refer back to my answer to both of the previous questions, it is going to be achieved and we are looking at various ways of funding it. It may be slightly delayed as a result of not being funded from the outset but I do not think this will delay it very much because we are continuing with the process with existing funding. Nothing has stopped, the business case is ready and it is going to be subjected to review very shortly. I think the Constable can be rest assured that it will proceed on time.

**3.7.3 Deputy R.J. Ward:**

Can I ask the Minister, how many road safety schemes are currently outstanding and awaiting completion, particularly around schools?

**Deputy T. Binet:**

I am afraid I cannot answer that question as to what individual schemes around schools are currently in place. I am sorry, I cannot answer that.

**3.7.4 Deputy R.J. Ward:**

Perhaps I can help the Minister. There is one around Springfield School; it has been waiting for years. I would like to know whether the Minister is going to prioritise those schemes where hundreds of children, hundreds every single day are put at risk because there is such a delay in road safety schemes.

**Deputy T. Binet:**

I am very happy to look at prioritising that.

**3.7.5 Connétable A.S. Crowcroft of St. Helier:**

I share the Assembly's consternation that the Council of Ministers does not regard road safety as a sufficient priority to be in the Government Plan. I do not hold this new Minister accountable for that in particular because it is the whole Council that must bear responsibility. But will the Minister agree with me that to raid the Car Park Trading Fund for unfunded initiatives by the Council of Ministers is not a good way to do business and that if this matter is important it should have been in the Government Plan?

[10:30]

**Deputy T. Binet:**

I do not really consider it to be a raid. I think we are going to be able to manage the Car Park Fund this year without raising it in accordance with the cost of living and still fund this project. I do not consider that to be a raid. There is only a certain amount of money to go round and different things have to be funded in different ways. I do not make any great apology for this because the work will go ahead.

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

Is it not the case that the Car Park Trading Fund will only be taking funds from the pockets of people who use the public car parks, who are forced to use the public car parks because that is their only option of getting to work or getting to the shops? A much fairer system would be to take the money from taxation through the Government Plan where everybody in the community will be contributing to this important initiative.



**Deputy T. Binet:**

As the Constable will know, we have discussed this issue and some other suggestions have come about as well in trying to share the burden more fairly. We could be coming up with some other ideas as well but they are very much in their infancy. The Constable is aware of them because they were his suggestions, so I thank him for that.

**3.7.7 Deputy M.R. Le Hegarat of St. Helier North:**

Can the Minister please confirm how much money was requested in relation to this matter?

**Deputy T. Binet:**

The money that would be required would be in the order of £375,000 a year at the outset.

**3.7.8 Deputy M.R. Le Hegarat:**

How much money is available in the Car Park Fund, as the terminology used, raid that fund? How much is available?

**Deputy T. Binet:**

The terminology “raiding the fund” was not mine. What we are looking to do is increase car parking charges going forward and it is with that in mind that we might be looking at the fund.

**3.7.9 Deputy L.V. Feltham:**

At a recent meeting I attended with the Minister’s officers, the officers informed me that due to lack of resources available, when they are prioritising roads to make safe that they use a data-driven model. The data that they use is the number of casualties on the road, rather than the risk. Does the Minister agree that we should be moving to a place where we are not waiting for casualties to happen and we are reducing risk and not putting lives at risk?

**Deputy T. Binet:**

I can say I think the department is extremely efficient and they are constantly reviewing the way that they go about their business. I do not think there is a particular concern in that regard.

**Deputy L.V. Feltham:**

Excuse me, Ma’am, could I just ask the Minister to answer my question please? Does he agree that we should move to a point where we are reducing risk, rather than reducing casualties?

**Deputy T. Binet:**

Could I say that I am familiar with what the department do and they are constantly trying to do both?

**3.8 Deputy R.J. Ward of the Minister for Children and Education regarding the prospect of further closures of private nursery providers (OQ.115/2022)**

Given the announcement of a sudden closure of a private nursery provider, I know it is wraparound care, will the Minister advise what the current risk is assessed to be to the other families across the Island of facing a similar closure of their nursery provision?

**Deputy I. Gardiner of St. Helier North (The Minister for Children and Education):**

A private provider before and after-school childcare gave short notice of closure last week. It was not a private nursery and I have assumed the Deputy is referring to that closure, and I will base my answer on risk assessment of similar closures of before and after-school childcare providers, not nurseries. I believe this is the first time that an after-school club has been served with an immediate

closure notice, leaving us all shocked and taken by surprise. It was my belief that the after-school clubs are reliable entities and do not present a risk. My officers have followed the closure proactively and sought information with regard to the viability and sustainability of other school-based privately run after-school clubs in order to understand the level of risk. I am pleased to say that no immediate concerns have been raised but we will closely monitor the situation to reduce the risk of this happening again whenever it is possible.

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

Does the Minister feel a widespread private provision of what has become an essential service for families - because both parents have to work nowadays to survive in Jersey with any standard of living - increases the risk of sudden change and the collapse of businesses?

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

It is really important for me not to do generalisations because there are very successful private after-school providers and private nurseries and it is all business related. What we do need to ensure - and this is what I would be looking at with my team - that we will undertake work and assess viability and sustainability of the private businesses within nurseries and within after-school providers. What is really important for me is that it will not be repeated and the difficulties experienced by parents and upset caused by the children will not return.

### **3.8.2 Deputy S.Y. Mézec:**

Following on from that answer, what options does the Minister believe she has available to her to improve resilience in making sure that these children have places for them in nursery or after-school care so that their families do not face that risk of when a business might collapse if this has just happened?

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

Sure. What I instruct my officers to do, we will review our current contractual agreements that are in place to ensure that it does not happen in the future.

### **3.8.3 Deputy S.Y. Mézec:**

That is one option, I would have hoped to have heard more, but if a business collapses then a business collapses. I am not sure you can put in a contract you are not allowed to collapse; that would be a bit strange. Could the Minister further elaborate what options there are and what she is doing to look at the state provision of nursery places and after-school care, as there is more certainty in that if the government is providing it and can have the flexibility there to make sure those children have that ability to be cared for there?

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

Absolutely and it is really important to emphasise that following this closure my team stepped in and from 4 schools that were affected, in 3 of them we have current provision and we took it into house and our H.R. (Human Resources) Department moved very quickly to make sure that continuously care will be provided. On top of this we will look through the Day Care of Children Law, which was 2022, to ensure that conditions of certificate and registration are in place. We would have constant engagement. We can look into making everything government-owned and government-run but I think we really need to consider how we are making sure that there is ongoing communication between private providers. Because there are some of them doing a brilliant job and I do not think that we need to close the businesses that are viable businesses and delivering what we need.

### **3.8.4 Deputy S.G. Luce of Grouville and St. Martin:**

I have just listened to the Minister's answer there. What I was going to ask was this and I think I will still ask the same question: is it time for government to provide all services for children 1,001 days; nursery, pre-nursery, before school, after-care services, not just secondary and primary education? Is it time that government got involved in all these sectors of education to guarantee that what happened last week will not happen again?

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

First of all, we do need to review and, secondly, there is big work going around early-years intervention and our early-years provision. I would like to reassure the Deputy that my Assistant Minister, Deputy Louise Doublet, is working very closely with early-years providers. We are looking in the overall system in general. It needs to start at nurseries, going through the breakfast club, after-school provision and I personally would like to see extensive after-school provision in our schools, not just in secondary.

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

I thank the Minister for her answer, and I would just like to stress, does she agree with me that it is not really acceptable for children to be attending a primary school in Grouville and then going to an after-school club in St. Helier where they have to spend a considerable amount of time on a bus between those 2?

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

We are working to make sure there is a provision within school. As I mentioned before, this current provider that has gone into liquidation, it was 3 schools. First of all, at Mont Nicolle it was immediately supported with a short-term solution, in which we were involved. We stepped in and providing care for children with familiar adults and maintain the provision at least until Christmas and the long-term solution will be arranged straight after Christmas. At St. Martin's School, it ceased transporting children from St. Martin's to Grouville to assess Little Giants in the October half term. They have made their own site of after-school activities until Christmas, and we are currently in the process of finalising a programme for after-school activities with another established and registered childcare provider. At Trinity, this school already had been given notice to Little Giants, as it has been their long-term intention to run their own after-school provision that we are supporting as a department as well. They have made their own on-site offer of after-school activities until Christmas and currently in the process to finalise a programme. They are running until 5.00 pm and from Christmas it will be until 6.00 pm. Grouville, we have 17 children now are being picked up each day by Centre Point Trust and taken to the after-school provision in town. It is not ideal but we needed to put something in place within, literally, 24, 48 hours. This school is working to engage services with another childcare provider to run their after-school club on site. A number have come forward and a meeting had been held last week and today between the school and providers and I really hope that arrangements will be progressed as soon as possible. There is a further meeting tomorrow on this site, so within really next week I hope we will have provision within the group. We are working towards this but this is as quick as we could react for this surprising and shocking closure.

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

My question was taken by the Progress Party representative, which is an interesting one. Can I ask the Minister, there seemed to be a suggestion throughout those answers that provision is being looked at for after-school care within our schools? Is there a timescale for that provision? Is there a timescale for increasing that provision? Is there a timescale for giving that reassurance to parents? My children went to Grouville and I would like to have had them stay there afterwards but they had to be

transported to after-school care as well. Is there a timescale for providing that sort of provision for parents so that children do not have to move around the Island?

**Deputy I. Gardiner:**

Can I ask for clarification of this question from the Deputy, please? Was the Deputy asking about Grouville or all after-school club provision around the Island?

**Deputy R.J. Ward:**

Yes, there seemed to be a suggestion in the answers that the department is looking at increased state provision in that facility. Is there a timescale for that sort of increased state provision or even looking at it or even planning for it?

**Deputy I. Gardiner:**

First of all, we need to ensure that we have stable provision currently across these 4 schools. As a department, during 2023 we will be looking at options to increase after-school provision and I would say it always will be mixed between the department, private providers and also charities that would like to step in, Jersey Sport that would like to step in, and other providers. It needs to be mixed over to ensure that the children have various curriculum and activities after school.

### **3.9 Deputy G.P. Southern of the Minister for Social Security regarding the reduction in special payments for medical expenses (OQ.122/2022)**

Further to Written Question 266/2022, will the Minister explain why the number of special payments made under the Income Support Regulations reduced by two-thirds between 2011 and 2020, with the total amount paid reducing by half? Will she further explain the reduction in special payments for medical expenses and the move from grants to loans for essential household equipment, including any developments in policy?

**Deputy E. Millar (The Minister for Social Security):**

The Deputy has asked why special payments have reduced between a relatively long period of 2011 and 2020. Over these years there have been both policy and operational changes and these will have impacted on the overall need for special payments.

[10:45]

The reduction in medical expense payments is associated with operational improvements in the management of Household Medical Accounts from 2016 onwards. The introduction of the Pension Plus scheme in 2017, which supports lower-income pensioners with the costs of optical, dental and chiropody services, is also likely to reduce the demand for special payments in this area. The move from grants to loans form part of a wider initiative that was approved by the Assembly and is set out in P.103/2015.

#### **3.9.1 Deputy G.P. Southern:**

Firstly, if I may, could the Minister provide figures showing the reduction in H.M.A. (Household Medical Account) awards and the use of Pension Plus to pay different bills? But can she address the issue of whether it is appropriate that those who are the very poorest in our society have to pay loans that they cannot afford to repay, rather than grants, as it used to be? Can she explain why that policy is taking place, apart from to save some money?

**Deputy E. Millar:**

I think there were several questions there; I am not sure I have got them all. The first one, I think ...

**The Greffier of the States (in the Chair):**

Yes, there were a couple of questions there, Deputy.

**Deputy E. Millar:**

There were 2 or 3, yes. I think the first one was about Household Medical Accounts. I do not have those figures at my fingertips, no. If the Deputy wishes them we can provide them. We have provided information in the answer to the written question that he mentioned in his question to start with. Pension Plus will have reduced the Household Medical Account. I am not familiar with details of the H.M.A. scheme that was put in place at the end of 2020 by the previous Minister. People on low incomes are now supported through the Health Access Scheme, which provides a very much subsidised cost for G.P. visits. We also have the Pension Plus scheme. Those on low incomes are supported to receive medical care. I think the second element of his question was the move from grants to loans; that was agreed by the previous States Assembly. I believe there have been numerous questions in the Assembly over the years about the payment policy for loans. The States agreed to move to loans rather than grants. Care leavers are provided with essential household equipment; they are given grants for provision of household equipment and not loans. Other people, the States themselves, the States Assembly took the decision to swap from grants to loans. Sorry, I have lost my train of thought there. It was a States' decision and the issue of repayment of loans are considered on a case-by-case basis.

**The Greffier of the States (in the Chair):**

Thank you for that comprehensive answer. Can I just remind Members that questions should be related to one issue? I have given quite a bit of latitude because we did not have very many questions on the Order Paper today. But if Members could commit to sticking to just one issue per question, I think it would be helpful to the people answering as well. Because as we have seen that was quite an elaborate response you had to give, Minister.

**3.9.2 Deputy S.Y. Mézec:**

Does the Minister share my and others concern that a system for loans, as opposed to grants, for essential household equipment, essential i.e. obligatory and necessary, risks putting people into relative poverty for the time that they have to relinquish income that they would otherwise be using to support themselves to pay for things which are essential? Does she regard that system as more progressive or more regressive than the system that existed before that previous States decision?

**Deputy E. Millar:**

As I say, that was a decision of a previous States Assembly in 2015. I cannot account for that decision. My officers discuss with people repayment plans and repayment plans are calculated on the basis of what people can afford. We do not take more money from people than they can afford to pay. We all have to make decisions about repaying loans and buying things. But we do provide a means for people to have essential things like washing machines that they need in their homes and cookers. I do not think it is an unreasonable policy that people then own those things and pay back the taxpayer for the cost and for the purchase.

**3.9.3 Deputy S.Y. Mézec:**

I completely disagree with every word of that. But does the Minister accept that this position of providing loans rather than grants appears to be at odds with the Government's own economic advice, which says that direct payments are the most effective way of helping people with the cost of living during the turbulent and economic times that we are currently facing and it is at odds with the policies that were pursued in the mini-Budget on direct payments, rather than direct loans?

**Deputy E. Millar:**

I am not sure that it is at odds. Is the Deputy suggesting that we give people £200 and say: “Go and buy an oven or a cooker”? What if they do not buy the oven or the cooker and end up without the oven and the cooker because they spent the money on other things? It was a States Assembly decision and it is what we have at the moment. I have the ability to make special payments in cases of need. I am not aware of specific issues but if there are they will be picked up in our general review of benefits next year. If it appears that the policy is not sufficient we can review that when we flick to the benefit framework as a whole.

**3.9.4 Deputy G.P. Southern:**

Does the Minister appreciate that when you are on the lowest of lowest incomes you could possibly be on, income support, the addition of a loan rather than a grant puts you into relative poverty and puts your livelihood at risk if you cannot make ends meet? Is she not aware that the move to loans from grants does exactly that?

**Deputy E. Millar:**

As I say, it was a decision of the States Assembly in 2015 to move to loans rather than grants. Again, my officers do not agree repayment plans that are not within people’s means. I would emphasise again this year the amount of additional payments we have given to people through the mini-Budget. We have already talked about how the cold weather payment has been guaranteed at £70 a month. We have increased C.O.L.T.S. (Cost of Living Temporary Scheme), we have doubled C.O.L.T.S. We have made amendments to the tax allowances and social security contributions, pending those tax allowances coming through. We have doubled the community costs bonus. This Government has done everything it can to help people at the moment with the current cost of living crisis.

**3.10 Deputy S.Y. Mézec of H.M. Attorney General regarding compensation paid to people in the H.M. Attorney General’s Office (OQ.117/2022)**

Will the Attorney General inform the Assembly how many occasions in the last 5 years public money has been paid in compensation to people who have faced actions deemed unlawful from bodies which fall within his office’s responsibility?

**The Attorney General:**

As I said in relation to the Deputy’s earlier question, I cannot comment on the XY case if his question relates to that. I will assume that the question he asks is a general one. I am not aware of any other occasion in the last 5 years in which public money has been paid in compensation to people who faced actions deemed unlawful, relating to any criminal investigation or any other action of an officer or member of the Law Officers’ Department.

**3.10.1 Deputy S.Y. Mézec:**

Do we take it from his answer that a shorter answer would have just been one?

**The Attorney General:**

There are points that I could make in relation to the Deputy’s question about whether there is one but I am not going to make those points because they relate inevitably to a live criminal investigation. I am afraid much as I would like to I cannot answer the Deputy’s question further.

**3.11 Deputy B.B. de S.DV.M. Porée of the Minister for Economic Development, Tourism, Sport and Culture regarding support for small businesses in the current economic climate (OQ.124/2022)**

In light of the present economic challenges facing small businesses, as it is evidenced as you walk around St. Helier, will the Minister advise what government mechanisms are in place to support such small businesses?

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

I would like to thank Deputy Porée for her question. I would, however, politely challenge the suggestion that there is evidence in any way of excessive retail and hospitality business failures in St. Helier. Indeed, St. Helier's commercial vacancy rate remains low at 8.25 per cent; that is more than 5 per cent lower than the U.K.'s comparable High Street rate in Q3. There is a range of government support available to small businesses, for example, through direct financial support by the provision of grants, such as the productivity support scheme, they are matched funding grants, to assist businesses to improve efficiency or sector-specific support through schemes such as a rural support scheme. A number of government-funded arm's length organisations provide support to small businesses through skills development, marketing support and confidential advice, in particular Jersey Business is our Island's business support agency. It is there to provide confidential advice and support to any business in Jersey. They are able to provide advice and support to businesses across all sectors and at any stage of their life cycle. I would direct any small business owner who might be listening and who would like sound independent advice to the Jersey Business website or the Business Hub on gov.je.

**3.11.1 Deputy S.Y. Mézec:**

Hopefully the Minister will agree that one of the jewels in our town retail and hospitality offering is the Central Market. Would he like to state what, if anything, the Government is doing to support small businesses there, given that as their landlord they have a unique opportunity to forge relationships with those small businesses to help them thrive?

**Deputy K.F. Morel:**

Thank you for the question. Central Market businesses are not differentiated from any other business in Jersey, so Central Market businesses are supported in the same way that all businesses in Jersey are supported through the methods that I have just listed.

**3.11.2 Deputy S.Y. Mézec:**

Of course that is true but it is also the case that the Government is their landlord, so it does have a unique opportunity there to engage with them and support them in other ways, perhaps in consultation with the Town Hall and the Town Centre Manager as well. Could the Minister just inform if any discussions on that are happening or if that is something he might want to consider in future?

**Deputy K.F. Morel:**

I have to refer to my previous answer in terms of support for businesses and I have instigated a review of the Central Market but that is, effectively, answering a different question, which is about the future of the markets. I am working with the Minister for Infrastructure and have recently written to the Constable of St. Helier to take that further. But I have to refer to my previous answer, which is support available to the businesses in the market is the same support that is available to other businesses elsewhere.

**3.11.3 Deputy T.A. Coles:**

I would like to ask the Minister whether he is aware of some businesses facing above inflationary rent increases on their commercial properties, with one reported in the *Bailiwick* this week where a

woman was supposedly subjected to a 250 per cent increase in her rent, whether he is aware of this problem and whether he has had any mind to bring some regulation to combat it.

**Deputy K.F. Morel:**

Can I ask how that refers to the previous questions that were lodged?

**Deputy T.A. Coles:**

Sorry, Ma'am, this was a small business in St. Helier on La Colomberie and so, therefore, could potentially be a government mechanism to support small businesses stay in business.

**The Greffier of the States (in the Chair):**

I think it is connected to the original question, Minister.

**Deputy K.F. Morel:**

Thank you. I will not comment on individual businesses and any support that is provided to them or not provided to them.

**3.11.4 Deputy T.A. Coles:**

Would the Minister, therefore, be able to support ... if legislation was brought forward by the Assembly that he would support it in line to protect businesses from above inflationary rent increases?

**Deputy K.F. Morel:**

Deputy Coles has written to me asking to speak to me about this subject. I have said that I will happily speak to him and said that during the course of the few days of this Assembly we will have a conversation about that. I will certainly not comment about hypothetical legislation which I have not seen or it is indeed hypothetical, so it does not exist.

[11:00]

**3.11.5 Deputy G.P. Southern:**

In my time in the States I have seen, I think, probably 3 incidents where people in the market creating businesses have had problems with their leases. Is he aware of any problems currently and, if so, what he is going to do about them?

**Deputy K.F. Morel:**

I would need greater information about what the Deputy means by problems.

**The Greffier of the States (in the Chair):**

Deputy, are you able to assist?

**Deputy G.P. Southern:**

I understand that there are some problems with renewal of leases which are coming to the end of their 9-year term and there is some anxiety among stallholders that this situation will change. What does he know about this issue?

**Deputy K.F. Morel:**

I do not have responsibility for leases in the market and I would have to refer the Deputy to the Minister for Infrastructure.

**Deputy G.P. Southern:**

Will he do so and report back to the States, please?



### **The Greffier of the States (in the Chair):**

I think the fact that you have raised the issue in front of the Minister for Infrastructure alerts him to the fact that you have a concern.

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

Does the Minister agree with me - and I suspect he does - that if any evidence is collected about the state of our town it must point to a town that is resilient and vibrant, both the small shops and also the bigger ones? There is an enormous number of people willing to invest in retail and hospitality in St. Helier. But will he just take this opportunity to acknowledge the good work that is done by the Town Centre management function in St. Helier, which has been operating for more than a dozen years and which brings together small businesses and trader groups, depending on the area, places like Colomberie, like Don Street, like Conway Street, to look at the issues and to try to move things forward?

### **Deputy K.F. Morel:**

I thank the Connétable for his question. I completely agree and it is one of the reasons why in response to Deputy Porée's question I really wanted to set the record straight, that there are not excessive business failures in St. Helier; these are measured on a quarterly basis. I myself, the Connétable of St. Helier as well, receive those results. There is no question in my mind that we are seeing investment into St. Helier. We are seeing very large ... we have just seen the B.H.S. (British Home Stores) site that has reopened recently. We have seen restaurants opening in St. Helier. There is no question in my mind that it is a resilient and vibrant Town Centre. I do not take that for granted. It is something that is constantly worked on and I do receive communications from business owners regularly. As I have said, there is support out there for them from places like Jersey Business. Indeed, as the Connétable said, not support but people like the Town Centre Manager and the Town Centre team work incredibly hard to keep the Town Centre vibrant. While I am always aware of difficulties that businesses may experience, it is not helpful in any way to import stories from the U.K. where there is a problem in the town centres and apply them to Jersey. We must be proud of the strength of our economy and proud of the strength and resilience of our Town Centre.

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

May I ask to go back to the question? Can I ask the Minister, does he see any particular economic challenges for smaller businesses in St. Helier? If so, can he, say, link them to the particular mechanisms that are in place because it may help St. Helier businesses to be aware of those mechanisms and start to use them more supportively?

### **Deputy K.F. Morel:**

I thank the Deputy for his question. I think he starts from a really interesting element, which is that I would say of staff shortages and linking that to improving productivity. Certainly, one of the biggest problems that small businesses and large businesses are facing in this Island is the issue of finding staff. One of the ways of helping to mitigate that is to try to improve productivity. I would direct businesses to our productivity support scheme and also to Jersey Business, as I have said, who provide excellent advice to businesses of all sizes and all sectors in Jersey. By doing so they help those businesses improve and they help those businesses become better, more resilient and more dynamic businesses and by doing so they help the Island's economy.

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

Can I ask the Minister, is one of the economic challenges faced the supply side? I think we have all noticed there is not a lot in the shops in the last few days, which could be seriously damaging

businesses' ability to trade because they simply do not have any stock. Is there any plan to try and increase the resilience of the supply of goods to the Island?

**Deputy K.F. Morel:**

I would like to thank the Deputy for his question. There are, I would suggest, issues with the supply side since the U.K. made the mistake of leaving the European Union. We have seen issues there; that has affected trading into Jersey. In my view, we have a single point of failure in terms of supplying this Island because we are supplied principally through the U.K. Therefore, if there is disruption in the U.K. or to the sailings from the U.K., Jersey ends up not receiving supplies. It is for that reason that I just last week was in France speaking to Rennes Airport and speaking also to the Port of Saint-Malo, talking about exactly these issues and talking about trying to find ways to create a second supply route to Jersey. Because that would not only make us a more resilient Island but would also give us greater choice in terms of goods that come into the Island and also the prices of those goods, so it would help towards the cost of living as well. In that sense, I am acting directly to try and address supply side issues with regard to the Island.

**The Greffier of the States (in the Chair):**

Final supplementary, Deputy Porée. That concludes questions with notice.

#### **4. Questions to Ministers without notice - The Minister for Treasury and Resources**

**The Greffier of the States (in the Chair):**

We now move to questions to Ministers without notice. The first question period is for the Minister for Treasury and Resources.

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

Can the Minister confirm whether the proposed cost for the new multi-site hospital scheme, the estimated cost is £635 million, includes contingencies for inflation, optimism, bias and other contingencies?

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

I think the Deputy knows the answer to his question because he asked it to Ministers in a public forum about a week ago today.

**Deputy L.J. Farnham:**

I still have not had a straight answer.

**Deputy I.J. Gorst:**

That of course is not correct because the Deputy had an answer on that evening and he is correct to say that it does not, but that of course is not the whole picture of where the cost savings can be delivered through the independent report that the Minister for Infrastructure has produced and those cost savings are substantial.

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

I am pleased the Minister for Treasury and Resources now admitted that it does not include provisions for those, what are considerable costs. Does he not accept, therefore, that given that cost of £635 million, by the time contingencies, inflation, optimism, bias and other important financial factors that have not been taken into account, are added to that, combined with the fact that the project will take

probably up to 10 years at least to complete, there is a very realistic chance that the cost of the multisite scheme could end up being more than the Overdale plan that is currently approved?

**Deputy I.J. Gorst:**

I do not accept that at this point because quite simply the existing proposal, which I have paid credit to the Deputy for getting over the line with planning permission, cannot be delivered within what was the previous envelope and goes well beyond the envelope that this Assembly has previously approved, anywhere between £150 million greater than the £804 million and with rising inflation goes beyond that. If a multisite facility can be delivered for £365 million, on top of which then would be added optimism, bias and contingency, that is still around £150 million cheaper than all of those calculations to deliver the site at Overdale. We must be clear that the review is clear that substantial savings can be made. I think due to the economic conditions that we find ourselves in, that is right, nor is it accurate to suggest that the site at Overdale could be delivered within the previous timescale. That is not the case and officers' advice to Ministers is quite clear about that. We must be careful in the current climate to **[Interruption]** ... that in the current climate not only has the cost changed but also timings have changed.

**Deputy L.J. Farnham:**

Ma'am, just in the point of correction ...

**The Greffier of the States (in the Chair):**

Sorry, if I could ...

**Deputy L.J. Farnham:**

I beg your pardon.

**The Greffier of the States (in the Chair):**

Two things, firstly, that was a very long answer, so I am going to allow a wee bit more time to allow more questions to be taken during the 15 minutes. If Members could remember that we have only got 15 minutes for each of the questions without notice, I would keep answers brief and questions brief. I believe that that will be a contribution to the charities appeal and so that I am not just picking on the Constable of St. Mary; Constable of St. John, I am not sure if it is coming from that area but there have been a few beeps and noises this morning as well. Well somebody in this area. If they would wish to own up and contribute to the Christmas Charity Appeal, as Christmas is looming. We now return to question time.

**Deputy L.J. Farnham:**

In an uncharacteristic lapse of concentration, the Minister for Treasury and Resources said "365", I think he meant "635" for the record.

**The Greffier of the States (in the Chair):**

Thank you for that confirmation.

**4.2 Deputy G.P. Southern:**

Is it not time that the Minister for Treasury and Resources stopped repeating his mantra that G.S.T. (goods and services tax) on food is somehow more damaging to low-income families than it is to high-income families? Is it not the case that G.S.T. on food is regressive?

**Deputy I.J. Gorst:**

I apologise for my long answer; I was enjoying myself so much that I got carried away. and the Deputy is quite right, it was 635 and not 365. We are going to have a debate during this meeting

around the removal of G.S.T. off food. Ministers have lodged their comments and there is an irony that if we take Deputy Southern's assertion about the regressive nature of G.S.T. on food, or the regressive nature of G.S.T. - and we have argued that it is mildly regressive in the past - to take G.S.T. off food itself is regressive because, of the £10 million, £5 million goes to the highest income quintiles. So even though the overall system may, in economic terms, be considered mildly regressive, taking it off food does not help it, it makes it worse.

#### **4.2.1 Deputy G.P. Southern:**

Apparently we are not going to cease repeating this mantra but is it the case that what counts is the proportion of household income spent on food and that is greater for low-income families than it is for high-income families and ...

#### **The Greffier of the States (in the Chair):**

Your question, Deputy?

#### **Deputy G.P. Southern:**

The question is: does he not reluctantly agree?

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

I am not reluctant at all. Of course, this is sometimes the issue that we have with debates like this. Contrary to what the Deputy is trying to assert, he can be right and I can be right, because we are taking different numbers and making different assertions of the £10 million that taking G.S.T. off food would cost; £5 million of that goes to the highest quintiles, so the highest earning families. But he can still say and make the assertion that he does as well; they are not contradictory.

#### **4.3 Deputy S.Y. Mézec:**

This should be a very quick answer from this Minister. If the £635 million figure is without contingencies, inflation and optimism bias, what is the figure with those things factored in?

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

If we work on the previous principles that were when the hospital at Overdale could be delivered for £635 million, and we transfer across those amounts and there is more work to be done to give any certainty to that, then you are delivering a hospital, if you manage those funds well, for a similar if not lower cost than Overdale was going to be delivered for.

[11:15]

We have got to get away from this being a political football. The problem is the economic conditions in which we find ourselves and the Overdale Hospital is not able to be delivered within the cost envelope that this Assembly has agreed. It is quite straightforward, there is no confusion about it.

#### **4.3.1 Deputy S.Y. Mézec:**

If this were a straightforward issue, he would have answered my question and given me a figure. Is the fact that he is completely incapable of providing any kind of like-for-like analysis on this completely undermining his case that an alternative proposal will be cheaper? How does he expect the States Assembly to make a credible decision for our constituents in order to guarantee value for money if he cannot even answer that straight question?

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

It is quite clear that the independent reviewer, looking at the proposal at Overdale, and it should be quite clear to Members looking at the economic conditions in which we now find ourselves, that the current proposal cannot be delivered within the envelope that this Assembly has agreed and that

substantial savings of well over £100 million can be delivered by doing it in a different way. The Members of the Assembly in due course, when further work has been undertaken and the business cases brought forward, are going to have that evidence in greater detail before them and are going to need to make a decision. I think that that is the right thing to do.

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

Given the answer that has just been given, can the Minister for Treasury and Resources confirm that a clear business case will be brought to this Assembly before any vote is brought to this Assembly to make a decision?

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

Well there are a number of decisions that need to be made. Firstly, is the recognition that what was previously agreed does not work, it does not stack up, and no one in their right mind would neither sign a contract for the current proposal because all of the liability would be then on the taxpayer, nor would anyone in their right mind go to the market to borrow in the current economic climate. That, however, does mean that if we are to progress and to provide the further detail that Members are rightly asking for in light of the independent review, then there will be some decisions that need to be made in the Government Plan which will facilitate that work in the intervening period.

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

I asked about whether a business case would come to this Assembly before any vote. I asked that because ... I may not get an answer. Let me ask another question, please. Can the Minister for Treasury and Resources, as Minister for Treasury, tell us his maximum envelope for cost for the current dual-site plan? Without referring to the old hospital, what would his maximum cost be for a dual-site hospital that he is willing to bring to this Assembly?

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

Well, according to the independent reviewer, a hospital across those 2 sites could be delivered for the contract price of £635 million. I have always committed to that level of contract price spend, I have not changed my position. What has changed are the economic circumstances that we find ourselves in and the inability to deliver a hospital at Overdale on a single site within that envelope.

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

Can I just confirm that, therefore, the maximum figure the Minister for Treasury and Resources is looking at is £635 million? It is a straight question.

#### **The Greffier of the States (in the Chair):**

That is the sum.

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

With respect, and the Deputy knows it and all of those questioning know it, that when you are delivering capital projects of the nature that the States is seeking to deliver, I use the words a “contract price of £635 million”, that there are other elements which of course need to be taken into consideration as well.

#### **4.5 Deputy L.V. Feltham:**

Can the Minister confirm how departmental base budgets were determined in the Government planning process?

**Deputy I.J. Gorst:**

Yes, the base budgets were determined in the way that they always are: they are presented through the Minister to the Council of Ministers as the current expenditure base.

**Deputy L.V. Feltham:**

I do not think the Minister answered my original question. Could he determine which methodology was used to determine the departmental base budgets, please?

**Deputy I.J. Gorst:**

Departments spoke to their Ministers, Ministers brought forward their base budgets rolled over from their current spend and budget and on top of that asked for various elements of growth money in the way that it has been traditionally done. Some departments of course have, throughout the course of 2022, been undertaking a zero-based budgeting approach but I would have no confidence to say that all departments have done that and we can be assured that all of that would give me the ability to say that we have done zero-based budgeting.

**Deputy L.V. Feltham:**

As the Minister did not answer my original question, can I have a supplementary?

**The Greffier of the States (in the Chair):**

You can have a supplementary, yes.

**4.5.1 Deputy L.V. Feltham:**

With those departments that he referenced doing zero-based budgeting, I am aware that we do not currently have in place delivery plans for departments. Could he explain how zero-based budgeting can be undertaken in the absence of a delivery plan?

**Deputy I.J. Gorst:**

I am not sure what the Deputy is referring to when she says a “delivery plan” because departments have business plans which details what they will deliver. Ministers have now issued their priorities which are aligned with the Government Plan, so I wonder if she could give a little more clarity to what she means exactly.

**The Greffier of the States (in the Chair):**

Would you elaborate on what you mean by “delivery plan”, Deputy?

**Deputy L.V. Feltham:**

My understanding is that within the government information that they have supplied to us, they have told us that business plans will take a different form next year and they will form the format of delivery plans, zero-based budgeting. Obviously, in order to do that you need to know what you are delivering, so I am asking, in the absence of knowing what exactly you are delivering, how you do a zero-based budget?

**Deputy I.J. Gorst:**

Thank you for that clarification, Deputy, because of course going forward that is what those delivery plans can be used for but, more importantly, they give accountability to the Assembly and to the public that the monies that are allocated and approved will be used in the way that those delivery plans describe. Historically of course departments have had business plans, which is a similar but different approach, and it is the correlation between the business plan and the underlying budgets that

allow departments, where they have done - and I cannot recall which ones they are - to do zero-based budgeting.

## **5. Questions to Ministers without notice - The Minister for Children and Education**

### **The Greffier of the States (in the Chair):**

That brings to an end with some injury time the question period for the Minister for Treasury and Resources. We now move on to the second question period for the Minister for Children and Education.

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

Can the Minister confirm that social workers, specifically social workers for looked-after children, are not permitted to live outside of Jersey for long periods of time?

#### **Deputy I. Gardiner (The Minister for Children and Education):**

I thank the Deputy for her question. For me it is not considered acceptable and it should not happen.

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

Are there definite time restrictions in place, for example, on job contracts that will prevent a social worker from living outside of the Island?

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

I am not aware about the contractual because I would need to check with the States Employment Board, as I am not overseeing the contract. What is clear for me is that their work should be conducted from Liberté House or around the family close to St. Helier. We do have occasions when the social workers need to travel to work with children that are looked after on the outside of the Island, to visit and to ensure the provisions and safety are in place but, generally speaking, their base of social workers, even if they are agency ones, is in Jersey.

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

Does the Minister support the continuation of the system of 14-plus transfer?

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

I thank the Deputy for his question. As it has been mentioned by me before, I am going into the full consultation in 2023.

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

Given that the school funding review suggested that the system of 14-plus transfer costs £1 million, does the Minister believe this is money well spent given the success, and the growing success, of our 11 to 16 schools and the huge commitment of their staff and their pupils to their own success?

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

First of all, thank you to the Deputy for recognising the success of the secondary schools because I do believe they are a great success. We have seen the increase in the results across all the schools to the previous year. It is really important to emphasise that it needs to be full public engagement and public decisions as well. It will be my decision accordingly, but I need to hear what is happening in other schools and there are other options to enhance secondary schools.

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

The Minister will be aware of the excellent work done by the organisers and teachers of the Saturday Polish School which is held at d'Auvergne and the hundreds of Jersey-born children largely of Polish parents who keep their mother tongue alive by attending classes on a Saturday. Will she give me

some comfort and give the school a comfort that the sustainable funding will be found to keep this school running? They pay some £10,000 a year in rent to d'Auvergne School and clearly that means it is an expensive process for everybody.

**Deputy I. Gardiner:**

I thank the Constable for his question. First of all, I would like to join personally, to say how well this school is doing in supporting the Polish community in Jersey. I had a communication with the Constable before, it has been brought in front of me at the end of last week; I am in communication with the headteacher of the Polish School and we are looking into the details of how we can support going forward.

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

I am grateful to the Minister for her interest. Would she also be willing to look at the opportunities available to families who have come to the Island, for example, from Romania, where the children of parents who are largely growing up speaking English should have the opportunity to keep their mother tongue alive by attending classes in their mother tongue?

**Deputy I. Gardiner:**

I thank the Constable for raising this. I am, as the Constable is aware, really open in embracing this. It is really important that we will support the mother tongue, as well as developing English skills. Recently attending a diplomatic event, I had really good engagement with the Romanian ambassador. We continue to work together as to how we can enhance this provision on the Island, as well with the Polish Embassy that are really willing to support enhancing the Polish language and Polish culture on the Island. This work will progress through the International Cultural Centre that we had a meeting about yesterday.

**5.4 Connétable P.B. Le Sueur of Trinity:**

Could I ask the Minister if she is aware of any plans to reduce or to cease offering adult community education services at the Philip Mourant Centre in Trinity?

**Deputy I. Gardiner:**

I thank the Constable for his question. I would like to emphasise that we have enhanced and increased provision. It was a downturn during April/May/June last year. I had several email engagements the moment that I was elected as a Minister but we did increase courses and will continue to increase courses; this is the direction of travel.

**5.4.1 The Connétable of Trinity:**

The concerns that are being brought to my attention are, while I am encouraged by the Minister's response, that some courses are more of a vocational and practical skills-type, like furniture restoration, where the management are preferring to offer this to new candidates rather than to existing candidates to carry on and develop their skills with the existing lecturers. I also understand that some lecturers are increasingly uncomfortable with the way things are going and are not offering services anymore.

[11:30]

So I would just really like to bring that to the attention of the Minister and ask her just to make sure that everything is running according to plan.

**Deputy I. Gardiner:**

I thank the Constable. I think I am guessing where it is connected. It was a long practice that courses continued for 15 years and people were waiting for 3 or 4 years to be able to join the course. What



has happened through the restructuring and enhancing, we are now providing courses for the beginners as separate. If people would like to continue to increase and to continue the courses that they have done before, they have a separate offer. As well, we have organised a provision that some of the courses become like a social club, which is really welcome, and it is really important for their social engagement and to make sure that people are connected. For people who attended courses for a long time and continue to enhance their skills, they were provided with a different type of arrangement. So we have 3 various offers going at Philip Mourant to enhance and, for me, the long-life learning, including adults, is really important.

### **5.5 Deputy G.P. Southern:**

For the Minister, what are the options for the next developments in terms of the town schools and what is top of her list in terms of potential?

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

I thank the Deputy for his question. There is one school which we will call, I would say, St. Helier Central, is at Gas Place. For me, this is the way to progress and I hope I will be able to start work in the beginning of 2023 for our adoption of the Government Plan. If all will go according to the plan, I hope we will have a new St. Helier school within 3 or 4 years. About the Rouge Bouillon, as I indicated before, within the next 2 or 3 months through the Future Places, we will determine and finalise the site; we do have money because there are a couple of things. We are clear that we need a new school, 3-form entry, somewhere between Rouge Bouillon roundabout and the Castle Quay, because this is the area where we have children that go to school, so I am completely committed to new schools in St. Helier.

### **5.6 Deputy A. Howell:**

This is really a continuation of the question asked by the Constable of Trinity. Could I ask that we may have reassurance for the long-term continuation of classes for people who have been attending for a very long time and who really appreciate the social contact? They love to go and learn, they are learning all the time, but they need this social contact. I understand we may need to put on new classes for new students but please can I have a reassurance that for people who have been attending for a long time, that they can continue?

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

I thank the Deputy for her question. First of all, I have stepped in and I reassured and made the provision because I do recognise the importance of the social connections, and you cannot say social connection is less or more important than education. We are working across the Council of Ministers with Social Security, and I have also raised with Health, because we would like to see how we can enhance this provision and maybe even see this provision across the Island, not only in one place, that, for example, pottery classes can be taken in different parts of the Island and not necessarily ... so it is really important that if people would like to continue to attend they do not need to travel across Jersey, and they might attend a similar course. We would work together as the Council of Ministers to provide this.

#### **5.6.1 Deputy A. Howell:**

I just would like also reassurance that the reduced costs for over-65s will continue.

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

As currently it stands, I am not planning to increase costs. The costs were maintained and we do have a subsidy. It is also very varied but there are no plans to increase costs currently.

### **5.7 Deputy M.R. Le Hegarat:**

We must be on a trend today because this is exactly the topic that I was going to cover. The thing is, is that I looked on the website this morning and did not see any advertising, so I would like to ask the Minister what advertising do the Highlands College do in relation to evening classes because over the years they have significantly reduced and we would like to ensure that these classes are still available.

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

I am grateful to the Deputy for her question. I do need to check the advertising strategy and marketing for the Highlands. I will get back; thank you for raising this with me.

**Please note that the Minister for Children and Education subsequently provided the information below as requested in the oral question without notice from Deputy M.R. Le Hegarat.**

The courses are updated on a term-by-term basis and removed from the website when completed and enrolment is no longer possible due to capacity. The website removes courses when either the enrolment numbers reach the safe teaching environments limits or lecturers' capacity and the best student learning environment.

The 83 courses that are running from January, are due to be released for enrolment on Monday 28 November and the website will reflect this. The course offerings will be advertised via direct email, social media, JEP, Bailiwick Express and Channel 103.

Regarding comparisons, Autumn '21 we offered 68 courses, Autumn '22 we offered 82. Additionally, the volume of repeat sessions has been reduced across many subject areas (eg Autumn '21 we offered 6 crochet sessions, this term we offered 3 in response to the lack of uptake in '21). This has increased capacity for new courses and workshops as requested via survey feedback; in short, we are not only offering more sessions, but also a greater range of subjects. Please see this link to the [Autumn Prospectus](#).

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

May I ask the Minister as Children's Minister, if that is allowed in this question, is the Minister aware of any children that are living in damp, perhaps dangerous conditions as reflected in a very, very sad case in the U.K.?

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

I thank the Deputy for raising this question. I am aware from my conversation with the headteachers and with teachers, especially from the town school, as myself, also a Deputy in St. Helier, and we need to address this. To tell you do I know how many, I do not.

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

Therefore, can I ask the Minister will she be supporting a landlord licensing scheme which could have been in place 2 years ago, and we would know much more about that this time round?

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

I thank the Deputy for the question. Yes, I think we do need to progress with the licensing scheme and make sure that we know what properties are on the market and make an inspection.

## **6. Questions to Ministers without notice - The Chief Minister**

**The Greffier of the States (in the Chair):**

If there are no further questions for this Minister, then we move on to the third question period which is for the Chief Minister.

**6.1 Deputy R.J. Ward:**

Can I ask the Chief Minister, given the very upsetting reports of a death of a child in the U.K. linked to mould in his home, is the Chief Minister certain that similar conditions and risks do not exist for children living in Jersey?

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

Thank you for the question. As the previous speaker said, we are not in a position currently to know that exact figure but of course we do have an Environmental Health Service who is there and able and willing to help any families who find themselves in circumstances where the quality of their rental property falls beneath proper standards. We will be bringing forward measures to change this situation as soon as possible.

**6.1.1 Deputy R.J. Ward:**

Does the Chief Minister now regret not supporting the final regulations in the landlord licensing scheme 2 years ago brought by myself, and brought by the Minister, which would have meant that we would now have much more information on those conditions, and it would not be left to tenants to chase, who are in the weakest position?

**Deputy K.L. Moore:**

I have already stated my position publicly on that. It is a matter of regret, my vote in that debate.

**6.2 Deputy S.Y. Mézec:**

Could the Chief Minister state in the event of particularly adverse weather conditions or some other form of crisis which disrupted supply chains into the Island, how many days does she believe that Jersey's public services and food providers would be able to continue to serve Islanders' needs? Does the Government have any kind of contingency plan in place to provide for resilience in that kind of occasion?

**Deputy K.L. Moore:**

Resilience is a matter of particular focus for us at the moment. The number of days is not enough but there are supplies available in the Island. However, we are looking to remedy that situation, to improve our resilience locally by increased produce grown locally, but also increase supply routes and, as the Deputy Chief Minister outlined earlier, improve supply routes to the south to overcome such issues when it is difficult to get to the north.

**6.2.1 Deputy S.Y. Mézec:**

I am pleased to hear all of that; however, supply routes, even if they are good to start with can still be disrupted because of weather conditions or, heaven forbid, some other form of crisis that disrupts that. Would the Chief Minister be willing to update States Members on work that is ongoing to improve the Island's resilience against these types of crises in the future so that we can have confidence that that work is being done and Jersey is prepared should these eventualities arise?

**Deputy K.L. Moore:**

I would be delighted to update the Assembly in the form of a statement when we are ready, which will be soon, I hope.

**6.3 Deputy S.G. Luce:**

Is the Chief Minister aware that last Friday parishioners in St. Martin travelled to 4 supermarkets in order to find a loaf of bread?

**Deputy K.L. Moore:**

I have become very aware that some items have been difficult to find in our Island supermarkets in recent weeks and there have been a number of reasons for that. That is one of the reasons why we are looking particularly at our resilience and supply issues, but I do believe that there have been a number of reasons for those gaps on our shelves.

**6.4 Deputy R.S. Kovacs of St. Saviour:**

The media reported in the last few days that the Council of Ministers confirmed they met and took the decision to not support the G.S.T. off food proposition. We have then also received after, the Council of Ministers' comments paper for this proposition. Can the Chief Minister confirm if the decision taken on this at that meeting is the final decision of the Council of Ministers? A simple yes or no, please.

**Deputy K.L. Moore:**

That is the position of the Council of Ministers and we have stated it clearly in our comments paper.

**6.4.1 Deputy R.S. Kovacs:**

So I take that as a yes. That means that the Council of Ministers had to take the final decision before hearing the speech and the information I will bring in the debate of the proposition. Does the Chief Minister consider this a democratic voting process given that I have heard voices from the Council of Ministers saying that they would vote a certain way but are worried of the repercussions to their role? Also, when and where can we see the minutes of that meeting, as the Chief Minister confirmed in the last sitting that such minutes will be made available to the public shortly after the meeting, and that meeting took place a week ago and I could not find any minutes.

**Deputy K.L. Moore:**

So the openness and transparency issue was something that we talked about at the last sitting and I identified that we are putting our A minutes on the website much quicker than the previous Council of Ministers did, and we are also giving a much greater level of detail. We have not yet put the minutes beyond the middle of October but that is still only just over a month ago. That is something that is very important to us as a Government, to be more open and transparent. I think really the Deputy is calling into question the process in which government business is conducted and the way we present comments papers to the Assembly. This is the format that is traditional, it is the format that the Greffe supports, and it is important for Government to provide its view in the form of comments ahead of any major debate, and this is a major debate; we take it very seriously. I think what the Deputy is pointing to is that not all members of the Council of Ministers agree with the Government position, and that is absolutely fine with us, but the majority of the Council of Ministers do agree with the Government position.

**Deputy R.S. Kovacs:**

I did not get a clear response, if that means the decision was taken ahead of hearing everything that will be put in the debate, is it then the case the debate is still to take place?

**Deputy K.L. Moore:**

Clearly this is a debating chamber, Deputy, but ahead of any debate it is normal process for a Government to outline its thoughts in the form of a comments paper to assist Members in understanding the number of items and arguments ahead of a debate.

## **6.5 Deputy A. Howell:**

Is the Chief Minister aware that the appointment of the chair of the new H.C.S. (Health and Community Services) Board is causing much disquiet across H.C.S. staff due to his previous professional relationship with members of the Executive?

### **Deputy K.L. Moore:**

Thank you for the question, Deputy. I do understand that every appointment into key roles is a matter of interest for all people working in any particular affected area. I have not had any role in the appointment of the said person but I do have confidence in the process that has led us to this decision. The Appointments Commission looked at, I think, over 50 applications for this role.

[11:45]

They took that down to a shortlist of 2 and a decision was taken between the Minister for Health and Social Services and the Deputy Chief Minister as to who was the best candidate for the role. Given the previous knowledge and experience and the report that has been published by the now-chair, I think we are in a really good place to tackle the important issues that we really must tackle within our healthcare team, and that is very clear. We need to improve clinical governance, we need to improve culture, and we have now embarked on a turnaround process to do exactly that because we are patient-focused and we wish to deliver the best possible healthcare facilities for Islanders.

### **6.5.1 Deputy A. Howell:**

Yes, I appreciate that the process has taken place but I would just like to say that it was perhaps very unfortunate that the other candidate was not chosen because that other candidate would not have the same conflicts of interest as this position has. I have real concerns and I ...

### **The Greffier of the States (in the Chair):**

Your question, Deputy, sorry.

### **Deputy A. Howell:**

Sorry. I just wondered if the Chief Minister understands.

### **Deputy K.L. Moore:**

I would like to offer some reassurance to the Deputy, not only, as I said previously, has the chair got an in-depth knowledge of the situation and has clearly outlined where we need to go in a report which puts us at an advantage in fact in keeping up the pace in this important area, equally it is really important to acknowledge that, yes, there was a mentoring role, but that was a professional mentoring role. It was not a personal arrangement, it was simply a professional role, and that I do not think creates any conflict of interest. I hope I can reassure the Deputy of that.

## **6.6 Deputy L.V. Feltham:**

Can the Chief Minister confirm if the departmental-based budgets contained within the Government Plan include adequate provision for all current government services? If not, can she tell us which services would be reduced or stopped?

### **Deputy K.L. Moore:**

So as the Minister for Treasury and Resources outlined earlier, the departmental budgets were produced to us and they are presented with current spending allocated for. So what our process contained was more of a consideration as to any growth in those budgets. The Deputy might be testing my memory a little too much but I am not aware of any significant reductions in or stopping of any items of current public sector provision.

### **6.6.1 Deputy L.V. Feltham:**

Does the Chief Minister envisage that the value for money programme would lead to any services being reduced or stopped?

### **Deputy K.L. Moore:**

What we are aiming at with the value for money programme is considering how we do things, how we can be more productive. We are very much focused more on doing more with the same or more with less if we can. But of course we have to take those decisions on an evidence base and in a careful and proper way so that we can deliver our very best value for the public. Our answers earlier today have pointed to the high levels of employment in the Island and also the great pressure there is on finding accommodation, so it would be foolish of us to base all of our promises to the public upon the need to employ more people who are simply either not there or, if we were able to bring them to the Island, we would struggle to properly accommodate them. So any decision has to balance all of those things; it is not simply about money.

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

Referring back to Deputy Mézec's question regarding on-Island resilience, would the Chief Minister confirm that the policy decision taken some years ago to reduce warehousing on-Island in favour of a just-in-time supply mechanism is something that needs revisiting? On-Island warehousing would enable better stocks of food to be kept on-Island and not have us relying on a tenuous shipping route which in these times of poor weather particularly can seriously affect our supplies on supermarket shelves.

### **Deputy K.L. Moore:**

Well it would be difficult to opine on the policy of a previous Government but I think looking forwards we certainly consider that improving our resilience is of the utmost importance and we are determined to do that. I imagine that that will include some conversations with Ports and particularly a greater understanding of what is included in their current masterplan for improving the harbour.

### **6.7.1 The Connétable of St. Brelade:**

Would the Chief Minister just confirm that the provision of added warehousing, whether it be on ports or in the rest of the Island, is a serious issue?

### **Deputy K.L. Moore:**

It is certainly an issue that deserves some consideration.

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

Can the Chief Minister inform the Assembly whether the estimated cost for the multisite hospital scheme of £635 million which excludes inflation, also excludes provision for mental health services and facilities?

### **Deputy K.L. Moore:**

Mental health services and facilities are most certainly included in our plans for a new hospital.

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

I did ask if they were included in the price of £635 million. The report is vague on the issue but reading, as I understand it, the report says it is not. I just wanted the Chief Minister to clarify whether £635 million includes provision for mental health facilities.

**Deputy K.L. Moore:**

What I would like to make absolutely clear to the Deputy is that the project that he supported and took it along its path is impossible to deliver. It was outlined earlier by the Minister for Treasury and Resources ...

**Deputy L.J. Farnham:**

Could the Chief Minister just answer the question, please?

**The Greffier of the States (in the Chair):**

I think she was in the process of doing so, Deputy.

**Deputy K.L. Moore:**

If I may continue. We as a Government have accepted the position that we are in, and we want to drive forward a pragmatic solution that enables us to deliver healthcare facilities that are affordable and appropriate for the Island. Sadly, I am afraid the previous project was neither, particularly in the current circumstances. What the report does is outline how that can be delivered in terms of driving forward healthcare facilities that will be within an affordable budget. I think those figures in the plan are both pragmatic and also they have been described to me as being very conservative. What is really important is that we go out to a market and we drive the very best bargain for Jersey because it is absolutely crucial that we deliver a hospital that is affordable and appropriate. As we have heard today, we have plans to deliver new schools and to improve many other things in Island life that will make a difference to Islanders.

**The Greffier of the States (in the Chair):**

In relation to the Deputy's question about mental health services though in connection with the hospital project?

**Deputy K.L. Moore:**

I think I was clear in my first answer that mental health services are included in our plans.

**Deputy L.J. Farnham:**

Just some guidance, I simply asked whether the £635 million estimated cost included the provision for building new mental health facilities, and I would just like an answer to that question, please. Thank you.

**Deputy K.L. Moore:**

I do not like to repeat myself but I think for the third time, the plan includes mental health facilities.

**Deputy L.J. Farnham:**

So, in that cost, a simple yes would be fine.

**Deputy K.L. Moore:**

I am very confident that our costs are achievable and they include mental health facilities.

**Deputy L.J. Farnham:**

For the record, can I take that the Chief Minister is unsure whether that includes because she says she is confident but she has not given a definitive answer.

**The Greffier of the States (in the Chair):**

That is not the answer that I heard, Deputy. She considers that it will be met; that budget includes mental health. I have got time for one more, I think, which is Deputy Mézec.

**Deputy S.G. Luce:**

Is this Deputy Mézec's second question?

**The Greffier of the States (in the Chair):**

It is but I have moved folk around so that those who are yet to ask a question were given priority.

**Deputy S.G. Luce:**

With respect, Ma'am, I have had my light on right from the very beginning of this question. This is the second sitting in a row where I have failed to get the Speaker's attention.

**The Greffier of the States (in the Chair):**

You were on my list, and had a question earlier, Deputy Luce.

**Deputy S.G. Luce:**

I was not aware. I thought that was a follow-up question, I apologise.

**The Greffier of the States (in the Chair):**

So was this for an additional question that you wanted to be ...

**Deputy S.G. Luce:**

I had not realised that the question I asked earlier was my question in this session. I apologise.

**The Greffier of the States (in the Chair):**

Right, sorry. I do apologise, I did take that to be your question in the session. Deputy Mézec, we are in injury time, mopping up from the Minister for Treasury and Resources, so I have allowed a little bit more. We are literally at last orders for the questions, do you have a final question?

**6.9 Deputy S.Y. Mézec:**

I will phrase it very quickly then. Is the Chief Minister aware of the anonymous letter which was sent to herself, myself and others as well regarding extreme staffing concerns in the Health Department, and if she is aware of such a letter, what action is she taking as a result of it?

**Deputy K.L. Moore:**

I am very aware of staffing concerns. In fact, this was an issue that was discussed at the election period, and this is one of the reasons why we have a turnaround team. One of our areas of relentless focus after our first 100 days is recruitment and retention, and that is particularly focused on delivering a stable workforce in our healthcare and education critical services.

**The Greffier of the States (in the Chair):**

That draws to an end question time for the Chief Minister. Before we move on to statements, I did earlier accuse the Constable of St. John of his device interrupting proceedings. I believe it is your neighbour that is the culprit, who is not with us, but I am sure he will make a donation to the Christmas Appeal when he returns to the Chamber. So moving on with the Order Paper, next we have a statement that is to be made by the Minister for External Relations and Financial Services.

**STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY**



## **7. The Minister for External Relations and Financial Services will make a statement regarding the Government's Common Policy for External Relations**

### **7.1 Deputy P.F.C. Ozouf (The Minister for External Relations and Financial Services):**

As the new Government's new Minister for External Relations and Financial Services, I am pleased to present today as a report the Government's, and I hope which is regarded as the Assembly's, new Common Policy for External Relations. If I may, I would like to recognise all those Members who spoke in the in-committee debate that we held on 22nd September 2022 and for each Member's valuable contributions. All of the concerns and matters raised proved to be extremely valuable and helpful in the updating and subsequent development of the new policy. Members' observations and those made also by the public have meant that the updated Common Policy is as the previous one, set out a historical context of our unique constitutional position and also this Assembly's priorities, challenges and the areas of necessary focus, including the opportunities we have in our 4-year term of Assembly Government. Members clearly said and believed that it is fundamentally important to have, as far as possible, broad agreement across the Assembly on how the Island should conduct and advance Jersey's interests on the international stage. Following that debate, I am grateful to all Ministerial colleagues who reflected and explained their own individual Ministry's requirements, and these too have been vital in updating the new updated policy. I hope Members will see that the updated Common Policy for External Relations incorporates most, if not all, the important aspects of government policy and most crucially the aspirations of the community which we are here to serve. Members will have had, I hope, a chance to review the new policy as set out in the law that establishes external relations. The policy is a matter for endorsement by the Council of Ministers and, unlike the Common Strategic Policy, it is not lodged for an actual debate. However, in line with the Chief Minister's determination to be more accountable and collaborative, I am therefore making this statement to give Members the opportunity to publicly ask questions about what is now the approved Common Policy. I do not of course want to repeat what is contained in that policy in any great detail. It was published at 9.30 a.m. this morning and I am grateful as always for the assistance of the Greffe. What I should say is the new policy is very much an evolution of the original policy that was first presented to the Assembly in 2012 and has not been updated since. It is of course the first time, and the first update, since the United Kingdom's departure from the European Union and many of the consequences of Brexit were, and are still, of concern to Ministers, Members and Islanders. The new policy reflects both the challenges and opportunities that lay ahead for our Island. As Members will be aware, we have already been out advancing and asserting Jersey's interests in the United Kingdom, France, Europe and in the wider world, and particularly in those countries where Jersey has important commercial, cultural and other relations. External Relations has several core principles. Firstly to protect our unique constitutional position and our domestic and fiscal autonomy. That is important, as we are not only explaining it but we are also, where necessary, asserting it.

[12:00]

The second broad policy area very much centres around promoting Jersey's international identity, particularly advancing with evidence our good reputation, moreover, as a responsible global actor, something which of course is also advanced by the excellent work of the Minister for International Development. The third pillar is to serve Jersey's best economic interests by promoting a strong diversified and internationally-connected economy. As an Island it is vital that we trade and have access to markets, markets which are becoming more global are essential. The updated Common Policy maintains the core original principles which guide the work we do. External Relations can and does support the work of other Ministries, acting as a facilitator to help those departments achieve their own external objectives. They are many and varied: education exchanges with the United States, Ministerial engagements in climate change summits where I would like to commend the recent work of the Minister for the Environment and his Assistant Minister at the important COP27 event in

Egypt. **[Approbation]** The work of the International Development Department in Africa complements very much the trading services work across Africa, and on the day where the South African president is being welcomed to the United Kingdom for the first state visit under the King's new reign, that is perhaps appropriate. It is the joined-up and shared intention for Jersey to continue to act as an outward-facing, agile and responsible international actor in the trading services work we are globally knowledgeable and respected in many areas about. The Jersey cow also is of course globally known, Jerseys are worn by sportsmen and women, and of course a state in the United States bears our name. The importance of all of these unique links to Jersey are important, and we will use them and we will use them proudly. This Assembly has made it clear of the importance of restoring and strengthening our historic relations with France at both regional and national level. Expending diplomatic efforts in France and beyond the Bay of Saint-Malo can, as the Minister for Economic Development, Tourism, Sport and Culture said in answers earlier, create positive, active engagement, which means that I am increasingly confident can yield positive benefits for Jersey in the form of trade, labour, and this wider co-operation matters, and it really matters to our community. Looking northwards, our engagement with the United Kingdom Government and across the House of Commons has and always will be an essential function of the work of External Relations. As Members will have seen, this is essential to our work and that is why it is restated in the updated policy. The U.K., Europe and the world, including our Island, are facing increasing turbulent and changing times and particularly in the coming years of this Assembly's life. All this means, as never before, Jersey needs to be agile, forward-thinking, and very much on the front foot. This is exactly what this Common Policy and all our work aims to achieve. Securing opportunities for our Island in a world of turmoil is important and this requires ongoing effort and commitment. I hope Members will see how the Common Policy has been carefully crafted to deal with both the proactive and defensive work that we need to undertake but always in a constructive, positive and sometimes cautious, diplomatic way but proportionate and prioritised. I am filled with optimism for the task ahead. As I have said, Members have seen External Relations out and about working for Jersey. The Common Policy contains the guiding principles which we will adopt, and I commend them to the Assembly. In making this statement, I look forward to Members' continued involvement in the implementation of the policy and its delivery, and I look forward to Members' questions. Thank you. **[Approbation]**

#### **The Greffier of the States (in the Chair):**

There now follows 15 minutes of questions and the first light I saw on was Deputy Mézec's.

##### **7.1.1 Deputy S.Y. Mézec:**

We received a copy of this report in the minute that the Assembly proceeding started this morning, and so those of us who have been taking part have not had a single minute to properly pay attention to it and try to identify any changes that are in it compared to the original document, and there are no tracked changes within this document. So could the Minister please explain what is different about this one compared to the last one so that we can find out whether our contributions in that original debate did have an impact on shaping this policy?

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

I thank the Deputy for his question. It was live this morning at 9.30 a.m.; the Scrutiny Panel had it in advance of that. I can of course, if he wishes, provide some of the summary changes in it. There were a number of changes to the background of the historic context of our constitutional position but we are asserting effectively those 3 priority areas: the United Kingdom, France and the wider world.

##### **7.1.2 Deputy S.Y. Mézec:**

What specifically is different about that to the previous document? Did the previous document not contain those priorities as well because I would have thought those would be fairly uncontroversial?

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

I think the Deputy will know that the word “independence” has been dropped, it did contain in the background, and it is felt that, while we certainly should prepare for maybe changes in the U.K. Government, we do not see it as government policy or indeed something that should be stated in the External Relations policy in relation to independence. I draw that one to the Deputy’s attention; there are a number of others of those priorities. It is very much aligned. I hope the Deputy will agree that many of the issues, if not all of the issues, that were raised by individual Members are stated in the policy in a revised way.

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

Can I start by commending the Minister, and indeed the Council of Ministers, for the proactive way in which they have been going out of Jersey to meet people around the world and telling them about Jersey and what a good job we do here. The policy makes no specific reference to twinning relationships which, as the Minister will know, all Parishes have with Normandy, apart from the breakaway Parish of St. Clement which is twinned with a town in Brittany. Does he believe that perhaps that should be included in the policy? It is perhaps not as important as trips to Westminster but it does of course allow hundreds of Islanders to meet people in France and to enjoy relationships of mutual benefit, twinings of schools and so on, which are certainly a worthwhile activity for the Island.

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

I thank the Constable for his question. When we speak about France, we speak about the important historic relations. I regard the mainland of Jersey as being Normandy. The work that the Parishes have done, including the breakaway Parish with the Breton linkage, is absolutely fundamental. This report should be perhaps taken in the context of the Ministerial plan as well, which I would draw to the Assembly’s attention. There is lots of detail; these are the guiding principles. We are absolutely prioritising France to deal with all of those issues which I know many of the Constables are concerned because we are not being able to see that free flow of visitors that we have previously seen. That is something which I am working very closely with the Minister for Home Affairs under the guidance also of the Minister for Economic Development, Tourism, Sport and Culture, but he is absolutely right, we need to basically get back that good relationship, and the Constable will know that we spent a full 4 days out and about in France, on national T.V. (television), asserting Jersey, promoting Jersey in a way that is making a meaningful difference.

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

The Minister will know that St. Helier is also twinned with Bad Wurzach in Germany, Funchal in Madeira and Trenton in New Jersey, and we were pleased to welcome the Mayor of Trenton on Liberation Day, as indeed we were grateful to the Bailiff for welcoming the Maire Adjoint of Avranches to Remembrance Sunday recently. Would the Minister encourage the other 11 Parishes to consider growing their twinning relationships and perhaps including towns in other countries as well as Normandy or Brittany?

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

I was extremely pleased enroute to Washington to be able to stop off in Newark and then go up to Trenton and meet the Mayor of Trenton. I had the full council there, met, and we covered a number of different areas, including enhancing our school visits programme. I know how much the Mayor of Trenton ... I think he has been re-elected in the recent elections in the United States. We look

forward to developing those relationships with New Jersey. Of course Jersey City, New Jersey is where the Statue of Liberty is, Jersey City can almost be regarded as the Canary Wharf, if you like, of New York; so Jersey City as a financial centre is important. As for wider twinings, well those of course are a matter for individual Constables. What I will say is, in terms of the German situation, the Chief Minister appointed me because I speak French and German. We were delighted that the German ambassador himself came to our diplomatic dinner in London last Wednesday. I spoke to him, I have already reached out to his number 2; I will be visiting him shortly, and we will be engaging with that. The Romanian ambassador, great interest with her, and also the Polish deputy ambassador was there, a difficult day for Poland on that day, of course, and we will be of course encouraging. Jersey is global in its outreach; the Constables decide who they twin with but they will have the full support of External Relations in their work where appropriate.

#### **7.1.5 The Connétable of St. Brelade:**

Just picking up on paragraph 24 of the Minister's statement with regard to diplomatic efforts in France and beyond the Bay of Saint-Malo, we have heard talk of diplomatic efforts. We have seen diplomatic efforts taking place with regard to the fishing debacle last year, and I want to hear assurance from the Minister that our fishing fleet will be supported. I appreciate that is a high-level document and it can only be that. But we need to take this down a little bit further to give our fishing fleet confidence that their opportunities will continue in the years to come.

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

It was the late, great Cyril Le Marquand who said confidence is the name of the game. I remember the late Colin Powell explaining that to me. It is confidence but it is confidence in communicating that we will achieve objectives. I commend my colleague, the Minister for the Environment, in the way that he has conducted himself in relation to the fishing matters, and also my colleague, the Minister for Economic Development, Tourism, Sport and Culture. We are concerned, as the Council of Ministers, about the declining fleet. We are determined to prioritise that in terms of objectives. The points that the Constable makes are well made. The Minister for the Environment was sitting next to, at the diplomatic dinner, the individual in the French Embassy in London. I met Minister Sinkevičius last week with my opposite number in Guernsey; directly that is the E.U. (European Union) Commissioner for the Seas, and we had constructive discussions. I cannot have any evidence of the future, all I can say is that the work that I see the Minister and his team doing is very much well received. I think that there are going to be some issues but we do need to deal with the issue of port opening times. That is something that the Minister for Economic Development, Tourism, Sport and Culture and I are aware of, we are working on it, it is not within the Minister for the Environment or indeed the E.U. Commissioners, but we are absolutely clear there is a problem. There is, if you like a series of wants, there is an issue of gives, and there is the defensive work that we can take and all of those will ... and I am happy to talk to the Constable who I know, together with the Deputy of St. Martin, shares a great deal of knowledge on that and we will not hesitate to ask him on that.

#### **7.1.6 The Connétable of St. Brelade:**

Would the Minister agree that bilateral agreements with both Normandy and Brittany will be the way forward in this matter?

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

The Constable is absolutely right. Unfortunately with Brexit we saw the Bay of Granville Agreement which, it has to be said, was effectively 2 votes against one and Jersey did not always get what it needed in relation to the Bay of Granville Agreement. However, I think what is in the mind of the Minister - he will speak for himself - is very much a more collaborative working with many of the

issues. Bay of Granville - or is it called the Bay of Saint-Malo, it depends whether you are Breton or Norman, have to be careful diplomatically there, maybe we should call it the Bay of Jersey - there are effectively many of the same problems. Vessels that need to be replaced with clean technology, the licensing issue is something which needs to be sorted out by the end of January; as soon as we can deal with that I think we can deal with more collaborative relations. The ban on talking to local regional individuals has now been lifted. We are talking, we are working and we are asserting Jersey, and that is going to make a big difference.

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

I would first like to thank the Minister for outlining his policy in his statement, and I would also like to make special thanks to the Minister for External Relations and Financial Services and his team for the support that they gave before and during my time at COP27; it was much appreciated and I was able to discuss and move forward and meet a lot of people because of the excellent work of him and his team; so thank you very much. Multilateral processes are essential, especially at the moment when global relations are very delicate. I was disappointed by the outcome of COP but I saw at COP that there was a space that focuses the world globally on influencing and ensuring accountability around climate action and climate justice.

[12:15]

So I would like to ask the Minister please to explain further how he envisages his work with the Government's environmental objectives and how we can meet our international Paris commitments, including our engagements with future COPs within External Relations and also working with myself and the Minister for the Environment.

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

I am grateful for the Assistant Minister's helpful comments. I know that the team will be listening to that. I think that shows just how External Relations is working with other departments in order to achieve their objectives and I commend the Deputy for the work that she did in Sharm El-Sheikh. There is no doubt when one talks to ambassadors in both Brussels, in Washington, et cetera, that climate change is going to be the massive issue multilaterally and bilaterally. I have only got 15 minutes to answer questions on this. I think that Jersey can be both regarded as an exemplar jurisdiction in terms of its advancements of technology and climate change commitment. I think that Jersey can also honestly and practically then project itself as an important place using our capital warehouse for the incredible amounts of money that are going to need to be invested in order to move from fossil fuels to clean technology in the future. That is perhaps going to be put on pause because of the Russian invasion but in the longer term effectively more fossil fuels are likely to be burnt this winter and next, but I think that that should mean - certainly from Jersey's point of view - bringing forward ... perhaps not government policy because I need to ask the Chief Minister, but personally I think as far as External Relations is concerned, being seen as a good global citizen at home will help our international financial objectives. We are going to have a debate on that as well but I look forward to working with the Assistant Minister and the Minister to be instep to promote Jersey as almost an exemplar. I do not want to use "world class" but as an exemplar small jurisdiction we can make this happen in a way that other places cannot and we should not be shy about it. It is a great thing to promote.

#### **The Greffier of the States (in the Chair):**

We have quite a few other Members wishing to speak; could I urge the Minister to keep your answers more concise.

#### **7.1.8 Deputy G.P. Southern:**

The U.K. Government over the past few years have vowed to get Brexit done, but in fact they are left with the enormous task of hundreds, perhaps thousands, of pieces of E.U. regulation and legislation which they need to amend or adopt in order to trade. What involvement does the Minister envisage having in that process?

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

The Deputy is partly right in the sense that Jersey was not part of the European Union, and originally the European community because of the special protocol; we were only effectively part of the E.U. for goods. There is an evolving international debate about services. The issues that Jersey have had have been the free movement of labour. That is an issue which the Minister for Home Affairs is attending to in terms of work permits, where the previous Government did not do anything really meaningful about it, if you do not mind me saying. Also we have got issues where the Minister for Economic Development, Tourism, Sport and Culture earlier said: “We think we can lower the cost of living by looking to France for more low cost goods.” But there are practical issues. There are all sorts of issues - which again you have directed I should be briefed - that fall out of Brexit which are at the heart of External Relations work where possible to do that. We are working with the U.K. I think again we can be seen as an exemplar jurisdiction of working outside the E.U. but having good relations, and that is what we are doing.

**The Greffier of the States (in the Chair):**

That draws to an end the time allowed for the first session but of course under Standing Order 68(4) you are entitled as an Assembly to extend this time period.

**Deputy S.Y. Mézec:**

May I make that proposition please?

**The Greffier of the States (in the Chair):**

Is that proposition seconded? [**Seconded**] If Members would like to show the standing vote if they would like to extend, those in favour. Then we will carry on. Deputy Southern, would you like to ask a supplementary?

**7.1.9 Deputy G.P. Southern:**

Yes, and basically a supplementary to what I was saying before. We are regarded as a third country, I believe, and again can the Minister explain what that might mean for us and how involved is he going to be in resolving issues that occur between us, France, and the U.K.?

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

We were always a third country and so effectively we are used to being a third country. I was very struck in Brussels that there is some surprise, if I may say, by certain interlocutors from the United Kingdom that they are finding life rather difficult as a third country. We know what being a third country is like, we have direct trade links, we have got regulatory alignment in various different ways in financial services, in trade and services. We are quite used to it so in terms of being a third country that has not changed. It does change in relation to goods, which is many of the issues we have got with fishing, but I could be all day in discussing that and I am happy to answer more questions maybe to the Deputy directly if he has them. It is a problem in relation to fishing by being a third country.

**7.1.10 Deputy L.V. Feltham:**

Like many other Members I have not had the chance to read the detail of the policy due to the timing of it being presented. The question that I have is: given that the Common Strategic Policy is yet to be debated and approved does the Minister consider it appropriate for the Ministers to have approved this policy which comes underneath the Common Strategic Policy, as it has not given the Minister or his officers the opportunity to respond to any amendments that may have been made within the Common Strategic Policy by other Members of the Assembly.

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

I thank the Deputy for her question. We did look at all the amendments that were advanced by Members and I do not think that any of the Members, either won or lost, will change anything to do with the Common Policy for External Relations, if that may assist the Deputy. But of course what the External Relations policy is, is very much a living document. There will be priorities that will come and those will be reflected in the Ministerial plans. If there are issues that emerge - we live in an uncertain, turbulent world - those will be individual policies that will be reflected in due course in Ministerial plans and I will be the first to explain that to both the Scrutiny Panel and also the Assembly as appropriate.

**7.1.11 Deputy L.V. Feltham:**

As I have not had the opportunity - like many Members - to have read the policy, can the Minister outline the key areas in which this policy does respond to the Common Strategic Policy?

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

Well, it is entirely in line with it. Effectively it prioritises what the important work that we have ... it is obvious that there will be a U.K. general election, that means reaching out to parliamentarians across the House of Commons, which reflects the fact that we would be meeting ... I have met most of the members of the Shadow Cabinet so far, I have met with Liberal Democrats, I have met with Tories, although it has been difficult to know quite who is in charge sometimes, but we are reaching out to all Ministerial departments. We are reflecting the importance of France, something this Assembly said, Ministers want to do, Economic Development is doing, and we are also reflecting the trade and services business where we are seeing an increasing global footprint in our financial services industry. Nothing in that is anything that is amended in the Government Plan. This is about using the resources we have got, working with other Ministries, and almost doing what they need in the international arena, and that is why it is relevant. It was right and polite, we thought, and proper to advance this in advance of the Common Strategic Policy because it effectively underpins everything, but no amendment changes anything really.

**Deputy L.V. Feltham:**

Ma'am, can I just ask for some clarification because obviously the Government Plan amendment deadline has not yet passed and the Minister referred to amendments to the Government Plan.

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

I do apologise; I should have said Common Strategic Policy. I apologise.

**7.1.12 Deputy R.J. Ward:**

First of all I would like to welcome priority 6: "The Council of Ministers will support the work of Members of the States Assembly with the Assemblée Parlementaire de la Francophonie, the British-Irish Parliamentary Assembly, and the Commonwealth Parliamentary Association." Can I ask the Minister, given that the British-Irish Parliamentary Assembly will be in Jersey next year, will the Minister commit to practical support for hosting that, because it does provide a platform for Jersey

as a jurisdiction, and indeed supporting Commonwealth Parliamentary Association attempts to host more so that Jersey can be seen as that wonderful place to come and visit.

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

Absolutely. External Relations is there for Members and we would welcome Members that are travelling overseas to get briefings about those countries. Obviously these are parliamentary issues. In respect of the British-Irish Parliamentary Assembly, yes, we look forward to hosting B.I.C. (British-Irish Council) next year; that has been a budget approved by the Minister for Treasury and Resources and Council of Ministers. Delighted about that. Yes, if we can, there are budgets within both the Assemblée Parlementaire de la Francophonie and also the C.P.A. (Commonwealth Parliamentary Association) to do that but we will work with the chairs and members of those panels in order to achieve just that. We are there to help Members and assist them in advancing Jersey's international status.

**7.1.13 Deputy L.J. Farnham:**

Credit where credit is due to the Minister for External Relations and Financial Services and the Minister for Economic Development, Tourism, Sport and Culture for getting on the front foot again and focusing on rebuilding our relations with France, but I would also pay credit and give some praise for once to the former Minister for External Relations and Financial Services for displaying some deft diplomatic skills in the last Government to help keep a steady hand on the tiller through what was a difficult period. I think a number of Members might have touched on this. How will the Minister work to maintain this good relation and indeed build on it when there are clear juxtapositions in the interests of both Jersey and France in relation to our fishing fleets, and of course wanting to protect and perhaps enhance our marine protected areas? These are difficult decisions; how would the Minister deal with those without of course disadvantaging Jersey's interests?

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

With tact, assertiveness, diplomacy and communication. I echo the words that the Deputy makes about the excellent work that my predecessor in office, and the predecessor but one. I am the third Minister for External Relations but I build on good platforms and I am absolutely over the moon with the quality of the team that is in place. Excellent work, as said by the Deputy there, to assist other Ministers in achieving their objectives. The issues with France are difficult but we are out on the front foot reminding people of the importance of our relationships with France. They matter, they will matter, and under the Chief Minister's direction France is priority, and that is what we are doing.

**7.1.14 Deputy M.R. Scott of St. Brelade:**

I personally would like to applaud the Minister for this piece of work, which I can see has been responsive to many points raised by Members in the in-committee debate. The question I have got relates to paragraph 11 where there is the mention of entrustment letters that enable the Minister to have more personal authority in negotiating agreements with foreign countries. My question for him is simply how do you propose forward this and with impact where?

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

The Deputy raises a very interesting point and I undertake firstly to ensure that, where appropriate, we can either give public briefings or private briefings to the Scrutiny Panel that scrutinises us on these issues. The agreements that we are talking about fall into a number of categories, there are double taxation agreements, there are bilateral investment treaties, and there are also other international agreements such as social security reciprocal agreements, and there are a whole myriad of others in the other international treaty obligations we have got. We are certainly going to be looking forward ... the Assembly has already passed a mechanism by which this Assembly permits



those negotiations to start with bilateral investment treaties. We have one already agreed and signed with the U.A.E. (United Arab Emirates), I will be making further statements about that and how that will be brought to this Assembly for information as Standing Orders, and I am considering also some Standing Order amendments, subject to the Council of Ministers' approval, about how we can do that. International agreements are really important - multilateral and bilateral ones. We are going to be doing more of them; we are on the front foot to do them. They matter but we need obviously a very clear and transparent way in which we are going ahead and dealing with them and I look forward to working with the Scrutiny Panel as appropriate to deal with those important issues. There are quite a lot on the way.

**7.1.15 Deputy M.R. Scott:**

Could the Minister just say specifically with respect to entrustment letters?

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

I am so sorry. The entrustment issue is one where Jersey needs to seek an entrustment - that means an authorisation from the U.K. - to actually enter into a bilateral or one of these other sorts of agreement. We are discussing with the U.K. Government a number of different areas, particularly areas in trade, because there is also the issue of the new trade agreements that the U.K. has entered into. I personally think that we need to be assertive in the way of getting Jersey ... I do not say we were locked out but we certainly could not advance some of the issues with the C.P.T.P.P. (Comprehensive and Progressive Agreement for Trans-Pacific Partnership), the Trans-Pacific Partnership agreement.

[12:30]

I think there are ways that we can do that. I have got a meeting scheduled with Minister Greg Hands(?) shortly, our own Minister for Justice, now having visited Jersey 4 days after he was appointed which is fantastic, Mike Freer. He is an ex-Trade Minister himself and he has been incredibly helpful. I held a joint meeting with the Chief Minister in London after our diplomatic dinner on Thursday and we discussed a number of these issues. Entrustments, bilateral agreements, asserting our individual personality all part of it, and I look forward to working with the scrutiny chair.

**7.1.16 Deputy S.G. Luce:**

As ageing baby boomers and others leave the Island workforce the gap in the economy is going to have to be filled by immigration. Where does the Minister see his role in solving that problem?

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

Well, the Deputy makes another incredibly important point. The recruitment crisis that we have now is acute and it is only likely to get worse unless we put new arrangements. The Chief Minister has decided to sit on H.A.W.A.G. (Housing and Work Advisory Group), she has invited myself and the Minister for Home Affairs and the Minister for Social Security and the Minister for Economic Development, Tourism, Sport and Culture, so we will be working with that. External Relations very much sees those migrant communities as having some sort of responsibility within us. We have a growing Kenyan community, we have got a number of Rwandans here; those are in addition to our valued Polish and Romanian communities. The Minister for Social Security has pointed out to me quite rightly that we do not have some reciprocal social security agreements with these countries. Having a D.T.A. (double tax agreement), a social security agreement and what I think is in the Chief Minister's mind is an ethical framework ... there are some issues, I have to say to the Assembly, in relation to the migrant workers that have been brought here, the offset of payments that they have, which is a live issue and which is of concern to us. We want Jersey to be a really well-regarded

jurisdiction where workers we welcome here know where they are coming to, know their rights and their responsibilities, and in that way we think we can deal with some of the undoubted recruitment issues we have got in a number of sectors of our economy. I take on board the importance of the matter the Deputy raises.

**7.1.17 Deputy S.Y. Mézec:**

In the in-committee debate there was clearly a desire from several Members of this Assembly to see Jersey be more assertive when it comes to the issue of human rights. In this revised policy the words “human rights” only appear once. Could I test the Minister’s appetite for being more assertive on the issue of human rights by referring to one example. We are of course rightly playing our role in applying all sorts of sanctions against Russia for its illegal and immoral invasion of Ukraine. There is one jurisdiction which is also involved in an occupation and war in a neighbouring country and that is Saudi Arabia in Yemen which is causing one of the worst humanitarian crises on the planet, yet this is a jurisdiction which Jersey in recent years has attempted to draw closer ties to. Will the Minister give us guarantees that he will not be having any kinds of meetings with representatives from the Wahhabi extremist dictatorship in Saudi Arabia without raising their disgraceful record in causing unimaginable pain and suffering in the neighbouring jurisdiction?

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

I think the Deputy’s question was caveated “having meetings without raising those issues”. We are not a sovereign state, and this is what we said in the last in-committee debate. That does not mean that we do not have a moral compass and we do not also have a way in which we do that. Members - and I hope the Deputy - will see that when I do meet ambassadors ... I met the ambassador of Kuwait last week in London, I was very pleased to see him, he invited me around for lunch at his residence and we had a wide-ranging conversation. Members would not expect me to talk in public about what are private meetings. But as somebody with my own certain minority situation - I think the Assembly’s only one - he can understand that I will raise issues. I am a human being, I have rights, just as women have rights and other people have rights, and I will not be afraid, as appropriate, as diplomatic, almost to be somebody that shows that it is perfectly normal to be gay, it is perfectly normal to be a woman, and certainly many of the practices that are there. But it is by engagement, not by disengagement, except in the area that he rightly points out which is Russia that is there. Qatar is now holding the World Cup. Qatar has questionable views that I hold very strongly, but if one sees the World Cup, other places which have held the World Cup have worse human rights reputations for that. So we live in a complex world, but it is by engagement, it is by discussing respectfully but assertively that I will do this role.

**PUBLIC BUSINESS**

**8. Reduction of Lodging Period**

**The Greffier of the States (in the Chair):**

That draws to an end the extended period of questions following the Minister’s statement so we come on to Public Business. Before we start Public Business a decision needs to be made by the Assembly about whether to reduce the minimum lodging periods in respect of 2 matters that are listed on the Order Paper. The first was lodged by the Minister for Housing and Communities. Minister, do you wish to make the proposition under Standing Order 26(7), that the lodging period be reduced to allow the Rent Control Tribunal: Chair and Member nominations, P.107, to be debated at this sitting?

**Deputy D. Warr:**

Yes, please.

**The Greffier of the States (in the Chair):**

Is the proposition seconded? [**Seconded**] Does anyone wish to speak on the proposition?

**Deputy S.Y. Mézec:**

Ma'am, he has just made the proposition without providing any explanation for why this ought to be debated.

**The Greffier of the States (in the Chair):**

Sorry, with respect, that was my fault because I rushed the process. I do not know if you did want to speak, Minister?

**8.1 Deputy D. Warr:**

The reason for bringing it forward was we had already had a debate on the issues, we have now subsequently found a further panel member, and rather than waste Assembly time I really want to get on with the process of appointing a panel and the sooner we can do that, the better, which is why I have shortened the lodging period.

**8.1.1 Deputy S.Y. Mézec:**

What we have just been told is simply false. This Assembly has not debated the specific appointments being proposed to be made to the Rent Control Tribunal. We had a debate about a potential balance makeup of tribunal but not about these specific appointments which we may have views on whether or not they are appropriate. We did not debate his previous proposition; this is a new proposition, a new P. number, and we have not I think been given an adequate explanation as to why it being lodged perfectly acceptably and within the rules ought to have its lodging period truncated out of convenience. There are serious issues to consider in this proposition. It is not meant to be a normal process for the Assembly that we routinely ignore lodging periods. There is no reason why this cannot be debated at the December sitting. If we are to stay true to the spirit of the Standing Orders, which is that they exist for a reason so time can be given for Members to consider, time for amendments to be made and those kinds of things, then this is extremely bad practice to do this just because it sounds convenient. I hope Members will vote not to allow the lodging period to be truncated and instead let us debate this as ought to have been done at the next sitting.

**8.1.2 Deputy M.R. Scott:**

I am concerned that this debate might lead to the personalisation in terms of people in this community who have stepped forward for a particular role. I would suggest that if there are particular problems with the way in which they conduct their service to the community that can be addressed through rules, through appeals procedures, and I very much would welcome some sort of scrutiny and debate of those. I personally will be supporting the Minister's proposal to have this debated now.

**8.1.3 Deputy R.J. Ward:**

This is about whether we shorten the lodging period and it does seem to be becoming a habit of this Government to submit comments or propositions late or shorten lodging periods. I believe the word is "ironic", but I might be wrong, given the criticism of the last Government from Ministers for doing exactly that. I may be using the same words as were used at that time which is it becomes a habit of Government to ignore Standing Orders according to their own wills and wants. That is wrong. It is not happening only once today, it is happening later, and I will be back to talk about that because it is wrong. I ask Members to look very carefully, and I say to the Deputy who just spoke, this is not about who is on this list, this is about whether we shorten the period in Standing Orders and take this at a time that we would not usually take it. There is no good reason to do that, and it limits debate, and it limits the ability to bring amendments if possible. It limits the action of this Assembly. I would ask the Minister to recognise that and withdraw this shortened period today so that the primacy

of this Assembly is taken, because certainly we have seen early on in this Assembly that certain Members' proposition en masse we have said: "No, we will not shorten the period for that." If we are going to have an Assembly where if your face fits we will shorten it but if it does not we will not, that is undemocratic. It is not just undemocratic, it is wrong, and it goes against this notion of transparency and so on and so forth. It does seem that the Government who has collective responsibility can call in its Ministers to shorten a lodging period whenever it wants, virtually have the majority needed to do that, and then it only needs one or 2 other Members, to be quite frank, in the wrong place regards what is happening here to then let that happen as a matter of routine. If we are going to let this happen as a matter of routine ... we are not in a COVID situation at the moment, we are not in a situation where there were emergency measures needed to save lives - which was the argument before - and we all went along with that. We are in a normal running of our Standing Orders and our procedures in this Assembly and if we are going to routinely allow the truncation of those things do not go to your constituents that you are in an Assembly with Standing Orders because we are not. We are simply not using them. I am very disappointed with a Government that is continually doing this, or lodging comments papers late, or lodging amendments late, or giving information just before we are about to talk about it in this Assembly. It is disrespectful to this Assembly, it is particularly disrespectful for Back-Benchers and it is particularly disrespectful to the people of Jersey who expect us to have processes in place in this Assembly that we abide by. Let us play by the rules and if you are not going to do that then everybody in this Assembly, we are responsible for allowing that to happen. I urge you to not forget collective responsibility today, this is bigger than your Government, this is bigger than our party, this is bigger than your groupings whether they are transparent or hidden behind corridors; this is about the workings of this Assembly, the Standing Orders of this Assembly, and whether we are going to respect them. So we need stop truncating these pieces of legislation. There is plenty of time next time to debate it. Your convenience does not come before the actions of this Assembly and I urge people to not allow this to be truncated. Thank you.

#### **8.1.4 Deputy K.L. Moore:**

I would like to refer to the comments that have been made about the late lodging of a number of items, and particularly comments recently. I agree that it is not right and I am sorry to Members of the Assembly who might have been frustrated by that. We have a great deal of work to do and we have a great team behind us but it is a small team and they have put their very best efforts into meeting the requirements of the Assembly and the requirements of the Council of Ministers, but sometimes we do fall short. We are working behind the scenes to improve our systems so that we are better organised, to be quite frank, and that is a personal focus of mine for this week because I recognise that some improvement needs to be done and I apologise to everyone in the Assembly for those times where we have fallen short. Back to the debate at hand and the shortening of this lodging period, given all of the previous debate about this matter we really did not anticipate that it would be a matter of great issue to Members of this Assembly. Equally, and I certainly agree with the chair of the Economic Affairs Committee, it is really not optimal that we should debate the personalities at play of people who engage in voluntary activity to support the work of this Assembly and to support the Island, because we are very grateful to those people and we do not want to get involved and embroiled in those debates. So I hope that Members will support the Minister in this particular occasion. We have a full agenda this week but equally in December we have a very full agenda with the Government Plan and really the desire was that we were able to properly focus on that and to ensure that we gave the Government Plan our very best attention, and this was considered a relatively minor matter. But of course if the Scrutiny Panel has given the Minister any indication that they wish to consider it or have further time, well that is a matter for the Minister and his respective Scrutiny Panel.

[12:45]

#### **8.1.5 Deputy J. Renouf:**

Just to follow the Chief Minister's point and say, yes, it is not ideal to shorten lodging periods. I would try and take some of the heat out of this in terms of points of principle. I feel quite strongly that the Minister has brought this because of a very honest and genuine desire to see the panel constituted as soon as possible, a desire which I think is probably widely shared in the Assembly. I do not think there is evidence here of a Council of Ministers deliberately setting out to undermine scrutiny of key decisions; we would welcome the debate around this proposition. I think his desire is very much to see the matter be concluded as quickly as possible in the interests of getting on and resolving the housing crisis that we know we have and this being a key part of that. So I would support this on that basis.

#### **8.1.6 The Connétable of St. Martin:**

I am standing here as chair of P.P.C. (Privileges and Procedures Committee) and we had a meeting yesterday. We are disappointed at the late lodging of comments and propositions and we are putting together guidance which we shall share with the Assembly, but it is not acceptable as a matter of course to shorten lodging periods and present Members with comments at the last minute when nobody has any chance to consider them and make any comment themselves. So we should not be going against Standing Orders, we have Standing Orders for a purpose and unless it is a crisis I do believe that this Assembly should adhere to Standing Orders and not be routinely asked to shorten lodging periods and be given comment papers right at the last minute. It is just not really very democratic and it is not very fair.

#### **8.1.7 Deputy R.S. Kovacs:**

I was not going to speak today, but because Back-Benchers are constantly expected, without the support of a team ... as the Chief Minister rightly said that they have ... we are all busy, but the Back-Benchers do not have that support that the Ministers have and we are still expected to bring all those in time. I have not slept to be able to lodge things in time. I neglected my kid to be able to lodge things in time. When we are not having those put in time they are not accepted. But when the Minister knows that something is important they should be able, with all the team and the support they have, to bring it in time. Thank you.

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

Having been in this Assembly for a number of years I have heard the assertions and I absolutely understand the importance of adhering to Standing Orders. However, what we have here is a proposal by the Minister for Housing and Communities to get on with something that has received feedback from Members as a housing crisis. Members of Reform may tut but they are the ones that are saying that there is a housing crisis. If there is a housing crisis we need a rent tribunal up and running as soon as possible to deal with it. Surely we should be saying that this is a matter of public importance; that is what the Standing Order does allow, a matter of important public business is to be debated. It is not going to be today, it is likely to be on Wednesday or Thursday, we are dealing with the addition of one member. I ask Members to be cognisant of Standing Orders but also understanding that matters of public importance sometimes need to be debated. Members always criticise Ministers but it is sometimes a little overdone, if I may say, in some areas. The Chief Minister has very clearly said we are trying to catch up and deal with lots of work; this is something the Minister has done properly, collaboratively, in the spirit of what the Members want, and to get on with the housing crisis. I think it is a reasonable request given the circumstances and we should get on and pass this on probably Wednesday or Thursday. If Members really think that they cannot read an additional name, well, I am sorry, but we are here to work.

**The Greffier of the States (in the Chair):**

Does any other Member wish to speak on this proposition? I draw the debate to a close and I call upon the Minister to reply.

**8.1.9 Deputy D. Warr:**

Deputy Ozouf here absolutely hits the nail on the head. It is a matter of urgency. We have a housing crisis, I am going to be talking about this in a later debate. Reform know there is a housing crisis, how the heck are we ever going to get over dealing with these issues if we cannot get on with some routine business. I respect the fact there are Standing Orders and there are mechanisms within the Assembly that we are supposed to follow and I apologise if I have been hasty. However, we are endeavouring to get on and sort out the housing crisis. This is another step forward in that general direction. I, therefore, hope the Assembly will support me.

**The Greffier of the States (in the Chair):**

Is the appel called for on this? Before we go to the appel I just want to flag up, Deputy, that I am not entirely sure that “heck” is a parliamentary comment. The appel is called for. Members are invited to return to their seats. Those joining us online should put their votes in the chat. I ask the Greffier to open the voting. If all Members have had an opportunity to cast their votes I will ask the Greffier to close the voting. I can announce that the proposition has been adopted; there were 28 votes pour and 18 votes contre.

<b>POUR: 28</b>		<b>CONTRE: 18</b>		<b>ABSTAIN: 0</b>
Connétable of St. Helier		Connétable of St. Lawrence		
Connétable of Trinity		Connétable of St. Brelade		
Connétable of St. Clement		Connétable of St. Peter		
Connétable of St. Ouen		Connétable of St. Martin		
Connétable of St. Mary		Connétable of St. John		
Connétable of St. Saviour		Connétable of Grouville		
Deputy C.F. Labey		Deputy G.P. Southern		
Deputy S.G. Luce		Deputy R.J. Ward		
Deputy K.F. Morel		Deputy C.S. Alves		
Deputy M.R. Le Hegarat		Deputy L.J. Farnham		
Deputy S.M. Ahier		Deputy S.Y. Mézec		
Deputy I. Gardiner (H)		Deputy T.A. Coles		
Deputy I.J. Gorst		Deputy B.B. de S.V.M. Porée		
Deputy K.L. Moore		Deputy C.D. Curtis		
Deputy P.F.C. Ozouf		Deputy L.V. Feltham		
Deputy D.J. Warr		Deputy R.S. Kovacs		
Deputy H.M. Miles		Deputy A.F. Curtis		
Deputy M.R. Scott		Deputy M.B. Andrews		
Deputy J. Renouf				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				

**The Deputy Greffier of the States:**

Those Members voting contre: the Connétables of St. Brelade, St. Peter, St. Martin, St. John and Grouville; Deputies Southern, Rob Ward, Alves, Farnham, Mézec, Coles, Porée, Catherine Curtis, Feltham, Kovacs, Alex Curtis and Andrews, and the Connétable of St. Lawrence in the chat. Those Members voting pour: the Connétables of St. Helier, Trinity, St. Clement, St. Mary, St. Saviour; and Deputies Labey, Luce, Morel, Le Hagarat, Ahier, Gardiner, Gorst, Moore, Ozouf, Warr, Miles, Scott, Renouf, Rose Binet, Jeune, Millar, Howell, Tom Binet, Ferey, Barbara Ward, Wilson, and Deputy Stephenson in the chat and the Connétable of St. Ouen in the chat as well.

**LUNCHEON ADJOURNMENT PROPOSED**

**The Greffier of the States (in the Chair):**

The adjournment has been proposed. Will Members kindly show if they approve? The Assembly stands adjourned until 2.15 p.m.

[12:53]

**LUNCHEON ADJOURNMENT**

[14:15]

**The Bailiff:**

There is one more matter of housekeeping before we move on to the Public Business proper. This relates to the amendment of the Council of Ministers to amendment 5 of the Common Strategic Policy, P.98. Chief Minister, do you wish to make a proposition to reduce the lodging period in respect of this amendment?

**8.2 Deputy K.L. Moore (The Chief Minister):**

I feel like a brave woman. As I stated earlier, when we were debating the previous matter, there has been a considerable amount of pressure on our team and that has led to some unfortunate delays. I feel it very keenly myself when I have to deliver speeches with very little or no time for preparation. I do think it is important though as this key matter before us today that we debate every aspect of it, and I simply ask the Assembly to show some understanding. Not to the Council of Ministers but to the officials who support us and I ask the Assembly if they would kindly allow this slightly shortened lodging period.

**The Bailiff:**

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

**8.2.1 Deputy R.J. Ward:**

Anyone want to guess what I am going to say? I was going to say here we go again but then all I got in my mind was that song: "Here I go again on my own, going down the only road I've ever known." I cannot even remember who it is by. But there we go. Whitesnake, absolutely. No one has ever quoted Whitesnake in the Assembly before.

**The Bailiff:**

I think we are almost going too far.

**Deputy R.J. Ward:**

Sorry, Sir. But on a serious note, if anything this is worse than the last time and this is worse than the last time, and I just want to say some words that were just said by the Chief Minister. It is difficult to disagree but how we disagree is the making of this Assembly. The Chief Minister said we need

to debate every aspect. I urge Members to look at the amendment, what it does. It removes two-thirds of the debate of the aspect of my proposition. By removing two-thirds of the wording. Indeed the amendment itself changes every single word of my amendment. So it is even more difficult for me because I did ask for a ruling and although, I will be honest, I do not agree with the outcome I respect the outcome because that is the process that we have in this Assembly. I do not like it but I deal with it. But it is a significant change to a Back-Bench amendment to the Common Strategic Policy. If we agree to shorten the lodging period it is odds-on that we will go through a debate where we will not have the full debate and it will limit what we talk about. That is bad for democracy. I said this earlier, just an hour or so ago. It is bad for democracy, it is bad for this Assembly. Yet again, let us go through a little short potted history of my experience in this Assembly over the last 2 sittings. A comments paper on one of my amendments lodged in the morning late of the time when that was going to be debated. Now I got an apology. It is lovely, thank you for the apology from the Minister. We got an apology and that is lovely. And we got an apology earlier, that is lovely too. Apologies are great. I was a teacher, I have had a million apologies in my time. Every single time those apologies were absolutely heartfelt. Absolutely. Then the next time they did it their heartfelt apology was just as heartfelt. That is where we are at the moment. I apologise for these things being late, we are very busy. I am afraid, I have to say, that goes with the job. That goes with leadership. That goes with governance. That goes with being a Government. But what also goes with being a Government in respecting the Standing Orders of the Assembly in which you govern. That is governance, and that is what we are doing in this Assembly at the moment. Yet again today, we are being asked for the second time - for the second time - to reduce a lodging period with no reason given for why this was late lodged. I could only lodge my question about it after it was lodged late, so I had to spend my time questioning whether it fit within Standing Order 20(1) in part 3, and I just make a point that that says the amendment must relate to the proposition it would amend, must not wholly negate the proposition. I understand it did not wholly because of the last point. But the first 2 parts of my proposition to talk about investment in fossil fuels and investment in fracking are 2 of the biggest issues in climate change and they have been removed from this proposition entirely by a late-lodged amendment. If we accept this today we are effectively saying: "Here we go, it is free reign to absolutely do what you want with Standing Orders because you can stand up and say sorry and you can stand up and say we were busy. We are all busy and we are all sorry about things sometimes. We can bring an amendment which will completely undermine what you are trying to do, total disregard of Standing Orders and that is the type of Government that we are going to have. I genuinely do not believe that Ministers and Members of this Assembly want to do that. In addition to that, and it is very difficult now because what do I talk about? I should be focusing on ... I am trying to use Standing Orders and focus on the lodging period but without referring to the other amendments I do not know how we do it. Other Members are going to stand up and refer to amendments with total disregard to the rules again. It is happening all the time at the moment. But what could have happened here, and this was the question that was asked, and I believe it was an important question, was that the amendment ... it really is to part 3 of my amendment. If the other 2 parts were left I would have accepted the amendment to my amendment because, to be quite frank, it does not do anything. It is exactly the same wording. Well, it is not the same wording but it could be seen to be the same thing if you really want to push it. It does not really do anything. It is ineffectual and not damaging. But what we have done by reducing this lodging period is saying: "However, we are going to give the go ahead without the proper notice to remove 66.66-recurring per cent of the entire proposition." That is where we are in this Assembly at the moment. After earlier, having to reduce a lodging period and it being agreed, again, and last time, again. What is next? Because what is going to happen is: "It is only this time. I am only going to do it this time." It is like me and eating chocolate biscuits. I am only going to have one. Unfortunately it does not happen that way. I do not know why I looked at the Constable of Grouville there. I apologise. **[Laughter]** He caught my eye. He caught my eye on purpose, I am certain of that. Because to be



quite honest, it is the only way I can deal with how angry I feel with what is happening here and we are allowing it to happen. We are sat here saying: "That is okay, that is okay, it is just this one time. Oh, just this other time. Oh, it is just this next time. And it is just this next time. They are really important so we need to give up Standing Orders because it is important." The assumption being, other Members of this Assembly, that if it is not reduced it is not important. Why, do I ask, is it so necessary to bring this late amendment, this wrecking amendment, why are we not debating - and I quote - debating every aspect of my amendment. Vote against it if you want. That is entirely the right ... well, it might be right. I do not know how collective responsibility is working. But you have the right to vote against it, I think. But we are not. We are stifling debate in this Assembly with this decision. The best way to do this is to say no, we will not reduce this lodging period and we will reduce the amendment which, to be quite frank, I got in on time. So I got in on time and, if I am honest, a rather difficult time for myself. But I got the thing in on time because I respect the Standing Orders of this Assembly. I would like to see others do that and they are simply not doing it. Being busy does not matter. There are so many staff on this Island who are busy: nurses, doctors, teachers, people who are cleaning our streets, the people who are working in our shops. Lots of people are busy. But I cannot say I will change the rules of my employment because I am a bit busy. I genuinely urge Members to not reduce the lodging period. Respect the Standing Orders of this Assembly, look at what this proposition, this amendment is going to do to an original proposition. It is going to effectively remove it all and we will be voting to reduce the lodging period - breaks down in orders - in order to not have a debate, break democracy down. Again, and I am sure people will talk against, I spoke early so I could get it out the way, I can get these issues off my chest and I can get that song out of my head. That is really good. I urge you to vote against reducing the lodging period this time and I say, as I said last time, this is more important than us as a party, you as a Government, us as States Members, us in whatever allegiances we have, friendships, whatever, this is more important. This is about the process of this Assembly and if we are going to ignore the process of this Assembly we have real issues ahead. This is really early on and this is becoming just second nature to reduce the lodging period. I urge you not to vote for it.

**The Bailiff:**

Before I call upon anyone else to speak, I am asked by the Greffier to adjourn for 2 minutes. There is an issue with the voting system, which we need to reboot machinery. So we will adjourn for 2 minutes and then we will come back and resume this particular matter.

[14:26]

**ADJOURNMENT**

[14:29]

**The Bailiff:**

The debate is on whether we abridge the lodging period for the Council of Ministers amendment to amendment number 5. Does anyone else wish to speak?

**Deputy K.L. Moore:**

Sir, I am sorry, Deputy Ozouf did wish to speak but he cannot get back in because of the security.

**The Bailiff:**

He is locked out. It is far too late now, I am afraid. **[Laughter]**

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

I apologise for being not here at 14:15, I was just giving evidence to an A.P.P.G. (All-Party Parliamentary Group) in London. Not an excuse, but I am sorry. If I may say, I think Deputy Ward is slightly being disingenuous in the way that he says matters.

**The Bailiff:**

We have previously ruled that disingenuous implies a dishonest approach to the Assembly.

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

I withdraw that. That I would not wish to say, Sir. I withdraw it unequivocally and apologise. I think he is being, if I may say, a little unfair to the Council of Ministers in relation to his amendment. Sir, you have ruled in detail as to whether or not the amendment that has been worked on hard and with good order and with good faith what is effectively a 3-part proposition. You do not want a debate on the amendment itself; suffice it to say there are 3 elements of it, 2 which are certainly linked and the third one is about a global leader in sustainable finance. That is a very different situation from the 2 other issues. The Council of Ministers would wish to unfortunately oppose, for the reasons issued and commented on, the first 2 items. However, what the Council of Ministers tried to do was to think how can we improve what was a very thoughtful amendment in relation to sustainable finance. The amendment actually, and if I could get your clarification, Sir, it is not correct to say that it is an abuse of Standing Orders, that this negates this proposition. You have ruled in detail to the Chief Minister and to Deputy Ward that it does not do so, and before going on, could I just seek your clarification on that?

**The Bailiff:**

I do not think it has been suggested that this amendment is an abuse of Standing Orders by Deputy Ward. I think he described it as a wrecking amendment which of course is a different concept entirely. But, yes, it is correct. I have ruled in some detail that in my judgment Standing Order 20(1)(b), or whatever it is, is not infringed by the amendment proposed by the Council of Ministers, which is accordingly in order.

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

That explains why the careful drafting of the amendment has been late, to which we apologise. However, that indicates the care and the attention to which this has been given. The amendment before Members has now the opportunity of debating the substantive issues as raised by Deputy Ward, which he would be able to make. We would then go to the amendment. He could then argue why it is wrong to take out parts (a) and (b), and perhaps if the proposition would have been put in 3 parts we would have been at a different way. He chose to lodge it in the way he did. That is why we had to get a ruling from you, Sir, and effectively it is not in any way infringing the debate. In fact I would argue that it is improving the debate. More than that, it is putting an additional requirement on the Council of Ministers not to use the word “sustainable finance” but “green finance” and that in itself, as I have heard from Deputy Jeune, in her capacity as Assistant Minister, the area of green finance is a very separate issue from the 2 other issues he wishes. Deputy Ward disagrees with that, but that is why we are a debating assembly. We are a debating assembly to hear the arguments. He may well quaff, Reform Members may quaff, but here is an example of the Council of Ministers giving a respectful comment, a helpful comment that goes further than what Deputy Ward has done. I am sorry that this was late but it does show because of the ruling required that we needed to act with prudence and courtesy and properness. We have done so. There is an amendment to the amendment which improves, in our view, one area of it, otherwise the Council of Ministers will, but

it is a matter of course for Members whether they oppose it completely. But the bit that can be enthusiastically supported by the Council of Ministers is the subject of the amendment. I would say that if Members would kindly, having given careful regard to the fact that we have had to seek rulings, we have had to do further work, confirm that we can do the green finance initiative, they are going to have 2 opportunities, dare I say it, to debate these issues, both in the advancing of the amendment as amended and then the substantive proposition. It is going to mean that there is a greater, more informed debate on what are, to many areas ... if the Deputy keeps on wanting to shake his head and say it is just about one issue, I would respectfully say that it is not one issue. These are complicated issues and they are not all the same. This amendment, after having careful and detailed consideration by the Council of Ministers, your ruling, appropriate assistance by the Greffe, communication with the department that is responsible for this, Deputy Jeune, and the Minister for the Environment, we have this opportunity to have a more informed debate on the whole thing. Of course, reducing Standing Orders for lodging times is always difficult but here is a really good example of an amendment to a Back-Bencher's proposition trying to be helpful and not just simply cast the whole thing away. If Members do not want to have a reduced Standing Order then of course we can bring it back, I suppose, as an amendment, if the Chief Minister is so minded, in the Government Plan. We are in the hands of Members. We are in the hands of Members to improve, widen and specify votes in terms of the different areas. This is not an infringement of Members' rights speaking, it is an expansion of Members' rights speaking so that they can vote on the bit that they might or might not know. Democracy is about debate. Sometimes it is noisy,. Sometimes it can be a bit more than noisy, a bit tempestuous at times. We are doing the right thing here and I hope Members will genuinely take what is a well-intentioned amendment to this important Common Strategic Policy in all due seriousness and allow ... I do not know when we are going to be taking the amendment to the amendment, but the amendment will be obviously not today and will be able to be heard, and I hope Members will accept the reducing of Standing Orders for the reasons I have set out. I am thankful for Members for their time.

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

Deputy Ward has given a very impassioned speech suggesting that the Standing Orders are being ignored. But as far as I can see it is part of the Standing Orders that we can have debates like this. It gives us an opportunity to consider both his original amendment and what is being presented as an improvement. I think most of us can look at both things at the same time, as I have with his amendment and the amendment put forward by the Council of Ministers. I think it is important to come back down to what the actual definition of green finance is. There is a definition in the World Economic Forum's website that you can have a look at ...

#### **The Bailiff:**

Deputy, is this assisting in whether it should be taken within a reduced lodging period or not? Or is it a matter for the main debate? It is just a question.

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

I am saying insofar as the reduced lodging period gives us the opportunity to improve something that is there and if we did not accept that reduced lodging period then that improvement would not happen. I am sorry, I was trying to explain why I believed it was an improvement and why I believe that this gave us an opportunity to support that improvement, perhaps even to debate why it is and why it is not. Am I able to just explain how green finance does ...

#### **The Bailiff:**

Yes, if you can bring that relevance.

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

... encompass the actual concerns which Deputy Ward's amendment is addressing on the World Economic Forum. It describes it as: "... any structured financial activity - a product or service - that has been created to ensure a better environmental outcome." I do believe that is what his amendment is intending to achieve. "It includes an array of loans, debt mechanisms and investments that are used to encourage the development of green projects or minimise the impact on the climate of more regular projects. Or a combination of both." In my mind, this expands the intent, and I know that any Member could argue otherwise and I would invite them to do that, if that is the case. On the general subject of the frequency with which we seem to be debating propositions, to bring forward debates of amendments, and obviously we have to if we are going to consider this improvement at this time. I personally think I would like the Council of Ministers to reflect on why this is happening. I do have a personal view, which I will discuss with the Ministers soon, which is it is the timing of this Government Plan in the first term of a Government. We have a lot of new people getting their feet under the table. Changes of policies, a very short deadline. In our current legislation to actually produce the content, to review it, and it has caused a lot of pressure and I have seen a lot of stress on Members. I very much will be exploring whether there is a possibility of perhaps postponing this in the first year of the first term of a Government because I think we all would be relieved by that.

#### **8.2.4 Deputy S.Y. Mézec:**

Deputy Ozouf accused some of us of quaffing. Quaffing is a synonym for drinking or to drink heartily and I can tell him that whatever we are drinking we are not drinking it through straws because he is busy clutching all of those **[Laughter]** with the arguments he made in his debate. I think there is a very simple matter at heart here, which is do we follow not just the letter of the rules that we have in Standing Orders or the spirit of them. They exist to provide some kind of order for States Members to be able to have constructive and well-informed debate, where we have enough time leading up to those to consider all of the issues. The only real argument I can see for debating this amendment and allowing Standing Orders to be relaxed to provide for that, is because we fancy it. That is really the only reason. There is no reason why this could not have met the deadlines otherwise. We all met the deadlines for the rest of them. All of the Government amendments, 2 amendments, were met that way as well. The argument that some people were just a bit busy is not a fair argument to make because the rest of us have got really difficult timetables as well. That makes it very difficult sometimes to do our jobs and to try to do our best on the floor of this Assembly to make those arguments. Sometimes you win them and sometimes you lose them. If it transpires that for reasons, which may well be out of your control, that you cannot meet the deadlines that are set and are set for a reason, you have to play by the rules and that means coming to this Assembly. If you want to make the argument that Deputy Ward's amendment is inadequate ... I may personally disagree with that, but you are entitled to make that argument and, who knows, you might even win and it will be a fair game that gets us there. But to lodge things late and ask for permission to relax the Standing Orders and not abide by those deadlines, which are set for a reason, in this instance is totally unjustifiable. It is simply because they fancy it. That is wrong. If they want to enhance debates in their own view by providing different options for Assembly Members to debate either for or against you can meet the deadlines like the rest of us. It is setting a dangerous and bad precedent for this Assembly if we are going to come here and say we were just busy so we are going to forget lodging periods. We frequently put aside Standing Orders to debate things without lodging periods being met during the pandemic because everyone agreed it was an emergency. We were working well beyond the normal hours that we otherwise would be. We are busy enough as it stands but during a crisis you become even more busy, and people worked very hard to try to make the best of that situation and get things through. But we are not in that situation now and certainly not with this amendment. There really is no appropriate justification for it. So I say to Members, I do not give the green light for this kind of behaviour. Say: "We have these rules in place, we are going to make our absolute best effort to meet them." When there is a genuine strong reason for Standing Orders to be put aside for lodging periods

because there might be an emergency, something may happen that we had not predicted before, we can discuss that. I would say it would be courteous to raise with Members before a States Assembly sitting to say: “Here are the reasons why.” You have now got time to consider that to decide whether you think that is appropriate or not to reduce lodging periods. But instead we have come to the Assembly and I think had our support taken for granted on that, to just assume we turned up, we fancy debating it, so let us just deviate from the rules that are set for a particular reason. It is really bad practice and we can, at this moment at least, say we are going to stick to the rules that we have all signed up to in good spirit and hopefully lessons will be learnt for next time. But in the meantime, I ask Members to oppose this and if they are unhappy with Deputy Ward’s amendment the simple solution is to vote against it.

**8.2.5 Deputy G.P. Southern:**

Very briefly, just to point out that Standing Orders are important. They are what governs our debate and enables us to debate. I think we should be sticking with them in this instance. Enough is enough.

[14:45]

**The Bailiff:**

Does any other Member wish to speak? If no other Member wishes to speak I close the debate and call upon the Chief Minister to respond.

**8.2.6 Deputy K.L. Moore:**

Thank you, and I must congratulate Deputy Mézec on being highly entertaining but there is an important message here. I think this has ... sorry, I am still receiving messages to explain exactly why we are in this situation that we find ourselves in because it has caused some bafflement among our Benches also. I think Deputy Ozouf explained quite clearly that there was some requirement for rulings and clarity on the amendment at some point, however that is not what actually caused the delay. But there has been some delay internally. It has been, as far as I can understand, not due to the parts of Ministers who had signed off this amendment, which is due to improve the amendment of Deputy Ward, which would otherwise be rejected by the Assembly. Perhaps we would be able to amend our Government Plan in good time to reflect something that was similar and along the lines of thinking of the Council of Ministers. I can only say that this is a far from ideal situation and I can only apologise to the Assembly for it. It lies with Members simply to decide whether they wish to debate both opportunities and consider both Deputy Ward’s view and that of the Council of Ministers or whether they simply would like to take a ruling on Deputy Ward’s. I am quite relaxed as to which view the Members might wish to take. Given the circumstances, I think that is all I can contribute to this rather imperfect situation.

**The Bailiff:**

The matter is put to the vote. Is the appel called for? It is called for. I invite the Greffier to open the voting. Members of course to return to their seat and I invite Members to vote. Members have had the opportunity of casting their votes, and I ask the Greffier to close the voting. The proposition has been adopted: 27 votes pour, 18 votes contre.

<b>POUR: 27</b>		<b>CONTRE: 18</b>		<b>ABSTAIN: 0</b>	
Connétable of St. Helier		Connétable of St. Brelade			
Connétable of St. Peter		Connétable of Trinity			
Connétable of St. John		Connétable of St. Martin			
Connétable of St. Mary		Connétable of St. Clement			
Connétable of St. Saviour		Connétable of Grouville			
Deputy C.F. Labey		Connétable of St. Ouen			
Deputy S.G. Luce		Deputy G.P. Southern			

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

**9. Common Strategic Policy (P.98/2022) - as amended (P.98/2022 Amd.), (P.98/2022 Amd.(3)), (P.98/2022 Amd.(4)), (P.98/2022 Amd.(7))**

**The Bailiff:**

We now move on to Public Business. The first item of Public Business is the Common Strategic Policy, P.98, lodged by the Council of Ministers. For the purpose of this debate the main responder will be the chair of the Corporate Services Scrutiny Panel. There are 7 amendments lodged. Chief Minister, are you accepting any of the amendments?

**Deputy K.L. Moore:**

Yes, Sir. I believe that the Greffe have been informed of which ones those are because I do not have those particular details before me.

**The Bailiff:**

Is that 1, 4, 7 and 3?

**Deputy K.L. Moore:**

That sounds about right, Sir, thank you.

**The Bailiff:**

Is that what we have been informed, Greffier, because it sounds about right? **[Laughter]** It might not cut it for the debate. Very well. Are Members content to take the proposition as amended by those proposed amendments? I will take that in the affirmative. I, therefore, ask the Greffier to read the proposition as amended by amendments 1, 4, 7 and 3. This is quite a lengthy document to read and people please bear with the Greffier because it does need to be read out in full.

**The Greffier of the States:**

The States are asked if they are of opinion, in accordance with Article 18(2)(e) of the States of Jersey Law 2005, to approve the statement of the Common Strategic Policy of the Council of Ministers as set out in the report of this proposition, except that – (a) on page 5 of the report in the “Environment”

section – before the word “environment” there should be inserted the words “urban, rural and marine environment”; and after the word “purposefully” there should be inserted the words “and fairly.”; (b) on page 6 of the report in the “A commitment to partnership” section after the word “with the” there should be inserted the words “Parishes.”; (c) on page 7 of the report in the “Quality of Life” section, after the word “housing” there should be inserted the words “open space”; (d) on page 13, Annex 1, in the “Children and Families” section after the third paragraph there should be inserted a new paragraph as follows – “We will provide safe walking and cycling facilities to allow children to walk and cycle to school, thereby increasing their health, fitness and independent mobility and reducing the impact of ‘the school run’ on the environment.”; (e) on page 13, paragraph 6 before the words “We will invest also” there should be inserted the words – “We will work towards providing free or lower cost primary healthcare for all children in Jersey, and to reducing other barriers to children accessing primary care, as part of the ongoing review of the Island’s overall health and care system and its sustainable funding”; (f) on page 14, Annex 1 – (i) in the “Ageing Population” section after the fourth paragraph there should be inserted a new paragraph as follows – “We will provide safe walking and other transport options for the elderly and encourage the improvement and expansion of parks and gardens, especially in urban areas.”; and (ii) in the “Health and Wellbeing” section after the fifth paragraph should be inserted a new paragraph as follows – “We will encourage the improvement and expansion of parks and children’s play facilities, especially in urban areas. We will increase our investment in the public realm.”; (g) on page 15, Annex 1, in the “Environment” section – (i) after the third paragraph should be inserted a new paragraph as follows – “By working together with the Parishes, we will provide safe, and where achievable segregated, routes for walkers and cyclists by reallocating road space around the Island and within the Town area to encourage active travel.”; and (ii) in the penultimate paragraph after the word “infrastructure” there should be inserted the words “including tree planting and the provision of green spaces.”; (h) on page 15 of the report in the “Community” section, after the second paragraph there should be inserted the following new paragraph – “We will continue to work towards ensuring that the services and facilities provided by the Government are accessible and that the government departments have access and inclusion plans in place so that all people are treated equitably.”; (i) noting the aspects important to Islanders as indicated by the Future Jersey consultation, on page 17 of the report, the words “The table over the page presents some of the key indicators we will use” should be substituted with the following – “The Council of Ministers will continue to strive to achieve the long-term vision of Future Jersey and work towards delivering the 10 desired community outcomes arising from it: Future Jersey Vision: “An Island loved for its beautiful coast and countryside, rich heritage, diverse wildlife and clean air, land and water. An Island where a sense of community really matters - a safe place to grow up and enjoy life. An Island that offers everyone the opportunity to contribute to, and share in, the success of a strong, sustainable economy.” There is then a table showing well-being and outcomes. Under “Community Well-being”; children enjoy the best start in life, Islanders enjoy long, healthy, active lives. Islanders feel safe and protected at home, work and in public. Islanders enjoy living in a vibrant and inclusive community. Under “Economic Well-being”; Islanders are able to afford a decent standard of living. Islanders benefit from a strong economy and rewarding job opportunities. Jersey is an attractive place to do business. Under “Environmental Well-being”; Jersey’s built and historic environment is valued and enjoyed. Jersey’s unique and natural environment is protected for future generations. Jersey’s natural resources are managed and used responsibly. We will show our progress using the storyboards and related indicators set out within the Jersey Performance Framework. We will improve the relevance and presentation of the indicators within the Framework to improve their use. There is a further table. Under “Community Well-being” subsection “Children”. All children in Jersey have the best start in life. All children in Jersey live healthy lives. All children in Jersey learn and achieve. All children in Jersey grow up safely. All children in Jersey are valued and involved. Subsection “Health and Well-being”. Islanders benefit from healthy lifestyles. Islanders are protected against social and environmental health hazards. Islanders can

access high quality, effective health services. Islanders with long-term health conditions enjoy a good quality of life. Mental health and well-being are fundamental to quality of life in Jersey. Subsection “Safety and Security”. Islanders are safe and protected at home, work and in public. Subsection “Vibrant and Inclusive Community”. Islanders enjoy living in a vibrant and inclusive community. Islanders engage in the public decisions that affect their Island. “Economic Well-being”, subsection “Affordable Living”. Islanders are able to afford a decent standard of living. Subsection “Jobs and Growth”. Islanders benefit from a strong, sustainable economy and rewarding job opportunities. “Environmental Well-being”, subsection “Built Environment”. St. Helier is an attractive town to live in, work in and visit. Islanders live in secure quality homes that they can afford. Jersey benefits from a safe, sustainable transport system. Subsection “Natural Environment”. Jersey’s unique natural environment is protected and conserved for future generations. Subsection “Sustainable Resources”. Jersey’s natural resources are managed and used responsibly. The following table presents further key indicators that highlight the focus of the Common Strategic Policy.”

### **9.1 Deputy K.L. Moore (The Chief Minister):**

I just wanted to thank the Greffier for reading out those words, many words on a page, but those words were important to read out. Firstly, of course because they will be placed on Hansard. But personally - and I am sure other Members felt this too - it was important to hear them and to be able to reflect on them and their importance. Because those words form our Common Strategic Policy. It is of course the first of our major documents for our programme for Government. Those words set out our principles and our priorities for our work, not just as a Government but once agreed in this Assembly those words form our priorities as an Assembly and this will guide us through to 2026. The people who elected us to represent them wanted change, so this is the first step to putting Jersey back on track and delivering on our election commitments. Our ambition is clear, clear for Jersey to be a community where everyone can thrive. To achieve that we need to deliver change and to make a difference to the lives of Islanders. We need to tackle the issues that are of most concern to people and to give them hope that they have a long-term secure future in this beautiful Island. This policy sets the platform for us to focus and deliver for the public. We welcome the challenges to this debate and we expect scrutiny. We expect to consider and consider that through this process we should arrive in a better place, a place where we can all support the policies, as the Assembly will agree, not just for today or tomorrow but over the course of the next 4 years. In recent weeks we have met with representatives from a great number of different countries and one thing is clear, we all face significant and long-term social and economic challenges. In our first 4 months in office I hope that this new Government has shown its determination to deliver. We recognise that Ministers can only be fully effective when working constructively and with the broad support of the Assembly, despite some minor issues and challenges that we might find along the way.

[15:00]

We also acknowledge that as an Assembly we will be judged on how we step up and respond to the challenges of our times. Jersey people have made it clear that they want to see greater levels of accountability from Government and we are doing everything that we can to be transparent and more accountable. We are listening and taking the actions which we think are in Jersey’s best interests. I would like to thank those Members who have proposed amendments. We are accepting a good number of them, as you rightly outlined to me earlier. This includes integrating the outcomes of Future Jersey into the policy, as proposed by Deputy Feltham. Almost 4,000 Islanders contributed to the Future Jersey document. Although this work was completed over 4 years ago, it still holds great relevance and it is right to include it in our guiding policy principles. I also thank the Deputy for her amendment on accessible services and facilities. We want to be inclusive and accessible to all members of our community. The Constable of St. Helier has also made a constructive amendment



on green space and active travel, which we welcome. We want to protect and enhance our environment but, equally, we recognise that urban neighbourhoods need improvement so that residents can enjoy more outdoor space. Towns are more liveable, more vibrant and more sustainable with green lungs and ways to get around on foot, bicycle or mobility scooter. We all have the opportunity to discuss the other amendments in more detail as this debate progresses. But for now I would stress that all of them have been carefully considered. We have responded based on whether we believe the amendments are affordable, achievable and appropriate. When considering each amendment our position has always been to try and accept them or to consider how we can further amend them in order to allow us to find agreement. If I can turn now to what our plan does include. We have 7 equally balanced priorities for change which will help us to focus on Jersey being a place to live, work, grow old with dignity and a place where everyone in our community can thrive. Housing: the cost of living and recruitment and retention are our 3 points now of relentless focus. Work has already begun with the mini-Budget and we were grateful for the Assembly's support for that £56 million package of targeted support. That was followed by a significant increase in the minimum wage, work to introduce free school meals and providing free sanitary products. The Ministerial plans also include £10 million to support affordable purchases, take action on vacant homes, the licensing of rental dwellings, opening the Housing Gateway to more people and the delivery of a long-term housing strategy. We have announced the St. Saviour's Hospital site as a location for affordable and key worker accommodation, with more sites to be released as soon as possible. On the economy our position is clear; to create a sustainable, innovative and outward-facing economy where we equip local people with the skills that they need for the jobs of the future and ensure that businesses can access the people, staff and skills they need to thrive. We will support our children and their families, as the bedrock of our aim to establish a strong and cohesive Island community. I have long been an advocate of focusing on the early years of a child's life. Those crucial first 1,001 days have proven to be instrumental in every child's life chances. Our policy recognises the importance of those early interventions which will have long-term dividends and indeed I am sympathetic to the aim of free primary healthcare for children as an aim. We also recognise that as people age they must be valued, respected and supported. Like many places, our population is getting older, so we must prepare to care for them, while protecting the opportunities for our future generations. This brings me to health and well-being. The Assembly is of course well aware of the review into clinical governance which was published a couple of months ago. As the Minister for Health and Social Services has said: "Jersey does not yet receive the standard of healthcare that it deserves." This has to change. We have already published our turnaround plan and its implementation has begun. We must listen to patients and their families, to our staff, to G.P.s and other professionals as we shape and improve our services. On the environment Jersey is a responsible international actor with some of the most ambitious carbon-neutral targets. As a Government, we know this involves hard choices and costs but we have to play our part. We also understand that so much of our well-being is tied into the environment in which we live. Finally, and certainly not least, our community is one of our priorities. This Government wants a vibrant and inclusive Jersey, a community that is welcoming, where arts and culture and heritage are central and where we feel safe and protected. This is not just about protecting us from a crime but ensuring that we deliver preventative programmes and early interventions so that families live their best lives in a community where everyone thrives. This is an ambitious programme. It is a clear programme and it is one which we will measure our success against as we turn the curve and transform lives in each and every area of our priority. I would like to thank Members and I look forward to the debate. **[Approval]**

**The Bailiff:**

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

**9.2 Common Strategic Policy (P.98/2022): second amendment (P.98/2022 Amd.(2))**

**The Bailiff:**

Very well. There is an amendment which is lodged by Deputy Coles and I ask the Greffier to read the amendment.

**The Greffier of the States:**

After the words “report of this proposition” insert the words “, except that on page 8 of the report, all instances of the word “Customer” shall be substituted with the word “People”.

**9.2.1 Deputy T.A. Coles:**

I brought this amendment simply because I believe that referring to the whole population of our Island as customers within the Common Strategic Policy is wrong. Our population is made up of people and our Government should always be people-focused. We may hear arguments that this is part of a government value structure but this value structure is based on a corporate value structure. We need to remember and be reminded that the government is not a corporation and, as the States Assembly, it is our responsibility to do this. We may hear that being customer-focused helps to engage employees within the government to focus on delivering a first-class customer experience. But where is the value for the government employee? During their employment, are they customers or are they people? Customer focus may be appropriate for some functions within government but certainly not all. We must consider how sections of government may consider their focus and if we consider them to be customer-focused, who would their customer be? Justice and Home Affairs, this is our police, customs, fire and rescue, to name but a few, are they customer-focused or are they community-focused? Do they have customers? Are their customers the people that are victims of crime, victims of fire or people travelling into our Island from abroad? I would not consider these people customers but I would consider them all people. On a slightly related note, we have just received an email from our Viscount’s Department, which says on the letterhead at the bottom: “Investors in people.” Education and young people, teachers are student-focused. Are students customers? Health and Community Services, they would say they are patient-focused and patients in hospital, as long as Reform Jersey are here, will never be customers. Let us not forget our employees carrying out services, our teachers are not customers, our nurses are not customers, our doctors are not customers, our firefighters are not customers, Customs and Immigration officers are not customers, our judiciary are not customers, our front line and background staff at C.L.S. (Customer and Local Services) and Tax are not customers. What are we all? We are all people. We should recognise this within our Common Strategic Policy. I was glad to read in the Council of Ministers’ comments on this amendment they are putting the change from customer to people on their internal survey and I hope that this happens and we continue to ask the right questions to remember the human side of government. However, the C.S.P. (Common Strategic Policy) is our time, as the Assembly and the Government, to have our overarching perspective on the population as a whole and to have our say whether we are customers or are we people? I hope you will all choose people.

**The Bailiff:**

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

**9.2.2 Connétable A.N. Jehan of St. John:**

Page 8 of the C.S.P. are our values. There are good arguments for different terms; customer, people, citizen, Islander, pupil, patient, client, et cetera, et cetera. However, the term “customer” was adopted by the previous States Employment Board following engagement with our staff. I believe it is very important for us not to change the wording of the values without proper staff involvement. When reviewing the values the Council of Ministers agreed to continue with the values as they exist and even adopted them as part of their code of conduct and practice, the Ministerial Code. What we do

need to do is to spend more time and energy in embedding the values that we already have. We are customers, internal and external customers, so at times those teachers, fire workers, et cetera, are customers when they are accessing the services of H.R. (human resources), for example, at Treasury. We all are customers at time. We are a diverse organisation. We offer a wide variety of services, from healthcare to education, road maintenance to tax services. Our services are both transactional, such as payments of tax and receipt of recycling and relationship-based services, such as social work and employment support. We use the term “customer” to describe any individual or organisation that accesses our services. The use of the word “customer” helps define the mindset and lens through which to view the provision of government services. On a personal note, I can give many examples of this, including when I worked in a school. Having observed what was happening it became apparent to me very quickly that rather than thinking of the parents as just that, parents, we should think more along the lines of the parents being customers and listen to what they were asking us for. The second example I will give you was more recently when I became Constable. Having watched how we dealt with parishioners I explained to the team that we need to think about clients as customers first and parishioners second. In both examples the individual is still treated as that, an individual but the change in mindset of the person providing the service is notable. The Parish Hall opening hours have extended by a third to make it easier for those who want to use our traditional services, while at the same time we have seen significant uptake on online usage. I should say the additional opening was achieved at no additional cost. It has been achieved by the team recognising the customers’ different needs and being flexible to provide them. Having a customer ethos is about an organisation showing that it really cares about its customers and keeps its promises. It means engaging with customers in the way in which they want to engage, not forcing them down one particular route. Customer ethos does bring in personalisation, showing that you care about your customer and treat them as an individual, rather than stereotyping them or sweeping them up in a big generic category. We have seen the success of the closer-to-home initiative, most recently tax advisers being available at various locations around the Island; a good example of the organisation responding to people’s needs. The States Employment Board have committed to meeting directly with staff-representative groups and this has been welcomed by them, as it has not happened since 2017. In addition, we are currently out to consultation on 6 policy documents, including partnership-working. While I recognise the Deputy’s good intentions, I do not feel it is right to impose this change without engaging with the very people who came up with the values. As our website states: “Great values are at the heart of every good organisation. Our values and behaviours framework were designed by our people. They shape our culture and drive our behaviour. Values are more than words. Values are actions. They are evident in everything that we do, as individuals and as an organisation. We bring our values to life through everyday interactions, as well as through our bigger initiatives.” We should not look at one value in isolation. If I can remind Members of our 5 core values and behaviour statements: “We are respectful. We care about people as individual and show respect for their rights, views and feelings. We are better together. We share knowledge and expertise, valuing the benefits of working together. We are always improving. We are continuously developing ourselves and our services to be the best they can be for Jersey. We are customer-focused. We are passionate about making Jersey a better place to live and work for everyone.

[15:15]

We deliver. We are proud of Jersey as a place and are passionate about shaping and delivering a great public service.” I am happy to commit to exploring questions around terminology more in the next Be Heard survey and will respect the views that our staff express. I would respectfully ask Members to reject this amendment.

### **9.2.3 Deputy A. Howell:**

I really respect what the Constable of St. John has just said but I am a person. I am a customer when I go to buy things from a shop but I think in the terms of the Government Plan we should be people and Islanders.

#### **9.2.4 Deputy S.Y. Mézec:**

I wholeheartedly agree with what Deputy Howell has just said and I am tempted to just sit down on that basis but if I can stretch it out a bit anyway. I used to work in retail and the people who I encountered on a day-to-day basis certainly were customers. The way we could tell that they were customers is because they were coming in with money and asking for something for it and that relationship strikes me as entirely appropriate in that context. When I go see a doctor I do not really regard myself as a customer, I regard myself as a patient. I hope that my doctor regards me as a patient, rather than someone to simply make money from in that instance. When I went to school I was not a customer, I was a student and I seriously hope and in fact I know my teachers did not consider me their customer, they considered me a student. When I get on a bus I hope I am seen as a passenger, rather than a customer. Okay, I am paying for that service but I hope with the care and attention that the bus driver and the service provider are paying, that they see it as a passenger-focused service, as opposed to a customer one. Of course we can go on and on and look at all sorts of different examples of that. But I think the fact remains that in many people's eyes that word "customer" has an association with the exchange of money for something. That does not encapsulate the entire relationship that people have with their government. In fact there are many people who, while they receive services from government, are not either directly or indirectly contributing any money towards it. Children who do not pay tax are not paying for the services that they rely on; they are not customers, they are children, they are people, they are students, they are patients, they are whatever they are when interacting with that particular government service. It simply is not the case for me that when I have spoken to people who are very passionate about the jobs that they do, the services that they provide, in many of those services they just do not regard the people that they entered their careers to serve as customers. They see them as patients, they see them as students, they see them as people. I do not think the Government has had any bad intention in proposing this but it does, I think, just sit uneasy with those of us who represent people out there. When somebody comes to me to ask for my help as a Deputy I do not see them as a customer, I see them as a constituent, and that is exactly how it should be and that is how we should define those relationships. The words that Deputy Coles has chosen to supplant the word "customer" here is encapsulating of all of those. If this can be further developed in the next survey of public servants then that will certainly be a good thing. But I really hope that we are not moving to the corporatisation of this kind of language where we do not value people for who and what they are.

#### **9.2.5 Deputy E. Millar:**

I would just like to emphasise what Constable Jehan has said. I would also just like to point out that these values belong to our public service, they do not belong to the Council of Ministers, they do not belong to this Assembly. I joined the public service in 2015 and I first became aware of these values in largely their existing form in 2015. The public service have been applying these for many years now. If you go into the C.L.S. building, parts of that building are decorated in these colours. The staff and this organisation have really thrown themselves behind these values and C.L.S. are not alone. In my experience there are very many public services who live and breathe these values, who are really doing their best to provide good services to our Islanders. You can call them whatever you want, of course they are patients, they are students, they may be customers, they may be, depending on the transaction, businesses, they may be quite big businesses. But these belong to our staff. Some of them have really made a huge amount, they feed into the Our Stars awards that some of us will have attended recently where 1,500 staff were applauded for living these values. I think we need to be very careful about focusing on a word when really what we are trying to represent is an ethos

which is everybody doing their very best for the members of the public that they are serving as public servants.

#### **9.2.6 Deputy A. Curtis of St. Clement:**

When I saw this amendment come in and it flashed up in my phone I thought what a simple and elegant amendment. I sound like a broken record to many of the officers I have, meeting with the officers and when I hear the phrase “customer” it gets to me. I prefer citizen, I prefer organisation. But then I did look at where within the common strategic priorities this amendment aims to change. I do feel this is the wrong place for us to be changing this. The Constable of St. John has outlined exactly where these values come from, so while I do not think this is the right place to be supporting it, I will continue to sound like a broken record within government and I will be urging the form, such as the Be Heard survey, to be used to look at a better narrative within government over the next 4 years.

#### **9.2.7 Deputy L.V. Feltham:**

When I looked at this amendment, obviously as a previous public servant and hearing what the Constable of St. John and Deputy Millar have said, I too know of the values. However, being a public servant for 5 years and those values having been in place for that time, I can say I was never asked what I thought of those values. I did not feel that those values necessarily belonged to the staff and very often in my union leadership role whenever the values were mentioned people would roll their eyes and say: “What does that mean?” My word of caution, I think, to the Constable of St. John is that when you do do the Be Heard survey there may well be some more important things than this wording that you need to be dealing with first. But back to this wording and our role with it; we are leaders within public service. We have a leadership role and it is our role, as the States Assembly, to set our stall as to what kind of public service we wish to lead. For me, I am here to serve the people of Jersey. I do not see the people that I serve as my customers. I do not have transactions with them and I want them to live their very best lives. For me, that is why this is the place for us to be showing that leadership and to be changing that word within our documents or the Government’s documents, I should say, as a Back-Bencher. But through us showing that leadership then, then perhaps that can lead to a different dialogue and conversation for the States Employment Board. But, please, do not fall for the rhetoric around these values belonging to the public sector and it being chosen by the staff that are there. Because I am sure if you spoke to many of the 6,000 or 7,000 staff they would all question this terminology as well and they would say: “No, that does not represent my view.”

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

Deputy Feltham has taken some words out of my mouth because I looked at this page: “We strongly endorse the existing values of our public service” and I thought values lead and who is leading who? The existing values of our public service and yet we hear that you want a value for money review. We hear that we want changes in the public service. I did sort of find myself sympathising to some extent with Deputy Coles’ proposition and, notwithstanding that, I do take issue with some sort of arguments that are being put forward by, say, Deputy Mézec, like school corporate standards are a really bad thing. I do not particularly think when it comes to things like the management of conflict of interest that is a necessarily bad thing. I often find that the conflict of interest management standards are superior. I do have some issues with managers of call centres funded by government being called chief executive officers; that is not really corporate in my mind and not in the mind of many whom I know in the business community. My problem is not with this idea of corporate standards, the real values that you focus on in terms of improving the organisation, to take the best of organisational standards, whether they are corporate or not. I remain unconvinced by the

arguments I have heard by Government so far supporting this particular use of this terminology and I await to be convinced.

#### **9.2.9 Deputy M.R. Ferey of St. Saviour:**

The use of the word “customer” in this context helps to define the mindset and lens through which to view the provision of government services. All users of government services are citizens with rights and expectations and, ultimately, they are people with emotional and physical needs. This is whether they are interacting with the government as individuals or on behalf of organisations. The use of the term “customer” seeks to define and highlight the importance of meeting those needs. In Jersey we have frameworks to allow for a more service-tailored approach in departments. In healthcare, for example, translating our customer-focused value into a patient-centred approach to healthcare. I urge Members to reject this amendment.

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

This is my favourite amendment of all the amendments because it goes to the heart of what we are. I was a public servant 20 ... I do not know how many years ago and in the U.K. It has been mentioned that seeing parents as customers is productive. The parents of the students that I taught, particularly those in my form, I never saw as customers, I saw them as people I have had a relationship with. Because during the daytime and now, Sir, you can correct me on my Latin, I am sure, I was *in loco parentis* and that is the role of a teacher. You are their parent while they are at school. I believe it is a legal definition somewhere along the line and you took that responsibility incredibly seriously. It has implications; for example, you would not just send a child, a young person home, you had to make sure they were safe. If they had nowhere to go you could not just dump them out on the street, you made sure they were safe in where they were going because you took on that parental role. You cared for that person. It was not a customer and it is not a customer, it is a person. With the Police Authority that I have sat on and through the Home Affairs Panel, I have spoken to the police a lot and they want as much as possible to treat an individual as a person, often with issues, perhaps not doing the right thing but they are having to deal with people. In the health service, if I had dealings with the health service I would want to be treated as a person. It is really important to me that I am treated as a person when I go in in a vulnerable position with your healthcare, whether you see a doctor or whatever. In terms of Customer and Local Services, is that what it is called, Customer and Local Services? The word is already there by definition; I get that. But they are dealing with people, they are dealing with vulnerable people. I think that everybody who works there wants to see the person they are dealing with as a person. There are some really challenging cases and they are really challenging experiences that they have to deal with. The people who are there are challenging at times. But I think this is a way more important semantic change than we realise because what we are talking about is a Common Strategic Policy, the strategic approach to the way that we treat Islanders, to the people that we come across, be it as States Members, be it as teachers, as nurses, as doctors, as civil servants of all shapes and forms and what we deal with is people. By putting this word there it gives a clear message to everybody what you can expect from the public service is to be treated as a human being.

[15:30]

That may be a small thing to many but it is so important to our people, particularly when they are vulnerable and particularly when they are needy. I will finish with one thing. Every teacher on this Island does not just have objects in front of them that are consumers of a commodity. That is one of the biggest issues that has faced education over the last 20 years, the commoditisation of our education. Look up the Global Educational Reform Movement; we have commoditised all of our children’s learning and it has done damage to our children. Therefore, treating them as people, as every single educator on this Island wants to do, from nursery to 6th form to Highlands College to

everywhere, is such an important point to have. This is about leadership. Deputy Feltham was right and I thought what she said was wonderful, it is about how we are as leaders. Come on, Deputy Coles has come up with a really good idea here and he has thought about this. I urge people to support it.

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

When I read the amendment I have to say I am very complimentary of Deputy Coles for bringing this forward because I think it is a very poignant thing to do. We have to realise that the Government is providing provisions, so they are providing services for people. Is there a medium of exchange every single time somebody has an enquiry with the Government? No, that is not the case; it is known as transaction, okay. We are not speaking about products and services and that is something that we would be alluding to, for instance, within the private sector. I will be supporting the Deputy's amendment.

#### **9.2.12 Deputy J. Renouf:**

I would like to return ourselves a little bit to the actual thing that is being proposed here, the amendment that is being proposed, which is to replace the word "customer" in the values section and just put that in the proper context to which it sits in the document. It sits in the Common Strategic Policy on the page on our values. What we have placed here is a very uncontroversial statement in that: "We strongly endorse the existing values of our public service." These are the existing values of our public service, not as much as Deputy Feltham about how they were derived but they are the existing values of our public service. The existing values are not we are people-focused, they are we are customer-focused. The question that has been raised quite legitimately about how we treat people, are they customers, are they people, are they clients, are they patients or whatever? These values encompass all of those options. The first value: "We are respectful. We care about people as individuals and show respect for their rights, views and feelings." This document, this section on our values encompasses all those variety of ways in which we interact with government. All we are doing in putting this into the Common Strategic Policy is saying, as we do underneath that section: "We will lead by example, demonstrating these values ourselves and holding the public service to account in its adoption of these values in everything it does." That is the intent of putting this in here. Our intent is not to renegotiate the values of the public service, which, as Constable Jehan has already pointed out, is something that we would have to involve, if we are being right and proper about this, the public service in. This section of the Common Strategic Policy simply restates what is the values and commits us, as a Council of Ministers, to supporting those values in their entirety, including in the ways that we refer to people as people, rather than as customers. All those things are to be read together, not picked out and have one little change tweaked here and there. They sit together as a core set of values, in my view.

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

I was not going to enter this debate because it does seem to me to be a matter of semantics and I am not sure it will make any difference one way or the other to the outcome of the Common Strategic Policy. However, sounding a tad cynical, could I ask whether any of the amendments are going to make any difference to the outcome? However, having said that, I have been thinking about the phrase "customer care" and how important it has been in my time as Constable of St. Helier and how I have tried inculcate customer care through the organisation, which I head up. It is a really important concept. It is about treating people who come through the door with respect, with patience, with courtesy. I am not going to suggest that any of my staff would ever do this but not treating people as a bit of a nuisance because it has been a long day or because they have been in before and we have answered that question already, we do not want to answer it again or if it is over the telephone, this person was quite abusive last time and I am tempted to put the phone down on them. Customer care

is about always treating the people we serve with respect and courtesy and that is why I think it is an important word to keep in the Common Strategic Plan. I think the word “people” is great and it is slightly obvious because of course all of our customers in public service are people and we respect them as people as well. But for me the word “customer” is important because, as I say, it does catch this concept of working for the public and respecting the people we serve.

**9.2.14 Deputy P.M. Bailhache of St. Clement:**

I rather do agree with the Constable of St. Helier that it probably does not make a great deal of difference. But on the other hand words are important and I looked up the dictionary definition of a customer and a customer is a person who buys goods or services from a shop or business, which is rather what Deputy Howell was saying earlier on. It simply does not embrace many of the things with which the public service is engaged or involved in. It is not all money based, not all money orientated. It is to do with service and duty and caring in different contexts. I must say I have never liked the word “customer” in this context and so I am going to support Deputy Coles.

**9.2.15 Deputy I. Gardiner:**

I would like to ask Members if possible to look at page 8, just to open page 8 in front of you. It is really important that you would connect to the page that I am talking about and this is the page. When I saw the amendment, as Deputy Curtis, I was, yes, people because I am really a people person, people are important. I feel that it is really important to connect to the people. I started to look through our Common Strategic Policy to understand where in the Common Strategic Policy we mention “customers”. I could not find it and I needed to go to “F”, go and find, basically to see where are the words. In our Common Strategic Policy we used a lot of “people” but we used only twice with “customers” and it is even not our words and it is only on this page. One it is in red, we are customer-focused and, second, is in red we are customer-focused down saying: “We are passionate about making Jersey a better place to live and work for everyone.” At the same value we have: “We are respectful. We care about people.” People are there in the values. If you are looking on the top of this page: “We strongly endorse the existing values of our public service.” It is something that we have adopted, we are endorsing it. I think there is a really valid point, probably I would encourage the States Employment Board to go back to the public service because they have developed these values, this is their values. We can suggest and we can work with them together to change these 2 words because this is only 2 words, which are extremely important. We are talking about people but the word “people” also there as customers and we need to treat them as both. When you are considering your vote consider what will change and if it is the Common Strategic Policy or public service existing values and it is important that we will do it in consultation.

**9.2.16 Connétable M. O’D. Troy of St. Clement:**

I do not like the word “customer” because I have been in a business which dictates that the customer is always right. I have amended that since I got into a little bit of authority and I taught our staff to say: “Yes, the customer is always right but sometimes people are wrong.” The problem with focusing on the word “customer” is that psychologically you are inclined to give a customer what he or she is entitled to, nothing more and nothing less. But I would prefer to look at the person and give them more, listen to them, there is deviation to what they might need which might not be laid down in statute, legislation, et cetera, et cetera. I believe that psychologically the word “people” is more all-embracing. I think if you were to ask the customer in the street they would prefer to be called people.

**9.2.17 Deputy G.P. Southern:**

I rise to agree with the previous speaker, Deputy Bailhache, who summed it up very succinctly when he said: “Words are important.” I think the words we use when we have dealings with people do set a context that dictate the boundaries of our relationships. In this case I do not want to be dealing with



my voters, you, this group of people, as customers. I do not wish to be treated as a customer unless I am in a shop and that is the only situation in which I am content to be a customer. People for me, far more important than customers.

**9.2.18 Deputy K.L. Moore:**

Deputy Feltham talked about leadership in her speech and she is absolutely right. But as the Constable of St. John outlined in his speech earlier on he described how the States Employment Board has taken the decision to adopt the values of our organisation, those values were set following a survey and a consultation with our people who defined these very values among themselves. I would simply ask the Assembly in this particular instance to stick with the people of our organisation and the setting of their values and to adopt the word “customer” in this particular instance for that very reason. Because it does show leadership and it does show us listening to the very people who are on the front line and deal with the people of Jersey on a day-to-day basis on our behalf and with our direction in many instances. We are all extremely grateful to them for doing that. I think also the Constable of St. John mentioned that we will ask the question of them again about this particular description and word and ask for their views in the next Be Heard survey. Because that is a right and proper way to do it, to go back to the people who set the values and check it and make sure that they are absolutely correct and happy with this continuing interpretation of the word. While we are on the matter of interpretations, I think the Constable of St. Helier quite rightly summed up why this word was chosen, because it was about being that customer-focused, as it says in the value approach, and inculcating it into our service and our practice on a day-to-day basis, rather than, as has been inferred, commoditising what we do because we are of course one public service.

**9.2.19 Deputy M.R. Le Hegarat:**

I think I can beat Deputy Ward, I worked mostly all my life, which is 43 years, within the States. I recall this terminology coming in as “customers” and I have been retired from the police for 8 years, so it is in excess of that 8 years. I do not recall being consulted about it. We were told that everybody was going to be called customers. I do not recall being asked what I would prefer to call people.

[15:45]

From my perspective, I do not like the word “customer”. I genuinely believe that we are dehumanising people by calling them customers and not calling them people, whether that be a student or somebody we deal with in relation to other things. From my perspective, I do not particularly like the terminology as a customer. I think it does, as I said, dehumanise people. Therefore, I think as an Assembly, that I think we should make that change because I do not disagree that S.E.B. (States Employment Board) can ask our employees. But if we are going to ask our employees I expect 6,000 people to give their opinion on whether they believe we should be calling people customers or people. Therefore, I would hope that this was more of a widespread discussion, rather than that which was imposed. Because I genuinely believe that it was probably imposed on us and not a decision made by the employees.

**9.2.20 Deputy K.F. Morel:**

Listening to the debate, it is interesting. It seems like we are torn between 2 things. One which is the discussion of whether “customer” or “people” is the better term to us, and I have strong sympathy with the idea that it should be “people”. But, unfortunately, Deputy Coles has chosen the one part of the Common Strategic Policy which is not ours. It is not the States Assembly’s part, those are not the States Assembly’s values, they are the values of the public service, as decided in consultation, I

think more recently than when Deputy Le Hegarat was last employed by the public service. I believe these values were done in the last term of the States. We could change these but that changes it in this document, it does not change it elsewhere because we are not here to be consulted on what we think the values of the public service should be. It is quite right that it is the members of the public service. I find it interesting, Deputy Bailhache, who I believe is a member of the States Employment Board, is effectively saying let us override what the people - that Deputy Bailhache is meant to be representing through his work on the States Employment Board - have said. I think it is really difficult for us, as an Assembly, to say we are going to override you, the people who work for us and while we are doing that we are going to override you while counting it in terms of belief in the value of people. If the Assembly cannot see the incredible irony of us espousing this belief in terms of the word people and how we are going to be all inclusive and encompassing, while at the same time completely riding roughshod over the views of the people themselves, it astounds me. I cannot support this amendment because a proper amendment in this area would have been to request the Council of Ministers to go back and engage in consultation with members of the public service, employed by the public service, to see whether they prefer the word "people" or "customer" on this page. That would be the appropriate amendment to get this changed. Asking us to directly dictate exactly what the values are from the people who work there is exactly that, is dictatorial. We should not engage in that; that is not right. This is the one part of the Common Strategic Policy which is not the Council of Ministers' part; it is the one part. Deputy Coles has picked the one page that is not ours. As I said, the irony of couching it in terms of being respectful to other people's views and what we all are, and yet dictating to those people exactly what they should have as their values, is not lost on me and I hope it is not lost on the Assembly. So I do ask, I think we have heard from the Chief Minister that it is right that we do go back and ask the public service if they would like to change that, but that is the right way to do it, is to ask the people who work for us. It is not to dictate to those people what they should have, so please do reject this amendment. We will, I believe, go off and ask that question but this is not the right way to do it.

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

Very briefly. I know that Reform are very much in favour of the new deal that was brought in the United States in 1933. One of those was Franklin Roosevelt's signing of the American Adjustment Act that was designed to jumpstart the livelihoods of American farmers. Nobody was thinking that in those days farmers were customers. In reality, what has happened in the public sector in the last 100 years is about making lasting changes to citizens who are facing difficult times. It has been a century since that landmark Act which Reform very much likes, I do too, but there has been also a massive shift over the decades about the mentality of treating citizens not just as service recipients but as customers. I can find dictionary definitions that deal with customers that are wider than just simply buying services. We could have an argument, if you like, about customers and clients. There are dictionary definitions that I could say to Deputy Bailhache. The whole shift to the word "customer" is about shaping what are worldwide trends in the public sector. Historically, government services have been delivered from the inside out based upon bureaucracies and how they are structured but leading government organisations are shifting that, putting services from the start on the outside, orientating their programmes around customers. We all know what that means: it means customer-focused instead of bureaucracy-driven government. It is all about a debate about enabling technology and how one should treat citizens as customers of government. We know what that means. We need to think about the public sector, we need to support. I endorse entirely the observations that both the Constable of St. John and the Deputy Chief Minister, the Minister for Economic Development, Tourism, Sport and Culture have said, it would be wrong to impose it. I applaud our public sector in moving towards a customer base-focused organisation that will do innovative things like having survey cards, thinking about how they are dealing with individuals, how they follow up on their customer care. All of those things. The word "customer" means

something more than just people, it means treating with respect. It is not about payment - but people do pay taxes if you really want to have a debate about payment - people pay taxes. Some people do not but they are paid by taxpayers. At the heart of it is part of a global organisation, a global movement to regard people that consume government services that are their rights, and that they have a right to be treated in the way that a commercial organisation, what it traditionally does, treats individuals. That is what this is about but we should not do this. We should not make this decision, it is for the people at the front line, it is for the employees to make that decision. I say: "Well done, the public sector, you are treating customers, you are treating people better and better" and we should encourage that and not impose a word which is not ours to do. But I support our public sector in all the good customer-facing work that they do, whether it is at the Parish of St. Saviour, the Parish of St. Helier or in our public sector across the piece. I hope Members will reject the proposition in that spirit.

#### **9.2.22 Deputy R.S. Kovacs:**

What I want to say in respect of what Deputy Morel said, we are not changing the values, we are just looking at the word "customer" as a holistic approach. The Customer and Local Services, let us say, has its own rights to use the word "customer" because they are services more tailored towards customers. I have been also part of the public service for the last 3 years which I think a large part of the States Members in this Assembly have been as well. As has been stated, I do not think any of us have been asked if we would like to be called customers or not. I have completed the Be Heard survey and not once I have been asked if I would like to be called "customer". Based on that I think "people" encompasses more of all the other services other than Customer and Local Services are providing shows, so that is why to me the word "customers" .... since we are more services-tailored and everyone else should be "people".

#### **The Bailiff:**

Does any other Member wish to speak on this amendment? If no other Member wishes to speak on this amendment, I close the debate and call upon Deputy Coles to respond.

#### **9.2.23 Deputy T.A. Coles:**

I first would like just to address the bit about the imposing these values on to the public service. In the report, under the financial and manpower implications it says: "If the Government consider ..." and that says the "Government", not the "Council of Ministers": "If the Government consider my arguments persuasive and are moved to amend their values in this small way there will be a minor manpower implication." This means that they are able, if they choose, to adopt what we say which we suggest is a better value for them to take in, that they can do so if they choose to should the survey go out and come back with the same argument. I was so close to being able to congratulate Deputy Ozouf on almost not using the term "people" before using the word "customers". He was so adamantly using "citizen" most of the way through but you slipped up at the end. Nearly everybody who has debated about this has referred to every single time, before they have used the word "customer" they have used the word "people" because people do come first and it is clear that people come first. Even the Chief Minister in her opening remarks for the C.S.P. in its entirety did not use the word "customer" but she used the word "people" at least 3 times. I did stop counting; I got to 3 and I thought that was enough. Again, Deputy Gardiner mentions that in the C.S.P. as well that "people" appears more. In fact, it appears 23 times; "customer" appears twice. So, surely if we are people-focused, this value should say that we are people-focused. I am just going to leave it there because for me it is that simple, we need to maintain we are people-focused. Everybody who comes here are people, they are not always citizens. We have foreign workers who may not be British citizens but they will still interact with our government but they are still people. We are all people. Our value should be putting people first. I call for the appel.

**The Bailiff:**

The appel is called for. I invite Members to return to their seats and ask the Greffier to open the voting. If Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. The proposition has been defeated: 23 votes pour; 24 votes contre.

<b>POUR: 23</b>		<b>CONTRE: 24</b>		<b>ABSTAIN: 0</b>
Connétable of St. Brelade		Connétable of St. Helier		
Connétable of Trinity		Connétable of St. Lawrence		
Connétable of St. Martin		Connétable of St. Peter		
Connétable of St. Clement		Connétable of St. John		
Connétable of St. Ouen		Connétable of Grouville		
Connétable of St. Saviour		Connétable of St. Mary		
Deputy G.P. Southern		Deputy C.F. Labey		
Deputy S.G. Luce		Deputy K.F. Morel		
Deputy M.R. Le Hegarat		Deputy S.M. Ahier		
Deputy R.J. Ward		Deputy I. Gardiner (H)		
Deputy C.S. Alves		Deputy I.J. Gorst		
Deputy L.J. Farnham		Deputy K.L. Moore		
Deputy S.Y. Mézec		Deputy P.F.C. Ozouf		
Deputy Sir P.M. Bailhache		Deputy D.J. Warr		
Deputy T.A. Coles		Deputy H.M. Miles		
Deputy B.B. de S.V.M. Porée		Deputy J. Renouf		
Deputy M.R. Scott		Deputy R.E. Binet		
Deputy C.D. Curtis		Deputy H.L. Jeune		
Deputy L.V. Feltham		Deputy M.E. Millar		
Deputy A. Howell		Deputy T.J.A. Binet		
Deputy R.S. Kovacs		Deputy M.R. Ferey		
Deputy B. Ward		Deputy A.F. Curtis		
Deputy M.B. Andrews		Deputy K.M. Wilson		
		Deputy L.K.F. Stephenson		

**Deputy G.P. Southern:**

Can we hear the 24 “customers”, please?

**The Greffier of the States:**

Those voting contre: the Connétables of St. Helier, St. Peter, St. John, Grouville, St. Mary, Deputies Labey, Morel, Ahier, Gardiner, Gorst, Moore, Ozouf, Warr, Miles, Renouf, Rose Binet, Jeune, Millar, Tom Binet, Ferey, Curtis and Wilson and in the chat: Deputy Stephenson and the Connétable of St. Lawrence voted contre.

### **9.3 Common Strategic Policy (P.98/2022): sixth amendment (P.98/2022 Amd.(6))**

#### **The Bailiff:**

We come to the next amendment which is the sixth amendment lodged by Deputy Mézec, and I ask the Greffier to read that amendment.

#### **The Greffier of the States:**

1. Page 2. After the words “report of this proposition” insert the words “, except that, on page 11 of the report (i) in the third paragraph, the words “Housing matters” should be substituted with the words “Jersey has a housing crisis”; (ii) in the fourth paragraph, after the words “housing ladder.” there should be inserted the following words: “We will do this by: increasing the proportion of homes required to be designated as ‘affordable’ in large private sector developments; introducing a ‘first right of refusal’ for private sector tenants to purchase their homes when their landlord decides to sell; and establishing a shared-equity scheme to support first-time buyers attempting to purchase their first homes in the private sector, using the £10 million fund set aside in previous Government Plans.”; (iii) in the fourth paragraph, after the words “housing stock.” there should be inserted the following words: “We will do this by: requiring all homes built on publicly-owned land to be for first-time buyers, social rental housing or downsizers; and introducing an empty property tax.” (iv) in the sixth paragraph, after the words “improve the quality” there should be inserted the words “and affordability”; (v) in the sixth paragraph, after the words “tenants and landlords” there should be inserted the words: “We will do this by: re-introducing the landlord licensing scheme originally proposed by previous environment and housing Ministers; proposing a new Residential Tenancy Law to provide for European-style rent stabilisation and open-ended tenancies; moving to a means-tested system for calculating social housing rents; and implementing the recommendations of the Homelessness Strategy”. 2. Page 2.

[16:00]

After the words “report of this proposition” insert the words “, except that, on page 18 of the report (i) in the ‘Continue to improve’ section of the table for Housing and Cost of Living, the words “Increase the percentage of Islanders who are very satisfied with their housing” should be substituted with the words “Increase the number of private rental homes with 5-star accreditation with Rent Safe”; and (ii) in the ‘Turn the curve’ section of the table for Housing and Cost of Living, after the words “housing that is affordable” there should be inserted the following words: “Decrease the proportion of renters classed as living in ‘rental stress’; reduce the numbers of homes left vacant without adequate excuse; increase the proportion of young adults who own their home; and decrease the average waiting times for those listed on the Affordable Housing Gateway for rehousing.”

#### **9.3.1 Deputy S.Y. Mézec:**

I am pleased to have this opportunity to address my fellow customers in the hope that they will buy this amendment. The purpose of this amendment is to add to the key priority of housing and cost of living some detail, some meat on the bone, which as a vegetarian it is an analogy I find problematic but hopefully can be accepted on this occasion. It is to provide more credibility and confidence that there are meaningful commitments being made. It turns it from nice words - and they are nice, they are excellent words in this - but it turns them from more than just nice words but to a real action plan.

The high-level ambitions which are noted in the C.S.P. are laudable. In fact nobody, I would hope, would disagree with any of them. They include, for example: “We will increase the supply of new affordable homes and make more homes available for our key workers to secure our most important public services for the future.” Completely agree and I would be amazed if anybody did not think that that was an absolutely worthy aspiration. It says: “We will improve the quality of rental accommodation and introduce more protection for private rental tenants, increasing security of tenure and fairness for both landlords and tenants.” Absolutely agree with that as well and: “We will release publicly-owned sites for housing development. We will enable Islanders to right-size when they want to and we help to return vacant homes to the market, making the most of our existing housing stock.” I would be annoyed if there was anyone in this Assembly that did not think that those were worthy ambitions. I hope we all agree with those and I hope that we will all seek to play a part in whatever form to advance those causes. But those words and aspirations are familiar, they are aspirations that have been brought up in this Assembly before, they are aspirations that previous Governments have alleged that they have been committed to and so it is fair to ask the question, seeing these nice words on a sheet of paper now: what is different to previous times? Previous Governments may say they really meant it, and this one may say it really, really means it, and that is great, but what adds to the credibility of that is a clear action plan to deliver on those leaving less room for more deliberations, consultations or reviews but a clear determination: this is what we are going to do, and then from that point we hold them to account on delivery. The intentions are not enough, we do need to see greater detail on what will be done to advance the laudable statements which are in the C.S.P. So, in advance of the general election this year when we put our policies together, we produced a document which we said to our voters: “This would be what we would seek to pursue if we were elected” and we do that, and in bringing this amendment we are seeking to fulfil that democratic mandate, that is the way things ought to be. We did it so it would provide a basis for us so work could proceed quickly, we would not need to resort to more reviews, deliberations or consultations but we would be focused on delivery rather than more time being spent putting policies together when we are in a housing crisis and we need that action as soon as possible. What we included in that plan was, I am happy to admit, largely a case of plagiarism. Most of what was in that action plan were not things that we in the 5 minutes before the election decided: “Let us just put these words on a sheet of paper and hope they make sense.” The vast majority of that plan and its action points were taken from comprehensive reports that had already been done, some of which had contributions from our party members towards but also had contributions from other members from across political divides as well. We chose those action points because they were credible, because there had already been consultation on them and because they had already been reviewed. What we needed was the political commitment that they are the right things to do, and then we focus on delivery rather than going back to the drawing board and saying: “Oh, there are other policies we ought to be looking at instead.” So in bringing this amendment to the C.S.P. what we are undeniably doing is putting to this Assembly the most comprehensive and clear action plan for States Members to get behind that has ever been in this Assembly before. We occasionally get standalone propositions, we occasionally get propositions that say: “We will think about this” or: “We will review that” but as a body of policies, this does constitute the most comprehensive that has been put to this Assembly. It will, if adopted, save further time and money in reviewing and dedicate more time to action and we can then hold Ministers to account in the delivery of those actions. There will be an amendment to this which we will debate after this and I will address some of the arguments to that in that debate. There is a reference in the report to that though to the Minister for Housing and Communities’ Ministerial plan suggesting that as part of the overall government programme, that ought to be where we look to find more detail in what is going to be delivered as part of the response to the housing crisis. That is fine but that Ministerial plan does repeatedly refer to further policy development. It talks about more work being done when we have had successive Governments attempt to do lots of that work only for then reports and recommendations to end up sat on a shelf

gathering dust when what would be better is, as early as possible in this term for the States Assembly, the Government and the Minister to say: "Okay, these are the points that we are going to go ahead and deliver." Then the role of this Assembly becomes to hold them to account on that delivery, make sure that any legislation that comes here to enact it is well-drafted to make sure that any ongoing service provision is well-funded. That then becomes the debate rather than going in circles debating principles and seemingly getting no further forward on that. But the bits that are referred to in the Ministerial plan that overlap with some of what is in this plan I do not think are in conflict whatsoever. The Minister refers in his Ministerial plan to things like bringing forward a scheme of some sort to improve the quality of private rental housing. We have seen the press release from the Minister for the Environment recently providing more detail on that. I can say to the Government that that has our wholehearted support so long as when the regulations reach the Assembly that they are well drafted and will play a constructive role in pushing that along if necessary, hopefully that will not be required though, but that is aligned with what is proposed in this. The Ministerial plan also refers to action to tackle excessive rent increases. That is also addressed in this plan; I will come on to that shortly. The rest of the Ministerial plan, or other aspects of the Ministerial plan, refer to more data collection. Of course, it is absolutely fine to collect more data to inform policies but it cannot be the only thing we do. We do have to at some point draw a line and decide to take action rather than constantly say we do not have enough data to make decisions and end up going round in circles. So, I am going to go through the measures which are proposed in this Housing Crisis Action Plan that we are seeking to insert into this amendment and explain why I think that they are good ideas, well researched and why we can make that decision now to get behind them and give the Government and the Minister a mandate, then go on and deliver them. I will be very intrigued to hear any respective arguments against these. So where the Government says: "We will promote and support home ownership aiding those looking to get on the housing ladder", in response to that laudable aim we propose these actions. If we want to support more people into home ownership, we need to increase the supply of affordable housing. A few people will disagree on that; the question then is how. We can do that in many different ways. We can do it by destroying every greenfield on the Island if we wanted; I would hope that we would not support that and there would be a reluctance to consider that. So let us look at some things we can commit to that I hope would be uncontroversial. We can require affordable homes as a greater proportion to be delivered in large private sector developments. We can say that if you want to get planning permission for a large housing development in the private sector, a greater percentage of those homes ought to be reserved for affordable housing to be distributed through some affordable mechanism, whether that is through the gateway or something equivalent. We already do that a little bit. There is already a rule in the bridging Island Plan that says if a private sector application is coming forward for a development of more than 50 homes, then the assumption is that planning permission will not be granted unless 15 per cent of those homes are designated for affordable housing. That is a start but it is not enough. I know that the culture of delivering affordable homes in private developments is now starting to set in. I had a very good conversation with those who are looking to develop the Romerils sites and they have said that they are seeking at least 15 per cent but they hope to deliver more on that. Good on them for that, I say, but we can in time increase that percentage to something more reasonable. I had initially proposed it being much higher when I brought the amendment to the bridging Island Plan but was talked down by that Government just to get it over the line but it is over the line now, so we can take a few more steps in that direction. A second idea that we can propose to help improve the supply of affordable housing without building new homes but to help homes leave the investment market and into the hands of first-time buyers without disrupting any other supply issues, and that is to introduce a first right of refusal for private sector tenants to purchase their rental homes when the landlord decides to sell them. I am constantly in contact with constituents who come to me to tell me that they are being kicked out of the home that they have rented for years because the landlord has decided they want to sell the property but they want to sell it with vacant possession, and sell it on the open market that

way and the tenant has to leave before it is then put on the market. What we could do is to introduce a rule to say to those investors when they want to sell their properties: “By all means go ahead, that is your right to do that, but you ought to be required in the first instance to offer it at the market rate to the sitting tenants” and give that tenant the opportunity without having to worry about being crushed in a stampede from investors who might be seeking to overtake them to buy that property, the opportunity to decide do they want to buy it or not. If they can acquire a mortgage to do so, they can then go from tenant to home owner then. It does not disrupt supply, does not prevent landlords from selling their properties when they want to, but it does allow tenants, instead of being evicted to enable a sale, to have that first opportunity with a step ahead from everybody else to acquire their homes. I know that there will be many tenants who would like that ability were they offered it. The third point under this headline is to establish a shared-equity scheme to support first-time buyers attempting to purchase their first homes in the private sector using the £10 million fund set aside in previous Government Plans. That £10 million pot of support for first-time buyers has been in successive Government Plans for a few years now. The reason it has not been used thus far was genuinely that the pandemic totally disrupted a whole load of work programmes, so unfortunately it has been sat there untouched. It is still there, the Government want to spend it, I hope they spend every penny of it, I hope they spend it as effectively as possible, and I hope we can look at some forms of mechanisms to top up that fund. I am sure there are ways that that can be done as well but we can get started and give the green light to the Government to go ahead and use that funding by supporting Islanders through a shared-equity scheme to buy their first homes. I believe that that is one of the most effective ways you can help make home ownership affordable to people. I think it is better than a loan scheme because a loan scheme is ultimately built on debts, whereas a shared-equity scheme I think is better because the Government then retains some form of ownership and can determine to what degree how generous that shared-equity scheme is to make the best use of it.

[16:15]

If we can find ways of recycling that money as well it can provide a benefit in perpetuity. So those are 3 tangible proposals to promote and support home ownership. The next part of the C.S.P. that I want to provide some suggestions for are we will increase the supply of new affordable homes and make more homes available for our key workers to secure our most important public services for the future. Well there is one really, really good way of making sure we can provide those kinds of homes and that is for the Government to go to the bodies which it already owns and say to them: “With the land that we own, you must do better than you currently are doing.” Instead of taking publicly-owned land, land which is as and with which we can do essentially what we like with, instead of building homes that are not targeted at the profile of need there is out in the Island, require them instead that if they are building homes on that land they ought to be for those who need it measured through the mechanisms which we already have like the first-time buyers Gateway, for example. Yes, that means saying to organisations like the States of Jersey Development Company that they will need to relook at South Hill, that they will need to relook at the Waterfront. I personally believe that that policy is extremely popular. I believe that it is part of what caused the disillusionment in the previous Government that saw them face such heavy defeats at the last election. I know that some Members of this current Government were sympathetic to that view in their own manifestos. Of course, another thing we can do to bring more properties into use is to introduce an empty property tax and we are waiting for the Minister to come back with his options for that following the proposition earlier this year from Deputy Tadier, and I await that eagerly. The third point made in the C.S.P. is we will improve the quality of rental accommodation and introduce more protection for private rental tenants, increasing security of tenure and fairness for both tenants and landlords. That is music to my ears; I completely agree with that. I will, however, point out that there is one word that is conspicuously missing from that sentence and it is after the word “quality”, we do not have the word “affordability”. I think that was an oversight that probably ought to have been included in that sentence and this



amendment seeks to put it in there. But it seeks to go further in proposing specific things that will have an impact on improving the quality of rental accommodation, improving security of tenure, and providing greater certainty for landlords and tenants when it comes to rents. The first of those I really hope will not be controversial and that is the reintroduction of the landlord licensing scheme originally proposed by previous Environment and Housing Ministers adopted by this Assembly and then U-turned on shortly afterwards. There have been headlines in the U.K. recently about the impacts that poor-quality housing can have on vulnerable people that are shocking and appalling. We know that there are homes in this Island that do not meet minimum standards and right now, despite the best efforts of Environmental Health, and despite the legislation which does exist which is meaningful and does make a difference, it does not go far enough to give them the tools they need to make sure that people in this Island are not being exploited and living in homes which are not being maintained by their owners to an acceptable standard. I am delighted that the Minister for the Environment has said he wants to reintroduce that. I seriously hope that he will have support from the whole of the Government in pursuing that. When we see the regulations when they are drafted, we will go through them very carefully to make sure that they are fit for purpose and that they meet the promise that has been made by the Minister, so that line should be uncontroversial, I hope. The next suggestion is to propose a new Residential Tenancy Law to provide for European-style rent stabilisation and open-ended tenancies. Again, this is not something that I have made up, it is not something that Reform Jersey has made up, this is something which exists in lots of places in Europe and it is something that was considered very carefully by the Housing Policy Development Board to judge whether that would be appropriate for Jersey. I will explain what rent stabilisation means for those who do not know but, before going through that definition, it was amusing to receive a communication last night from the Jersey Landlords Association which passed a brief comment on this and they described this as “rent control”; rent control which has been discredited by many economists. I thought that was such a simplistic way and, frankly, an inaccurate way of looking at it because there are many different kinds of rent control of which rent stabilisation is just one of them. There are other mechanisms as well: there are rent caps, there is rent stabilisation, there are different formats of it. They are not all the same, they do not all have the same impact, and as they exist in different jurisdictions have varying degrees of success. This is the version of rent control which comes recommended by none other than the London School of Economics in a fantastic report that they produced a few years back. So rent stabilisation is not to say that the Government goes into the private rental market and says to landlords: “This is the amount of rent you can charge and you cannot charge a penny above that”, it is to say that there ought to be a mechanism within tenancies that governs rent increases which is fair and reasonable, that protects people who are in long-term tenancies from facing exploitation because they are essentially stuck in a home because it is their home and they have built their life there, and introduces some sort of metric to calculate what rent increases can be. I was contacted very recently by a landlord who I know very well who asked for my opinion on changes to a tenancy contract he was looking at introducing to his tenants. He said he wanted to introduce an annual rent increase which was based on the average of R.P.I. (retail price index) over the previous 3 years. I thought: “What a great idea that is” because it does enable him to get increased income from his properties to maintain it but it shelters the tenant from particularly harsh conditions if R.P.I. is high one year because it would be balanced by R.P.I. in the lower years. It is that kind of mechanism that you look at so rent increases cannot exceed a particular amount. That is very different to rent caps where there is evidence of the harm that they can sometimes inadvertently cause. Again, this should not be controversial because when I have pushed this Minister for Housing and Communities, and in fact the previous Minister, on the changes they are looking to make to the Residential Tenancy Law, when you look at the fine print of their answers they say that they accept this. I would say to this Minister for Housing and Communities: “I would be shouting that from the rooftops, if I were you, because that is a really good policy.” It is one that would provide great comfort to people out there that something is on the horizon that is going to

provide them with security in their tenancies and not see them face extortionate rent increases which cannot be appealed, so it appears that that is already in the pipeline. That ought to be something we jump and shout about, because it is a really good idea, and by accepting it in this amendment we are, as an Assembly, saying: "Great, we are happy with that direction of travel. Keep going and we await the greater detail on that." It also refers to open-ended tenancies, again, something that is commonplace in many jurisdictions in Europe where there is a much greater renting culture, where large swathes of people simply have no interest in owning their homes because the protection they have in their rental contracts provides them with more or less the same security as if they owned their homes. They can live there as long as they like and if they are to be asked to leave that property, there are certain prescribed circumstances in which that can be done, and there are prescribed notice periods as well. So if a landlord, for example, wants to retire and move into their rental property, they will probably know a few years in advance that that is their plan, in Jersey law currently under any periodic tenancy, a landlord can give 3-months' notice to the tenant and that is it. That is it. No right of appeal, no excuse, no nothing, 3-months' notice, you are out, that is it. Open-ended tenancies would provide greater security and protection to those tenants to know that they are not going to be unfairly removed from their homes, so rent stabilisation and open-ended tenancies. Here is the part that really pains me to say this but not only is this not an original idea because it is in operation already in many parts of Europe, it is being looked at by the U.K. Government right now who recently produced a White Paper on rental housing. They are proposing measures like this - and it pains me to admit it because it is the Housing Secretary, Michael Gove behind it - and I have to stand up and say I think he has done a really good job, and it is one of the very few circumstances in which I may do that. One of my colleagues is whispering about disciplinary on me for having admitted that. Fair enough, I will have to contend with that. But Jersey risks being out of kilter here because they are looking at drastic improvements to security of tenure and protection against rent increases in the U.K. While there are some bodies that are nervous about that, there are some landlords' representative groups in the U.K. that are kind of saying: "Well, this is fair enough, really" and for the best landlords, they will not even notice these changes because they are probably doing them already, it just makes it compulsory rather than voluntary and provides greater protection for those tenants who do not currently have that. The next bullet point is to say that we move to a means-tested system for calculating social housing rents. The question of how we calculate social housing rents is one that has been asked many times since 2014, I think, when a version of the current system was introduced at the establishment of Andium Homes as a body where, to make the numbers add up, a decision was made that social housing rents would be calculated at up to 90 per cent of the market rate. Many of us were deeply uncomfortable with that at the time because of the worries we would have about how that might set a benchmark for private sector rents, often a comparison that frankly is inappropriate depending on what types of tenancies they are and what types of support the tenants get, but also that it would be unaffordable to many people who are on low incomes and put greater pressure on the benefit system. After years of fighting, and I still have the scars on my back to prove this, we finally got it reduced from 90 per cent to 80 per cent, which I hope provides a bit of a break from that to enable the logical next step which is that we move to a means-tested system where rents are charged based on affordability, not based on what return the Treasury wants from Andium Homes to pay for other public services. In fact, I could not have put it better myself than this: "While the cost of investment has to be covered, I question the rationale that pegs public sector rents to the private rental market. As rents have become more unaffordable, the demands made on social security to plug the gap becomes even greater. Taxpayers' money is, I believe, inadvertently being used to support higher-than-necessary rental levels in the public sector. We urgently need to review this." I completely agree with those words, and those were the words of the current Minister for Housing and Communities, so I would hope his support for this line therefore we can anticipate. The very last line in this amendment for tangible policies to be inputted into this page is to say that we will implement the recommendations of the homelessness strategy. I hope that would be uncontroversial;

that is work that began in my tenure to put that report together. We know that there is a great difficulty for those in Jersey facing homelessness. It is often a lot more complicated than just the availability of a home, it is often more to do with the support that is provided around that through employment, through mental health, through other things as well. The Minister has spoken in support of that to a degree. He has put his money where his mouth is as well for himself on Friday, along with myself, the Constable of Trinity and Deputy Howell, taking part in Sanctuary Trust's sleepout event to support them doing the fantastic work that they do to support homeless men in Jersey. Hopefully with the accomplishment of delivering on the recommendations of the homelessness strategy, we can make their work much easier by reducing the demand that there is for those services. Those are a comprehensive package of tangible policies which could, if implemented, have a significant impact in making home ownership more accessible for Islanders, making the experience of being a renter in Jersey much more akin to what it is in those jurisdictions that have a greater renting culture which provides certainty to both landlords and tenants, and to provide a greater supply of affordable housing, and do so in such a way that hopefully enables us to protect our precious environment as well without needing to look at further greenfields to be rezoned when there is a better rationalisation of the homes that already exist, or are already in the pipeline, that could be used to meet the need which we already have the data to know is there.

[16:30]

On top of that, to enable us to hold the Government to account in whatever it does on measures to address Jersey's housing crisis, I am also proposing adding some extra K.P.I.s (key performance indicators) into the last page of the C.S.P. so that we can measure the trends and see how successful the Government is being. These are, I think, some pretty basic things like decreasing the proportion of renters who are classed as living in rental stress. There is an unacceptable amount of people in Jersey who are spending more than a third of their income, or in many cases even more than half of their income, just to put a roof above their head, and that is money that they are not able to use to further support their families or spend in the local economy. We also want to see that decreased and that would be a key indicator of whether rental housing is becoming more affordable or not. We want to reduce the number of homes which are left vacant without adequate excuse. I think we pretty much all agree with that, I would hope, but we want to see it happen and be confident that is what we are delivering. Increase the proportion of young adults who own their own home. There are many young people who frankly are losing hope in Jersey, losing hope that they have a future here because they do not have the opportunities that may have existed in previous decades where there were many fewer people on the Island to contend with buying homes that exist, people who feel that they, even on a decent professional salary, are not able to acquire a one-bedroom property because of the sheer demand there is for them there. That risks having all sorts of repercussions for the rest of our society and economy if we are losing these bright young people because they are choosing to move from Jersey because they have lost hope that they will ever own their own home. I think with some action like what is being proposed in here, we could turn the curve on there and make Jersey a place where people feel that that option for them will be available. Of course we want to decrease the average waiting times for those listed on the Affordable Gateway for rehousing. We have a Gateway system which by its rules is not too bad, there are some tweaks that are being made to it in terms of illegibility criteria that are positive and going in the right direction, but the thing that makes the Gateway most difficult is simply the fact that there are not enough homes out there and there are people who are languishing for very long periods of time on those waiting lists because the home that is right for them and right for their needs does not become available quickly enough, and they do not get certainty on that. That is not necessarily a problem with the rules because if the home does not exist, then it does not exist, but we want to make sure that when we are delivering new affordable homes that we are building those for the types of homes that people genuinely need. I am sorry to say that we have squandered some opportunities on that. I have made, I hope, the case for each of

the measures that are proposed in this action plan that we seek to insert into the C.S.P. I will urge the States to adopt the amendment unamended, but we will come to that momentarily, because I think it gives a much clearer steer to the Government of the kinds of things we want to see them deliver on. It cuts out a lot of time and energy that will otherwise go towards running round in circles again reviewing the same things that people have already reviewed, they just did not necessarily come to conclusions that were politically convenient for some at the time but we can choose to do things differently to that. When each of those measures eventually comes to the States Assembly, either in the form of a request for funding in future Government Plans or the legislation to enact some of these changes, we at that point have plenty of opportunities to hold the Government to account then, make sure that the detail is good, that the funding is adequate, and that it will do what it is meant to do, rather than do what this Assembly so many times before has done, which is spend years trying to overcome that first hurdle of agreeing what the actual action is, and then risking doing what we saw in the previous term where there was one occasion where we did agree a very positive action in introducing a landlord licensing scheme and then a few months later U-turned on it. People have languished in unsuitable housing in that time because of that inaction from the previous Assembly. There is no time to lose and in adopting this amendment, as it stands, it would provide a springboard for the Government to go on and deliver those things and hopefully help resolve the housing crisis and spend less time on reviews, deliberations and consultations, and that is why I have brought the amendment.

**The Bailiff:**

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

**9.4 Common Strategic Policy (P.98/2022): sixth amendment (P.98/2022 Amd.(6)) - amendment (P.98/2022 Amd.(6)Amd.)**

**The Bailiff:**

There is an amendment to the amendment lodged by the Council of Ministers and I ask the Greffier to read that amendment.

**The Greffier of the States:**

Page 2, Part 1 – For sub-paragraphs (ii) to (v), substitute the following sub-paragraph “(ii) after the final paragraph there should be inserted the following sentence – “We will do this through co-ordinated and sustained action that tackles the cost of living and housing crisis, in line with clear commitments made in the Council of Ministers’ Ministerial plans and responding effectively to the changing economic environment.” Page 2, Part 2 – For the proposed sub-paragraph (i) substitute the following sub-paragraph – “(i) in the ‘Continue to improve’ section of the table for Housing and Cost of Living, there should be inserted the words “increase the number and standard of private rental homes with Rent Safe accreditation”.” Page 2, Part 2 – In the proposed sub-paragraph (ii), for the second, third and fourth bullet points, substitute the following bullet points – “increase the number of long-term vacant homes brought back into use; increase the number of first-time buyer homes; and increase the number of people housed through the Affordable Housing Gateway.”

**Deputy K.L. Moore (The Chief Minister):**

Deputy Warr is the rapporteur for this amendment

**9.4.1 Deputy D. Warr (The Minister for Housing and Communities - rapporteur):**

I have to admit I have rarely heard such a ringing endorsement given to me for my Ministerial plan by Deputy Mézec; in fact, I was beginning to wonder why he even brought an amendment at all. I find that quite extraordinary and so, as a result of that, I am having to amend his amendment. Bizarre, really, in my humble opinion. In my maiden speech to the Assembly I talked about our Island facing

not just a housing crisis but an existential housing crisis, something that affects every part of our society. One of the reasons I stood for election was because I could see my own staff struggling with the high cost of housing. I have seen the effects this has on their health, on their ability to pay for childcare, and on their well-being when they have to work extra jobs just to make ends meet. Deputy Mézec's amendment seems to suggest that the Government is not prepared to recognise the problems, nor willing to outline how we propose to tackle the crisis. Nothing could be further from the truth. The Government is taking action. I set out clearly in my Ministerial plan, as Deputy Mézec has already established, published just one week after the Common Strategic Policy was presented to the Assembly, exactly how I will be taking action. Deputy Mézec's amendment attempts to overlay Reform's Housing Crisis Action Plan into or on to the Common Strategic Policy when in fact the C.S.P. is a far more wide-reaching document outlining the Government's high-level ambitions. Reform's Housing Crisis Action Plan is an election era document presumably written in May - I think the Deputy admits to that - a totally different landscape to the one we are facing now. Since Reform append their action plan, we have seen unprecedented events unfold that have dramatically impacted on our housing and cost-of-living challenges. We have seen a surge in inflation which was 6 per cent in May compared to 10.4 per cent now. We have seen a hike in interest rates increasing from 1 per cent in May to 3 per cent now. We have seen an energy crisis take hold in light of Russia's war with Ukraine but, despite this, Reform's action plan remains unchanged. While I respect that document, for there is little in it that I am not doing already, and I would not say we are plagiarising it, I want to make it clear that the Government has recognised that events have moved on since May, and they have certainly moved on since 2021 when the Housing Policy Development Board's recommendations were published. I refer to this report because it appears that that is the foundation of the Reform action plan. Would you believe that there have been 100 reports on housing in the last decade? All, I am sure, have been well-intentioned; however, they represent a snapshot in time when the landscape was completely different. In much the same way Reform's action plan is a document of its time, so too is the Housing Policy Development Board recommendations. The recommendations it made were helpful and led to some positive things happening. At my last count 10 out of 12 of the recommendations were implemented or being progressed but now is the time to look forwards, not backwards. To reassure you that I am taking action, I want to take this opportunity to explicitly outline why Deputy Mézec's amendment is unnecessary because I am already doing so much of what is proposed. Deputy Mézec's amendment asks to increase the proportion of homes designated as affordable but the Deputy previously agreed to an amended version of this policy which comes into force in January. Deputy Mézec's amendment also asks for a right of refusal for tenants to purchase their homes. Changes to the Residential Law will already seek to address security of tenure, and that is coming through next year. The Deputy asks for a shared-equity scheme to support first-time buyers. I have £10 million to increase home ownership. This will need to be spent in a careful and considered way to maximise its long-term benefit to our community. The Deputy already knows how challenging it is to spend that money appropriately. Deputy Mézec's amendment asks that all homes built on publicly-owned land to be for first-time buyers, social rental houses or downsizers. This policy already exists in the bridging Island Plan. The Deputy calls for an empty property tax. A more sophisticated analysis of the various options to bring vacant homes back into use will be published shortly; in fact, in the next 2 weeks. Deputy Mézec seeks a landlord licensing scheme. The Minister for the Environment has already announced he is going to put forward proposals for introducing a licensing scheme for the regulation of private rented dwellings, which I note Deputy Mézec supports. Deputy Mézec also proposes a new Residential Tenancy Law to provide European-style rent stabilisation and open-ended tenancies. My new Residential Tenancy Law already looks to introduce rent stabilisation and open-ended tenancies. The Deputy proposes a means-tested system for social housing rents but the majority of social housing tenants already have their rent paid for by income support, a means-tested system. I will also this week be seeking the Assembly's approval for a new rent control tribunal, something else the Deputy is looking to install.

Finally, Deputy Mézec calls for implementation of the recommendations of the homelessness strategy. We already have a published definition framework which has improved the visibility of homelessness. My Ministerial plan is clear that I am committed to this issue. Not only am I already doing the work the Deputy is calling for but I am doing it in recognition that events have moved on since the time of the election. As the Minister for Housing and Communities, I am the one dealing with Jersey's housing crisis, I am the one held accountable for decisions, and I intend to stand by the measurable ambitious actions I have pledged to take and which are clearly outlined in my published Ministerial plan. The second part of our amendment deals with changes to Deputy Mézec's proposed performance measures. We agree that accountability is important but they must also be measurable. The changes we have proposed will not only enable this but also increase accountability. For those paying close attention you will see that Deputy Mézec's amendment proposes the substitution of an indicator for the percentage of Islanders who are very satisfied with their housing. Our amendment will keep it in. If we are not improving Islanders' satisfaction with their housing, it would beg the question: "Why", I will not use my expletive I used earlier, "are we even here?" I would urge the Assembly to accept our proposed amendments.

#### **9.4.2 Deputy S.Y. Mézec:**

I have never heard someone so furiously agree with me on almost everything. There is so much in what he says he wants to do that is in my amendment unamended. That amendment may term it in more certain ways than is termed in his Ministerial plan. The point of having it as an amendment to this C.S.P. is that it gives this Assembly the clear opportunity to go ahead and endorse those specific measures because we have learnt the lessons of history which is that you can start out with good intentions all you like but you would be amazed how many good ideas come to this Assembly to die. How many times the States U-turns on something or says: "Yes, we like that idea, that is very nice, but we would like a consultation first before we are prepared to do anything" and then adds at least 2 years on to the delivery of that. We have seen that over some really basic stuff that has been atrocious to behold. He can call the Reform Jersey Housing Crisis Action Plan of its time in May; these Ministerial plans published in October, well, perhaps in March we may label the same criticism at them.

[16:45]

That would be reasonable, would it not? The fact of the matter is at some point you have to make a decision and say: "This is on principle what we want to do, now go ahead and do the work to achieve it." The fact is that the amendment that is proposed by me to the C.S.P. does provide greater detail and clarity as to what specifically will be delivered. It uses much more definite language in that, it confirms things like rent stabilisation and open-ended tenancies. Let us contrast that to what is in the Ministerial plan which says: "Developing proposals to protect tenants from excessive rent increases as soon as possible." Well I agree with that but it is not as definite as what I am saying, and what I am saying sounds like it is not that odd to what the Minister for Housing and Communities wants. It sounds like, thanks to the work that led up to instructions for a new Residential Tenancy Law being drafted, those are going to be included in that Residential Tenancy Law, and I very much look forward to seeing the detail and ready, if necessary, to propose amendments to beef it up; again, another analogy I do not like as a vegetarian. But this Minister sounds like he is heading in the right direction on that so what is the harm in accepting an amendment that provides the clarity at this point now that the Assembly is prepared to say: "Yes, go ahead and do that" which makes it much more likely that when he comes to this Assembly, having already had permission in that instance, then the debate we have next time round is less one on principle and more one on the detail and the veracity of what he is proposing, whether it is going to be fit for purpose. That is a much better debate then, it is less fractious because we are not arguing about what we want to achieve, we are simply arguing about how we strengthen what is being proposed, and that is a much better debate to be having on these

kinds of measures. He said that 10 out of 12 of the Housing Policy Development Board recommendations have either been delivered or progressed. Now there is a big difference between delivered or progressed. They are not the same thing, they do not evaluate at the same point in the timetable there. There are things that were proposed in that report which currently are not in force. We do not currently have rent stabilisation. The many tenants out there who face inflationary rent increases can tell us that. We do not have open-ended tenancies already and, again, many people can testify to that because of the disruption that they face in their lives when they are faced with their 3-months' notice for no reason without the security that they would otherwise be provided. The parts of the Housing Policy Development Board's recommendations that have been delivered, mostly are the behind-the-scenes recommendations. It made recommendations about reforming the Strategic Housing Partnership, for example. That is a good thing to do but it does not make a difference immediately on the ground for people in their homes. Those are the recommendations that have been delivered from the Housing Policy Development Board, the rest of them are much further behind and have not yet been delivered, and more will need to be done before they are delivered. So let us just read through a few other of the proposals in the Ministerial plan. So we will go straight to number 2: "Working collaboratively with the Strategic Housing Partnership and States Members to find solutions and new opportunities together." Great, but that is not clear what it leads to. It does not say to people out there what new policy or what new support they will get, it just says that the right people are talking to each other. That might provide some reassurance but it is not quite the detail that is proposed in my amendment. It talks about again taking action to bring vacant homes back to the market. We are still waiting on the detail for that but in this plan it is not detail, it is noble and fine, we support that, but it is not the detail. It says: "Working with the Minister for the Environment in delivering appropriate mechanisms to protect and support private rental tenants." Okay, great, but it is not very detailed. The detail is what thankfully, since this has come out, which was the statement from the Minister for the Environment, which is a good one and a step in the right direction; and we all agree with that by the sounds of it. I agree with it, the Minister for Housing and Communities I hope agrees with it, the Minister for the Environment agrees with it. What are we arguing about? Indeed, what are we arguing about? We agree to that so let us add that line in, great, we have had that approval at this point and then the next thing we can argue about will be the detail of the regulations and that will hopefully be a constructive debate when it gets to this. There is one point he did say - and I hope I misheard this - I heard him say something along the lines that the issue that I have raised about publicly-owned land being used to deliver affordable housing was already dealt with in the bridging Island Plan. I am sorry to say to him that it certainly was not. I sat through that 2-week long debate; I brought multiple amendments to it. I attempted to bring an amendment to it which said that when it was publicly-owned land or land owned by publicly-owned bodies like the S.o.J.D.C. (States of Jersey Development Company) or Andium, that all of the homes that were delivered on it would be for some form of affordable allocation. I was subjected to what I regarded as a wrecking amendment which said that the minimum percentage would be 15 per cent. I was asking for 100 per cent. So it certainly is not the case that the planning rules account for that. The Government can itself unilaterally decide to issue instructions to its bodies to say: "We are actually requiring you to go above and beyond what the planning rules say." If they have done that I will be very pleased with that but I do not think they have, so the rule currently is that it is 15 per cent minimum, not 100 per cent. I think we should change that; I think we should bring something as a matter of priority to say we will raise that so we are not using publicly-owned land to build homes that do not match the profile of need that there is out there. Other parts of the Ministerial plan refer to collecting more data. Again nobody disagrees with that, by all means collect as much data as you like, but if you are sat in a mouldy home facing either an eviction notice or a massive increase in your rent you will not find much consolation in the idea that the Government is collecting more data. It is not going to change your here and now for you. We need to get to a situation where we are able to affect people's here and now much quicker, and that means by saying today not: "We are going to

develop proposals one day in the future to protect tenants from excessive rent increases.” “We are going to decide today that the direction of travel is European-style rent stabilisation and we are working to bring that forward and that will be in place as soon as possible. Hold tight until then and when that is in place you will get the protection that you need.” It is to say to those private developers out there: “Great, when you are looking to develop homes but we are in a housing crisis and you have a duty to your Island to contribute as much as you can to providing opportunities for young people to own their homes and so progressively we will start raising that minimum contribution that you are required to make.” Rather than say: “Perhaps we will think about it at some point in the future.” In his speech just now the Minister did not say too much about the proposal to introduce the first right of refusal for private sector tenants to purchase their homes when the landlords decide to sell. He moved on fairly quickly from it. But in the report to his proposition I am very disappointed with what it says because I think it really does misunderstand this. It says: “If a tenant is in a position to buy a property they are currently renting they will already have the ability to offer market value when the property is put on the market.” Well not if they have been evicted they do not. That is the problem. The problem is that when the landlord wants to sell they issue their 3 months’ notice, out you go, and then they put it on the market, so the person has already lost their home by that point. They are out. They have incurred the expense from that, having to find a new deposit, having to find somewhere new to live and all the costs for moving, setting up new utility bills and all the rest of it. So I think this comment is misguided there, it misses the point there, and I think it is a constructive proposal to say we have what exists in other places, France in one example, that says if you want to sell a home that has got a tenant in, first you have got to check with the tenant whether they want to buy it or not, and if they say no, no problem, carry on. If they say yes, great, you have found a buyer instantly. No downsides to that. That would be something very easy that would provide the opportunity to long-term tenants to own their homes and it is dismissed, I think wrongly, in this. Before I lose my voice, the final point to make on this to I think sum up the position is that we have a choice with this amendment to the amendment to adopt another perfectly nice paragraph that says nothing anybody disagrees with, that is well-intentioned and I do not disagree with it, or we have the opportunity to say no to that but yes to a much more substantive one that provides a blueprint for many of the measures that could be introduced that will have a tangible impact in helping to alleviate the housing crisis. That includes many ideas which are already underway but which do not yet have official political support from this body, and which without that may come here to die later on. It proposes some new ones as well to throw into the mix as positive contributions, ideas that otherwise are not being pursued, to help people either to own their own home or to have more security in their rental contract. It provides greater clarity, more detail for tangible action, and reduces the need for further review, consultation or deliberation. It enables us to get on with delivery rather than more and more talking. That is why I think my original amendment is superior and I say to the Minister that in the absence of States approval for some of these points now he can expect that we will be coming back very quickly with them anyway. So we can get it over and done with today or we can come back at some point in the near future to debate all of these all over again because we are not going to stop pushing any time soon. On that basis, I hope the States Assembly will say thank you very much to the Minister for Housing and Communities but on this occasion we will go for something more comprehensive and detailed so that we can empower him to come back with more positive proposals as a matter of urgency.

#### **9.4.3 Deputy J. Renouf:**

I will just make a point relevant to particular areas of my Ministerial responsibility and, in particular, the point in relation to requiring all homes built on publicly-owned land to be for first-time buyers. Just to say that this is an attempt I think to re-legislate the debate that was had over the bridging Island Plan. To explain why I think the decision that was reached in the bridging Island Plan was the right one on balance. When we come to redevelop these sites, or when they come to be redeveloped,



they present a variety of different situations and circumstances, and quite often money needs to be spent to help deliver other benefits in relation to those sites. For example, it might be to preserve a listed building, it might need investment to restore or preserve listed buildings, it might be to remediate contaminated land. It might be many reasons why we need to raise money for those sites. So the ability to be flexible in responding to those sites, and say we have all agreed we want the maximum amount of affordable housing that is possible but we do have to have some regard to the realities of those sites. I think that is an important point to bear in mind. That is a point I could make in relation also to the affordable housing amendment which also has an Island Plan context to it, and I would make a very similar point in terms of the need for flexibility. I think, therefore, that all the way through where I look at these amendments from the Deputy, I see a desire to impose hard and fast rules, and I can understand that. I can understand that there is frustration. But I also have to say that I think that the flexibility and responsiveness to actual circumstances on the ground, to particular conditions, preserving that flexibility feels to me to be very important. That is the reason why I feel that overall the amendment from the Council of Ministers preserves that ability to act in a way that is reflective of the real situations that we are likely to encounter, and to do the maximum good that is possible in the real world. All the way along I could pick up little points like that; I will pick up one more which is to say, for example, about the licensing of private rented dwellings. It is private rented dwellings, not landlords. We are not licensing landlords. We cannot just accept these things that come along just because they are there and they are broadly in line and so on. We are quite specific about what it is we are trying to achieve and I think our amendment reflects better the realities that we are trying to deal with.

[17:00]

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

I just feel I should speak because again what we have got here is a ... when I heard Deputy Mézec open these amendments it was extremely positive. Extremely positive and conciliatory saying: “Look, these are the things to do” and what we got back was ... I have counted it, Reform has been mentioned - I did not count the last one - at least 12 times in debates, the word “Reform” and it does seem to be that there is an obsession with that when we talk about an Assembly whereby we are looking at propositions and amendments and the value or not of them. Of course there is going to be a mention of that, I understand that, because it is what we all stood on for election, a policy of what we are going to do with housing. A practical set of measures to address the housing crisis that we have. There is a choice between watering it down and having vaguer statements which some see as more adaptive, I would say are effectively less effective because that middle ground that is searched for, which is not a middle, it is slightly to the right, that conservative ground are not pushing too much, not doing too much at any one time, is not improving the lives of people day to day in the poor housing, in the expensive housing, in the homes that they cannot afford. Unless we take some action now we have got serious issues for our young people. I am currently trying to help my daughter find somewhere to live because she wants to move out. Quite right, she is 23 - I am going to get her age wrong now and get in trouble - she is 23, and I left home at 17. I could not imagine going back home at 23. I love her dearly but she needs to set up herself. We have been to look at some places because I insist on going because I am like that, and the price of these prices is unbelievable for the size of them. We are not taking direction. You are talking and we are talking and we are talking and we are planning and we have got £10 million to invest but we do not know what to do with it yet because we have to spend it wisely. We need to take some action. What Deputy Mézec has suggested are practical, tangible actions about rent levels, about first-time buyers, about the rights of tenants in their homes. My biggest concern for anyone who is looking for a home, a young person, is they have to go and deal with those contracts which are so set against them. There are huge deposits to pay and they are going to lose those deposits too frequently because if you read the small print of these

contracts you really are in trouble. Even with Andium Homes, you have got to return it to the way it was when you first got it, which is virtually empty, and if you have done any work and invested money you have got to undo that work, which is a complete waste of money, and it costs you money to undo the work that you did in the first place. So what we have is a completely intangible set of conditions for people to live in day to day. What has been suggested here, and agreed with, and the Minister seems to be saying: “Well, we are going to do them, we are doing them, we are doing them, but we would like to replace those tangibles with some generalities because we think that is better.” As for the notion of licensing a home and not the landlord, who fills in the form? The front door? I mean, who fills in the form? It is the landlord. Who is responsible? Who takes the cash? Who takes the rent each month? We looked at a set of flats, there were 27 in a block just around the corner, and I worked out that the income from that set of flats would be £500,000 a year for 27, one of which was a one-bedroom flat and, as I said, you had better measure the bed that you are going to take because I do not think it is going to fit into the bedroom that they are calling a bedroom. We have an uncontrolled housing market. The free market has failed us. The free market is failing us. We have to take some tangible actions now and the beginning point of those actions is the Common Strategic Policy. We offer up these ideas which are tangible and I do believe many in this Assembly would agree with, many in this Assembly will want to do. This is your opportunity to say: “Yes, let us do those, let us have a go, let us actually take those on board rather than the generalities.” I hope the response can be a little more positive rather than just ignoring or negating or saying things are out of date. I still would like to see the tangible connection between the buy-to-lets and the amount of money that people are asked to pay, and some of the issues that you have said have changed since May. We know the cost-of-living crisis has increased. Never has it been a more important time to have rent stabilisation. Never has there been a more important time to offer help to those who might be first-time buyers, which is nigh on impossible in this Island anyway, to be quite frank. Never has it been a better time to go through some of the things that we are talking about here, means-tested for calculated social housing, means-testing people’s income for income support is not means-testing the level of rent for social housing. That is a completely different thing. That is means-testing as to what income support you can receive from the States. That is about means-testing what is affordable for people day in day out at all stages of their income levels. I am afraid the Minister there is wrong and I think that is an incorrect assumption that we should not be taking, and confusion in this situation. I brought the Landlord’s Licensing and it was agreed in principle. The worst day in my Assembly last time I think was when we came back and it was then rejected because it was a contradiction. I am pleased to see that many of those who voted against it at that time who are sat in this Assembly are now saying they will vote for it and realised the error of their ways. But that is not all that we need to do, so I urge Members to just forget the Reform thing because you are not going to vote for us anyway, we do not need your vote. You might vote for us in our constituencies, I do not know; I am assuming something I should not assume but there we go. We are not talking about that to you; we are talking about what is right. I think what Deputy Mézec was trying to say is we have really thought this through, it has been thought through and these are the things that come from the Housing Policy Board, which by the way was the vast majority of the old Government which could not be more diametrically politically-opposed to us, which was a real compromise situation for us to be in as many will know. These are not ill-thought-through policies. They are not just thrown together. There is some tangible stuff to actually do there. Please let us not replace it with more views, more searching for data, more coming up with ideas because we will be a year ahead, nothing else would have happened and the situation would get worse and people will still be struggling to find somewhere to live. I would quite like my children to stay on the Island so I can see them more often. They might drive us mad but we all want to see them. So can we get on with this please because I want them to stay. Thank you very much.

**The Bailiff:**

Does any other Member wish to speak on the amendment? If no other Member wishes to speak I close the debate and call upon Deputy Warr to respond.

**9.4.5 Deputy D. Warr:**

It is an eye opener to hear all the commentary being made here. Deputy Mézec talks about there is no meat on the bone, that was the term he used. Remember, the C.S.P. is a strategic document. If we start looking at imposing the Reform’s proposals in their amendment on to the C.S.P. then we are basically being dictated to. As I have already pointed out, times change, times move on; if we have not got the ability to adapt, adjust and so forth and so on I do not see how we refresh the pool, how we move forward when the landscape changes so dramatically. I am a little disappointed with Deputy Ward saying it is all negative, we are all negative. You know what, I am amazed how much Deputy Mézec agrees with what we are doing at the moment, what this Minister for Housing and Communities is doing at the moment. If he was negative he would be castigating me, but it is not. All the Deputy is depressed about is that he cannot actually see exactly what we are doing; we have not published that detail. As I have already said, we are already doing so much of the work and, without repeating my speech once again, I do not wish to bore everybody here today, but we are already doing so much of the work which is being proposed. All the Deputy is trying to do is trying to dictate to this Assembly what it is he wants done. I am sorry, we are doing lots of stuff and I am accountable for the stuff that we are doing. One other thing, which is an observation I would make is, it is easy - as Deputy Mézec knows having been a previous Minister for Housing - to come up with a raft of measures, uncosted, whatever, they are just measures. I have to deal with the actuality so I need to make sure that those proposals are properly thought through. We need really to make sure that they are done. States Members have the democratic right to consider and challenge policy decisions when they come forward. Deputy Mézec’s amendment is going to rob them of doing that. So I urge the Assembly to reject his amendment and obviously to accept mine.

**The Bailiff:**

Is the appel called for?

**Deputy D. Warr:**

Yes.

**The Bailiff:**

I ask Members to return to their seats. The vote is on the amendment of the Council of Ministers to the sixth amendment of Deputy Mézec, and I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. The amendment has been adopted: 35 votes pour, 11 votes contre.

<b>POUR: 35</b>		<b>CONTRE: 12</b>		<b>ABSTAIN: 0</b>
Connétable of St. Helier		Deputy G.P. Southern		
Connétable of St. Brelade		Deputy M.R. Le Hegarat		
Connétable of Trinity		Deputy R.J. Ward		
Connétable of St. Peter		Deputy C.S. Alves		
Connétable of St. Martin		Deputy S.Y. Mézec		
Connétable of St. John		Deputy T.A. Coles		
Connétable of St. Clement		Deputy B.B. de S.V.M. Porée		

Connétable of Grouville		Deputy C.D. Curtis		
Connétable of St. Mary		Deputy L.V. Feltham		
Connétable of St. Saviour		Deputy R.S. Kovacs		
Deputy C.F. Labey		Connétable of St. Lawrence		
Deputy S.G. Luce		Connétable of St. Ouen		
Deputy K.F. Morel				
Deputy S.M. Ahier				
Deputy I. Gardiner (H)				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy P.F.C. Ozouf				
Deputy Sir P.M. Bailhache				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy M.B. Andrews				
Deputy L.K.F. Stephenson				

**The Greffier of the States:**

Those voting contre are: Deputies Southern, Le Hagarat, Ward, Alves, Mézec, Coles, Porée, Curtis, Feltham and Kovacs, and in the chat the Connétables of St. Ouen and St. Lawrence.

**9.5 Common Strategic Policy (P.98/2022): sixth amendment (P.98/2022 Amd.(6)) - as amended**

**The Bailiff:**

Very well, we now return to the amendment as amended. It has already been proposed and seconded so does any Member wish to speak on the amendment as amended. That is the sixth amendment as

has just been amended. If no Member wishes to speak, those in favour of adopting the amendment kindly show. Those against. The amendment is I think adopted. A quick calculation.

## **9.6 Common Strategic Policy (P.98/2022): fifth amendment (P.98/2022 Amd.(5))**

### **The Bailiff:**

The next amendment is the fifth amendment lodged by Deputy Ward. I am assuming you do not accept the amendment to your fifth amendment, Deputy?

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

No, Sir, I do not, thank you.

### **The Bailiff:**

I guessed that might be the case. Therefore we will come to it when we come to it and I ask the Greffier to read the amendment.

### **The Greffier of the States:**

After the words “report of this Proposition” insert the words – “, except that, on page 15 of the report, following the fifth paragraph, after the words “utility services.” there should be inserted the following new paragraph – “We will also: - actively promote and action the disinvestment from fossil fuel linked investments from Jersey linked businesses; - adopt a policy of opposing investment in fracking; and, - enable Jersey as a pioneer and global leader in sustainable finance and introduce the legislation required for sustainable finance.”.

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

Caught me unawares; I was expecting Deputy Curtis’s amendment next but I got it wrong. It is okay because it is all in the preparation, like decorating.

### **The Bailiff:**

For the record, Deputy, this is the last amendment I think before we resume ...

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

Is it? I will take my time then.

### **The Bailiff:**

Well, except for the amendment to your amendment.

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

I will take my time then, Sir. I hope you are sitting comfortably. Jersey States Assembly has declared a climate change emergency. I will say it again. We have declared a climate change emergency. The post of St. Helier declared a climate change emergency, one might say ironically.

[17:15]

Since then we have seen a carbon neutral road map - calling it a road map I never thought was a good idea but there we go - a citizen’s panel on climate change and Jersey adding its name to the Paris climate change agreement, in my opinion giving up our independence to do anything which is exactly what we are showing with the amendment that was adopted poorly by this Assembly. Throughout this time there has been a dialogue around how much we matter as both an emitter of greenhouse gases given our size and the influence we can have as a small jurisdiction. Often the argument has been: “We are too small to matter. It does not matter. It is China, it is America, it is the U.K., they are the ones emitting the carbon dioxide. Why are we bothering? What is it about this? Taking a few cars off the road is not going to make a difference.” That has been the argument. That is why

we have not got the money needed for a climate change road map, which is agreed, but it is okay because we are going to carry on anyway. That is what has happened. But there is one area where we bat above our weight and that is in the area of finance and investment on this Island. I think it is over 51 per cent of our income, according to government figures, comes from the finance industry. The G.V.A. (gross value added) contribution to the sector is going to be over 50 per cent in some years. However, obviously there is an issue with G.V.A. on small economies, but we will not go into that economic debate because I might lose you at this time of the day. The Common Strategic Policy is a key indicator of the principles of Government in Jersey. This is why I brought this amendment. By us stating a principle of divesting in fossil fuels and fracking Jersey can send a clear signal of importance of this key environmental change. This is a separate issue in a world of climate change debate. It has been shown in COP27, which was disappointing in its outcome, that the agreement was made to perhaps compensate - and I say "perhaps" because I would like to see the money actually come about - those communities that have been seriously affected by climate change, those developing communities who are not the greatest emitters. So there is an agreement that we will pay for them. But there is no agreement in stopping use of fossil fuels and cutting them back, and fracking. Fracking is the worst form of removal of carbon from our planet, from the surface of our planet. It is as if we are not satisfied in removing it from deep below the ground or from coalfields, but we have to take that one step further and draw every last piece of trapped carbon in our crust in order to pump it into our atmosphere. A quick science lesson for everybody, I just cannot resist it, we need to remember that that carbon was buried there millions of years ago, that is why it is called a fossil fuel. When we burn it we release that trapped carbon into our atmosphere and we increase the level of carbon dioxide which traps heat and fundamentally changes our climate. We are facing an existential threat. That is not a joke threat, that is a real one, an existential threat to our generation and generations to come. There are countries around the world that are seeing it right now, including ourselves. Including ourselves. So, why do I want us to divest, although we are not going to discuss it now. It has been taken out by the amendment because the amendment has got rid of 2 sentences that were key in my amendment. The amendment, if we accept it that is, would take away that we will "actively promote and action the disinvestment from fossil fuel linked investments from Jersey linked businesses" and it would remove "adopt a policy of opposing investment in fracking". It would leave just the comment on green investment on ... I do not know what it is, I have lost track of what the amendment was. It is something like enable Jersey as a pioneer, or this is what I suggested, and a global leader in sustainable finance and introduce the legislation required for sustainable finance; sustainable finance for investment in things such as wind farms and electric vehicles and the electric storage which is important, hydrogen which is probably the fuel of the future. That is a separate thing from the stopping of fossil fuels. The stopping of the use of fossil fuels, of coal, oil and gas and of fracking are separate from that green finance. They are different issues. One may impinge upon the other, but what we are doing in the world and what we are seeing at COP27 and in governments around the world is that the 2 things are happening hand in hand. Well, yes, we will have green investment, that is great, it is a chance for people to make money out of it again, to grow, which is a complete contradiction by the way in climate change terms, and exploit the planet in a slightly different way, but at the same time we will keep fracking, we will keep digging up coal, keep exploring for new oil because we like to use those things. The World Cup is going on and I believe the amount spent on the World Cup was ... it is either £20 billion or £200 billion, when before it was about £1 billion. Oil rich countries can do that. There is a lot of money swilling around there. So what we have done, and the reason I bring this proposition as it is, and urge people to reject the amendment - which we have not done so I do not know why we are doing this - is to say that as a jurisdiction, as a Government we will put our money where our mouth is, we will put our principles upfront and say that we will promote the disinvestment in fossil fuels. We will not as a Government say to businesses that come here: "Look, it is okay, bring your oil money, bring the money from fossil fuels, from coal around the world, from the exploitation of new places, from the resources that were

found wherever, and we will encourage you to invest here.” We will say to jurisdictions: “We do not want to do that anymore in Jersey. We want to be a leader in the world and say that we do not encourage that type of investment.” Hand in hand we can encourage sustainable finance and the amendment ... if the amendment was just one part of this I could have accepted that, it would have been no problem whatsoever. Had no communication about it, no emails, nothing, no communication whatsoever. I obviously forgot that I should be going and doffing my cap and saying: “Please, Sir, can you speak to me a little bit?” I have emailed before and it took a long time. I emailed about a constituent, it took a few weeks to get back, I had sorted the problem by the time I got an email back. I know everyone is busy but so am I. I do not actually know and I would ask for some advice on how far I go now with my speech because the amendment was adopted and the amendment has taken out ...

**The Bailiff:**

Let me be entirely clear. The amendment has not been adopted. The amendment has been permitted for debate.

**Deputy R.J. Ward:**

Okay, yes, of course.

**The Bailiff:**

So basically it is still open to the Assembly to reject the amendment and for your amendment itself to stay in full vigour.

**Deputy R.J. Ward:**

Thank you, Sir. Well in that case, I thoroughly recommend that the amendment is rejected because what the amendment is doing is stopping the debate on the first 2 parts of this, and I want that debate in this Assembly because I want you to say whether or not you think we should be investing and encouraging investment in fossil fuels and fracking on this Island. I want the Minister and I want the Assistant Ministers and other Members of this Assembly, many of whom stood on a platform of saying: “I support action on the environment and against climate change” many of us who will sit here and say ... I know some will say why are we not doing more on biofuels. I know that. I know 2 Constables that I talk to all the time about that. I want that debate. This amendment stops that debate. The amendment stops those 2 parts and it replaces them, and it does it in late order for the wrong reasons and at the wrong time. I go back to where I was before when I said do not reduce the lodging period, apart from the moral high ground about Standing Orders which I am going to nosebleed on. We have a choice in terms of the Assembly. If we are declaring a climate change emergency we need to have the discussion on investment in fossil fuels, we need to have the discussion in this Assembly on fracking and whether we believe that we should be investing in it, and we need to have a separate discussion on green finance and the way that we will encourage it. My amendment says that we will enable Jersey as a pioneer and global leader in sustainable finance and introduce the legislation required for sustainable finance. It is action. It is not an amendment that says nothing and just negates this piece of work. So I introduce this now, and now my question I suppose is we now debate the amendment without going any further on the debate on my amendment, do we not?

**The Bailiff:**

I think the position is that you would choose to deliver the speech you would have delivered. Nobody knows if the Assembly is going to accept the Council of Ministers amendment; it is entirely possible it will, it is entirely possible it will not, so you must proceed on the basis that this is the opportunity to explain the position that you wish to take on your amendment. That would be my advice. I am

conscious, however, that we are coming to 5.25 p.m. and I imagine that cannot happen in 5 minutes. At 5.30 p.m. I am required by Standing Orders to ask the Assembly whether it wishes to continue. It is not normally good policy to break a speech mid-flow but in the circumstances I wonder if you would wish to ask the Assembly to adjourn now for the purposes of gearing up continuing with your speech tomorrow morning.

**Deputy R.J. Ward:**

Sir, I think that would be a really good idea because it has been quite a difficult day.

**The Bailiff:**

Can I be entirely clear, the adjournment is proposed and we will normally, even though we are 4 minutes early I will take it, but that will be on the basis that Deputy Ward will continue with his speech as the first item or business tomorrow and that he is not deemed to have concluded. The adjournment is proposed. The Assembly stands adjourned until 9.30 a.m. tomorrow morning.

**ADJOURNMENT**

[17:26]