

STATES OF JERSEY

OFFICIAL REPORT

THURSDAY, 16th DECEMBER 2021

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[9:31]

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

PUBLIC BUSINESS - resumption

1. Continuation of sitting to 8.00 p.m.

The Bailiff:

Before resuming the debate there are one or 2 matters to deal with. The first I will deal with is to ask the chair of P.P.C. (Privileges and Procedures Committee) whether there is anything that she wishes to put before the Assembly at the moment with regard to continuation and the conduct of future business over this sitting.

1.1 Deputy C.S. Alves of St. Helier:

Yes, please, Sir. Apologies, my voice again still is not great. I have just pasted into chat the results from the survey that I sent round overnight. As you can see, the majority of Members would prefer to sit late today and tomorrow. I would like to propose that we sit until 8.00 p.m. this evening.

The Bailiff:

There is a proposal that for this evening the Assembly sits until 8.00 p.m. Is that seconded? **[Seconded]** Does any Member wish to speak on that or may I take it on a standing vote?

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

I would like to say that today, looking at the amendments that I am involved in myself and with my panel today, it is going to be continuous. I do not have the backing of officers to write my speeches. It will be a constant continuation and that will mean that we will be here until very, very late this evening. We put dates aside and I do not see why we are staying until 8.00 p.m. on 2 days simply so it is convenient to not be in next week. I do not think good decisions are made when we go late into the day. I think people are slap-dash or do not listen or do not engage in debates purely out of fatigue, and I do not think it is the right thing to do. If we were to say let us sit until 6.30 p.m., an extra hour on the day, then that is palatable but until 8.00 p.m. tonight means that we will go from 12.00 p.m. until 8.00 p.m. and I know people do shifts and so on, and that is fine. But I just do not see why we are changing Standing Orders so quickly. I mean I feel today, I have to say, and I will be absolutely honest about this, I have attended the Assembly every single day. I have not today because of the work I have in front of me in terms of focus and so on because there are no facilities in the Assembly for Backbenchers, printers are not working, et cetera, so I have taken the choice I did not want to have to take, I am staying at home so I can put my materials out and be properly prepared because I have taken a huge amount of time to prepare for every single debate today. If we are going to go on until 8.00 p.m. I am glad I did because it is the only way we can get through that day without sitting there for such a long time with nothing to support us. If we are going to do this, then we should be saying then we are all in the Assembly and will stay until 8.00 p.m. if we need to because those of us who have decided to go into the Assembly today, they are there, including yourself, including the officers as well, and we are asking officers to stay until 8.00 p.m. tonight. I think it is unnecessary and I do not think it is the right thing to do. I think people need to think very, very carefully before they extend the day like this. I am quite happy to do long days, I do long days. But are we going to make the right sort of decisions, have the right sort of debate, or is this going to be a token gesture towards debate because people are just indifferent to people bringing propositions and feel that these Backbenchers should not be bringing these propositions? Government thinks: "We are going here again." Do we have a democracy or do we not have a democracy? Do we have a set time to actually speak in the Assembly and attend or do we not? I personally feel forced out of sitting in the Assembly today to look after my own well-being so I can make sensible approaches and sensible summaries of the propositions going on, with the facilities that I have in front of me at home, because there is

nothing in the Assembly for me to work with. I ask Members to not do this. I would propose that we sit until ... in fact, I will not, because we are just wasting time but I just wanted to voice my objection.

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

I am going to come from a slightly different angle. I want to ensure that the members of the staff of the Greffier who are consulted at some stage, but equally thinking about that, that I can propose that if we do go ahead that we pause for a half an hour comfort break at 5.30 p.m. to 6.00 p.m. to allow members of staff to get a cup of tea, a cup of coffee, and all of us to just refresh, to then continue to 8.00 p.m. I think that is the sensible way forward if hopefully Members agree, so I would like to make that proposition and ensure again, as I say, that all members of staff supporting us equally are considered at this time.

The Bailiff:

At this moment, Deputy, we are only considering the extension of time until 8.30 p.m. If you wish to bring a further proposition or I was intending, in any event, that we took a 15-minute break at some stage close to the end of the normal afternoon for those sorts of reasons. But if you want to make a formal proposition afterwards, it is open to you to do so. But not just at this moment.

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

I will not speak for long. I just want to back up everything that Deputy Ward has said. I think it is vital that we consider our staff. The other thing I just want to point out, is that when we had the request last night: "Are we happy to sit late?" there was no indication of what "late" meant and I presumed, in my voting, that we were talking about 6.30 p.m. or maybe 7.00 p.m. at the outset. But 8.00 p.m., as Deputy Ward said, is very late.

1.1.4 Deputy L.M.C. Doublet of St. Saviour:

I just wanted to thank Deputy Alves for making the arrangements ahead of time because those of us with caring responsibilities need that extra notice in order to make arrangements, which I have been able to make, and I did vote in favour of staying late. I just want to remind Members that next week the schools will have broken up and childcare is going to be an issue. For those with caring responsibilities, I think this is the sensible move. It has been provided with notice for us to make arrangements. I note what Deputy Ward is saying but I do not think we are going to be any less tired next week and I think, in fact, we run the risk of not being quorate because those days were not set aside as continuation days. I would urge Members to support the staying late this evening. I do think a half-hour comfort break rather than 15 minutes would be appropriate just to enable us to refresh ourselves.

The Bailiff:

I certainly would not have any difficulty with that, if that was the general mood of the Assembly.

1.1.5 Connétable R.A. Buchanan of St. Ouen:

I just wanted to express my support to Deputy Ward. When we look at the Order Paper most of the propositions coming up are his and, having presented propositions myself, if we have to work through to 8.00 p.m. for us it is less of a strain but for him it is going to be an incredible amount of work and I have a great deal of sympathy with what he says. I know myself it is a difficult job presenting matters to the States and his workload will be quite substantial today if we vote to stay late. I think his view of staying until 6.30 p.m. seems to me to be more reasonable.

1.1.6 Senator K.L. Moore:

I simply wanted to ask for clarity on the timing of this because I have heard 8.00 p.m. mentioned but also 8.30 p.m. by a different speaker.

[9:45]

I think, as the Constable of St. Ouen has just indicated, perhaps there is some room for manoeuvre here. So could we propose perhaps a different time? I could propose 7.00 p.m.

The Bailiff:

No, I think we have to deal with one time and then propose a different time if that time is not accepted by the Assembly. I had heard 8.30 p.m. but I may have misheard. What was your proposition, Deputy Alves? Was it 8.00?

Deputy C.S. Alves:

8.00 p.m., Sir.

The Bailiff:

I apologise, I misheard that. In which case the proposal before the Assembly is 8.00 p.m. Deputy Tadier, you indicated a desire to speak and then you withdrew. I will call on you now, but as a matter of principle if Members indicate a desire to speak, in principle, they cannot withdraw and then speak later on and the reason for that is of course you then get Members positioning for who they want to speak after and frankly that makes the whole process unwieldy. Generally, an indication of a desire to speak will be called at the time the desire is made and if it is withdrawn then it will not be recalled subsequently. But I have not made that ruling before now, so, Deputy, please speak.

1.1.7 Deputy M. Tadier of St. Brelade:

I completely agree with you. The reason was a technical one not a tactical one. I think it is correct that that is the case. Obviously neither scenario is ideal and one consideration I wanted to bring up is that it is entirely likely that various Members, whatever their role in the Assembly, will have other commitments this evening. Not so much normal commitments but ones that occur at this time of year where they are supporting various groups either in the Parish or in the community, which are directly or indirectly link to our roles. While I know that the oath of office requires us to attend the States when we are asked to do so it does seem a bit unfair to have to do that at very short notice. I know the same argument can be applied to next week of course but one would expect to be working during normal hours, let us say from 9.00 a.m. to 5.00 p.m., whether that is on constituency work or at the Parish Hall or wherever it is that one tends to be based. Another observation, just following on from Deputy Ward, who I have a lot of sympathy for, if he is going to be in that position to have to ... I know how draining it can be mentally even to have to present one or 2 propositions and then sit there listening to every comment, making notes, and you cannot switch off. To have to do that for several propositions in a row I think is going to be very difficult. There is a disparity here, of course, because if it simply means that some Members will have the laptop on in the background in their kitchen, as I may well be doing, preparing my dinner but listening attentively, it is completely different for somebody who might have to sit in a particular seat listening to every word and making notes, et cetera. I would have thought for good order that we simply agree to come back next week when most of the Island would also be working in the daytime, that is what we normally do in the daytime, and we make the decisions in a good headspace.

1.1.8 Deputy J.H. Young of St. Brelade:

I was not able to vote in the chair of the P.P.C.'s straw poll. Had I got mine to work I would have voted definitely for continuation days. I think going into the evening is a very bad principle. In my experience I have seen debates rushed, Members' attention will vary. We all have attention spans and so on are very finite, I think; it differs for each of us. It is a very bad principle. I think we have chosen to have Assemblies every 3 weeks and not every 2 weeks. We are getting a massive amount of compression business. If we do this when the Island Plan comes up, where there are 64 amendments, and we start getting requests to go on to 8.00 p.m., 8.30 p.m., 9.00 p.m., 10.00 p.m. at

night, I fear for that very much. I am going to vote, as a principle, against that, against any late-night extension and we should allow, in all of our arrangements, for the possibility of continuation days when we get large volumes of business compressed into a limited timetable. I think that is obvious from the start.

1.1.9 Connétable J. Le Bailly of St. Mary:

I agree entirely with the last speaker. This appears to be the result of a 3-week cycle. Due to this we get too much to deal with at each sitting. We all have appointments during the intermediate weeks so the suggestion of running into next week is not possible. 6.30 p.m. tonight though would be acceptable, I would think, to most people.

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

I have every sympathy with Deputy Ward but running into next week would cause massive difficulties for me. I have 2 full days of meetings Monday and Tuesday and Wednesday morning, even though it is a run-up to Christmas. We have P.P.C. I have all sorts of jam-packed meetings so I would then have to rearrange all of those. So a lot of us do have a lot of business to do next week. It is the Government Plan week so I was expecting that we would be staying late this week, so I was ready for this. Again, I think it is probably the rest of a 3-week cycle but I am well-prepared to stay tonight. I am in the Assembly today. I do have sympathy for Deputy Ward but it is the Government Plan week so I do think we should stay and maybe we could stay ... if he is suggesting 6.30 p.m. and the proposition is 8.00 p.m. could we stay until ... if we have a half an hour comfort break has been mooted could we stay until 7.00 p.m.; would that suit everybody?

The Bailiff:

We have to deal with one proposition at a time. It is a question of who gets in next if this one is not successful.

1.1.11 Deputy M.R. Le Hegarat of St. Helier:

I fully accept what everyone has said but, as Deputy Doublet explained, (a) the schools finish this week and some of us have already pre-planned to be out of Island as of this weekend. Some people may say that maybe we should not have made those bookings, however due to COVID and other circumstances some of us have had travel plans changed and changed again. From that point of view, I am in a difficult position because I will have to send my apologies for next week because I will not be here, and I cannot change that. I am sorry.

1.1.12 Senator J.A.N. Le Fondré:

Sorry for prolonging this, I absolutely support the chair of P.P.C. in what she said. I make the point that this is not a result of a 3-week cycle. Anybody who has any recollection of many similar debates, I am entirely in agreement with the Connétable of St. Martin. This has always been the Government Plan week. I would make the point that there were 26 amendments lodged. That is not a factor of the 3-week cycle, that is a factor that enough people have taken an interest in the Government Plan to lodge a lot of amendments. I think I am just relieved the Council of Ministers has accepted half of them. But the point I would make, looking ahead, is that it is easier to do a 6.30 p.m. on Tuesday, Wednesday, Thursday and Friday, for the sake of argument, it then spreads the load, rather than to do a later evening as one splurge, as it were, tonight. That is where we are. I definitely think it can be contained in this week, if we can. I absolutely do support the 8.00 p.m. It was raised yesterday. In fact, I think the decision was to allow Deputy Alves to email Members yesterday so we did have early warning. Frankly, on big set piece debates the Government Plan is nothing new in terms of this, M.T.F.P. (Medium Term Financial Plan) previously, the Budget, whatever it is, we try not to add anything on to the rest of the week because we know it is a big week and Members should build that in. I think Deputy Doublet has said exactly the same point. After the weekend, in fact to be honest after this Friday, it is not unreasonable on the schedule that States Members have, as the last

sitting, that they then build in the time which is about family time and connection with relatives. I absolutely support the 8.00 p.m. tonight. I will restrict myself to that. There have been one or 2 other observations. That is the reality of what we do. I do have sympathy with Deputy Ward and his comments but that is where we are and that is our job and that is what the public expect of us. Obviously other Parliaments or Assemblies work through to midnight.

Deputy S.M. Wickenden of St Helier:

I do not need to add any more. The Chief Minister very much better articulated exactly what I was going to say.

1.1.13 Senator L.J. Farnham:

Similar lines. While I have a great deal of respect for Deputy Ward, he is a hard-working Deputy, I do not have sympathy on this occasion because he brought these amendments, there is a lot of work involved and we have all worked very hard to deliver what we are trying to deliver today. I just wanted to urge Members that despite the important debates we have ahead of us, we must be a little more adroit at the debates and avoid repetition and try and be as productive as possible, as we seek to finish the business this week.

The Bailiff:

Does any other Member wish to speak on the matter of the States sitting until 8.00 p.m. this evening? If no Member wishes to speak, I close the debate and do you wish to respond, Deputy Alves?

1.1.14 Deputy C.S. Alves:

Yes, Sir. I have made some notes, I will try and respond as well as I can. I did get 35 individual responses overnight so I would just like to thank Members for that. A screenshot was kindly sent round by Deputy Maçon for those that could not access the form. I had 5 extra people who did. I just want to thank everybody for their points. I reiterate some of the things that have already been said. That next week was not down as continuation days. I am happy to have a break, and I did presume that that is what would happen at the end, sort of at 5.30 p.m. today. I think it is really important that I also state that I did hear from a few people who will be away next week because, as Deputy Doublet and Deputy Le Hégarat stated, the schools do finish and obviously next week was not down for continuation days. I have suggested until 8.00 p.m. this evening because I did have a suggestion by an email until 9.00 p.m., and I thought that was too much. I think if we could get everything or as much as possible done by 6.30 p.m. that would be great but I think we would run the risk of having to sit next week, which would make things a lot more difficult. I am happy to change the time if this is defeated, obviously, to make things more accessible to Members but I also did just want to reiterate the point that the Constable of St. Martin and also the Chief Minister said, this is nothing to do with the 3-week cycle, this is not the first time this has happened and it is quite common with the Government Plan sitting. I expected this to happen and I assume a lot of other Members expected this to happen as well. So I would like to maintain the proposition and I am happy to incorporate a half hour break at 5.30 p.m. Thank you.

The Bailiff:

Thank you very much indeed. So the proposition is the Assembly continues until 8.00 p.m. this evening, although not part of the proposition formally we would have a half hour break at 5.30 p.m. or thereabouts. I ask the Greffier to place a vote into the link. I open the voting and ask Members to vote. If Members have had the opportunity of casting their votes I ask the Greffier to close the voting. The proposition is adopted.

POUR: 34		CONTRE: 9		ABSTAIN: 0
Senator I.J. Gorst		Senator S.C. Ferguson		
Senator L.J. Farnham		Senator S.Y. Mézec		

Senator J.A.N. Le Fondré		Connétable of St. Lawrence		
Senator T.A. Vallois		Connétable of St. Ouen		
Senator K.L. Moore		Deputy M. Tadier (B)		
Senator S.W. Pallett		Deputy of St. Martin		
Connétable of St. Helier		Deputy of St. Ouen		
Connétable of St. Brelade		Deputy of St. John		
Connétable of Trinity		Deputy R.J. Ward (H)		
Connétable of St. Mary				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

Very well, the Assembly will sit until 8.00 p.m. this evening and there will be a half hour gap around about 5.30 p.m. at a convenient moment so people can have a short break. Deputy Alves, obviously we do not know how the business of the Assembly will proceed today in terms of how rapidly it will proceed but it may be that you will want to consider the matter towards the ordinary end of the business day today as to whether there is the likelihood of a late sitting tomorrow so people can be given as much warning. Thank you very much. Point of order, the Connétable of St. Brelade.

[10:00]

2. Proposed Government Plan 2022-2025 (P.90/2021): second amendment (P.90/2021 Amd.(2)) - amendment (P.90/2021 Amd.(2). Amd.) - resumption

Connétable M.K. Jackson of St. Brelade:

In the light of developments late yesterday, which may lead to far more pressure on the staff, notwithstanding the pressures here in the Chamber, I feel that despite the urgencies I outlined yesterday, the reality is that it would be unwise to press for the delivery of a lessons learnt report by

the end of April. I therefore accept the Council of Minister's amendment and apologise to Members who may have prepared for debate today. Thank you.

The Bailiff:

That you accept the amendment is of course a helpful indication but the debate is open and there still has to be a vote on the amendment and people are still entitled to speak. I think that indication may well persuade those who otherwise would have wished to speak not to, but that is matter for them. The debate resumes and I have next listed to speak Deputy Lewis. It is on the Council of Minister's amendment to make the date for the report deliverable by 29th July next year instead of 30th April.

Deputy K.C. Lewis of St. Saviour:

I do have a speech prepared but in view of the Constable's statement it might be prudent to withdraw my speech because I think it falls away.

Deputy R.J. Ward:

I will go along with the farce that has become our democracy and withdraw my speech. Just leave it.

The Bailiff:

Thank you very much indeed. Does any other Member wish to speak on the amendment to the second amendment? If no other Member wishes to speak, the matter must be formally put to a vote. If no Member wishes to speak then I close the debate and presumably in light of the indication given, Chief Minister, did you want to respond?

2.1 Senator J.A.N. Le Fondré:

I think all I will say, in anticipation, is that I very much welcome the intervention of the Connétable. I think I would just reiterate the point from the chair of P.P.C. yesterday, it is absolutely critical that the person chairing this is absolutely independent and free of all bias, and that unfortunately takes the time that P.P.C. themselves have indicated. Therefore I very much welcome the intervention of the Connétable. I will not say anymore at this stage and I maintain the amendment.

The Bailiff:

Thank you. Deputy of Grouville, I notice you indicated a desire to speak, obviously I am afraid your request to speak came in after I closed the debate and therefore there is no opportunity to speak at this time.

Deputy C.F. Labey of Grouville:

There seems to be a delay in putting messages up and you getting them.

The Bailiff:

I will take that in mind. I thought I had afforded a sufficient period but if I did not I shall make it a little bit longer in the future. Very well, I ask the Greffier to place a vote into the link. I open the voting and ask 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.

POUR: 41		CONTRE: 3		ABSTAIN: 0
Senator I.J. Gorst		Senator S.Y. Mézec		
Senator L.J. Farnham		Deputy G.P. Southern (H)		
Senator S.C. Ferguson		Deputy R.J. Ward (H)		
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				

Senator S.W. Pallett				
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

The Deputy Greffier of the States:

Those voting contre: Deputy Southern, Deputy Ward and Senator Mézec.

2.2 Proposed Government Plan 2022-2025 (P.90/2021): second amendment (P.90/2021 Amd.(2)) - as amended

The Bailiff:

We now return to the debate on the second amendment as amended. Does any Member wish to speak on the amendment? If no Member wishes to speak on the amendment, I close the debate, there is no right to respond because no speeches have been made and therefore I ask the Greffier to place a vote into the link. I open the voting and ask Members to vote. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The amendment has been adopted.

POUR: 37		CONTRE: 5		ABSTAIN: 1
Senator I.J. Gorst		Senator T.A. Vallois		Deputy L.M.C. Doublet (S)
Senator L.J. Farnham		Connétable of St. Helier		
Senator J.A.N. Le Fondré		Connétable of Trinity		
Senator K.L. Moore		Deputy G.P. Southern (H)		
Senator S.W. Pallett		Deputy R.J. Ward (H)		
Senator S.Y. Mézec				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

The Deputy Greffier of the States:

Those voting contre: the Connétable of St. Helier, the Connétable of Trinity, Deputy Ward, Senator Vallois and Deputy Southern. Deputy Doublet abstained.

2.3 Proposed Government Plan 2022-2025 (P.90/2021): sixth amendment (P.90/2021 Amd.(6))

The Bailiff:

We now move on to the sixth amendment lodged by Deputy Ward and I ask the Greffier to read that amendment.

The Deputy Greffier of the States:

Page 3, paragraph (f) - After the words “Appendix 2 - Summary Tables 5(i) and (ii) of the Report” insert the words - “, with funding to be allocated from the COVID-19 response head of expenditure in Summary Table 5(i), and made available for use by the Minister for Infrastructure, to provide for the establishment from 1st January 2022, or as soon as possible thereafter in 1st quarter of 2022, of a bus pass scheme (for which a charge of £20 per annum should be levied on the individual) for all people eligible to pay fares aged 18 years or under; with the overall cost of, take-up of, and customer satisfaction with the scheme, to be subsequently reviewed by the Minister and the outcome of the review to be published by the end of the third quarter of 2022.

2.3.1 Deputy R.J. Ward:

I will go with the will of the Assembly, I will be as brief as I possibly can be in my opening speech. Of course we have been here before and there is a choice in politics, you either fight for what you believe in or you meander along and take the easy option. I am one of those who fights for what they believe in. I bring this amendment for very simple and basic reasons; we should not be charging our children to travel to school on the bus. This is a regressive tax on education access, a tax on parents that disproportionately affects those on the lowest incomes. Parents need all the help they can get and removing this cost will put money into their pockets. If we are to change behaviour around how we transport ourselves we must act. This is a tangible action that addresses the behaviour of the next generation of those who would travel on-Island. It is not the answer to transport problems but an ingredient in the long-term solutions. I know that we receive the same opposition as normal and the comments paper reflects the tired, confused and inconsistent arguments against this change. I will wait for speeches and then address this in closing. I will also address the paucity of data regarding costs usage, et cetera, from Government. This amendment is a one-year trial where real data can be obtained specific to Jersey for future planning, rather than a high-level generic plan from jurisdictions that do not match us as an Island. I will remind Members that the proposition states that the overall cost of, take-up of, and customer satisfaction with the scheme to be subsequently reviewed by the Minister and the outcome of the review to be published by the end of the third quarter of 2022 so we do not tie the hands of future Assemblies but we do gather data, but we make a change now. I will also give examples of how this directly affects parents and families at the end. I am interested to see Members understanding and views on this area of the amendment. What understanding is there on the impact of these costs on real families. That is it, short and sweet, a simple introduction that opens for the debate. I hope we can be sensible, kind and thoughtful. I propose the amendment.

The Bailiff:

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

2.3.2 Senator S.Y. Mézec:

Just to prevent the risk I suppose of this not being debated at all but I want to state my wholehearted support for what Deputy Ward is trying to do with this amendment. This shows, I think, a continuation of the innovative thinking that Deputy Ward has displayed in his time in this Assembly when it comes to sustainable transport and changing the way that our transport system works in the Island, not just so that it is more equitable and affordable but also you would hope, at the end of it, also more environmentally friendly by encouraging more sustainable transport for people while they are younger and get that ingrained into them and used to it as they grow older. I think that Deputy Ward's point on principle that children are charged to go to school is actually a very powerful point. I remember when I was growing up I never lived more than a 5-minute walk from any of the schools

that I went to, which always made my teachers wonder why I was still 10 minutes late every day. Getting the bus to school was never an issue for me but I had friends who came from different parts of the Island whose parents would have to spend a small fortune to get them on the bus to go to school. In many instances the parents could not drive them there because the school was just located in an awkward position for them, or if they had driven them to school, they would simply be adding to traffic congestion in the morning and afternoon and adding to pollution. We know the issue of air quality monitoring around schools is one which is likely to come back as well. The situation will have got worse in the time since I was at school because the cost of bus fares has gone up, up and up.

[10:15]

If you are from a family with a relatively low income and you have, say, 3 children who are all going to school, in fact depending on what years they are in they may be going to different schools for parts of their childhood, and that can cause a great inconvenience to those families and a great cost to them as well. If they are not going to put up with the cost of sending their children to school on the bus the alternative is to drive them, and that is not something we want to be encouraging either. So, I think in taking a lead on this and saying there is a better way of doing things, and it is to look at our school bus network and find ways to either incentivise people to use it rather than driving or at least to make it cheaper for those who do use it because it is a great cost to them week on week, has got to be a good thing. It is a good thing that comes in the absence, up until now, of any suggestion that I have seen in this term of office from the Government to improve our public transport network. In fact, every single proposal, tangible proposal for change in our public transport network, has come from Deputy Ward who has shown great leadership on this. I think at this later stage of this term of office it is not satisfactory to say: "We will get to the end of our 4-year term and be able to say that in actual fact we have achieved nothing on sustainable transport." There may be a nice report coming, there may be some nice words on a sheet of paper, but in terms of improving the public transport network not a lot can be said at this point. In fact, the one exception to what I have just said is the recent announcement for the bus pass for carers. That was announced recently, which I totally supported, thought it was a thoroughly good thing but every argument that could be made against what Deputy Ward is proposing today could well have been argued against that as well. In fact, it could have been argued against the bus pass for people with disabilities. It could be argued against the bus pass for pensioners because at the point of introduction you do not know what the financial implications will be, you do not know how many journeys that are currently being paid for will not be paid for. You do not know how many people will ultimately sign up to it and take advantage of it who otherwise would not have been. You do not know how much on parking in town you might lose out on, although that is obviously not particularly relevant for this situation. I think to say that for a particular journey that happens twice a day that is absolutely essential for hundreds of young people in the Island 5 days a week, come what may, to find an easier way of managing that for them by having a £20 bus pass that then covers their transport for the duration of the year rather than having to constantly buy bus tickets or pay for your journey when you get on the bus, which really does add up at the end of the week for many families. This provides I think a good solution to that, a good way forward and, as Deputy Ward said, if it turns out that there are issues with it or there are financial consequences to it which need to be considered, well what he is proposing is to be reviewed by the end of the next year so that we can come back and determine whether it needs tweaking, whether it needs extending, or whether it needs rolling back, depending on the actual success that they experience with it rather than what we might theoretically think might be the case now. I am very pleased to be supporting this to make life easier for that part of our society and for what I hope would be the cultural change that would come along with it in encouraging people to get on the buses rather than making those journeys in their cars every day, adding to congestion, adding to pollution when there is, I think, an alternative to that which is ultimately more environmentally friendly. So I congratulate Deputy Ward on proposing this amendment and he has my wholehearted support.

2.3.3 Deputy K.C. Lewis:

This Assembly adopted the sustainable transport policy and in doing so committed to reviewing the public transport service through the bus service development plan. This plan is the right process to shape the future of the bus service in a considered manner rather than ad hoc interventions, which have unknown financial and service implications. I have no doubt that the bus service development plan will support further investment in our public transport network. This investment could provide extra journeys on existing routes as well as connecting places not currently linked together by the established bus network. This could be achieved by increasing the frequency throughout the day, providing buses both earlier in the mornings, later in the evenings and on Sunday where some areas are not currently well served. This will further foster a culture of bus use, which in turn generates additional revenue to reinvest in the service to ensure it grows. The Deputy's amendment plan does not align with the objectives of the bus service development plan. The amendment brings with it an increased net cost of operating the bus network, which is not budgeted, does not represent good value for public money and undermines the safety net put in place to protect the bus service from at risk impacts of COVID. By proposing to use public funds to make it cheaper for some passengers to use the service, the bus service will, in fact, be starved of income it needs to maintain and grow the service. Without customer fare revenue growth to supplement to government funding, the ability to expand services to meet demand will always be constrained. These have resulted in overcrowding caused by insufficient capacity or even the removal of less popular but socially important routes. In theory, making public transport fares free or very cheap should lead to a reduction in private motor vehicle use, in turn easing traffic congestion and reducing air pollution. But, in practice, studies in locations where these policies have been put in place have found disappointing reductions in traffic levels while the public funds required to provide the increased demand spiral in the years after implementation. Every pound of public money spent on reducing bus fares further below break-even level is a pound that cannot be invested in the service itself. Public funds invested in the bus service should, wherever possible, benefit the greatest number of service users. These include increased frequencies, additional routes, enhanced hours of operation, replacement of fleets, green technology to name but a few. Starving the public transport network of the funds required to cater for increased demand and encourage shift away from private motor vehicle use to provide fare free travel is simply not compatible. At present the student fare is heavily subsidised. The cost is £4.26 per passenger and the fare charged to students is 85p, so there is a cost to the taxpayer of £3.41. That is 80 per cent of that fare paid by the taxpayer and some of the revenue comes back because obviously we pay for senior citizen passes, they have worked for that all their lives and that is their right, disability passes and, indeed, carer passes which I signed off recently. There are many, many reasons why people like to use the bus and there are many, many reasons why students decide not to use the bus. Not much of it is regarding the 85p. Many parents who work in town, for instance, and live in the countryside decide to take their young students with them to school if they are coming into town and drop them off on the way. That is also counted, if you like, as family time. It does cause congestion and it is a problem we need to address, but that is one of the many factors, plus obviously if you are on the school bus you may have to change between a regular service and a traditional school bus, so there is sometimes a delay in getting to school. Lots of students, for instance, do not like to get up early in the morning to maybe take an hour and 20 minutes to get to school. That is a problem of logistics but also many young students have mopeds which they use to get to school and there are also lots of problems regarding the shorter journeys to school; if it is free more people may use it that would not necessarily use it if they are walking to school or, indeed, riding a bicycle. They might think: "Oh well, I will catch the bus to go up the hill." There are many, many reasons why people use the buses and many reasons why they do not. All of this will come out in the review that we have planned later. I will leave it there, thank you.

2.3.4 The Connétable of St. Brelade:

I think I will start by saying that I caught the bus from St. Brelade to town from the age of 7 during my school years and the experience was that we had, I think it was, weekly rover tickets which got

clipped by the conductor, probably in those days, and cost probably something like 10 shillings, which gives the age away a bit. I was interested to hear from the Minister just now talking about the bus service development plan and, in truth, perhaps I ought to have done but I have not heard of that. I have had the experience of working with Connex and working up the early part of the existing contract with LibertyBus in conjunction with the present Minister, so have been through quite a few of the ramifications and possibilities and options with regard to what can be done, balanced by, of course, the costs involved. For my part I would be reluctant to support this as opposed to increasing frequencies. I think increased frequencies are far more important and are more likely to get people out of their cars. We of course know that many people, school children, will get the bus, others will share a ride with their parents perhaps who are going to work or other children's parents who are picking them up and there may be an exchange of rides, shall we say, to school and others will bring them back. It is not unusual and certainly when my children were small that is what we did. It was really for convenience and it worked for us. One of this that has often concerned me, and it did in the time when I was more involved, was the management of school buses with the schools. At that time, and I think it is still the case, at the beginning of a term a number of school buses based on past experience would be supplied to a school. It was always uncertain as to how these would be filled until later in the school term when a pattern has developed. I always felt it would be far more sensible if there were to be a commitment from parents to a school bus service to identify what the need was, because I have a suspicion that a lot of school buses perhaps are not as full as they might be, whereas others may be overfill. But there seemed to be a disconnection between the schools and the bus services, I am happy to be corrected on that if that has changed since my time. There are 2 elements of this, one is cost and the other is getting people out of their cars, as suggested by Deputy Ward. It is balance, like all these things. The other point, of course, is in terms of the ability to identify data. Now I am surprised that we are unable still to identify data. It struck me that with smart ticket machines these days, which all buses have, we should be able to do that. Should we be doing more on the allocation of tickets, Avanchi cards or whichever student card is deemed to appropriate to have more information on them so it could be easily gleaned by the bus service.

[10:30]

I am well aware at a previous visit put up by one of the parking machine people to Swindon it was, we were told the sensitivity of these machines is quite important because if it is turned up too much the bus can go past a queue of people at a bus stop and take £1 off each of them without them even knowing. I think technology these days has moved to the extent where I am surprised that we are not able to get the data. I will say now that the principle is right but the unavailability of data puts me off. Voting for something that is going to be a bit vague in the effects on the bus service is not ideal. I know Deputy Ward is concerned about the bus service not providing value for money and LibertyBus extorting money from the people of Jersey for the benefit of others, but I do not feel that is the case. We do need to invest into electric or hybrid or hydrogen buses, or whatever comes next, and there will be a cost to that which I am aware LibertyBus have to fund out of their income. I suppose the truth is there is too much vagary to the proposal as put. I would not say I should not support in the future but I do not think I can support it at this point.

2.3.5 Connétable A.S. Crowcroft of St. Helier:

Deputy Ward was commendably brief in his presentation of this amendment and I am going to be equally brief in my comments about it. Senator Mézec who spoke first commended the Deputy for his innovative approach to sustainability and he is absolutely right, insofar as Deputy Ward brought the extremely important proposition that Jersey should declare a climate change emergency having first brought it to the St. Helier Parish Assembly. I continue to admire the approach of Deputy Ward to that. But Senator Mézec is wrong when he gives this particular amendment as an example of an understanding of sustainability because, as I have said before in my interventions when Deputy Ward has promoted free bus travel for young people, it is simply not true to say this is the best use of

funding for sustainable transport. If we really want to benefit young people who want to move around the Island safely and independently the best thing we can spend our money on is making walking and cycling safe. At the moment in Jersey, in particular crossing the capital to get to school is an unsafe business for everyone, not just for young people but for the elderly and people with ordinary mobility. We need to be prioritising ... actually the Minister for Infrastructure needs to be putting far more resources into making walking and cycling safer, particularly cycling because we know that people are getting struck by cyclists and the Deputies in St. Helier have been dealing with a particularly sad case that occurred recently in the north of the Parish. We want a cycling strategy from the Minister and we want resources put into separating cyclists from pedestrians so that cyclists can get from A to B, so that children can get from home to school and back again on bicycles rather than necessarily using the school bus service. Let us face it, walking and cycling, if you can do it, is better for your health than getting on a bus and that is why I cannot support the allegation of precious resources into this particular area while walking and cycling remain areas which need much more investment.

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

Gosh, this takes me back hearing the Constable of St. Helier give his usual argument that we should do less rather than do more if our walking facilities and cycling facilities are less than adequate. We should stop buses altogether perhaps is the logic that he presents. Indeed he does it time and time again. When I was a lad growing up, I used to live in Formby, which is a very pleasant dormitory town just outside Liverpool. I actually used to go to school on the train. Merseyrail is sitting there between Southport and Liverpool and we were, in Formby, about halfway there. So what I was offered for my grammar school education was Waterloo Grammar, which was in Waterloo, very close, beyond Crosby, to Liverpool. That required me taking the train. But since it was such a distance, it was something like 10 or 11 stops, I think along the way, this little 11 year-old received a subsidy. Okay, there was a bus pass that you had to have and that got you free transport to this relatively distant grammar school. That principle that families should be supported if we are going to have to transport them into school is a valid one. It was valid 50-plus years ago because Merseyrail used to do exactly that. It should be our principle now. We have to get things moving. I have been in this Chamber 20 years - and I will keep saying this until it is 25 years perhaps - and I have heard this argument about increased frequency, increased cleanliness, increased efficiency, blah, blah, blah, blah. The reality is it is still very difficult to get to town and back from Trinity, St. John, et cetera. Heard it for years. The service had not really improved, marginally at the edges perhaps. But we have inculcated our next generation's with a desire that travelling by bus is (a) normal, (b) comfortable and (c) something the next generation wants to do. We have not got there. There are several ways to have a debate like this. One is to take the big issues and debate them and then knocked back again by people who do not want to move, the other way is to make the most modest adjustment you can in order that the objections maybe fall away to what you want to do as progressive and you maybe get something back. In this case, I look at this proposition and look how it is hedged in, assess it, find out what the cost is early on, not commit the next set of Ministers, a very, very modest proposal. Surely the time has come in the last 20 years to make one of the changes that might make a difference in the long term. I urge Members to vote for this proposition.

2.3.7 Connétable A. Jehan of St. John:

I am not going to join the popular sport of bashing Liberty because I think that since they have been here Liberty are doing a fantastic job. I disagree with the previous speaker in terms of not much improvement. There has been a lot of improvement. For example, St. John has 32 buses a day that leave the church and head to town, which is a far better service that we have had for many, many years. When I first joined the States, my first bus journey to town there were 12 people, on Tuesday of this week there were 25 people on 7.50 number 5 into town. Interestingly not many youngsters but on the 17.50 going back there were quite a number of youngsters on that bus who had obviously been doing after-school activities. There is capacity on most bus routes. Perhaps the late buses out

of St. Aubin and Gorey are full but there is a lot capacity that could be utilised without additional cost to the operator and so therefore we are not sure how much this will cost, but it is a trial that is being proposed with data being collected and reported back upon. Like my Connétable friend from St. Brelade, I used to live in St. Peter and got 2 buses to school when I went to school at St. Saviour primary school. Getting on a bus early is a good thing to do, it is about habits, it is about getting people used to that form of transport. Islanders are paying 6 pence a litre, that is soon to go up, towards environmental initiatives. I would have hoped that the Minister would have brought an amendment to this proposition rather than to oppose it so that we could find solutions. All too often we say “no”, we do not say “what if”. What if we could do something different? How can we make this work? How can we put children first? It is a trial. If children like using a bus, you may be surprised but they could encourage their parents to use a bus as well. When we introduced recycling in St. John many, many years ago we targeted the school because we knew that the children would convince their parents far better than we could convince the parents to recycle. As we are going through encouraging more people again to recycle, that is again our focus. Encourage the youngsters to encourage the parents. Sir, when you attend St. John in the summer with the Royal Court the Chef des Police had great pride in telling you how quiet it was in St. John because he thought most of the youngsters got on the bus and went to town. That perhaps is true. I agree with the Constable of St. Helier, we have to find solutions to get people across town either on a bike or walking. I have written about this in the past. I am pleased that there are some improvements getting done at long last on the cycle track but we need to do more for sustainable transport and this is one potential solution. I.H.E. (Infrastructure, Housing and Environment) have an opportunity to do something positive. I recently chased up the road markings for the new speed limit in St. John and I was shocked to get a response that said: “These, I believe, are due to be done in the new year once the road sign and marking team have finished the town Christmas lights.” So road safety, new speed limits to encourage people to cycle and walk in the area, the road markings will not be done until the Christmas lights are switched off in January. That does not make sense to me. I hope it does not make sense to anyone else. We should be talking about cycle buses. How can we get primary school children on to cycle buses? I would love to introduce that in St. John. I would urge Members to support this trial, it is a trial, it is an opportunity to see what can be achieved. Let us look for solutions not reasons not to do things. Thank you.

2.3.8 Deputy G.C. Guida of St. Lawrence:

Just a couple of things. One of them is in response to Deputy Southern’s speech, the fact that we already, extremely heavily, subsidise school journeys, not only they pay a tiny fraction of the cost of a normal bus fare but also it is a home to school fare so if they have to change buses they do not pay again. That is already something that we do and that we have done for many, many years. It does not need to be brought on as an emergency. The other thing is that we would probably welcome this if we could have a chat with Deputy Ward because we have put £1.5 million in the carbon neutrality road map on bus services to do exactly that sort of thing. To experiment with what would be best, what would improve the use of buses by the public. So if we could have that chat with LibertyBus because they cannot be left out and just told what to do, they are a commercial company that has a contract with us. So if we could have that chat with the Government, which has now put the money aside for this, the money is there and Deputy Ward would probably get much, much quicker to his goal than to ask the Assembly to find money out of nowhere to do something.

2.3.9 Deputy M. Tadier:

I want to tackle this from a slightly different angle and that is to look at age discrimination. This Assembly passed laws about all sorts of discrimination, banning it and also putting in positive measures that we, as a Government but also other societal bodies, should have put in place, and what good practice and best practice should look like.

[10:45]

I just want to start with a fact: we give O.A.P.s (old age pensioners), that is anyone over the age of 65, the ability to have free bus travel. We do that irrespective of whether they are wealthy or whether they are poor or somewhere in the middle. We do that irrespective of whether they have a driving licence, irrespective of whether they are able-bodied or not. We give all of them access to a free bus pass as soon as they turn 65. I have not heard of anyone say we should abolish that. I have not heard anybody say that that is not well-targeted, I have not heard anybody say we cannot afford to do that or it is the wrong thing to do. Remember, we are talking about a group of people who are not homogeneous, they all have different situations, different needs and different backgrounds but a lot of them, let us face it, will be able-bodied, certainly in their younger years hopefully and, hopefully, increasingly now in their older years. Some of them will have a car and they will be able to drive the car and they will also be able to afford to put the fuel in their car. Some of them may have electric vehicles. They may also be able to afford, to recharge those electric vehicles and to plug them in at their homes where they have installed electric charging points. Someone under the age of 18 is very unlikely to tick any of those boxes, they are probably not rich, they certainly will not have access to their own wealth, they will probably be in full-time education of some kind, and if they are not good luck to them because they will be working somewhere in the Island having left school at the age of 16. They will not probably be able to drive if they are under 18 and they will not necessarily want to make the decision to drive that early. They will be looking at the state of the world, they will be thinking: "Okay, we declared a climate emergency, we know there is a climate emergency, we are trying to reduce our carbon footprint as young people because we are going to feel the brunt of all the generations that exist and we want to make a change." I think simply one of the strong arguments for me has always been to do with treating people equally and we know that as a group under-18s they often get a bad rap, we often will hear about the, I think, very isolated incidents of bad behaviour, which tend to dominate sometimes in the public consciousness and in the media, on social media but we know that most young people are dealing with a very difficult and complex world that even some of us who are, let us say, in our 40s did not have deal with when we were growing up, it was a completely different world. I think that if we can do it for one sector of society at that end, and I think we should by the way, I think the pensioner's bus pass is something we should be proud of as an Island, it is not something we should be getting rid of. I think we also need to consider a much more targeted benefit, which is not free, by the way, these people will still have to pay for it, these young people, so it is not a case of: "I will go and collect it but not use it" because you have to cough up something initially. Even though it is a small amount, it is nonetheless psychologically important, I think, from them to do that. What I would say to the Constable of St. Helier, I do not completely disagree with him, it is not that I or anyone else wants to get lots of people travelling by bus routinely, it is just the fact that we recognise that in terms of the transition from a private car focused Island and community in order to break that habit you need to give people, especially young people, the option of easily and cheaply getting around by other methods apart from the car. Of course that will include walking, of course that will include cycling, it may even include scooters. These electric scooters, if we can finally get our head around about to accommodate them and how to police them, and what kind of community we want to be. But let us be realistic about this. For some reason in preparing for this debate I was drawn to what was a quite engaging and, in some ways, divisive Island-wide debate about Plémont, and I voted to secure the Plémont headland and to give the National Trust money, co-funded money, in order to buy that land because I thought it was really important. But there were some very good arguments made in that debate about the 2-tier society, the country versus the town. In reality if you are a poor family - I am using these terms in broad-brush, I do not want to offend anyone - living in central St. Helier or in St. Clement and you need to get up to Plémont because you want to have a look at the great work the National Trust has done in preserving the coastline there, are you going to say: "Kids, let us get on our bikes today and cycle up from Le Squez to Plémont and enjoy the headland." You may well do that but it is probably unlikely. Speaking to some teacher friends of mine only in the last few weeks, one of them came out with a story - and it sounds unbelievable - that they took a child to the beach as part of an outing, and this was somebody

at secondary school, and they said that the child had never been to the beach in Jersey. At first they were not sure how the other children were going to react, were they going to tease them, were they going to bully them, were they going to say: “That is crazy, how can you not have been to the beach?” But they were very gentle with this particular child, they said. Imagine discovering the beach for the first time in Jersey, how much you would wonder that. We fail to recognise sometimes that even in a small Island that there are small communities, small pockets of, yes, poverty but also people go about their daily lives and they do not get out and about because simply you do not see beyond your street. If you are working a couple of jobs you may not travel. I think this is a small gesture. We are in a wealthy Island where we can afford to give out £100 million, was it that we gave away in the cards or when we gave people: “There you go there is £100 to go and spend as you want”? We had no idea if it was going to make any difference to the economy but it is a nice thing to do. When we come up with a suggestion to say: “Let us target this” does it tick the boxes for putting young people first? Yes, it does. Does it tick the boxes for trying to change the way we deal with public transport, sustainable transport? Yes, it does. It supports LibertyBus actually because this will be something they will benefit from as well. In the longer term they will have committed customers who want to get on the buses and who are used to using it because when it comes to bus ridership it is all about habit, as soon as you have done it once or twice. A bit like boating, once you have done it once or twice you realise it is not that bad, it is quite fun and certainly travelling on the bus, that is, you can do other things while you are on the bus. You can listen to your podcasts, you can talk to your friends and you can arrange your social life. I think that there are so many positives in this and in a week when we are rightly debating some probably quite divisive and different visions in terms of ideology, I do not think this needs to be one of those areas where we are fighting each other. We should be able to say to our young people, yes, we will support you in this trial scheme. LibertyBus, yes, we will also support you in the work and the service that you are delivering on behalf of the Government of Jersey for its own people. We can say at the same time to the pensioners, yes, we value you so we are going to keep your pension bus pass in place but also we recognise that we need to be doing something for our young people in this Island and this is a tangible and real way to practically help them.

2.3.10 The Connétable of St. Martin:

If we want to encourage less cars at school gates, if we wish to help the environment, then please vote for this. It helps the sustainable transport policy, it will alleviate congestion at school drop-off and pick-up times, which has to be good. I know there have been some detractors of LibertyBus, I think LibertyBus provides a much better service than we previously had on the Island. Having this trial is not detracting from how good they are. In answer to those who keep saying that children and teenagers should all walk and cycle to school, ideally, yes, that would be perfect but try and take all your sports kit, your cookery basket and your art folder, et cetera, on a bike from St. Martin to school. It is not always possible. Please support this, it is a trial. We will be moving forward rather than standing still.

2.3.11 Deputy S.M. Wickenden:

I have a couple of points here but I am going to start where I am going to finish. Where is the money going to come from for this? That is the one thing that we are going to see a lot with a couple of amendments that are going to be going on until late tonight is no identification of where this is. Nothing is free in these kind of things, they do have to be funded from somewhere. That money will need to be spent here and not somewhere else. There has been no identification where that somewhere else is. It will be a running theme today that I think I will say a lot, which is what do you want to not spend the money on to spend it here, because that is really what this is about. It is about proper governance and fiscal responsibility, which is when the Government Plan comes out or the M.T.F.P before it, it is always a case of: “I want the Government to prioritise this more.” It is going to cost money so I want to decide what I want to deprioritise. So do we not spend more money on

arts and culture, do we not spend more money on mental health, do we not spend more money on sport or do we raise taxes? The proposer could have come in and said we are going to do free buses for all under-18s but we are going to cut the fare for everyone else. Would that have been popular? I do not think that would have got us any likes on Facebook. The first thing is: why has there been no identification of what we do not want to spend money on to do this? To say it is just a trial is all good and well but we all know - and nobody can fool themselves - once you make something free you cannot put the charges back on. You would not do it for prescriptions, for instance, they are free; they will be free for ever. Nobody will ever bring a proposition to this Assembly in the future to say: "Do you know what, this is costing a lot of money and we are giving away all of these prescriptions like they are candy, let us try and do something about it and put a charge back on?" Very much where is the money going to come from? A trial is never really going to be a trial, once you make it free it will be free; this will go on for the future. I have got a lot of sympathy for this proposition, certainly as the Minister for Children and Education. But also in my own life, I mentor and look after a young lad, he probably phones me up twice a day to ask for a lift somewhere and if it was free for him to get his bus I probably would not have a phone call and it would be good for him. By the way it is his birthday, if you will allow me to say happy birthday to him; he will not be listening because he will be in bed but very much saying happy birthday. I will miss those journeys that I drive him to, his friends or into town or pick him up and we have a chat and we talk but he will get the bus. I have got a lot of sympathy for this. Will it stop parents driving to school? I do not think so. I think a lot of reason that parents drive their children to school and back is because of maybe the bus routes do not go near or they have got after-school clubs, they go and do gymnastics or they do something. I know my niece is doing gymnastics and all sorts of different activities all over the Island. My stepsister goes and drives them off, my brother drives them off all up to St. Mary and St. John and everywhere after school to go take them directly to their after-school activities. The bus would not change that. A lot of parents, certainly for school activities, will still carry on doing what they are doing, with only that disincentivising the driving rather than reincentivising somewhere else. I have got to say, certainly as the Minister for Children and Education and certainly in my own life, I have an awful lot of sympathy for this proposition. I do not think it will be the changes we are talking about, I do not think it will be a trial, I do not think you could possibly turn around and say: "This did not work."

[11:00]

But how much money does it cost? We do not know how much money it costs. We do not know if we will have to put on more buses. We do not know if we have to buy more buses to be able to deal with capacity or not, so I guess in a trial we could work that out. But where does the money come from? What do Members of this Assembly - because nothing is free - what do they want to deprioritise in their spending in this Government Plan to afford whatever cost this is? We do not know how much it will be, we do not know at all how much it will be. But are you willing to sacrifice other areas that you are interested in making sure that we get better on? Because we are spending a lot of money in other areas that have been underfunded for a very, very long time to try and bring them up to scratch but we have got to make sure we know where our priorities are. This is going to be a lot. If the Deputy can at some point tell me where he does not want spending and where this money should come from because it is always this vague in every amendment, except one, that the Deputy has brought forward; do not know where the money is going to come from, just want to spend it. Where is the money coming from? I will leave it at that.

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

Again, this is one of those propositions I really want to support, it ticks all the boxes, except one that is fundamental. I said it on both the last times this has been debated and I will say it again. The reason I did not support it was because the proposer had not spoken to LibertyBus, and it appears this is the case again. We have a recurring theme in this Assembly, we invite businesses, be it arm's

length or private enterprises, to deliver services on our behalf. These businesses invest time, resource and money against the clear business model, and we in this Assembly seem set on changing it to a tactical gains without even asking the provider if the proposition is feasible. This is not only unprofessional but I would suggest it is disrespectful to these providers. What can happen next? Everybody in this Assembly is very impressed with the work E.D. (Economic Development) are doing to deliver government policy, which is in line with our sustainable transport policy. Are we going to have a proposition that E.D. give the use of e-bikes to schoolchildren without even speaking with them? In this case all I would like to have heard is that LibertyBus has been consulted, had accepted that the plan was feasible and is supported by recommended outcomes. This could, potentially, mean subsidy, however much pounds per annum for the Minister for Treasury and Resources to deliver the service. It could mean Liberty have to invest in more buses and staff. But at least we will know now exactly what will happen and what the revised sums will look like. We can then vote on facts, clearly understand how the young in the Island will benefit in a sustainable way. If compromises or investments have to be made, clearly understand what they are. Sorry, we must learn to work in a collaborative way, it will result in fair outcomes, so, regrettably, it is a contre from me.

2.3.13 Deputy I. Gardiner of St. Helier:

I am sure that most of the States Members are aware about the carrot and stick motivation approach. We have a goal, we would like people to use public transport more. We have lots at stake, like we are talking about tax on fuel, we are talking about road tax, we have several other ideas and this is small or is a carrot. Let us try to see if youngsters would use more buses. As the Constable of St. John said, maybe parents will come as well. For me, Deputy Lewis, our Minister for Infrastructure, said: “Yes, we have adopted a sustainable transport policy and we are developing, yes, for the last 2 years and we have not seen much from the development.” I agree with my Constable, with the Constable of St. Helier, because we dealt with the cyclists’ behaviour on St. Helier roads and I do not think that it is either/or walking, cycling or buses. I think it should come together. One thing I agreed with our Minister of Children and Education, and this was only one thing, it is nothing comes free. It is right, where is the money coming from? I would suggest maybe he can discuss this with Deputy Guida that said we do have some funds and invited Deputy Ward to speak. I would wish that the Government would speak with Deputy Ward before and would have brought some amendment to allow the trial data. I support personally Deputy Ward’s amendment as last year, and I think if we would vote for his amendment last year we would have the data by now. We have some funds remaining in the Climate Emergency Fund that we did not spend this year. If we would spend money on this trial, we would have clarity on how much funds are required and we would make the decision evidence-based, maybe yes, maybe no. I do not know how I would vote because I do not know what evidence would be presented in front of me if we would vote for the trial last year. I personally think the money can come from the Climate Emergency Fund, as the Constable of St. John said, the buses might not all be at full capacity but do not know. It is about time that they start to do small steps to understand really what is required towards try changing the behaviour and bringing people to the public transport.

2.3.14 Deputy J.M. Maçon of St. Saviour:

I just want to bring Members back to the actual wording of the proposition because a lot of speeches have concentrated on school transport, which of course is important. But I will just remind Members that this structure is for anyone under the age of 18 years will have to pay an annual £20 fee to the bus company for any bus journey. It is not just school transport, it is for any use. That in itself may not be a bad thing but I think Members have just been talking about school access, it is not just about school access. We just need to bear that in mind. We are looking at quite a significant number of bus journeys throughout the Island which will deprive LibertyBus of various revenues. We have seen it on the figures, even though there will be a £20 fee, LibertyBus is looking at a shortage of

about £500,000, possibly £700,000, depending on how it all works out. There is no solution as to where that money is coming from. If there is a change to the contract, then the States will have to pay for it and no Member here, from what I have heard from the speeches so far, has indicated where that money is going to come from. What else are we not going to do in order to pay for this? The proposal is not complete. Can I just say, as a St. Saviour representative, while we have the most number of schools in our Parish, you have got to remember one thing? First of all, we do not have buses to primary schools, so those Members who were concerned about reducing the number of car journeys, this is not going to be the solution to that. Also, where we have got non-catchment schools, like we do in St. Saviour, where there is not always a direct route, are you suggesting to me that those parents who currently drive their children to school are suddenly going to put them on buses instead? Not going to happen. We know how it works in St. Saviour and those individuals choose to do so already. Does that mean that this policy ideal is not desirable? On a point of principle, I think it does have some merit and it is very, very alluring from Deputy Ward in this case. But, again, I need to know where the money is coming from in order to pay for this. I need to know that it is defective for the desired outcomes because there is a lot of rhetoric and not much evidence. Also, again, the Deputy of St. Peter said ... I have no evidence that Deputy Ward has probably sat down with representatives from LibertyBus about this particular proposal and the implications that it will have on LibertyBus itself. This has some good parts to it but is not completely baked and, therefore, I am unable to support and I will not be taking a point of clarification.

The Bailiff:

Sorry, did you say that you will not be taking a point of clarification?

Deputy J.M. Maçon:

Correct.

2.3.15 Deputy L.B.E. Ash of St. Clement:

I will be brief. I just have a slight issue with Deputy Tadier, who was stating that the Government found £12 million to spend on the Spend Local card and he was correct, we did and he was also right to say that it was to try to help the economy and we had no knowledge whether it really would or not. We hoped it would and I think it did. But he is right, there was no guarantee it would. To that extent Deputy Ward's amendment is the same, he is hoping that people get back on buses, they may, they may not. If he is successful let us hope they do but he has no way of knowing whether they will or not either. Deputy Tadier is right in his assertion on the Spend Local card. But there are 2 major differences between this and the Spend Local card. The Spend Local was a one-off payment, it was not a reoccurring cost, that is to say it was not going to happen every single year, well I hope it will not because I hope we are going to soon get through COVID. The second major difference is that we knew exactly how much that Spend Local card was going to cost. Deputy Ward with his amendment here has no idea at all of what it is going to cost and that for me, working in the Treasury, is a major, major difference.

2.3.16 Deputy J.A. Martin of St. Helier:

I am trying to understand exactly what Deputy Ward is trying to do or the word is, I think, more I am trying to understand who he is trying to help. I listened to Deputy Tadier who said most youngsters do not have their own money, correct, some do not, some have quite good pocket money and they do odd jobs and they do things around the home for their parents and they get money. I was also tempted to speak after my Constable: what are we trying to achieve? Because when I have dropped off the child from this end of St. Saviour, who went to the old D'Hautree School, I would never go to the school gates. It would literally be only in inclement weather. It would only be at the top of St. Saviour's Hill or the bottom and he walked the rest of the way because I was never getting into that bumper to bumper. If he had a free bus pass and he knew his mates were getting on, that was a little

bit of a walk for him; would he want to be in with the crowd? Because youngsters do that and then he would not have been doing that 2 bus stops walk or one bus stop walk. But lots of people do that. They draw up at the bottom of Wellington here when the youngsters walk up and it really is quite a bit of good exercise. We all know with the school curriculum they do not do anything like we used to do, an hour a day on games, it was so much more sport in your day, not after school; it was brilliant. But with the more learning and the things they have to learn, that does not happen. Deputy Tadier said as well that if a youngster wanted to go to see a heritage, Plémont, yes, he may be able to go with his friends. But if it was a family outing, are the family going to say: "We will come on the bus with you or you come in the car with us."? I just seem to think if this does not work properly we could end up with mum and dad or mum or dad still doing the school trip because they work in town or if it is the other way round they are coming from town and going to the school at Les Quennevais. We would need more buses to fulfil possibly a couple of stops, because we have got no sort of test here. In the U.K. (United Kingdom) you have to live ... to get any help with that pass that Deputy Southern was, and I have seen them mark it out, it is 3.3 miles and if you live over that you get a subsidy, absolutely. But if you do not and it is normally on the bus service, it is not a school bus but you get a subsidy. I just do not know how to try and help and, again, I suppose it is, as everyone says, where is the money coming from? But it is just every child under a certain age, they pay £20 and we might see if it works.

[11:15]

I know Deputy Ward is passionate about this and I will never knock him for that and I did not know this, that he had not spoken to LibertyBus. I do not even know if he spoke to the Ministers but that is fair, if you do not want to speak to the Minister, fine. But the operator just to see and there might have been a better way to do this. They are the operator, they are the experts. They may have been able to work with him, something workable that would come to the Minister for Transport, et cetera, et cetera and of course something that he really wants to do. But to me, again, I cannot define who I am helping: is it children with less money, or parents with less money? Is it general? Is it to go and see the heritage? Is it to free up the school, get more people on the bus? It is more buses, kids would do less walking. If it does not go through today, Deputy Ward, next time really do your homework and speak to LibertyBus. I am sure they can help you and you will get something that we could all get behind and it will really help.

2.3.17 The Connétable of St. Mary:

If we are to encourage less car use, then surely a free bus service for everyone would be beneficial to encourage use. Walking and cycling is okay on a fine day but scholars and everyone else need to make journeys taking kit or shopping and items of all description, sometimes in very inclement weather or it may be that they have a medical condition which prevents them walking and cycling. If we only make a 50 per cent change in people's behaviour it would be a massive start. If we are to take climate change and congestion seriously, then a free bus service for all would be beneficial. The cost for this could come from the climate change budget, which we have all committed to.

2.3.18 Senator J.A.N. Le Fondré:

I think where I want to start is I frequently have encounters with visitors to our Island in an official capacity, obviously less in the last few months while we have been coming out of dealing with pandemics and obviously during the course of last year, but prior to that when the bus service was operating well. I had a number of occasions, for example, while I was speaking at a function and where people have come up to me afterwards, absolutely no reason to do it, if that makes sense, but really just complimenting us, Jersey, about the bus service that we have. They were very complimentary about the punctuality, about the cleanliness and about money, essentially. The reason I have said that is because somewhere in some of the speeches, not all of them, there have been sometimes inferences that people do not recognise the fact that we do have a good well-run bus

service and I really want to lay that down. It was very clear, and I have said this publicly previously, that I think bus ridership has gone up more than 40 per cent under the present operator, compared to the previous one. I recall serving under Deputy Lewis when he was Minister for what was then T.T.S. (Transport and Technical Services) when the new bus contract was coming in and there was all sorts of disruption and disputes going through with the handover, that there were various practices and processes that the present operator was uncovering, which, frankly, made your eyes water. But I think the fundamental one being is that that settled down, you have an incredibly good system now and one that people who have got experiences of bus services in other jurisdictions very much recognise as being an exemplar of how to operate one on a small island. The crucial thing, I think the Connétable of St. John did reference it, is about increasing the frequency and availability. In terms of studies and evidence, and I do think the points that have been made, that if Deputy Ward has not been down and spoken to the operator to find out about what the consequences of some of these things, if this does not go through this time around - and I will not be supporting it - that he should go and do that for that level of research. But certainly studies that in the past that have been done on changes or making bus ridership for certain categories free have demonstrated the unintended consequences that have come through. For example, what has been seen is that there has been a significant shift of walkers and cyclists, they were putting a shorter element of their journey but the bus has obviously completed a longer journey but basically they would then hop on that bus and not walk or cycle, which makes the usage for other bus users in a way less attractive because that is something that is a lot more crowded and you are trying to make it - and I will come back to this - an attractive experience, as well as a not-too-expensive experience but not too expensive is different to free. But the point being is that if it becomes free you are then seeing the unintended consequences of cyclists and walkers who are, ultimately, the most carbon neutral form of travel, ditching that mode, if that makes sense, and going on to a carbon-generating form of travel, and that is not what one is trying to do here. There are a whole range of articles and studies that have been done on this and I was very tempted to quote from one or 2 but I thought some of the language is a bit more in the vernacular than might be appropriate for the Assembly. But they all hold up the facts, in fact whether it is Luxembourg, which recently went into free services and then the inference from the articles I have seen is that it makes great politics but it does not make much sense. I think the point there is that price is only one factor in an individual's choice of transport. In other words, pricing alone does not necessarily trigger the right type of behaviour that we want to see. In Island, which is weighted to the car, sometimes it is not about just making buses cheaper in certain areas, it is about making the alternative carbon forms of transport - and obviously now with technology that is the car - more expensive, whether that is through parking charges or whether it is through the fuel or whatever it is. The evidence states that this will not achieve the outcomes that the Deputy is looking for. Separately, and I think Deputy Guida has already referred to the work that is meant to be taking place, as a result of the carbon neutral strategy and that is funded out of the Climate Emergency Fund. Then, finally, which Members should be aware of, but obviously we have previously announced the hoppa bus trial. The Ministerial Decision on that was signed some months ago. The buses are on order and, subject to the usual things, particularly with Omicron variants coming through, it is meant to start some time in late spring of next year. We are consistently trying to improve the bus offer overall. I would hope that should be welcomed by members, particularly of the public, I would hope with Members of the Assembly. I do absolutely commend LibertyBus and the present operator to Members and still think it would be very useful for Members to have a full understanding and, if you like, a presentation; we could always arrange that, for LibertyBus to explain how they operate. But it is one that that contract is highly beneficial for the Island and has pre-COVID achieved significant improvements in the overall bus transport system. On that basis, particularly based on the evidence that we have seen, what Deputy Ward does in his uncosted proposition or unfunded proposition, essentially, is unlikely to achieve the changes and transport behaviour that we should be seeking overall. On that basis, I really do encourage Members not to be voting for this amendment.

The Bailiff:

Thank you very much, Chief Minister. Does any other Member wish to speak on the sixth amendment? If no other Member wishes to speak, then I close the debate and call upon Deputy Ward to respond.

2.3.19 Deputy R.J. Ward:

Thank you so much and that was not as bad as I thought it would be. I have had a bad start to the day, so I was a little bit cross but one of the problems I have is I am really rubbish at holding a grudge, which is why I never win an argument at home but there you go. I would like to thank everybody for their contribution, it was relatively nice today, which is good to see, a much more thoughtful debate. I will try to address as many people as I can and I do hope that Members will just give me a bit of their time and listen. I know we are very busy but it will take me a little bit of time to go through things and just to close off in the way I wanted to. First of all, Deputy Lewis, he talks about a plan that is being considered and so, unfortunately, the evidence that we have there is that those plans being in action because the plans are coming forward next year and then there is an election and we have not really seen any tangible change. This is something that came up again and again and obviously Government Members have been briefed in the approach that it will take. But this is a separate issue between increasing frequency and this issue over under-18s travel. Yes, we need to increase frequency of buses; yes, we need to have them run later into the day. That will mean looking at the bus contracts and we know that is not going to happen for another few years. That argument put in here to try and negate the argument with the under-18 bus passes simply does not work. I would urge Members to rethink that through. Do you really believe there is going to be any change to that in the foreseeable future because there is not? What he did not address was the cost for parents, and I will talk about that in a moment to finish up. He did say to take bus service. Now that is an interesting one because public funds are used for the bus service and notionally it is £4.26 for a journey per child to 85p. I think it is probably easier if children got together and hired a Tantivy coach, to be quite frank. I would like to point out a couple of things regards costings. I have asked numerous questions about LibertyBus and their costings and tried to get to the bottom of it. In Written Question 365/2020 the answer given by the Minister was that: "HCT Group's stated aim is to use profits they make from operating commercial contracts to fund charitable activities and community reinvestment in the local authority areas where their subsidies are based." We are not one of those local authority areas: "No information, other than HCT Group's subsidiaries is held, as this is not relevant to the performance of the Jersey bus-operating contract." We have absolutely no idea how much or where the monies from LibertyBus profits go but they do make a profit and we are putting in a significant amount of money as COVID recovery in the last few years, millions of pounds. In Written Question 427/2021 the answer was: "There is no specific annual return written into the bus contract. The contract places the revenue risk on HCT Group as the operator, with their reward for agreeing to take this commercial risk being the ability to earn a profit from its operation of the Jersey public transport network." In terms of costings and where money is, rather than how we are paying for it the big question is: where is the money going? Why is the subsidy so great? Can we not control that subsidy from the Government? Because we certainly surely have a say in where that money, that taxpayers' money, is spent on our behalf and it seems that we do not have that. Members have sat there or stood there or wherever they are and said: "We need to do something about the costings and where the money is coming from." They are not considering where the money is going. This seems to be a leaking of cash from this Island and they are absolutely happy for it to happen. I am not happy for that to happen. In terms of costings; let us talk about costings, shall we? In Written Question 186/2019 it states: "It is not possible to provide an exact figure relating to the cost of running the bus school service or the bus service as a whole." The Minister has no idea how much it costs but he is providing a subsidy for it anyway but let us move on.

[11:30]

Constable Jackson, the frequency is a separate issue and he mentioned - sorry, my notes are brief here and I will try to answer his point - the past would show a commitment from parents to the bus company, so they are sending their children to school on the bus. It would give schools a better idea of how many people are travelling. This is a trial, this is a trial to gather information and to give it a go to see whether it works and how it can be made to work, how we can influence and how we can help parents, how we can enable parents to not have the cost that I will go through in detail later. The Constable of St. Helier, yet again he fails to support an initiative which will make change in the name of a notion of better walking and cycling routes in St. Helier that have not been there for years and years and years. It is a shame that he has not been there for a long time to make that happen. Yes, he has, he has been there many, many years. Rather than bringing the things to make that happen it just seems to be opposed to things that are brought by one of his Deputies. I urge the Constable to think about this carefully. If we can encourage young people to travel to school on the bus or get that ability to travel around the Island, suddenly move around, it might mean less cars on the road, which is a trigger for improving walking and cycling. These things are linked together. This is not the solution to everything but it is part of it. Deputy Southern, thank you for that and I was tempted to ask if his train was a steam train but that is inappropriate and I will not do that, although I know that the Deputy has a sense of humour. He is correct though and I wish that Members would listen more to the words that he is saying and consider that content. You do have to buy into this. We do have to make a change somewhere along the line. The Constable of St. John, I would just like to say thank you because you understand the proposition, you have taken time to read it and the report. He is absolutely right in terms of the influence of children on families and changing their behaviour. It sounds slightly strange to say, right, what we are going to do is going to influence the children to do these things but it is a great idea. One of the ways that it happens in terms of smoking in the home. When I first started teaching many years ago it was a real issue and children went home and you could see change. It has happened with recycling, it has happened with climate change, it is happening with all sorts and getting children to encourage their parents to use the bus is a great idea. I thank you and say he is absolutely right about the data and then use this review. We do need to know what but this is very particular to this Island. Deputy Guida, very strange, I would say that he has talked about us already subsidising so much; that means we have only got another little 15 per cent to add to make a real significant change. What he has spelt out, I think accidentally in his speech, is the point that this is a very small economic change, compared to what we are already giving, to provide a real change for parents and for children and for families. I hope he rethinks his attitude. In terms of chatting, I will say I do feel I have been actively excluded from the group that talks about climate change in the committee set up of members, and indeed I have evidence from that in an email. I am more than happy to be involved. But, unfortunately, too often my face does not fit, which I get because I am outspoken and a bit of a loud mouth, so I can understand that. But that notion that I just do not bother is simply not the case. I have a lot of ideas to offer and I have a great understanding. I would say that there is more to that. Deputy Tadier is correct through travel and I want to make a really good point that he made, that he tried to spell out, and that we do at times look at young people as if they are a problem to us; we should not. That is not my experience and I have worked in some really challenging schools. Yes, of course there are difficulties but I tell you, I want to state this in this Assembly once and for all, of my pride in being associated for 20 years with the young people of this Island, taking them off Island on school trips and the number of times young people represented this Island and we were told: "Your kids are wonderful, how well behaved they are, how polite they are." That is the young people that we have on this Island and that is the young people who are there on the bus and a double-edged sword. A young gentleman the other week offered me a seat on the bus, now that is wonderful but it made me feel old. It is a lovely thing, I also saw young people help people on the bus with their prams and so on. Let us not demonise our young people, let us give them an opportunity and let us give them a chance. I need to correct with regards to the £100 card, the £100 card was not targeted; reports have said that. I think that the problem is with a scheme like that is that the Government are happy to throw that money, do not know whether it went into our

economy; really difficult to track. But then at the same time come back with this proposition and say: "You do not know how much it is going to cost." Then it leads us on to Deputy Wickenden; I sort of gleaned something from what he said. I would ask him to read the report, do your homework because I do not know if you have. The report states that it could raise up to £610,000 from the £20 charge. It is not free, there is a charge. As a parent I know what I would do, my children are too old now but I would have bought 2 passes and said: "Look, they are available for you to use" and that would have been an excuse for me to say: "Dad, can I get a lift into town?" "Use your bus pass I bought here." There would be sporadic use but the money would have gone to LibertyBus upfront and that is about 25 direct trips on the bus before you get your money back. There is a revenue-raising. The other money that is suggested will not. From £3.75 million that has been given to LibertyBus regards COVID recovery, and I do not know if you have been on a bus recently or how many Members have, they are all packed. When I get the bus in and when we travel around, I have not been on an empty bus for a long time. There are the details there. If you are concerned, as Minister for Children and Education, in providing this, rather than come to the Assembly and just criticise in a way without reading the report properly, bring an amendment for the funding. Bring an amendment for the funding in the way that you could have done from all of the different funds that we have and say: "There we go, let us enable this to happen because it is the right thing for children." It is a shame that did not happen. Deputy Huelin, I would like to remind you that LibertyBus is a social enterprise provider, a registered charity. It is not like one of the businesses that you may have been involved in, which is purely there to raise profit with shareholders and exploit as many people as possible to make money. It is a social enterprise provider, look on its website. Indeed, in the last interaction I had with LibertyBus was with regard an organisation on the Island who wanted some help with something and I met with them a number of times; they were really, really helpful. We got to a solution with regards the provision of a bus to a particular area that would help lots of people because they are a social enterprise provider. I do not really have such an issue with this. Their issue is just around a bit of funding; that is what the issue is about. Yes, I have spoken to them. Deputy Gardiner, you were absolutely spot on and I should have put this in my own speech but you have reminded me, if this would have been accepted a year ago we would have data now, we would know. I could have come back and said: "Let us extend it", yes, and we could have said: "Yes, it worked brilliantly, let us do that" or you could have stood up and said: "The data just do not do it because it did not work, et cetera." But instead what the Government Members have done is come back to the Assembly with just nothing really, just this notion it is not going to work, we should not even bother, and that is a really negative approach. Deputy Maçon, he has spoken about how much money we were already providing. As a St. Saviour rep, if you wanted buses for primary schools perhaps you should have worked on that in your years in the Assembly, rather than just leaving it. I say to him, again, more importantly, where is the money going that is going to LibertyBus? This notion that by questioning that, and this is a very important part for this Assembly, by questioning where that money is going - look at the questions we get all the time about money, quite rightly - that does not mean I am saying LibertyBus is not providing a good service or I do not support them; I use the bus myself. I give them £47 a month for my bus pass so I can travel around because I am trying to consciously drive less and make an effort to use public transport. The notion that because you question you want to do something different, it is like an either/or method of politics, which simply does not work. It is not intelligent, it is not thoughtful, it is not considered and it is not sophisticated and we need a more sophisticated approach to this. Deputy Ash, I think I have dealt with it. Compared to the Spend Local card, this is a relatively inexpensive move and it would put money directly into the pockets of parents and I will come to that in a moment. Deputy Martin, I am not entirely sure what your speech did go through. Who will it help? It will help families. Some will still do the school trip, of course they will; this is not a cure-all but it will give an option. It will give an opportunity. It might mean that some families say to their children: "Use the school bus once or twice a week" but that is once or twice a week you do not have a car on the road, so that is all I can say to that. Constable Le Bailly, he is right, we do need to make a change. I will just remind him this is only a modest start, it is just

for under-18s for a £20 bus pass; it is not free. Senator Le Fondré, again, he is confusing increasing the bus service with this particular issue. He does not have evidence for this Island as to whether or not this will work. He has got evidence from other jurisdictions and he is picking and choosing that evidence where it is appropriate for him to make his argument. I would desperately hope that he will change his mind and vote for this so that we can trial this out. I think I have covered everybody. This is not simply about changing travel habits or solving transport issues. No one change can do this but it does send a clear message and create low-cost option of travel for our children. It is not free and does raise income for LibertyBus and it gives a freedom of travel that will drive a change in our habits. There are simple benefits, travel to the new skate park, for example, travel to meet friends to enjoy the wonderful beaches of Jersey, travel to part-time jobs. Lots of 16 year-olds, even 15 year-olds have part-time jobs and it is significant their cost of travel there and back out of their wages for the day and cheaper travel for families, rather than taking the car. It does make a difference. I have had evidence from people, which I will talk about in a moment, which says: "If I want to take my family or my children, by the time I have paid their fares there and back it is cheaper for me to take the car and park in town, so we will not bother, we will take the car." We could encourage families on to the bus. That experience, that confidence in the children, the ability for children to travel alone and have that independence is part of growing up. So many examples can be utilised and encourage a generation that public transport is their go-to means of transport and that is vital. When children are 16 - and I am going to say I am really old now - so many of them get scooters and I see them ride their scooters. I have a motorbike licence, I had a big bike licence, I know about riding a motorbike in Jersey. I see children on scooters and it frightens me and it frightens me because - I am going to sound like a granddad, even though I am not - they do not wear the right protective clothing on a wet day; it puts them at risk. This might give them the option on a wet day of not taking that scooter and getting on the bus so that their safety improves just by a small amount but all of these small amounts add up. Any future developments in the carbon neutral road map will have stronger foundations with the evidence we gave. That well-meaning initiative, the carbon neutral road map, would always face problems if it remains so much cheaper to transport a family into town by car than pay fares on the bus. This amendment compliments future change and provides data. But there is a further financial reality that needs to be understood, I took the time to engage via social media, as I do not have the resources of the Government Communications Department. I asked about for real examples of costs incurred by families and I have got to say that the number of replies I had would, I think, match many of the sort of quantity we get with a Scrutiny report and perhaps with some Government initiatives. I am going to take some time, and I really hope Members will please listen and just give me a couple of minutes to read these, so that you can see the response we have had. Some examples, and I am not going to name them, I have got permission from them but I am not going to use a name, although they may be on my Facebook site anyway: "My son gets 2 buses per day, then a normal bus home each day. Coming into winter on rainy days he really does use those. Being a single parent that £20 would really help me make sure he is at school and dry for the day.

[11:45]

My son spends £4 per day, £20 per week." £20 per week. Next: "I pay my granddaughter's bus fares to school as her student loan just cannot afford it. It is £8.50 a week for the school attendance, plus any leisure." Next: "Our daughter will be using the school bus when she starts high school next year and I am genuinely worried about how we will pay for that. An annual pass for £20 would be great, however, schoolchildren, in my opinion, should be able to travel for free." Okay, £8.50 a week for 2 trips to school and back, so £20 would make a huge difference. The sixth one: "I currently have 2 children in secondary school who both use the school buses daily. Currently this is costing around £600 for my family per year just to get to and from school. In addition to this, during the school holidays and at weekends both use the buses to travel around the Island, so I would estimate that my outlay for that bus travel is around £800 a year." If I was to suggest a tax of £800 a year on parents there would be uproar but that is what we have. The next one: "£8 per week." The next one: "I live

at First Tower, my 2 kids go to Le Rocquier; that is 4 bus trips every day.” Another: “Yes, it would be a huge help. My son takes one bus to school and has to get 2 buses home.” With regards to his moped, somebody really nicely messaged me: “I got my moped because it works out cheaper to pay a fiver or so every week for petrol and pay my insurance each year than it is to pay for buses to go and come home from college every day. Gross, honestly.” Marvellous language there. Number 11: “I am a single parent student and that is a cost of £17 a week in the standard school bus fares. When you are on a low income here everything seems so expensive. Putting children first, when exactly?” I am going to keep going because I think the voices of people need to be heard in this Assembly, the reality of this costing: “It would be a huge support for us as parents and for children, £2.40 a day taking a bus to school, £12 a week. It is time for Jersey to put the children first in action, not only in fliers.” “I have got 2 teenagers and spend £16 a week on a bus that gets them there and back every day.” “My teenage daughter catches 2 buses in a week to get to and from school. We are a working family on low income. This would take a big stress off us as a family per week.” Next one: “At £17 per week for 2 children we figure out it costs us £612 a year to get our children to school and back. We are a low-income family who are not eligible for income support or any benefits and we also have an elderly family member who lives with us, so we have a lot of care costs as well.” This is who it is targeting, not just those on low incomes who are really struggling but those who are just above it and barely getting by week to week, month to month. These costs are real for them. As an Assembly we can do something about it. Next one: “Good evening, you have asked me about bus fares. [Very polite.] I spend £1.70 a day per child. I have twins, so my family is £3.40 a day times 5, £17 a week. Your proposal would save me a fortune.” “Spend £6 a week just to pick up my little one from school and club and on the way back we walk so I can save money.” There we go. On the school term it is double, those are the reality of these costs. I will read one more and I will cut some of them out because I know people want to get through these debates quickly: “I have 3 children, we can have up to 30 trips if all 3 caught a bus a week, 2 a day, times 5 days, 30 trips in an amount of £24, for 39 school weeks approximately £936 a year.” I have not checked the maths on that one, so I apologise: “Yes, your proposal would definitely help families.” These are just some examples from whom I have permission to share. By the way, that level of engagement was high. The cost is a reality, it affects available income. It takes money from families for whom the choice is for pay, walk and struggle to attend school. Our school bus service should be that, a service to enable children to go to school, not another financial burden for parents and families and it is. This is an opportunity to help so many families from across our communities and it will be disproportionately positive for those who are on low incomes and middle incomes; £620 a year is common and significant, £936 a year is a reality. We have a duty as leaders and representatives to understand and address the real financial challenges faced by families on this Island. We could do something about this today. It is in our gift to change these challenges. By voting for this amendment you will have a direct and positive impact on many, many families, putting much needed money back into their pockets or you will give the message to parents that even though the cost has been spelt out to you, you will vote to continue this charge on the families of Jersey. I urge Members to take a final opportunity in this term of the Assembly to make a significant change that will help families and push towards a change in our travel habits. I would ask for the appel on this amendment.

The Bailiff:

Thank you very much, Deputy. I ask the Greffier to place a voting link into the chat and I open the voting and ask 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.

POUR: 23		CONTRE: 20		ABSTAIN: 0
Senator T.A. Vallois		Senator I.J. Gorst		
Senator K.L. Moore		Senator L.J. Farnham		
Senator S.W. Pallett		Senator S.C. Ferguson		

Senator S.Y. Mézec		Senator J.A.N. Le Fondré		
Connétable of St. Lawrence		Connétable of St. Brelade		
Connétable of St. Mary		Connétable of Grouville		
Connétable of St. Martin		Connétable of St. Ouen		
Connétable of St. John		Connétable of St. Clement		
Deputy G.P. Southern (H)		Deputy J.A. Martin (H)		
Deputy of Grouville		Deputy K.C. Lewis (S)		
Deputy M. Tadier (B)		Deputy J.M. Maçon (S)		
Deputy of St. Martin		Deputy S.J. Pinel (C)		
Deputy L.M.C. Doublet (S)		Deputy of St. Ouen		
Deputy R. Labey (H)		Deputy of St. Mary		
Deputy S.M. Wickenden (H)		Deputy L.B.E. Ash (C)		
Deputy G.J. Truscott (B)		Deputy K.F. Morel (L)		
Deputy J.H. Young (B)		Deputy G.C.U. Guida (L)		
Deputy of St. John		Deputy of St. Peter		
Deputy M.R. Le Hagarat (H)		Deputy of Trinity		
Deputy R.J. Ward (H)		Deputy S.M. Ahier (H)		
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

Deputy R.J. Ward:

May I just thank Members for such a marvellous step? Thank you very much.

The Bailiff:

Both sides of the vote are called for.

The Deputy Greffier of the States:

Those voting contre in the chat: Senator Le Fondré, Deputy Pinel and Senator Ferguson. Then in the link: the Connétable of Grouville, the Connétable of St. Clement, Deputy Guida, the Deputy of St. Peter, Senator Farnham, the Connétable of St. Brelade, Deputy Maçon, the Deputy of St. Mary, Senator Gorst, Deputy Ahier, the Deputy of St. Ouen, the Deputy of Trinity, Deputy Ash, Deputy Martin, the Connétable of St. Ouen, Deputy Morel and Deputy Lewis. Those voting pour in the link: Deputy Labey, the Connétable of St. John, Senator Vallois, Deputy Le Hagarat, Deputy Ward, Senator Pallett, Deputy Wickenden, the Connétable of St. Martin, Deputy Doublet, Deputy Tadier, Senator Moore, the Connétable of St. Mary, Deputy Southern, Deputy Alves, the Deputy of Grouville, Deputy Gardiner, the Connétable of St. Lawrence, the Deputy of St. John, Deputy Young, Senator Mézec, Deputy Pamplin, the Deputy of St. Martin and Deputy Truscott.

2.4 Proposed Government Plan 2022-2025 (P.90/2021): eleventh amendment (P.90/2021 Amd.(11))

The Bailiff:

The next amendment listed in the running order is amendment 11 lodged by Deputy Ward and I ask the Greffier to read that amendment.

The Deputy Greffier of the States:

Page 3, paragraph (f) - after the words “Appendix 2 - Summary Tables 5 (i) and (ii) to the Report” insert the words “with provision to be made from the COVID-19 Reserve within the General Reserve,

to the Children, Young People, Education and Skills Department to ensure that all schools have a guaranteed minimum 15 per cent headroom funding remaining after staffing and accommodation costs have been taken into account.”

2.4.1 Deputy R.J. Ward:

Just like when Leyton Orient have a good win, there is no time to celebrate because we are on to the next game, I suppose. But even they can go on a winning streak sometimes, so let us hope we all can; so much for the underdog. This amendment is to address the identified issues around the provision of day-to-day resources in all schools, this is such an important one. It is about day-to-day resources. Both anecdotally and via evidence to Scrutiny from school governors who raised a shortfall of £23 million, there is an obvious problem with school funding. Sorry this figure cannot be confirmed because we have not seen the outcome of the school funding review and the subsequent school funding formula but that is when it was issued. Therefore, given the importance of education for our children through our lives and the future of this Island, it is pertinent to identify and formalise with all schools for the daily needs of the process of education; the provision of books, materials for the classroom, for practical subjects from science to cookery and across the key stages. It should not be left to chance, charity or the goodwill of staff. Staff should not be spending their own money on resourcing their classrooms. We assign funding to schools under a 30 year-old formula. It is outdated and has allowed consistent pressure on the resources needed in the classroom. For many years these resources have been the first to suffer when budgets run out. Therefore, the need to protect and ensure that there is a standard available for schools has never been more necessary. From experience that I have had and for many others, when money is short you have a choice, you cannot buy a class a set of books, you buy one between 2 or you buy what you can or you do not do that work because you have not got the resources available. Or as so many primary school teachers do, they go out and buy resources for their class to give that little bit extra, and that has to stop. Some Members may consider this to be too prescriptive but it is not. It is protective and will be a percentage of the overall funding, so therefore there will be a limit. We have heard from the Minister for Treasury and Resources that headline indicators are positive for the economy. Now is the time to address our long-term education funding model. I am not going to say much more. I am slightly disappointed this was not accepted by the Minister for Children and Education and C.O.M. (Council of Ministers) because this is trying to deal with an issue for schools to say: “Look, we are going to make sure that there is a level of funding for your resources that you can rely on.” It makes it more economic because you can plan ahead. Each year you are waiting to see how much you can get and you cannot buy, you cannot do deals with companies and say: “Look, if we were to buy for 3 years, can you give us a discount?” you cannot do those things. From my experience, glassware, chemicals are expensive, art materials are expensive, equipment in kitchens is expensive and so what happens is it gets eroded away and so standards drop. I am not going to say any more because I am genuinely interested in Members’ views on this, why they may support or why they may oppose it. Again, I hope the debate can be positive and constructive. I refer Members to the accompanying report that includes the answers to a very pertinent question by Deputy Higgins, a written question with regards to school deficits which shows the history of deficits. Do we continue to have schools rely upon cake sales to fund equipment or take intelligent and definitive decisions to write into the funding an amount that allows, not just for adequate funding, but a level that allows children the best opportunity? A school class that is adequate in a review will take drastic action to improve. Adequate funding is not enough. I propose the amendment and I open the debate. Thank you.

The Bailiff:

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

2.4.2 Deputy S.M. Wickenden:

I congratulate Deputy Ward on his win of the day. I will be voting against this amendment and would urge other Members to do the same. This amendment has no evidence to support the amount requested. The amount proposed is variable and may even prove to be unlimited in the wording of the proposition and it does not identify a funding source like we are going to see many times in this one for where the money will come from. If the Deputy wants to spend £8.5 million here, could he tell the Assembly where he does not want to spend £8.5 million? What does he want to stop?

[12:00]

I do not accept the concept of a fixed percentage of headroom in budgeting for schools or colleges and I am actively reviewing the adequacy and distribution of the relevant budgets under the education reform programme. The Jersey delivery model is different from that of most comparable models. The funding in schools in England, proportionately fewer costs are borne by schools, delegated budgets and more by central functions my department will run. We spend more money by delegated functions in Jersey Property Holdings and I.T. (information technology) so the proposal for 15 per cent as a portion of total budget is not a recognised principle in the English schools funding formula and would not reflect the different balance of central and delegated responsibilities in the Jersey systems, again, for example, the I.T. infrastructure which is supported and provided by Modernisation and Digital in their budgets or a significant proportion of spending on building maintenance which is provided by the Infrastructure Department, so there is no parity. In a U.K. school they would have money and they have to support their own I.T., they have to support their own funding which is where the headroom comes into. Schools are allocated a total budget based on the number of pupils in classes weighted by age and supplemented by additional budgets for deprivation, the Jersey pupil premium and assessed needs of those requiring specific support. Head teachers have delegated accountability to allocate their base budgets between their staff commitments and other non-pay demands, in general, prioritising spending on staff and further limiting non-staff spending. The independent school funding review recognised that the formula required modernising to reflect the changes in this practice. It recommended additional resources be allocated to address historical funding pressures, including non-pay pressures and targeted growth for specific functions which were clearly funded below benchmark levels. It also recommended that further work be undertaken in a number of policy areas, noting that this may result in identifying additional resources requirements in the future years. We are acting on those recommendations and investing over £11 million per year. The school funding review and the funds it has delivered are significant, they are evidenced and they will deliver better outcomes for children and young people and better training for our staff. The £11 million per year for schools in the Government Plan will address past overspending in our schools as set out in appendix 1 of the Deputy's own amendment and increased the funding by many millions more. We are already putting significantly more money into the education and into schools within this Government Plan of £11 million based on evidence in the school funding review. The Assembly has already approved growth funding for these issues in the previous Government Plan 2021. The £5.5 million deficit funding equated to the overspends in schools and schools' direct support budgets in 2020. The department has set in train the education reform programme to deliver the recommendations of the independent school funding review and its wider service redesign objectives. The work is underway with the redesigning schools funding format project commencing in April with the aim of improving the transparency and the fairness of the distribution to direct school funding and identifying the potential costs of future policy changes. I would like to remind Members of appendices 3 and 4 of the draft Government Plan where they previously agreed growth under Putting Children First of approximately £35 million per annum. In the appendices it is demonstrated in greater detail. This investment also includes an additional amount of approximately £10 million per annum of growth for investment into higher education and improving overall educational outcomes. Appendix 3 identifies new growth proposed for 2022 onwards of approximately £1 million extra each year and a further sum to be held in central reserves for additional demographic pressures if required. I do not believe further growth of the Deputy's

estimated £8.5 million per year is required at this time, particularly with no evidence to support the principle of 15 per cent headroom nor do we have any evidence to confirm that £8.5 million would be the correct figure to achieve that. The financial implication of this amendment creates an unlimited provision for the general reserves estimated at £8.5 million in 2022, reducing the Government's ability to react to unforeseen events, including the impact of COVID. In total it increases expenditure by £25.5 million over the period of the plan. If accepted, this amendment would result in lower surpluses in 2023 to 2025 years of the plan preventing them from being able to reduce borrowing on COVID. The Deputy again raises this figure of £23 million that was just said to him by 2 members of a board of governors. At no point has any evidence been requested or given to substantiate that £23 million. The first time I heard about the £23 million was when it was said in a Scrutiny Panel. Scrutiny is supposed to work on evidence and proof. There is no proof on this and I wish the figure would stop being bandied around. The work is being done on the school funding formula that is based on evidence, not on opinion. I ask Members to accept that we are already putting significant amounts of money into areas of education and putting children first, as set out in the Government Plan. This proposition sets out an unlimited amount that is not costed, it is not detailed and it is not defined and is it needed? It would be a "nice to have" but, again, where is the money coming from? Where is the £8.5 million not going to be spent so that we can put it? Are we going to end up with surpluses at the end of 2022 because of it? I ask Members to reject this, accepting that there are already significant funds going in to address overspends within the department and give adequate funding with evidence through the school funding review that was done to the Education Department.

2.4.3 Senator S.C. Ferguson:

Members will recall that we had a high-net-worth resident who had undertaken to supply schools, starting with the primary schools, with computers and training programmes. But the Education Department preferred to spend several million pounds rather than accept a more-than-up-to-date system free. It has since used Deloitte's but why not from the high-net-worth individual? What are children being taught, just Microsoft? Similarly, the Education Department is preferring to set up a do-it-yourself scheme rather than use a first-class scheme, Hope House. In view of this reluctance to admit that some of the functions will be better undertaken by external sources, is it not time to apply zero-based budgeting to a department which appears to be incapable of sensible budgeting? Let us see a properly-organised department before we start spending a lot of extra money. I would like to see a zero-based budget before we get on to adding this and deducting that because I have not seen many sensible actions coming out of the Education Department at the moment.

2.4.4 Senator S.Y. Mézec:

In proposing this amendment, Deputy Ward is speaking from experience. He knows what it is like to work in a school as a teacher, as a head of department, and have to manage the resources you have to ensure that you can provide the best education possible for the students who you are teaching. He has recently, and in the appendix to this amendment, made reference to the figures which are very clear and which several members of the board of governors from one secondary school have spoken out on so clearly recently, which is the basic facts that our schools are under-resourced. In recognising that fact through his own experience, Deputy Ward did, right at the very start of this term of office, bring an amendment to the Common Strategic Policy to try to set the groundwork for dealing with this to ensure that our schools can be resourced properly. It has been acknowledged and agreed by those in Government in recent years that our funding for education is not adequate and has needed to be looked at and dealt with. But as with so much that this Government has done over the last few years, as of yet it has failed to produce the answers to that, or at least answers which we can have confidence in will resolve this issue. Just yesterday we were debating the Health Insurance Fund and the implications there are for long-term funding of healthcare in the Island, something that we were meant to be in a clearer position on by this time of year and we are not. Now we are debating funding for our schools, something which we acknowledge is inadequate right now with the current

formula and which we are just not clear enough at this point in what is going to be proposed to resolve this in the future. I happen to be friends with some people who are teachers in our Jersey schools. I am thinking of one close friend in particular who, every time I speak to, speaks with such passion about the line of work that she is in, how much she adores the children that she teaches and how much she wants to give to them in her working life to ensure that they have the best opportunities in life. I happen to know she spends quite a lot of her own money supplementing the budget she has to spend on resources in her classroom to pay for, sometimes it is just the little things like papers and resources so children - because she teaches younger children in particular - can be creative and make things that they would not have the opportunity to use otherwise. I just think it is so sad that there can be people who are so passionate about young people in education in our society and who go into that line of work with all the best of intentions and end up, not just having to put into it their labour but also their income putting back into it. That should never be the case. Our education system should be funded upfront properly enough so the teachers have those options to be able to teach those children in the ways that they think it is best. The more pressure that those teachers face, especially when you bear in mind the appalling way that they have been treated in recent years on pay, on conditions, on the difficulties that they have had with the COVID response as well, and I will throw into that as well the complete lack of action on the housing crisis which affects many of our key workers in particular, we are just going to end up losing some of these people. Because after time they will feel like there is only so much they can give before they are risking really impacting on their own lives and will just feel that they are either better off doing something else for a living or they are better off going somewhere else to continue teaching. We really cannot allow ourselves to get into that situation. The very worst example of this I saw recently on social media, a video from the United States of a competition, and it is one of those things you see and you think it must be a joke, it is the sort of thing that you would expect in Squid Game or something like that, of a group of teachers fighting over a pile of 1 dollar bills that was offered in some competition and all the money they got to keep they would be able to spend on their classrooms.

[12:15]

It is a shocking sight to see that in another country but it is the case that there are people in our own jurisdiction who are spending their own money to supplement their classroom budgets. In setting this figure, which Deputy Ward thinks is adequate from his own experience in teaching, we can have at least some degree of confidence that in the near future it will not be the case that funding for classroom budgets will be under such pressure as it currently is. I would urge Members to support Deputy Ward. There will be opportunities in future to look at this again and the wider implications on education funding but right now we are getting from this Government the same thing that we are getting from our concerns on other funding pressures, which is a lack of clarity about what exactly is the way forward. I do not think that is a healthy situation to be in right now, especially when this is the last Government Plan of this term of office. We would be doing a thoroughly positive thing in supporting an amendment which seeks to get the funding that those schools need and ease off the pressure and hopefully do something to alleviate the concerns of those who are working in the front line of our education system and to those governors of some of our schools as well who have very bravely spoken out in recent weeks and months. I think we should give them our support and the way we do that is to vote in support of Deputy Ward's amendment. I would urge Members to do that.

2.4.5 Senator J.A.N. Le Fondré:

I think I am going to try and keep it very, very short. In fact, I will keep my camera off just to avoid issues in terms of communication. Although it is not the same amendment, it might be helpful for Members to look at the comments that we made on amendment number 11, which is hopefully the one we are debating, but also the comments we made on amendment number 18. The reason I reference 18 is on page 5 of those comments there is a table which demonstrates the change in

investment into education that has taken place in the last few years. Now I am absolutely taking this at face value, this is the data that we asked to be compiled, that in 2016 the growth in allocation in education was about £3.5 million. In 2018 it was £5.8 million. Then, I want to read the totals that basically since 2019, the end of the M.T.F.P., and that was £6.7 million. Then I want to read the totals that this Council of Ministers has had influence over. In 2020 it went up to £9 million; do not forget this is growth. In 2021, this is cumulative growth, it is £18 million. In 2022 it is £24 million, £25 million, £26 million and £27 million. If one looks in appendices 3 and 4 of the Government Plan, the C.Y.P.E.S. (Children, Young People, Education and Skills) budget as a whole - I do not believe I can lay my hand on it at the moment, I was going to give the page reference, but I might put that in the chat - is approximately £35 million a year. In fact, I think in my opening statement I said that adds up in total to around £150 million extra growth going into the C.Y.P.E.S. budget of which a significant proportion is going into education as a result of actions that we have already taken. Some of that money has already gone into schools budgets this year on the basis of the figures that we have in front of us. This is why the picture that Senator Mézec painted of teachers in other jurisdictions, in his words, I think, grasping around for money on an ice-skating rink, which I had understood was meant to be a bit of fun, in certain areas it is deemed not to be appropriate. I am not commenting one way or another on that; that is another jurisdiction. We have to try and base our decisions on the evidence, not necessarily on opinions of others, but on the evidence that we have in front of us. As I said, particularly if one looks on the comments that I have referred to but also most particularly on looking - and I will put the page reference in the chat - in the Government Plan's appendices, appendix 4 is the growth that has already been bedded in; appendix 3 is the growth that we are being asked to approve essentially this year. There are millions upon millions of pounds of growth going into the education budget and that is why the Minister for Children and Education is basically saying that we do not need this cash. It is not funded and Deputy Ward has not been clear where this comes from. There is a risk in comments he has made between this and other amendments that essentially he is seeking us to borrow to fund recurring revenue expenditure, which fundamentally is not the right approach on this, but also fundamentally, as I said, we have put millions upon millions of pounds into the education budgets in the last couple of years and going forward. It is a great shame that that is not recognised. The way the message is being mixed in, is by referring to other jurisdictions who have obviously not put that level of investment in. Now can more be done in the future? Well, let us let the department bed down, utilise the money we have given - it is significant change that is going in there - and then assess afterwards. But there is a lot of money that has gone into education and that is why we are not supporting this or some of the other amendments that Deputy Ward is bringing in.

2.4.6 Senator T.A. Vallois:

I just briefly wanted to comment following the Minister for Children and Education's speech on this amendment. I just wanted to clear up that this is not a Scrutiny amendment; this is an amendment from Deputy Ward. Also it concerns me when the Minister refers to having evidence. No matter how many times, whether it is the panel, whether it is individual Members that have asked for that evidence from the department, particularly around the school funding formula, because it is 30 years old - that was the point in doing the independent school funding review - there has been a refusal to share that. Therefore, how can any evidence be provided to prove that any further funding is required? I just wanted to make those points and also make the point about the £35 million per annum of extra investment. That is overall, that is not just education. The independent school funding review identified £11.6 million extra needed, and that was without doing any inclusion review which was identified that probably needed a large sum more in order to support those vulnerable and the needs of children in our education system. The world is very different to what it was 30 years ago. The needs of children and young people in our education system are very different to what they were 30 years ago. The education system has fundamentally changed since 30 years ago. I just wanted to make those points because the £11.6 million has not been fully funded as of yet and that will come

in over the time of the plan. It bothers me when I hear, when we talk about investment over a period of time, that is not necessarily per annum and per annum is what is to get by per year. £5.5 million of the £7.9 million that was agreed for 2021 just covered what was already being spent. We were bringing ourselves back on to a level playing field because that money was already being spent, a bit like the proposition in the Government Plan by the Minister for Home Affairs which is stating that we need more money for sea cadets because that money is already being spent, we are just providing that level playing field. It is not recognising any of the further needs like the inclusion review, like the low prior attainment, like the English as an additional language is an example. I wish that, when we are talking about this, we talk about the actual facts. I would like further facts and I would like that evidence, so if the Minister would be willing to share that, I would be more than grateful.

2.4.7 Connétable S.A. Le Sueur-Rennard of St. Saviour:

Just a quick one to say that I am one of the governors of Grainville School and I can tell you that the money is well-needed and I will be supporting.

2.4.8 Deputy L.M.C. Doublet:

Senator Vallois touched on this, and this is something that we have seen in previous Assemblies and indeed when I was chair of the relevant panel. Last term we brought a similar amendment although a smaller amount of money, what was being touted as investment and an increase in money going into education. It was not an increase, it was indeed just covering demographics and providing the same service. I think Members need to be aware of that and that there perhaps is not as much investment going into education as we are being led to believe. I think the previous speaker made one brief and very clear point that it is needed and she obviously speaks from experience of being a member of a board of governors. I think we need to think about, yes, the board of governors, and also we need to think about what teachers are telling us. Deputy Ward is a former teacher himself. He is obviously, as I am myself, and others who have been teachers, in touch with those who are still in the profession. Teachers are telling us loud and clear that this money is desperately needed. I think it was the Chief Minister that said a lot of money has gone into education. Yes, we are hearing that from Government but then we are hearing from teachers it is not enough. Who are we going to listen to? I choose to listen to the professionals who are there with the children every day. They know the realities of what it is like working with children and what is needed. I think we choose to ignore them at our peril because they have children's best interests at heart. I will wholeheartedly be supporting this amendment today and I would urge other Members to do so if we are serious about putting children first and about the basics of giving them what they need in our education system, as Deputy Ward has referred to, in terms of text books and basic resources like that. So, I urge Members to support and I will be supporting this myself.

2.4.9 Deputy S.J. Pinel of St. Clement:

I just wanted very briefly to speak to reiterate some of the financial implications of this amendment, which proposes significant and unlimited allocation of funding from the COVID reserve estimated at £8.5 million. Over the period of this Government Plan this increases expenditure estimated to be about £25.5 million but could be considerably more. Just to add, this would prolong the Government's ability to pay back the COVID-19 borrowing.

2.4.10 The Deputy of St. Peter:

I feel, having lodged this week the population policy which majors very heavily on education skills and life-long learning, that it would be remiss of me not to make a comment. During the course of that I worked very closely with Deputy Wickenden as part of this, as it a Council of Minister's proposition, so I worked with all the Ministers. What I have understood is the independent school funding review's recommendation of £42 million over the next 4 years has been accepted by the governors of the schools in addition to the fact that the additional spending that the Chief Minister

has talked about, £35 million a year into C.Y.P.E.S. in general, has been accepted and is a level that is proved to be fair and reasonable. Now, as I also understand it, the schools have not come back and asked for any more. If they were asking for more, then we would have to listen, but that is my understanding and I will support Deputy Wickenden on that. I am passionate about education and life-long learning is essential for the future of this particular Island over the next 20, 30, 40 years.

[12:30]

In the long term, we have to get it right. But as I understand it at the moment, the Minister for Children and Education has got the right thing, there is enough money going into it, it is not being asked for by the schools and therefore this is not necessary. If it was necessary and the schools were asking for it - and that is my point - if they were asking for it, then we would be having a different conversation.

2.4.11 Senator K.L. Moore:

I am pleased to follow the previous speaker, as they say. Firstly, I agree with him that children are our future, that is why this Government has Putting Children First in their common strategic priorities, one would imagine, because the children of the Island now are the Islanders of the future and therefore what we invest in them now helps to set the future of the Island. Of course, I am sure every Member would like the Island to have the strongest possible future and therefore investing in the education of our children will assist in providing that strong future path for the Island which we all want. But if perhaps the Deputy had paid closer attention to the Scrutiny Panel hearings conducted by the Children, Education and Home Affairs Panel recently, he would see that in fact school governors are speaking out and calling for greater investment in education. The spend against G.D.P. (gross domestic product) on education is too low and greater investment is needed. It is difficult as somebody who wishes to be fiscally responsible, and will later criticise this Government for increasing its expenditure, that it is asking the Assembly to support in this Government Plan so drastically as it has done and is doing, but our role here, as political representatives of the people who have put us here, is to talk about priorities - our priorities for today and our priorities for the future - because every single penny that we spend on the public sector is valuable and important. But my sense is that this Alliance Government have got their priorities extremely wrong. They are placing far too much emphasis on capital expenditure and far too little emphasis on the delivery of services and the improvement of services that are so desperately needed. It is very clear that education is in need of greater funding and for that reason I will most certainly be supporting this amendment.

2.4.12 The Connétable of St. Brelade:

I just briefly want to mention the fact that I was surprised some time ago to be asked by one of the schools if the Parish will be prepared to supply a rubbish bin. This seemed rather curious and I explored further to find that this is exactly the point that I think Deputy Ward is making, there is not the headroom for what might be considered minor expenditure, to the extent that also, of course, that led on to a question about what are the schools doing about recycling? They obviously are very keen to do so. I did have an exchange with the Minister for Children and Education and it was pointed out: "Oh, it is up to the schools to do that." So it seems to me that we might be getting, shall we say, into the weeds of the whole matter but the fact is, if they do not have the money to do the minor things such as this, there must be a shortfall. So there is something wrong in the system and I have to say that in order to support the schools, if only on recycling which is going to cost considerably less than is being proposed in monetary terms, as a principle, I feel I should be supporting the Deputy's proposition.

The Bailiff:

Does any other Member wish to speak on the amendment? If no other Member wishes to speak, then I close the debate, and call upon Deputy Ward to respond.

2.4.13 Deputy R.J. Ward:

We are absolutely rocking through these today, are we not, but there we go. I would just like to thank everybody who spoke today on this one. I bring this amendment in large part, I have to say, through experience, from my experience in schools and through the experience of so many friends and colleagues I know in schools and from the experience of parents and children who have experienced the issues that I have pointed out. I think it is really important that we address this issue now and not leave it another term, another 4 years, another tranche of Government as we go on. Deputy Wickenden, the Minister for Children and Education, I was disappointed that he did not take this opportunity to accept this amendment for one simple reason: it is there to support education. I think there is a lack of understanding there. This a percentage put aside so that the day-to-day resourcing of schools can be enabled, so that schools do not have to make the difficult decisions between departments. These are real, I have experienced them: "I am sorry, Mr. Whoever or Miss Whoever, we cannot buy you a set of books for your department this year. We might be able to next year because we prioritised this other department because we have had to, because their books are way older than yours, and so we need to get them and there is a new curriculum coming forward." This is the experience I have seen. The curriculum changes frequently and, when they do, the content changes, text books change, and schools simply cannot afford those basics. That is where we are; that is the reality of where we are. The very first thing I did in this Assembly in the Common Strategic Policy; there were 2 things. One was to have a youth facility agreed in the centre of St. Helier, almost unanimously. I am so pleased that that happened and I am just sad it has not happened yet but we are still working on it. The other one was to bring headroom funding of 15 per cent and at that time it was said: "Well, we do not need to do this because there is a school funding review and we will look at that." I was disappointed but I thought to myself: "Well at least I got the question out there and it is going to come back from the school funding review and I am absolutely certain that I identified the issues of funding in schools, so that is okay." But the school funding review, we still have not seen the outcome. We have not seen the formula and we are 16th December 2021. The new funding formula is meant to be in place on 1st January, that is what we have been told. However, this is, as Senator Vallois so rightly said, not a Scrutiny amendment, it is my amendment brought to this Assembly in the same way as the original one was. When the Minister for Children and Education spoke, he talked about the amount of money that was going into parts of schools that I am not talking about. I am not talking about buildings, I am not talking about staffing for special needs, I am not talking about staffing for anything. This is headroom funding and I am concerned that he does not understand what that means. It is the additional, the day to day, and the experience of being in the classroom needs to be listened to. I would question whether the Minister and the Chief Minister understand what that is. Do they know the price of text books? Do they know the price of glassware, of chemicals, of art equipment, of art paper, of paints, of equipment needed for cookery or any practical subject? It is the consumables such as wood in woodwork, or whatever it is called nowadays, or in materials classes, the acrylics that we are using, these modern materials, the stuff that is needed for 3D printing if we were to manage to do that in schools. Do they understand the cost that comes from P.E. (physical education) equipment, from books for English? If you want a child to read a book, give them a book, not share a book between 2. Is that where we are in a wealthy Island? Do they understand those costs and the fact that if you have 1,000 people in a secondary school, young people, things get broken, things get lost? They are consumables and they need to be replaced, year on year on year. I wonder whether they have the same debates in Broad Street and in Government as to whether they are going to have enough paper for the printer or whether the budget has run out. I have had testimony again, and I am not going to read them all out because I know people want to get on with this debate, and I apologise, I am going to summarise them. I have staff who have written to me saying they do spend their own money, particularly in primary schools on providing those little bits of extra but also on those basics: "We have run out of pens, so I bought some pens; it is not a problem." "I am owed a certain amount of money by the school but I will not get it back because I know the budgets ended in October for materials." I know members of staff

who, and myself - I do not know if I should confess this or not - but every time I used to go on a course, and I know staff do this all the time, you would pick up every single pen, every single pencil, every single Post-it note, every single pad and you would take them back and use them as resources. You would do that because you knew there was not the money to spend on resources. I looked back to the Hansards in the original speech, and it is some time ago, so I think I am allowed to repeat it. There was a budget, I think it was £8.80 per student that I had per year to provide the materials to teach science. A text book then was £15.99. To Senator Ferguson, who talked about the day-to-day spending in schools, I would say to the Senator: "Senator, schools work miracles." They work miracles on the ridiculously low budgets they have got for resources every year. If I wanted anyone running my Island's finances it would be somebody who works in the finance office of a school who can literally make a silk purse out of a sow's ear when it comes to using budgets because that is the reality of what is happening in our schools. I bring these realities to the Assembly, not just because of experience, because it is my duty as an elected official to bring the reality of these things to this Assembly so that we can make change. The appendices referred to by Deputy Wickenden, the Minister for Children and Education, and the Chief Minister do not talk about what I am talking about. This is about headroom funding, it is about the resourcing needed for day-to-day consumables. It is not about all of those things that are put within those appendices, which I am not going to go through, people can see it. None of those are about paper, books, resources, materials and, dare I say, the extras. In our schools if there are 2 or 3 text books available, all given slightly difference nuances: one might be better for one student; one might be better for another, you do not buy 2, you buy one, hopefully you get a deal, and you often go for the cheapest. That is not high-quality education, that is not high-quality resourcing. You would not see that in business, you would not see that in a company that wants to do the best for its staff. You would not see that in a world-class leading education system and that is what we need and want on this Island. If we are not willing to fund that small part of it, let us not play games. Let us admit it and say to our children: "You are not going to be put first, you are going to be put where you fit and we will just do our best. If you have not got the resources, tough." I am not willing to do that and I think it is the wrong use of money. There is an irony to something that Senator Le Fondré said, the Chief Minister said, about borrowing for this, given that we are just about to enter into the largest amount of borrowing we ever have on this Island, but not for schools. We cannot fund schools. We can put £20 million aside for a Technology Fund that will not even be used for half of the year but we cannot find the money for headroom funding. Senator Vallois, absolutely correct, it is my amendment, and you are so right about evidence. This was a really difficult one. We have not seen the school funding formula.

[12:45]

We have not seen the outcome of the school funding review. I just remembered the phrase, it had gone out of my head, the quality assurance is what it has gone for. I have no idea what quality assurance means. But that is where we are and this should be in place on 1st January. The Constable of St. Saviour, thank you: simple, to the point, absolutely. That is experience. That is experience of somebody who has not just got a huge experience of this Assembly but has got experience of being a school governor. Deputy Doublet just shows she understands. She understands. She worked in primary schools, her career was there. She has probably gone out, I am sure, and bought resources herself. I know that would be the case. I think you would struggle to find a teacher who has not bought something for their classroom because otherwise they simply will not have it because there is not a resource there to go and get it. Deputy Pinel, this is a percentage of the overall budget; therefore, it is not unlimited. That is the way percentages work. Deputy Huelin, schools are desperate for cash: "They do not come and speak out for it." Yes, they do. Some Haute Vallée governors spoke out about it. They spoke out about it and their parents have spoken out about it. If you took the time to go and speak to teachers in schools and others, you would hear them speaking out about it. But what is happening at the moment at schools, they have been through a horrendous time with COVID and under-resourcing and the exhaustion of this term as they come up to Christmas. It is not

for them to speak out, it is for us as leaders in this Assembly to understand and make the change so they do not have to speak out. That is the key to this, that is what we need to be doing today, and that is the opportunity you have got today. Senator Moore, you are correct. I just note that Reform have not used the phrase “Alliance Government” yet but, thank you, Senator Moore. I was worried that I had shared my screen because you said something about priorities. In the things I had made for my closing speech, I wrote in large letters: “The priorities of Government are wrong.” We are taking the classic path of huge, high P.R. (public relations) capital projects. We are fixing the front garden while at the back of the house the back door is falling off and the back of that house is not habitable. We are not funding the things that are essential in day to day and have a direct impact. This I would say to our teachers in our schools and, most importantly, our children: “You are valued, you are worth it. You are worth this investment. Yes, you do not have to struggle and share a book, there is one each. There are some extra ones if you leave your book at home. In fact, here, let us issue you with a book so you have it all the time.” That rarely happens, particularly in our state schools, because the money just simply is not there. Constable Jackson, he is correct. He has got it, he has got this one. It is day-to-day funding and it is really interesting that it is the Constable that they go to to say: “Look, we need a bin.” Let us just look at that. In Jersey at the moment in our schools, we are having schools go to a Constable of a Parish to say: “We need a bin. We do not have the money for a bin.” I do not know why I am laughing at it, it is a disgrace. It is genuine, in the truest sense of the word. It is pathetic, in the truest sense of the word. We must address this issue. There is a history of underfunding, Deputy Higgins’ question shows this. I want to take issue with one really important point from the Chief Minister when he talks about growth. He talks about growth in a way, and the analogy I have is that if I was overdrawn each month by £1,000 and my wages come in and I pay that back, it seems to me that the Chief Minister would say that over the course of a year I have had £12,000 of growth because I am putting £12,000 towards the debt that I have had. There is not money, it is paying off the debt that I have spent. Schools were overspending purposefully because they had no choice, but they were not overspending to a point where they were improving their resources, they were just standing still, and they are. We have a choice: do we invest in the future of our children, do we invest in this population that we want to come through and be skilled and able to do the work, do the jobs and have the skills to look after us in our old age or do we continue with the failed model of funding, and we have not seen the new one, and fund appropriately? What this does, it provides security for schools to say: “We will have that amount of money in our budget that is appropriate for us to fund the day-to-day resourcing.” I ask Members of this Assembly to make the correct choice this time because the school funding review promised last time has not happened. The school funding formula coming from that, we have not seen, and I am very concerned that - I have forgotten the term again that I said earlier - the quality assurance, given the attitude of the Chief Minister and the attitude of the Minister for Children and Education over this is that we do not need the money, do not worry about it, and that quality assurance is going to continue the underfunding. The other side of the coin is this: by putting this forward today, if we get to a stage through next year where the schools have way too much and they simply do not need it, then let us change it. I would love to bring an amendment to this Assembly that says: “We have overfunded schools” and we can take some back. Would that not be a miracle? I tell you what, schools would be very happy if that happened, our children would be happier, our parents would be happier and our future would be brighter. I urge Members, we are on a roll, we are doing the right things today, let us support this amendment, let us protect our school funding and let us move them forward. Thank you and I ask for the appel.

The Bailiff:

I ask the Greffier to place a vote into the link, and I open the voting and I ask Members to vote. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. In the link there are 19 votes pour, 16 votes contre and no abstentions. In the chat there are a further 2

votes pour, making the total pour 21 and there are 6 votes contre, making the total votes contre 22; therefore, the amendment is defeated.

POUR: 21		CONTRE: 22		ABSTAIN: 0
Senator T.A. Vallois		Senator I.J. Gorst		
Senator K.L. Moore		Senator L.J. Farnham		
Senator S.W. Pallett		Senator S.C. Ferguson		
Senator S.Y. Mézec		Senator J.A.N. Le Fondré		
Connétable of St. Lawrence		Connétable of St. Helier		
Connétable of St. Saviour		Connétable of Grouville		
Connétable of St. Brelade		Connétable of St. Ouen		
Connétable of Trinity		Deputy J.A. Martin (H)		
Connétable of St. Mary		Deputy of Grouville		
Connétable of St. Martin		Deputy K.C. Lewis (S)		
Connétable of St. John		Deputy J.M. Maçon (S)		
Connétable of St. Clement		Deputy S.J. Pinel (C)		
Deputy M. Tadier (B)		Deputy of St. Ouen		
Deputy of St. Martin		Deputy R. Labey (H)		
Deputy L.M.C. Doublet (S)		Deputy S.M. Wickenden (H)		
Deputy K.F. Morel (L)		Deputy of St. Mary		
Deputy of St. John		Deputy G.J. Truscott (B)		
Deputy M.R. Le Hegarat (H)		Deputy L.B.E. Ash (C)		
Deputy R.J. Ward (H)		Deputy G.C.U. Guida (L)		
Deputy C.S. Alves (H)		Deputy of St. Peter		
Deputy I. Gardiner (H)		Deputy of Trinity		
		Deputy S.M. Ahier (H)		

LUNCHEON ADJOURNMENT PROPOSED

The Bailiff:

Very well, is the adjournment called for? The Assembly stands adjourned until 2.15 p.m.

[12:54]

LUNCHEON ADJOURNMENT

[14:18]

2.5 Proposed Government Plan 2022-2025 (P.90/2021): sixteenth amendment (P.90/2021 Amd.(16))

The Bailiff:

The next amendment listed in the running order is the 16th amendment lodged by the Children, Education and Home Affairs Scrutiny Panel, and I ask the Greffier to read the amendment.

The Greffier of the States:

Page 2, paragraph (f) – After the words “set out in Appendix 2 – Summary Tables 5(i) and (ii) of the Report insert the words – “, except that, in Summary Table 5(i) – 2022 Revenue Heads of Expenditure, the Head of Expenditure for Children, Young People, Education and Skills shall be increased by £2.05 million to fully fund the increased costs associated with the Nursery Education

Fund for 3 to 4 year-olds following the hourly rate increase and the increase in provision from 20 to 30 hours.”.

The Bailiff:

Who is *rapporteur* for this?

Deputy R.J. Ward:

It will be Senator Vallois.

2.5.1 Senator T.A. Vallois (Member, Children, Education and Home Affairs Scrutiny Panel - *rapporteur*):

I would like to begin the amendment by thanking the Minister and the Council of Ministers for accepting 2 of our 6 amendments to the Government Plan. Earlier this year the former Minister for Education signed a letter of instruction to not only increase the Nursery Education Fund hours from 20 to 30 hours but also an increase from £5.49 per hour to £6.70 per hour for these hours. The policy proposal identified funding estimates of £1.9 million in 2021 and £2.7 million in 2022. The rationale for the panel bringing this amendment forward covers a number of points. There appears to be a discrepancy in numbers allocated in this Government Plan compared to the previous Government Plan. This was identified as a £1.43 million difference in allocation between both plans and therefore funding budgeted in 2022 is insufficient to continue with the demand under this fund. To back up this point the panel obtained evidence from the department that stated the following: “The panel should note that the original business case for the Early Years Policy Development Board outcomes was developed before the report was completed. The business case identified estimated sums to, first, implement an increase from 20 hours to 30 hours for 3 to 4 year-olds at a maximum hourly rate of £5.77, implement a targeted 30 hour offer for 2 to 3 year-olds at an estimated £6.50 per hour. The business case did not include any monies for other recommendations that were in the final report and is therefore, even at the full original value, not enough to fully fund all the recommendations. Based on current numbers, we estimate the maximum likely 2022 cost for 3 to 4 year-olds accessing 30 hours would be £3.32 million. We, as a panel, also note and thank the Minister for providing comments to this amendment as of Monday this week. Unfortunately the comments do nothing to reassure the panel that the funding being proposed without this amendment are sufficient. There is a claim that this is not accurately costed. The figures were from the department following further questioning by the panel who were attempting to determine the very variables and flexibility allowed within the overall envelope, taking into account different settings, the hourly rate, and numbers of children. Further questioning since the comments were released has suggested that a further £86,000 within the demographics bid will assist in what is apparently predicted to be an £86,000 deficit in the fund for 2022. Should demand that has not been identified need further funding this will be paid by funds that have been agreed for recruitment in other areas. This is the basis for us bringing our amendment to the Nursery Education Fund today. There is concern that inadequate funds will require a squeeze and reduce priority in other areas of the department that we believe may be unacceptable and have a negative impact. However, there may be a request of the Assembly to withdraw if the Minister can confirm and provide clarity and transparency firstly around the actual numbers based on the variables, the potential impact of his wider budget without these additional funds, assurance that sufficient funds are available for maintaining the Nursery Education Fund and to make a commitment to provide a statement or a report to this Assembly on the position of the Nursery Education Fund prior to the end of the first quarter of 2022 with an action plan for furthering the early years report work. On the basis of the commitment to report, if the Minister wishes to do so, we will also withdraw the amendment on targeted funding for 2 to 3 year-olds and the funding for degrees, numbered amendments of 17 and 20. I therefore propose the amendment.

The Bailiff:

Is the amendment seconded? **[Seconded]** Does anyone then wish to speak on the amendment?

2.5.2 Deputy S.M. Wickenden:

I will be voting against this amendment despite fundamentally agreeing that funding for 3 to 4 year-olds is important. But this amendment has not accurately been costed or considered and I cannot support it. My team of officers will do as they always do and through informed analysis and demographic projections, including any potential impact of net inward migration, they will continue to identify and assess the level of funding required and plan accordingly. This will be in the form of well-informed bids to the next Government Plan that accurately reflect the financial package required to maintain our universal offer of 30 hours of nursery education for all children whose parents wish this. This work will take account of the many variables that must be considered, including the number of children within the private and voluntary sector nurseries, the number of children in school nurseries, the hourly rate that is being reviewed annually considering the retail price index and the index of average earnings figure, as per the Nursery Education Fund Partnership Agreement. I am assured by my early years team that the level of funding in this Government Plan has the appropriate funding to fund the current need for delivering 30 hours of nursery education funding and that the increased funding in this amendment is not required. I do agree that there is a slight shortfall of about £80,000 but we are confident that due to recruitment challenges and the like that this can be funded within budgets and no extra money will be required. Through the Best Start programme of work we have a clear priority plan for our short, medium and long-term aims that support the intention of the Early Years Policy Development Board. Through consultation, engagement and collaboration we will put forward timely and appropriate business cases for future funding needs. In addition, I would like to again remind Members of the appendices 3 and 4 to the draft Government Plan whereby the previously agreed growth, under Putting Children First, of approximately £35 million per annum is demonstrated in greater detail. The amendment, as proposed, increases Consolidated Fund expenditure by £2 million in 2022 and a total increase of expenditure by £8.2 million over the period of the plan. If accepted, this amendment will result in lower surpluses in 2023 to 2025 of the plan preventing them to be available for and applied to reduce borrowing for COVID. In respect of 2022, subject to the outcomes of other amendments, this amendment will result in a possible negative balance of the Consolidated Fund because the amendment does not propose a funding source of this expenditure. This would mean possibly that the Government Plan could not be approved by the Assembly under Article 14 of the Public Finances Law and the debate would need to be suspended to enable an amendment to be prepared in order to balance the plan for 2022 before approval. This amendment asks for the £2 million to be put forward for the 3 to 4 year-olds not for the delivery of all of the recommendations of the Early Years Policy Development Board, which as I said earlier, is being worked up by officers to properly understand with the industry the capacity, needs and requirement for some of the recommendations to be brought forward. On that basis I cannot support this. The department is assuring me that there are appropriate funds and we can fund the 2022 requirement for 30 hours. I ask Members to just not accept this amendment as it is not required.

The Bailiff:

Will you give way for a point of clarification please from Deputy Ward?

Deputy S.M. Wickenden:

I think that is only fair, Sir.

Deputy R.J. Ward:

I hope this is a useful one because I wonder whether the Minister missed the last bit of Senator Vallois' speech. I know what it is like online. I only just logged on myself because I had trouble. But there was a part of it that said if he would commit to providing a report on the statement on the position of the N.E.F. (Nursery Education Fund) and the action plan for early years prior to the end

of quarter one 2022, the actual numbers and potential impact and sufficiency of funds, et cetera, then we would be happy to withdraw this and the other 2 linked amendments, 16, 17 and 20. I thought the Minister was going to speak to say yes or no to that. I wonder, it may well simply have been that you did not hear that part of the speech because of the format we are in. I wanted clarification on that, sorry.

The Bailiff:

That is a perfectly valid point of clarification. Deputy Wickenden, are you able to clarify whether you are prepared to commit to a report in which case various of the amendments will be withdrawn?

[14:30]

Deputy S.M. Wickenden:

Firstly, can I thank Deputy Ward for that clarification? It is very helpful. I think Deputy Ward, like myself, there are a lot of amendments that we have been preparing for in this debate. I would happily, before the end of quarter one, write the report as requested and get it to the Scrutiny Panel with all that in mind. Absolutely. I think that would be very helpful.

The Bailiff:

I think it might be helpful then if I simply ask Senator Vallois: is that assurance the assurance you were looking for?

Senator T.A. Vallois:

Yes, Sir, we were looking more for a report to the Assembly but to the panel is fine as we will publish it anyway. On that matter then, if that commitment is satisfied by the panel, will I need to seek a request to withdraw?

The Bailiff:

You will need to seek the leave of the Assembly to withdraw this amendment because it is open for debate. You do not need the leave of the Assembly to withdraw the other two amendments. Do you seek the leave of the Assembly to withdraw this amendment?

Senator T.A. Vallois:

Yes, please, Sir.

The Bailiff:

Does any Member wish to speak against the withdrawal of this amendment at this point? If no Member indicates a desire to speak against it then I will treat it as a standing vote agreeing for the withdrawal of the amendment. Very well, that amendment is withdrawn with the leave of the Assembly. I understood that this applied also to the 17th and 20th amendment; is that correct, Senator Vallois?

Senator T.A. Vallois:

Yes, Sir, that is correct.

The Bailiff:

The 17th and 20th amendments are accordingly also withdrawn. If Members will just give me a moment or 2 to catch up from my notes.

2.6 Proposed Government Plan 2022-2025 (P.90/2021): eighteenth amendment (P.90/2021 Amd.(18))

The Bailiff:

The next amendment on the running order is the 18th amendment lodged by the Children, Education and Home Affairs Scrutiny Panel and I ask the Greffier to read that amendment.

The Greffier of the States:

Page 2, paragraph (f) – After the words “set out in Appendix 2 – Summary Tables 5(i) and (ii) of the Report insert the words – “, except that, in Summary Table 5(i) – 2022 Revenue Heads of Expenditure, the Head of Expenditure for Children, Young People, Education and Skills shall be increased by £10 million to allow for additional resources to implement the recommendations of the Inclusion Review and to cover any shortfall in funding identified within the new school funding formula for 2022.”.

The Bailiff:

Deputy Ward, are you acting as *rapporteur* for this amendment?

2.6.1 Deputy R.J. Ward (Chair, Children, Education and Home Affairs Scrutiny Panel):

Yes, Sir, this one is mine. I may take a little bit longer than before on this one so that we can explain in detail why this has come from the panel. I would just ask the Assembly to bear with me on that. However we have tried to be as positive as possible with the other amendments to speed this process along. This amendment proposes to increase by £10 million in 2022 the head of expenditure for children for C.Y.P.E.S. This is in order to provide additional funding for the implementation of the recommendations arising from the inclusion review report and any shortfall identified from the new school funding formula. There is a background and a rationale really for this and for the school funding formula part. We have mentioned before that during a public hearing with the board of governors at Haute Vallée we heard of a £23 million deficit. This was questioned by the Minister for Children and Education who explained that a figure had been identified. However, this was due to go through what was called a quality assurance process in terms of the school funding formula. The panel did request a copy of the new school funding formula in order to identify whether the amount of funding attributed to education in 2022 was sufficient within the proposed Government Plan. Again, I remind Members that the school funding formula is currently 30 years old, it was in 1992, and has not been revised since that time. We can only assume that funding for 2022 is based upon that formula. So despite repeated requests from the Minister to share the new formula to the panel the Minister has taken the decision not to. This led to a statement by the panel in the Assembly and an urgent question to the Minister. The information has still not been provided to the panel. It is intended for the new funding formula to be in place from 1st January 2022; that is direct evidence from a public hearing. The view of the Minister is that the funding formula does not relate to the funding identified within the Government Plan, specifically the education reform programme. The panel disagrees with this statement for a number of reasons. The 2022 budget is signed using the average weighted pupil unit - the A.W.P.U. - which is based on the old formula, as I mentioned. The funding is therefore based entirely on the old formula which is due to be replaced in January 2022. Without sight of the new funding formula, and its identified amount of funding, the panel cannot state with any degree of certainty a point that we outlined in our report on the Government Plan that the funding level for education is sufficient for 2022. This is the meat of Scrutiny work. We cannot with any degree of certainty give that assurance. Given the change in education over the past 30 years there is the high likelihood that there will be a shortfall in funding identified in a new formula. Without sight of that formula the States Assembly, and not just the Scrutiny Panel but the States Assembly as a whole, is not in possession of all the facts in order to assess an agreed funding level of education in 2022 in the Government Plan. Therefore, the panel has agreed, additional funding for 2022 is required within the education budget in order to address the likely shortfall should it appear. That is important: a likely shortfall should it appear. It should be noted that the panel has also been forced to make this amendment by the unwillingness of the Minister to share information that would allow the panel to objectively assess the funding allocation in 2022. In terms of the

inclusion review, it was conducted by N.A.S.E.N. (National Association for Special Educational Needs) who reviewed Jersey's arrangements for special educational needs. We requested a copy of the inclusion review from the Minister for Children and Education on 13th October. Despite repeated requests, the panel was not provided with the report. The Minister confirmed it was his intention to present the report to C.O.M. prior to sharing with the panel. This was ultimately shared with the panel on 30th November 2021, however this was too late for the panel to review and establish whether a further amendment was required. But the panel now knows there are no funding levels identified in the report. The Minister has advised the panel that work is ongoing to create a costed action plan in respect of the report. Given that there is no funding attributed to the inclusion review recommendations within the Government Plan 2022-2025, and that work is ongoing to cost the implementation, the panel is seriously concerned that without funding in place this work will not be progressed in 2022. Given the importance of this work the panel has therefore agreed that £10 million additional funding should be used where required to implement the recommendations of the inclusion review as well. There are many reasons why this be supported. There is a high probability that the new funding formula identifies a shortfall in education and the evidence that we have going in from direct meetings with governors is important for us to consider. That really important point that we are funding 2022 with a 30 year-old formula, but with a new formula in the background that we have not seen, which is extremely likely to ask for more money because of the changes in education over the last 30 years. I will say just a little bit more because I have gone on a little bit. This amendment is in direct support of the Common Strategic Policy of putting children first. We understand that it is difficult to fund but we have funds that have been allocated to the Consolidated Fund, for a Technology Fund, for example, and other areas without a specific use of that money. It is unlikely a lot of that money will be used for some time. Therefore there is money available. But there is an urgency for the fund in 2022 because the school funding formula will be in place on 1st January. Unless we fund that effectively we have wasted money on the school funding review. We have wasted money on the inclusion report and we are not going to fund the schools appropriately. Therefore, I make this amendment and I urge Members to support this amendment so that we can move education forward and give the Minister funds that he will need in the future to take on the changes that I am sure he wants to make.

The Bailiff:

Thank you very much, Deputy. Is the amendment seconded? [**Seconded**]

2.6.2 Deputy S.M. Wickenden:

The panel has constantly asked me for things like the school funding formula, which I do not have. I cannot give the panel something I do not have. They could ask me for Donald Trump's taxes, I cannot give that. I do not have them. I will be voting against this amendment as there is insufficient evidence that the amount specified is correct. The panel have not clearly identified how it may be funded without increasing the total amount of Government spending beyond the planned affordable levels. This amendment proposes £10 million per annum to be applied to the implementation of the inclusion review and to cover any shortfall in the funding identified within the new school funding formula for 2022. It is too early to be able to identify any additional funding that may be required to implement the inclusion review or to be clear on any shortfalls identified through the work of the new school funding formula for 2022. These initiatives are both project workstreams under the education reform programme. Work on the school funding formula is underway but not yet complete. The workstream on the inclusion review will commence following the publication of the report earlier this week. This would start with a consideration of 50 recommendations of the inclusion review and will include the development of a costed improvement plan to deliver the recommendations that are approved; inclusions that the independent school funding review of 2020 flagged as needing separate expert advice. Additional budgets have already been approved to address the most urgent gaps in the service to be allocated by the education reform programme. From this year to 2024, this Government

has already committed to investing £1.8 million extra to support students with the most significant special educational needs; £2.1 million for children with low prior attainment; £1.5 million for English as an additional language; £3.4 million extra for Jersey premium; £500,000 to strengthen the central education psychology resource; and £700,000 for mental health and well-being. That is £10 million extra going in already. Already identified, analysed, costed and implemented. We are acting and investing more in education than ever before. We are putting £2.68 million additional funding into inclusion issues through the education reform programme compared with 2020. The increase between this year and 2022 is already committed at £1.79 million. In addition, £5.5 million deficit funding from the education reform programme has been allocated in 2021 to areas of pressure across education, including overspends in the central inclusion support and in direct school budgets. Members will have seen the proposed additional allocation of £678,000 in 2022 to offset growth in pupil numbers, of which the special schools are the main beneficiary, and I can advise the further £2 million is proposed to fund growth in the number of children with identified records of need. This is proposed to be retained within the annually managed spend of reserves to be called down when required. The work of the funding formula is progressing but it is not yet complete. There will be several iterations as policy decisions over the workstream of the educational review programme are worked through. If shortfalls are identified these will be brought forward, supported by evidence and policy to the Government Plan process for future years, in the same way that investment has been compressed in previous years. In the now published inclusion review it sets out 50 recommendations broken down into 4 categories for their timelines of delivery. There are 8 quick results that set out 6 to 12 months, that is the end of the year. Then there are 21 short terms that will take one to 2 years, 15 medium-term recommendations that will take 3 to 5 years and 4 long term that will take 6 to 10 years.

[14:45]

The 8 quick results for the delivery that will be in 2022 in the 6 to 12 months are as follows. Recommendation 1: the Government of Jersey should clearly define inclusive education in a way that is accessible and understandable to all residents of Jersey. Recommendation 2: the Government of Jersey and all stakeholders should decide the kind of inclusive education to which Jersey aspires. A flexible interpretation, based on the 'Continuum' suggested in this review, can be used to progress towards an enhanced and sustainable approach to inclusive education, with an associated vision statement. Recommendation 3: a Ministerial-level appointment should be made to champion inclusive education in Jersey. It is published so I will not go through. These are not areas that need £10 million in funding. These are recommendations in the short term that are quick wins that can be delivered within the work within the department. The panel is asking you to allocate £10 million to deliver them, which Members will see it is just not needed. In an earlier debate, I have already ascertained that we are putting an additional £11.2 million directly into schools within 2022 and £11.6 in following years. There is already millions more additional money going into schools within this Government Plan. This amendment will increase the Consolidated Fund expenditure by £10 million in 2022. A total increased expenditure by £40 million over the period of the plan. This will result in lower surpluses, preventing them being available to reduce the borrowing that we have for COVID. I cannot accept this amendment. I have proven we are investing millions more in education through rigorous research and analysis of the priorities. Something this amendment clearly lacks. I will continue to research and analyse any gaps in provision and develop costed plans to close any of them that are identified, in the same way I have done through the education reform programme. There is no allocation of where this funding will come from. I do not know where the money will not be spent so it can sit not being used in the C.Y.P.E.S. budget. I urge Members to reject this amendment and let the experts within C.Y.P.E.S. work with their stakeholders to develop a costed plan for improvement and bring these back to future Government Plans where a fully-informed decision can be made.

2.6.3 Senator T.A. Vallois:

Briefly, I find the argument the Minister has just made, particularly right at the beginning, a rather spurious one to say the least. I would not expect him to have Donald Trump's taxes because he is not his accountant. So no he should not have them. But he is the Minister and has a legal duty to provide education. If he states that he is going to analyse and regularly analyse and make sure that these experts are providing a proper analysis and evidenced-based information, why does he not have the funding formula? It was stated to the panel in a Scrutiny hearing the funding formula is due to come on board on 1st January 2022. He also made a point in his speech that there was an amount for low prior attainment. My understanding from the independent school funding review in their appendix, when they referred to the proposed funding formula that may be adopted, low prior attainment was part of this. The funding formula must be ready. He cannot tell me on 16th December we are implementing a funding formula for our schools from 1st January, in a couple of weeks' time, without knowing what is in it. I am sorry, it does not wash with me and I do not think it should wash with anyone else in the States Assembly. The Minister can have a go and say that we do not have the numbers and we do not have the exact amounts but we have kind of been stuck in a hole because we have not been able to obtain that information and the Minister has refused to provide it to us. We have done the best that we can. We have done a full report identifying all the evidence that we obtained during this review and also all the information around the education inclusion review; we only received that not so long ago. I think, as for inclusion, we can see why the report recommends, especially from the speech, the Minister for inclusion. The reason why the panel put this amount in - no, we did not have the exact figures because we were not given the funding formula - we put this in because this is an extremely important debate. When I start hearing Members talking about skills deficits, when I hear Members starting to talk about the need for supporting our young people to get them into, whether it is apprenticeships or trades, or whatever that may be, in order to do that we need to invest in them. To invest in them, that requires the funding and all the numbers that the Minister just read out, a large part of that is funding deficits that were in place and taking account of low prior attainment that was never taken account of. That goes back to the point of the 30 years difference in funding formula. I would ask Members to really think and take this seriously. In terms of the work that the panel have done, it is evidence-based on the basis of the information we have received from the department. £10 million might not even be enough. The reason why I say that is because we do not know what the funding formula is. But there are areas of inclusion that we know there have been huge demands in areas like Mont à l'Abbé School for needs and we know from the previous debate about resources and the issues that come about for resources in schools. We heard from the Board of Governors about the school unable to fix a wall, an unstable wall because they do not have the sufficient funds. I would ask Members to please be considerate of what we have done in terms of the work on the panel, in terms of the work that was done on the independent school funding review and bear in mind that the outcomes, if we intervene and we invest at the right time now, what that will produce for our economy and our families and our future as an Island.

2.6.4 Deputy L.B.E. Ash:

I am listening and I would be faintly amused but this is an exceptionally serious subject, there is not really room for amusement. Deputy Wickenden said that there had been no consideration as to where this money is coming from. I think we have already seen today with several propositions that is not really a concern where the money is coming from. What he has always put forward, which is a new and novel way of doing it, is: "Oh well, you found the money for this." Firstly, we found the money as an Assembly for whatever has gone forward. Whether that be for mental health or whatever else we have found money for in the last 3½ years, the Assembly have voted these things through as part of a Government Plan and in part of other propositions that have been brought. It is not anything other than the Assembly who have found that money to spend. But we often hear from Deputy Ward in his interesting speeches - well I find them interesting, I do not wish to speak for the rest of the Assembly - and he has regular updates on his family life and what his children would think and what his wife would think. To put this into context, if you spend this we should be able to spend this. I

have no idea if Deputy Ward has a joint bank account, he may or may not, but let us say that he does. Let us say that he agrees with his wife, as we agree in the Assembly on what we are going to spend, that they should get a family car and he spends £10,000 on that family car. Would he expect one day to come back and see his wife wearing a brand new gold Rolex that she bought for £10,000 and when he says to her: "How have we afforded that? Where has it come from?" For her to say: "Well, you found the money to buy a family car and that is where I am going to find the money. Oh by the way, Deputy Ward [although she probably does not refer to him as Deputy Ward] the bank manager would like you to ring him up, to explain why we are now well-overdrawn." Because that is the position that these sort of propositions are going to put this Government in. We have not got a spare £10 million just like that. When people come to the Assembly it really is 100 per cent important that people cost exactly where this money is coming from and I am just not hearing it today. I have not heard it in the last 2 to 3 debates. It is a case of: "Oh well, we will find the money because we found it for this." It does not work like that. Real life does not work like that. We have not got a massive credit card that we can just put this on and then pay it back at 24 per cent later. You would not run your own domestic affairs like that and I do not think we should be running the Island of Jersey like that.

2.6.5 Deputy L.M.C. Doublet:

We are talking about £10 million of additional funding today, and I want to thank Deputy Ward for opening this debate and Senator Vallois for continuing it with passion, I think. I hope that is something that comes across, is that the panel have really worked hard on this and we have been disappointed that we have not been able to get the answers that we wanted but even though we did not manage to do so we have not given up because we do not give up on children. We want to persist with this because the evidence is so clear to us. I am going to refer to the independent school funding review and I want us to go back to that because that is where the evidence is. We might not have the formula because clearly we have not been able to compel the Minister to share that information with us. But we have done our best and, as Senator Vallois says, this amount possibly is not going to even cover it. The new funding formula, which we have not seen, which is supposed to be in place in January, I mean I think it is probably stating the obvious here that that new funding formula is not going to result in the same amount of funding or less funding being applied to schools. That is an obvious point that I think perhaps we have to remind ourselves of. The evidence for that is in the independent report, which found that there is a - and I am quoting directly from the report here - structural deficit in the funding of education in Jersey. That has not been solved as yet by the current Minister. We do have a lot of rhetoric around putting children first, and I know that some Members dislike that phrase, but I do ask Members today to reflect on what is most important to them, on what fundamental values they have. I think I would be hard-pressed to find a States Member who does not agree that alongside areas like health, education is one of the highest priority areas that we should be investing in as parliamentarians. I am afraid that this Government Plan does not do that. It does not align with what I believe to be our shared values and the values of our Islanders. As an aside, this is perhaps where we should be having a separate Minister for Children to argue for children in this way. But I do find it so strange that a Minister for Education is saying no to money that is clearly needed, as stated by the report that has found a structural deficit in our funding of education. That would clearly be needed to properly fund the basics of our education system. The report outlines just how bad it is in Jersey by comparing us with similar O.E.C.D. (Organisation for Economic Co-operation and Development) jurisdictions. Jersey is right near the bottom of the table in terms of education spending. We spend less than Luxembourg, a lot less, not even half of what Luxembourg are spending on education. We spend less than the U.K., we spend less than Finland, we spend less than Ireland, we spend less than Belgium, Australia, New Zealand, and Canada per child on education. This is just not good enough.

[15:00]

It is not good enough for our children and I think that deep down Ministers know this, because the sole argument being wheeled out today seems to be: “Where is the money coming from?” We do have the money. We are a high-performing jurisdiction, as stated in the independent school funding review and that is why in that report we were compared with jurisdictions such as New Zealand, Canada, Finland, U.K., Luxembourg, and we can do better. This amendment might not be perfect, and again I will state that I do not think it goes far enough. We have compromised in other areas and the reason why we have chosen to proceed with this amendment is because we believe that it is the most important amendment that will have the most positive impact for our children, and personally I think that a portion of this money, a significant portion, again in line with the recommendations from the independent school funding review, should be focused on early years. The panel maintains this amendment and in terms of finding money, I.T. is an area where we have an extra £38 million for I.T. How are computers more important than children? I will be supporting this amendment and I hope that Members will do today as I have suggested and reflect on what their values are, because our money should be following our values.

2.6.6 Senator J.A.N. Le Fondré:

I really want to reiterate or try to offset this perception that is being portrayed that we are not investing in education. I took the liberty of sending an email to Members a few minutes ago. It is the table that I referred to earlier that is on page 5 of the comments to this amendment. It is worth making the point, and I know there are lot of numbers around here and we will get away from numbers in a minute, but in 2019 in the growth for education, so this is not C.Y.P.E.S., this is not putting children first - apologies, Sir, I slightly misspoke in the previous debate when I referenced C.Y.P.E.S, I should have said putting children first - but anyway, particularly growth in the education directorate as laid down on page 5 of the amendment clearly demonstrates a significant growth in investment in education under this Council of Ministers. In 2019 the amount that was invested in terms of growth in education was just under £7 million. This year, 2021, that figure is £18 million and it will go up in 2022 to just under £25 million. Those are significant increases. That is 3 or 4 times where we were back in 2019, so we have taken significant steps to address our range of issues and get the investment, we believe, in the right place. Within that, we should pay tribute to Senator Vallois, because she very much pushed for the education reform programme monies that are in there. The schools review, as I understand it, was based on very much international comparators and was very much costed and very evidence-based, as you would expect. The inclusion review is a different type of review. It is, oddly enough, as I have always understood matters, not fundamentally about money. Yes, it might cost some more money over time, and Deputy Wickenden has addressed that. There are sums of money in the plan already, but the point is - the fundamental bit - is about mindset. It is about shifting culture of the organisation, updating legislation policies, it is about providing more data and things like that. It is about long-term strategies and mental health and well-being. There is money in the budget for that and widening educational provision and things like that. The initial point is that it is saying start with changing the mindset and do not necessarily start by changing the money further. I go back to that point, if you look at the growth in education in our very last few years the figure for next year is going to be £24 million, as opposed to where it was in 2019, which was just under £7 million. That is a significant increase. On top of that, and I know Deputy Doublet made some comment about investment in I.T. and cited a number, a very quick mathematical calculation, if one looks at the capital programme, which is not only but is a lot of where the I.T. for example spend is coming out, the education programme is vast. For reference if it helps, that is page 136 of the Government Plan. We have got a range of educational projects under major projects and also under school and educational development. A very quick calculation indicates that the total of the last 2 relevant to education is £87 million, and I know that I have missed bits on there that cover other educational areas. Capital investment in education over the next 4 years in the plan is £87 million. As we have said, the growth solely in the Department for Education, not in the putting children first category, over the last few years starting from 2019 was about £7 million and we are

now projecting to go to just under £25 million. That is a significant increase and some of those monies have been directly rectifying issues to do with inclusion, and that is why at this stage we are saying that the point of the inclusion review was saying to change the mindset first and get the culture right. That does not require an extra £10 million next year. We have a significant level of growth between this year and next year, all of which, within those numbers, sit within inclusion already and for all of those reasons that is why we are not supporting this amendment. It is pretty rare for a Minister to say: “No, I do not need the money. I do not need £10 million extra.” What we are saying is that there is money there; we are putting a lot of investment into education and I hope those numbers indicate the level of that investment. For that reason we are not supporting this amendment.

2.6.7 The Connétable of St. John:

Interesting to listen to the Chief Minister talking about education. I applaud him and his colleagues for the additional investment and I recognise the progress that has been made within education. It is a subject I follow closely. Mindset and culture were something that the Chief Minister spoke about and I would ask him to look at the Council of Ministers’ mindset and culture. Here we have a panel trying to do their very best for our children, bringing up well-researched documents, and they are being pushed aside. What we need is collaboration; we need solutions. Senator Vallois reminded us of the date and I looked at how many working days there are. There are 8 working days towards the end of the year, and that includes Christmas Eve and New Year’s Eve. I am not sure how much work will get done then. The Minister said that the money was just not needed. Well, in Written Question 493 of last week we found out that 12 per cent of the money from safeguarding had been transferred to support other services in C.Y.P.E.S. We heard from the Constable of St. Brelade about issues with schools in his Parish, and I am sure the other Constables can talk about their experiences. Earlier this year, when I arrived, we heard from the Minister for Education, who had transferred money from his budget in C.Y.P.E.S. to the hospital project, and I questioned that. I questioned that because the school in my Parish asked me to pay their legal fees, because they could not afford to pay their legal fees, yet the Minister had transferred capital money to a hospital project. We have got families and headteachers who are finding ways to jump the queue for children with needs. They have to be inventive to find ways to get children up lists, which I accept are improving, but they are still not there. This is about additional support. In some schools my experience says there is a need for more learning support staff. We make a big thing about E.L.S.A. (emotional literary support assistants) but do we really invest in the people delivering that great service? Do we really give the children the time that they need with those specialists? Deputy Ash gave us an analogy about Deputy Ward’s personal finances. Well, if Deputy Ward has got a problem with his personal finances I would suggest to him that he speaks to the Treasury about borrowing, because they have become experts.

2.6.8 Deputy J.M. Maçon:

This amendment for me is personally very difficult. As Members will know I am dyslexic and dyspraxic and this amendment is something that of course raises a subject that I find very important. When I was on - and it was Team Vallois and Maçon - yes we as a team had to fight very hard to get the extra money for the education system. Senator Vallois had to wait an extra year to have the very good evidence-based report to convince Ministers around the table of the Council of Ministers to provide that funding. The Chief Minister is quite right to say that extra money has gone into the department. The counterargument will of course be: “Yes, but that was a department that was heavily underfunded for years and was running various deficits left, right and centre so all that has really happened is we caught up to where we should be, maybe a little bit more in certain areas.” As we went through the funding review it became obvious that a section that there was not time to cover was the area about inclusion. It is not just S.E.N. There are other areas in there and the Constable of St. John has just talked about E.L.S.A., your emotional literary needs support staff, because there are other needs within the system. Deputy Doublet asked us to consider our values and supporting these types of children has been something in my career as a States Member that I have done, whether

that was back in the day when we did our review of suspensions and managed to get extra resource for children with autism in the system, whether that was working with Deputy Doublet on our S.E.N. review into the system, which established the parent carer forum to provide better communication between the department and parents of children with extra needs. This is a subject that I care strongly about and it is a value of mine. At the same time a value of mine is also good financing, because I know who has to pay for all of this and £10 million is just shy of an extra per cent on G.S.T. (goods and services tax). One per cent of G.S.T. raises about £15 million. The Constable of St. John has talked about a well-researched amendment from the panel. Can I remind Members, looking at the report from the panel, it is one page? It is not well-researched, but I do not criticise the panel, in that the inclusion review came late in the day and it criticises the department for not providing information they sought, but they cannot provide information sought if they have not produced it themselves yet. It is a horrible catch-22 situation in that I agree with the panel; this is probably an area that requires a lot more resource than has been currently allocated, but neither the panel nor the Minister can identify how much is needed.

[15:15]

We are not in a good place either way, and this is something that I hope Members can hear from my voice is tugging at my heartstrings, because this is something that I desperately want to support, but also the panel has brought forward an amendment but they have not identified where the funding is coming from. I am surprised that a former chair of the Public Accounts Committee, Senator Vallois, is trying to do this. I know her heart will be tugging as well on this matter. This is my problem. I desperately want to support this because I agree that there is more that needs to be done in this area, but the reality is the money needs to come from somewhere, and there is no 2 ways about that. I have got to be convinced on that point. At the moment I am listening to other Members but practically how can we sign up to something, £10 million, when we do not know where it is coming from?

2.6.9 Senator K.L. Moore:

There have been some excellent speeches and I do not intend to repeat any of the comments that have been made so powerfully already, but I think we need to look at this from the perspective of the role of Scrutiny, the job of holding the Government to account. This is a Scrutiny Panel who have consistently focused on this area of work and they are raising an alarm bell. The absolute practicality of the lack of clarity over the funding formula days before it becomes the funding formula for the year at play is inexplicable. Deputy Maçon as an Assistant Minister, is concerned that there is not enough money but because we cannot identify exactly how much money is needed then, well, we cannot agree to this money either. He seems to be talking in riddles. I believe, to answer his other question of where the funding is going to come from, Deputy Doublet pointed to a capital project and I think we could all point Ministers to a number of projects that probably are in the capital area that would be a lesser priority to most Members of this Assembly than the education of our children, and particularly the education of our children who have special educational needs, who need the added investment that can be brought from them to get the very best out of their education. Those are the children who often have hidden talents, talents that are harder to draw out, but can contribute greatly if discovered and helped to flourish in our community. This goes back to Scrutiny and listening. Perhaps this has been one of the cultural problems that we have had throughout the life of this Assembly, that some sort of wedge has sadly been drawn by the Government against the views of Scrutiny. There is an inability to listen and perhaps to the Chief Minister, that is the cultural change that is needed. I struggle to understand how he can think that cultural change will provide services and support to children with special educational needs, rather than funding and people who have the ability, the experience and the knowledge to deliver those services.

2.6.10 Deputy M. Tadier:

What we have in front of us is the ability to make a decision today, which asks to put an additional £10 million into education, including for the purposes of inclusion. We have heard the main arguments from the Government opposing this is that we are already investing in it, we are already giving it extra money and where is the money going to come from? I think that is a fair assessment of the 2 arguments we have heard today, the main arguments, if not the exhaustive ones. I look at it this way; we have got a Scrutiny Panel that comprises a former Minister for Education who is widely respected - I am talking about Senator Vallois of course - by the Assembly. She was originally appointed by this Assembly and I think was widely-respected by the public also to do that job. We have got a former teacher in Deputy Ward who I know has been fighting and knows a lot about education and has been fighting for better educational outcomes, and we have also got other members of the panel who bring their own particular and valuable expertise to that. I also listened very carefully to the former Minister, Deputy Maçon, who I thought was effectively saying: "I find this difficult because I want to support it but I cannot because I am a Minister." That is how I interpreted what he was saying. Like a lot of things now, Deputy Maçon needs to toe the party line of the invisible party, which is a shame because I know we stood together in 2008 and he was one of the great scrutineers, independently-minded back then, who would hold all the Governments to account over several terms. I hope that he will be looking at this today and listening to the words of his former Minister that he worked with and supporting the Scrutiny Panel on this one because I think it is the kind of amendment that we cannot afford to get wrong. Putting it simplistically, hopefully not oversimplifying, what is the worst outcome here if we vote in favour? It means that our education system gets an extra £10 million. It means that we will be investing in young people even more and we certainly know that that money will be well-spent. If we do not, and we go along with the Government who have told us that there is a new formula coming along but that the Minister does not know what that new formula is, it sounds like he is more likely to know or want to know more about Donald Trump's tax affairs than he might about this particular formula that is coming forward, which is a bit strange. That has already been dealt with, of course, as a strange argument. We know that that money would be well-spent. I think we all know teachers, we all know parents, we all know students, who are struggling and it is true that we do live in quite a divided Island, but these are issues that can affect everybody. Just because there might be some wealthy grandparents, et cetera, and they are very much aware of the struggles in probably all, but in particular some of those schools. If I were a voter or a parent in St. Clement or that area where Le Rocquier is based, Le Rocquier being the biggest school in the Channel Islands, with many of the challenges that go with that kind of big secondary school and also the wider community issues that are complex and have been especially more complex during the pandemic, which have shown us the divisions that exist, the socioeconomic decisions, that still relate to social and economic outcomes unfortunately, I would be looking at where the support comes from, my politicians, for that school. So the likes of the Minister for Treasury and Resources, Deputy Pinel, Deputy Ash, the Assistant Minister for Treasury and Resources, the new Constable of the Parish, does he support that school? Does he know about the issues? I know he has supported that school in the past. Does he know about the day-to-day issues, the funding and the stress and strain that goes in, in that particular school, just to name one? Does Senator Gorst, who was a former governor of that school, and who may well still be a governor of that school, I do not know, does he know first-hand the difficulties that are going on when it comes to funding in that school? I think we can all ask the same questions of ourselves about the schools in our catchment, because unless you speak to teachers or parents, teachers in particular, who are at the chalkface about these very complex issues, it is likely that we might not fully appreciate the complexities of it. Again, I refer to a friend of mine who has been coming to and from Jersey over the years and sometimes the predictability of outcomes is shocking. We like to think and believe in social mobility, but we look back at certain names from school, primary or secondary more often, in the 1990s and say: "Did you hear about so-and-so?" "Oh, yes, he committed suicide." "Did you hear about this other one?" maybe from the same family: "Yes, he went to jail and he died in jail." "I only found that out a few weeks ago. That's strange." "Yes, he went cold turkey and when he got to jail he unexpectedly died"

another one who maybe has whatever kind of negative outcomes later on in life, all of which I suspect the teachers at the time could have predicted, which is sad because they do not like to look at a child and say: “Oh, yes, this is going to happen to that one.” All of these things are entirely avoidable with the right kind of intervention, with the right kind of resources, with the right kind of mentoring at the right time. It seems to me that even nowadays in a very wealthy Island the problems are still the same as they have always been. It is okay if you go to a particular type of school. You might be somewhat isolated or insulated from that, not guaranteed, of course. I would say what is the downside to allocating this additional money, which we know every penny of it will be spent and spent correctly and valuably in our schools and our system, hopefully through early intervention? The risk of not doing enough is much more serious. I would say to the Government, of course they are spending money on this. Of course they are putting additional money in. That is because they have to. That is because the education system has been under-resourced for over a decade. Like we have seen in other areas, we had it in the arts and culture sector, and the additional money was not to give them a bonus, it was to get them back to the point at which they should have been in the first place. This additional money is saying: “Where do we want to get to in future? What are the kinds of social outcomes that we expect and want to deliver in what we say is an Island that punches above its weight?” When you look at the list that Deputy Doublet kindly read out, the other places where they invest a serious amount more, including other tax havens, and we look at that and think: “Well, should we not be doing that?” Is Jersey only going to be a place where we simply celebrate the fact that we are moving over seriously super-wealthy people to pay little or no tax who will probably be using private schools over here or more likely not even any schools at all for their children, who may well be educated elsewhere? What about the people who want to use our state school system or the other schools that we also invest in? Should they not have the right to know that wherever you are placed in the Island that you will get not just a reasonable or a good education, but that you will get an excellent education and you will get great outcomes from teachers who are seriously motivated and will do this Island proud in the future, and who will not be tired and worried about going to work. I will leave the comments there because I see Deputy Martin has put her light on, and I do not need to say any more.

2.6.11 The Connétable of St. Martin:

I could hear the emotion in Deputy Maçon’s voice and I urge Deputy Maçon to vote for this, to think how he would have felt, where he would be now if his family had not fought for support for his dyslexia and dyspraxia. Please do not overlook these young people. They have so much intelligence, talents, gifts and skills that without the funding and support will go to waste. What price do we put on children? What price? In the scheme of things the Government can find this money. There is an old “French and Saunders” sketch and one of them says: “In the old days we didn’t have educational needs” and the other one says: “No, we were told to sit in the back of the class and knit.” Is this what we want for our young people? We are in 2021. Please find this money. Please help to bring out the best in all of our children and our students. £10 million is a small price to pay for inclusion and bringing out the best. We are not all able-bodied. We are not all neurotypical, but we all have something to give. We all have skills that should be nurtured and respected. We need the resources to do this, so I would urge everyone to vote for this.

[15:30]

2.6.12 Deputy J.A. Martin:

If I knew before I only had to put my light on and Deputy Tadier would stop talking, or is it just that he cannot wait to hear what I have got to say? Amazement. I was not really intending to speak, but I just think this has gone all over the place. We have an amendment, this is my simple understanding, for £10 million for the inclusion review which was presented to the C.O.M. probably a few weeks back and then to Scrutiny. The Minister says it is absolutely not needed and before anyone runs away with the idea that Deputy Wickenden sits at the C.O.M. table going: “Okay, okay, okay” he bangs

louder than Senator Vallois ever did. He would be screaming from the rooftops if he thought that he could spend this money next year. It cannot be spent. He has said it and nobody believes him. I have just heard from 2 people: “We must find the money. There are capital projects we could stop doing so we could, if you will pass this, stop doing a capital project or something, we will have to find it” but that will not get done and this money will not be spent. It is as simple as that. Deputy Doublet has talked about loads of other things it could be spent on, but that is not what the amendment is for either. I do not know if there was some frustration around Scrutiny and will this be enough, too much, but it definitely is too soon. We do not need that money. If we needed that money or the Minister for Children and Education needed that money and it could be put in next year and have the outcomes by next December, we would not have needed the amendment. It would have been in our budget. We would have had to find it somewhere, because he would not have let it go. Please do not think we are doing children down, and not giving children what they need. The budgets are going up. We need to make sure we do the inclusion right. We heard the man; it is very good. I even said basically and it was agreed by C.O.M.: “Will you come back in a year or 2? Do not leave it too long because we want you to mark our homework. We want you to see if we ever got it and what we are doing” and he said: “That is a really good idea” and so did the rest of C.O.M. Please do not pull at heartstrings. To accuse Deputy Maçon of being a lapdog now he is back in as Assistant Minister is below the belt. Deputy Maçon, if he thought this would help, or that he thought it was needed, would vote with his conscience that it was not needed. Please do not vote for it or, as I say, it will sit somewhere and we will stop doing something else. We do not know what yet but we will have to stop doing it because that is how you have to balance the books and nothing will get done in 2022.

The Bailiff:

You have asked for a point of clarification. Will you give way for a point of clarification, Deputy Martin, from Deputy Morel?

Deputy J.A. Martin:

If I can help, Sir, yes.

Deputy K.F. Morel of St. Lawrence:

Thank you. It was to ask with reference to the speaker who said that Deputy Maçon was a lapdog, would the Minister advise us which speaker that was, because I did not hear that mentioned anywhere?

Deputy J.A. Martin:

Sorry if I paraphrased it wrong. It was the speaker 2 before me, Deputy Tadier. If I misspoke the word, I think he did. I normally have got a very good memory.

Deputy M. Tadier:

A point of order, I do not know if it is a point of order, but I did not say that, if it is helpful.

Deputy J.A. Martin:

I apologise. I take that remark back. I thought it was implied, Sir.

The Bailiff:

I think what technically happened is that Deputy Morel asked for a point of clarification on your speech, Deputy Martin, then Deputy Tadier asked if you would give way for a point of clarification on his speech, which you clearly did by implication, and therefore Standing Orders have been observed.

2.6.13 Senator S.Y. Mézec:

I shall be quite brief on this, because it seems to me my analysis of the situation is that there has been an inclusion review and there is a school funding formula on its way, 2 very noble things that I am sure most people would support the intentions behind. Right now, it is unclear how much that will cost and so the Scrutiny Panel has said: "It is unclear how much that will cost, so here is some help towards that for when you are ready to implement it so that you can hit the ground running." What is the negative consequence of saying no to that help? If it turns out that they are proposing the wrong amount, too much, then C.Y.P.E.S. can give it back. If they are proposing not enough then at least they will have had a head start for when they eventually come back to the Assembly and ask for the right amount. This is clearly a Scrutiny Panel trying to be helpful and enabling the work that the Minister for Children and Education will want to do following that inclusion review and when the school funding formula is available. It does strike me as bizarre to not want to accept that help. The comment has been made, and I think Deputy Wickenden made it in his speech, and he has done so for other amendments as well, asking where the budget will come from. I will make this point and I will make it briefly before finishing. I presume that budget will come from somewhere that is less important than putting children first, because that is the commitment we signed up to and the implication of that is that other things are secondary to that. To find some funding to enable the recommendations from the inclusion review to be carried out and to make sure that our schools are funded properly, I would struggle to think of 2 better ways of putting children first. The Scrutiny Panel is clearly trying to be helpful here, so let us accept the help that they are offering.

2.6.14 Deputy G.P. Southern:

I rise to my feet reluctantly to try to settle some basic questions. The first question is, I suppose, do we know what is already allocated to be spent next year? The answer from several Ministers or Assistant Ministers appears to be no, we do not. We do not know how much we have got to spend, but whatever we do, we do not want to spend this £10 million. Yet, this panel has identified a report that says we are falling behind the mark on these particular issues and we should be allocating more to it. Of course it is presented in very simplistic terms like that. We also heard from Deputy Ash who used Margaret Thatcher's favourite ploy of conflating what Governments do with their money with what housewives do with their money. The answer is, we cannot be compared to the housewife who runs out of money when she runs out of money and then stops spending. Why? Because we can borrow. Why would we borrow? Or we can redirect money, we can reprioritise, although the housewife could do that as well, I suppose, but only to a limited extent. We can borrow. Why is it important that we treat our money differently to the housewife, the household? Because we have many longer-term goals and they are longer-term goals to save money in the long term by spending in the short term. Fundamental to economic reasoning. Here we have an issue, particularly around inclusion, where if we get the answers wrong there, and particularly around early years, if we get those wrong then what we are doing is merely storing up problem after problem for the future and we will have to deal, usually very expensively, with those problems whereas if we get things right now with the right spending then that early intervention can save an enormous amount later on. We have all heard comparisons that suggest that for every £1 you spend on early years you get £7 return in the longer term. That is what we are doing here and it is about priorities. If the Government, if the Ministers as they come towards the end of the advising of their budgets, realise that they have missed an area or have treated less well an area of spending they will look at it and they will find that money. They will find priorities in order to deliver what they see as the right thing, and that is exactly what this Scrutiny Panel is suggesting: reprioritise, look to deliver what you can and in the long term you will be making savings. That is the right way to approach the economy. It is not to stop spending as soon as you run out of money.

2.6.15 Deputy G.C. Guida:

I thought we had gone past that sort of economics where we can spend a lot of money now and things will improve in the future. That is true when you buy an asset, but it is not for anything else. Certainly

Jersey's Assembly has not directed its Government to borrow for day-to-day spending. We have never had the authorisation and we are not trying to do that. It has been very difficult for me to listen to the last 3 debates about why we do not spend £8 million on this and why we do not spend £10 million on that and it is fine, the Government always finds the money, but where do they find it? They find it by squeezing it out of other projects, out of other departments. We are talking about £10 million here because that will make life in Jersey so much better. Do you know what £10 million would do to the ambulance service, to the fire service, the police service, to the prison? We take £100,000 from them and that is desperate, that is cutting very close to the bone, that is making our services less efficient, that is killing our services, but no, £10 million is so easy. We always have it; it is so easy to find. We can find it, there is always some way we can find it. All the services in the Island have been asked to find 3 per cent of savings for this year, so that we could have a balanced budget, because this Assembly has not authorised us to borrow money for day-to-day spending, which is the right thing to do. Every other Government in the world runs at a deficit. We do not and we do not want to. These 2 years are exceptional and it is only because of COVID. Jersey does not want to run at a deficit. We do not want to borrow for day-to-day spending and: "Oh, the Government will find money, £10 million, it is so easy", sorry, £10 million could overflow all of my services with unbelievably needed money, but no, we are keeping it as close as we can because we do not want to borrow for day-to-day spending because we want to keep a balanced budget and we will be serious about that; we will keep a balanced budget. So I am sorry, this notion that it is so easy to find millions, if you think it might possibly be needed in the future, is crazy. It is complete nonsense. I am sorry, I did not intend to speak on this particular subject but that is too much. This notion that you can just pull money out of a bag and it just happens. Yes, other Governments do it, France, 8 per cent of deficit this year, the budget deficit in France is 8 per cent this year, they have got one and a half times their G.D.P. in borrowing, which we do not. We have a whole year of G.D.P. of savings, of cash. We want to keep it that way. We think it is very important, because we are a fragile jurisdiction and we need savings. We need to make sure that there is enough money to get by if something really serious happens. Balancing the accounts is primordial to Jersey and spending money where it is not absolutely needed is primordial to Jersey. Please do not vote for this.

[15:45]

2.6.16 The Deputy of St. Martin:

We have the Minister for Home Affairs telling us that this Government is fiscally responsible. We have just had the Minister for Social Security telling us that the Minister does not need this extra money that we are debating in this amendment, but previously a speech that stood out for me was Senator Vallois, a formidable scrutineer par excellence if I might say so. I am so pleased that I never found myself being scrutinised by her, because when she points out that the Minister has a new funding formula starting in January but he cannot tell us what it is I start to worry. Unless the Government are going to come up with some answers to that question I will not be voting for them.

2.6.17 Senator L.J. Farnham:

I want to reiterate a couple of important points. Before I do that, following on from the speeches of Deputy Guida and the Deputy of St. Martin about fiscal responsibility, we are of course being challenged quite rightly on areas of fiscal responsibility as one would expect, yet a lot of the amendments that are being supported by the people challenging us on fiscal responsibility are seeking to significantly increase our expenditure, which is a challenging concept to deal with. In relation to this particular proposition, we are already investing in inclusion in schools and, as the Chief Minister and other Members have referred to earlier, we have seen significant increases in the education budget. £11.2 million of the education reform programme in 2022 is allocated and of this £2.7 million is specifically for new inclusion activities. In addition, a significant proportion of the £5.5 million deficit funding has been allocated to pressures in schools arising from special educational needs. We have gone through the correct process to commission a review, which has

been delivered to us just this month. We now have the findings. We need to reflect on these, cost these, make plans and then, if necessary, come back for some additional funding. However, as I said before, the Chief Minister and others state this is about attitudes, it is about best practice, it is about reorganisation. It is not about additional funding at this point. It might be in the future, and I think all Members would support additional funding for education if it is absolutely needed, and I think it will be, but it is not at this point. Let us do the work properly and deliver the correct amount that the system will need and act as the whole Assembly wants us to do as being fiscally responsible.

2.6.18 Deputy S.J. Pinel:

It is once again to reiterate the lack of funding source for this amendment. It could, as it stands, result in a negative balance on the Consolidated Fund, which is not permitted under the Public Finance Law, so there is no identification whatsoever of where this money will come from and it would not change the Government Plan. I think people have to be very aware of that when they are voting for this. It has a significant impact.

The Bailiff:

Does any other Member wish to speak on the amendment? If no other Member wishes to speak then I close the debate and call upon Deputy Ward to respond.

2.6.19 Deputy R.J. Ward:

I thank everyone for their input this afternoon. I am going to start off by addressing some of the later speakers, the last 3. I believe what the Government have got themselves into is what one might refer to as a one-track pony argument. "Where is the money coming from? "We cannot find the money," but unfortunately they have contradicted themselves during this Government Plan. I say to Deputy Guida, the reference to the ambulance service and so on is just wrong. Let me put it to him this way. The £38 million for I.T. and the £20 million for the Tech Fund, are you taking that from the ambulance service? That argument falls down when you want that. I think we could disregard that argument. The same for Senator Farnham. You are missing the Scrutiny argument, Senator Farnham. I want you to please listen carefully as I go through it to explain it again. We are talking about a specific need that we believe will happen, and in the end that is what this vote will come down to. Do you believe that a new funding formula in the S.E.N. report that has been published and shown 50 recommendations or more as outlined by the Minister for Children and Education will need funding, that a new funding formula that renews a 30 year-old formula that was funding education 30 years ago with the very different needs then will need more funding? If you do believe that then we will need to allocate money now, otherwise we will fail our children throughout 2022. Let us talk about that specific thing. Deputy Wickenden right at the beginning, the Minister for Children and Education, stated that we will get the money from future Government Plans. It suggests to me that there is no plan to fund properly in 2022 so we have ourselves in an emergency situation where we need to allocate in this sitting to the Government Plan the money that will be very necessary to go through, to fund a formula. I would explain this, but I have no explanation for it. We were told that a funding formula would be in place on 1st January, but we are told today that the Minister does not have the funding formula. As the Constable of St. John so rightly picked out, and another cracking speech from him, it is 16th December. Schools break up on Friday. I do not know if the Minister is saying the heads of schools have worked incredibly hard this year, incredibly hard to keep their staff above water, to keep themselves above water with everything that has gone on: "Oh, by the way, we will give you the funding formula over Christmas so in you come again, you do not get a holiday, and, by the way, it is likely to be underfunded because we refused £10 million from the States Assembly last week because we told them we did not need it." I despair of that attitude. Let us talk about the £11.2 million that has been spoken about so often this year. Look back at the public hearing. In the public hearing we questioned that and the answer we got, from the person in charge of the independent school funding review, the officer who was online at the time because I think he

had COVID, was that the real figure of money that is extra for schools this year is £1.2 million, split between all of the schools. As I said at that time, it is peanuts. Again, from the Chief Minister, what we have had is this notion of growth. Growth that pays back deficit is not growth. It is getting us back to square one. It is like saying to somebody: "You have grown because you have stood up." You are the same height; it does not make sense. I want the Assembly to think about that, think about that word "growth." It is not growth. There is a possibility of growth if we have this £10 million allocated so that there is a possibility of genuine funding for our schools that is so desperately needed. Senator Vallois was absolutely spot on, and Deputy Doublet. I want to say publicly how proud I am of the work of our panel, how much work we have put in, the time we have spent, the support from the officers has been astoundingly good, and the report on the Government Plan - and I say to Deputy Maçon this was a short report because it refers to the Government Plan report - which covers so much in terms of inadequacy of funding in the Government Plan. I am very proud to be associated with those 2 Members of the Assembly in Scrutiny, so thank you very much for your work. Deputy Ash, I strongly suggest that you do not have a conversation with my wife. I really do not want to bail her out and so I do not want her in front of you for what she might say or do. My wife is a strong, independent, intelligent woman who does not need me. She can look after herself; she can fund herself and I would never tell her what to spend her money on. That is not the relationship we have and I would remind the Deputy that it is 2021. Senator Le Fondré sent everybody an email. I was concerned about that email, because it had a huge tale about what is being spent but one fundamental flaw, Chief Minister, I am concerned that this might be the problem and ask you to open your eyes a little here and understand what the Scrutiny Panel, and please do not be antagonistic towards the ideas that we are talking to you about. You sent that email and that is based on a formula that is 30 years old, so there may be figures in it, but the whole crux of the argument from the Scrutiny Panel is that a new funding formula will be needed that proves that the old one is inadequate, so we are compounding the inadequate funding of education by considering that as growth. I believe, and I will be as kind as I can be here, simply you have got it wrong. It is okay to get things wrong, as long as you correct them. This is an opportunity to correct them, so please take that opportunity. Deputy Maçon, I wrote down here, and it was a joke: "You are more torn than Natalie Imbruglia" and that is a reference for you. I understand what you were saying and I go back to this notion that money can be found when it wants to be. If we are going to fund what we need to do is to put the money aside now, otherwise this will not happen. As an ex-Minister he knows the difficulty in getting funding. I am pretty sure that if we had offered this £10 million to him as Minister or to Senator Vallois as Minister they would have bitten our hands off to get that money so I would suggest listen to the Constable of St. Martin and take her advice. Senator Moore, you used a great word, which was "inexplicable." Inexplicable as to why this money would not be wanted by the Department for Education, inexplicable how we could be talking about such huge spend on other areas, which are priorities that are not putting children first, but not put this money aside should it be needed. If the school funding formula comes out in the education review and it comes back as saying: "You know what? We have got enough money and everything is hunky-dory", brilliant. Absolutely superb, take the money back, but there is no evidence that is going to be the case. The evidence that we have managed to glean, and it has not been easy, is that we need more funding for education. The Constable of St. Martin, what I wrote down here is "thank you", and you get it. The Constable of St. Martin, Constable Shenton-Stone, she gets it, she gets the education issue. It is just such a reassurance for Members like myself, who have spent my life in education and others, that Members get it, because they see children as perhaps themselves or their own children and they understand the support they need and are willing to vote for that, so thank you very much. Deputy Martin, it is impossible for you to say we do not need this money when you have not seen the school funding formula and we have not seen the funding formula.

The Bailiff:

Deputy, I am going to interrupt you and I hesitate to do so, but you have not spoken through the Chair quite prodigiously during the course of your speech so far. It is really important you do not refer to any Members as you or address them directly, although I am sure it would not go wrong in this speech, there is a lot of opportunity for it to go wrong if it is not a habit within the Assembly and, therefore, would you please address remarks through the Chair?

Deputy R.J. Ward:

Sir, I do apologise. That is why I come into the Assembly every single day because it is a much more contextual point but I do apologise and I will not do that again. I would like to say to the Deputies or anyone really in there who is saying that we do not need the money, but we simply do not know that.

[16:00]

We do not know what the funding formula is but the evidence is strong that there will be more money needed from the school funding review and that is a separate document that we have seen from the formula itself; that is a really key point that perhaps I should have made earlier. Also, the inclusion project did not have any funding attached to it but it will need funding; that is the reason I addressed that issue. I would say that Deputy Southern was correct and I would say this is about being proactive. This is why I say to the Government, it is okay to make mistakes in things but you have to be proactive to solve them. None of us are perfect and not even myself. But none of us are perfect and we make mistakes and this is a mistake in the Government Plan. This is an opportunity to say: “Do you know what, we have to address this issue as we move to the future?” Deputy Luce, I would like to say that I agree and it is great to have other Members with so much experience on the panel. I am going to finish because I have gone on long enough but I want to summarise. Due to the lack of information provided to the panel in respect of the new funding formula and given the existing one is 30 years old, there is no way to state whether the funding level attributed to education in 2022 is sufficient or not. The panel has heard evidence to suggest that a figure in relation to a shortfall under the new funding formula has been identified and is being quality assured. This should not be discounted as evidence. There is high probability that a new funding formula identified a shortfall in education funding, given the advances in education over the last 30 years and the increased needs of children and young people. The recommendations arising from the inclusion review are due to be costed by C.Y.P.E.S. There is no direct funding within the Government Plan in order to address this costing. Without identified funding there is a risk that no progress will be made in implementing recommendations in 2022. This, we believe, should be a matter of priority for the Minister. The increase of £10 million, if accepted, will increase the level of funding in 2022 to ensure the shortfalls identified by a new funding formula can be addressed expediently and any recommendations from an inclusion review implemented in 2022. Any funding required above this amount will need to be identified and addressed by the Minister directly, should the shortfall come in below the £10 million funding, and this allows the funding to be utilised in other areas of C.Y.P.E.S. or returned. This proposed amendment directly supports the Common Strategic Policy of putting children first. In a child’s life we cannot lose a year because of stubbornness or because of the inability to accept that an idea has come from a Scrutiny Panel that may be acceptable. This is not a party-political thing, this is a Scrutiny Panel thing. There is not political gain to be got from it. What there is to be got from this is, as an Assembly, we support our children. We do not have the time to waste time in children’s lives. We must act upon funding now, we must act upon needs now. If we are truly to put children first and we are going to give our children and our Island the best start and the best future for us all, so I strongly urge Members to support this amendment and I ask for the appel.

The Bailiff:

The appel is called for and I ask for the Greffier to post a link into the chat. I open the voting and ask Members to vote.

Deputy J.M. Maçon:

Can we have a bit more time please? I have to sign in again.

The Bailiff:

Yes, certainly, Deputy. Perhaps you would just let us know when you have signed in, otherwise if you are having difficulty I will take a vote delivered orally.

Deputy J.M. Maçon:

Thank you, Sir, I should be able to vote, thank you.

The Bailiff:

You have been able to record your vote, Deputy, yes?

Deputy J.M. Maçon:

Yes, thank you.

The Bailiff:

Very well. In addition to the chat we have 38 Members who have voted during the link and I am about to close the voting. Can I ask if Members have had the opportunity of casting their votes? Then I ask the Greffier to close the voting. In the link there are: 20 votes pour, 18 votes contre and one abstention. There is a further one vote pour in the chat, making that 21 and there are a further 3 votes contre in the link, making it 21 and, therefore, the amendment is defeated.

POUR: 21		CONTRE: 21		ABSTAIN: 1
Senator T.A. Vallois		Senator I.J. Gorst		Deputy of St. John
Senator K.L. Moore		Senator L.J. Farnham		
Senator S.W. Pallett		Senator J.A.N. Le Fondré		
Senator S.Y. Mézec		Connétable of St. Helier		
Connétable of St. Brelade		Connétable of St. Lawrence		
Connétable of St. Mary		Connétable of Grouville		
Connétable of St. Martin		Connétable of Trinity		
Connétable of St. John		Connétable of St. Ouen		
Connétable of St. Clement		Deputy J.A. Martin (H)		
Deputy G.P. Southern (H)		Deputy of Grouville		
Deputy M. Tadier (B)		Deputy K.C. Lewis (S)		
Deputy M.R. Higgins (H)		Deputy S.J. Pinel (C)		
Deputy J.M. Maçon (S)		Deputy of St. Ouen		
Deputy of St. Martin		Deputy R. Labey (H)		
Deputy L.M.C. Doublet (S)		Deputy S.M. Wickenden (H)		
Deputy of St. Mary		Deputy G.J. Truscott (B)		
Deputy M.R. Le Hegarat (H)		Deputy L.B.E. Ash (C)		
Deputy R.J. Ward (H)		Deputy G.C.U. Guida (L)		
Deputy C.S. Alves (H)		Deputy of St. Peter		
Deputy K.G. Pamplin (S)		Deputy of Trinity		
Deputy I. Gardiner (H)		Deputy S.M. Ahier (H)		

The Greffier of the States:

Those Members who voted pour: Deputy Doublet, the Constable of St. John, Deputy Tadier, the Constable of St. Martin, Senator Vallois, Deputy Le Hegarat, Senator Pallett, Senator Mézec, Senator

Moore, Deputy Alves, Deputy Southern, Deputy Higgins, the Constable of St. Mary, the Constable of St. Brelade, Deputy Gardiner, Deputy Ward, the Constable of St. Clement, the Deputy of St. Mary, Deputy Maçon and Deputy Pamplin and in the chat the Deputy of St. Martin. Votes in contre were: Deputy Wickenden, Deputy Labey, the Constable of St. Helier, the Deputy of St. Peter, the Constable of Grouville, the Constable of St. Ouen, Senator Farnham, Deputy Martin, the Deputy of St. Ouen, Senator Gorst, the Deputy of Grouville, Deputy Truscott, the Deputy of Trinity, Deputy Ahier, Deputy Guida, Deputy Ash, the Constable of Trinity and Deputy Lewis and the abstention was the Deputy of St. John.

2.7 Proposed Government Plan 2022-2025 (P.90/2021): twelfth amendment (P.90/2021 Amd.(12))

The Bailiff:

The next amendment and indeed the final amendment listed in the Order Paper is amendment 12 lodged by Senator Mézec and I ask the Greffier to read the amendment.

The Greffier of the States:

Page 2, new paragraph (l), after paragraph (k) insert a new paragraph (l) “(l) to agree that the Upper Earnings Limit, as defined within the Social Security (Jersey) Law 1974, should be removed, abolishing the upper earnings limit cap on Social Security Contributions and on Long-Term Care Contributions, increasing the estimated closing balance of the relevant funds by £7 million and £8.5 million respectively” and re-designate the existing paragraph (l) as paragraph (m).

2.7.1 Senator S.Y. Mézec:

Of course we are saving the best until last. This will be one which will provide the Government a completely different opportunity to oppose this, as they have previous ones. Where previous ones have been opposed it is because they apparently cost too much, where this one it is opposed it is because it raises too much much-needed funding. If Members are feeling any sense of déjà vu now it is of course because we have been here before towards the end of the day on a fourth day of a sitting debating the social security cap and the long-term care tax cap. There is a very simple reason why this keeps getting brought up again and again. It is for the very simple reason that the cap on social security contributions and the long-term care tax is unfair. It is morally unjustifiable and it is financially imprudent. Those facts remain the facts. Every time the Assembly votes to maintain this tax privilege for the highest earners in Jersey, and it will remain that fact until this Assembly one day scraps these caps and moves to a fairer and more equitable system. I hope that on this occasion it will be today that we finally decide to end this inequity in our tax system. The definition of a regressive tax is one where the tax rate reduces as the taxable base increases. The reason that is called regressive, which is a word we would associate with negative connotations, is because that is a bad way of raising revenue to spend on public services because it means those who are least able to afford it pay proportionately the most and those who are most able to afford pay proportionately the least. It means that the burden lies on the shoulders of people who we would like to be spending their money in the local economy, supporting their families, coping with the cost of living. Instead through our social security and long-term care tax systems we give a tax break, a tax privilege to the people who least need it and who would least be affected if a change were implemented. I am going to issue this challenge in my opening speech on this to Members of the Government who will oppose this and so in particular to the Minister for Treasury and Resources, who I expect will respond to this. Since other Members have started referring to the Alliance Party, before Reform Jersey has in this debate, I would issue a challenge and this can be not an exercise of point-scoring if they choose to rise to this challenge but purely in the interests of democratic transparency I would ask them to put up a spokesperson to give their response to this particular challenge. The challenge that I am issuing to the Minister for Treasury and Resources and, potentially, the Alliance Party, if they have a spokesperson who wishes to speak on this, is I would like them to explain why they believe it is

tenable to support tax privileges for the rich and to explain why. It may well be the case that they have good reasons. It may well be the case that they have a persuasive argument to make to say to the ordinary working people of Jersey, here is why we think you should proportionately pay more tax here and why those people who earn unimaginable amounts of money, far greater than you will hope to, no matter how hard you work in the jobs that you are doing, many of those being vital jobs in our public services, be those teachers or even some doctors probably, nurses and front line workers and those in the private sector who do such valuable jobs for our society as well, why they should be expected to pay a greater percentage of this income in this tax and why those at the top of society, who least need that privilege, get that privilege anyway. I would like to hear a moral defence of that from the Government and from the Alliance Party. But I can say on behalf of my party that we do not consider there is a moral defence of that. We think it is unfair and inequitable to tax people regressively like this. That is why we stand for changing that, to make the system fairer. We do so not just on the points of principle that it is right and fair to tax people progressively or, in this case, not even progressively but proportionately but it is the financially responsible thing to do. Because we have public services that need to be funded and they need to be funded to protect the quality of life of people in Jersey but they also need to be invested in because of the challenges that we know we are facing in the future, not least of all of course the ageing population, whereas time goes on our working age to non-working age ratio in our society is going to change. That will put pressures on our public finances and it will put pressures on our public services. We have several choices for how we respond to that. We can respond in the way that successive Governments have done over the last 10 years, which is with a Ponzi scheme of a population policy, one which even with the publication of P.117, we have no indication of that changing any time soon and no ability to affect a change to that if it is what we want to do because there is apparently not enough data to work out that a Ponzi scheme is a Ponzi scheme.

[16:15]

An alternative is that we say to the population: “Tough luck, we will just cut public services” and that was the tactic that was taken by the 2010 Coalition Government in the U.K. and copied by Governments here. That has been demonstrated, even among conservative circles in the U.K. now, as having been a failure. It was a failure there and it has been a failure in Jersey too. The third option is that you seek to raise revenue from your population to fund those services. There have been some interesting indications that we have had from some Members of the Government and there have been some interesting headlines in the media about getting this Government Plan over the line or previous propositions in the last few months in this Assembly but with a warning that tax rises may be coming in the future. You have always got to be concerned when “in the future” means in the next electoral term, rather than in the rest of this electoral term, where those who make those decisions can be held to account for those decisions at the ballot box. But instead in the next electoral term, which presents candidates an opportunity to try to get through that election campaign dodging this subject as much as possible or giving assurances on their positions on tax, which later turn out to be completely false. Who here remembers of course the “I will not raise G.S.T. remarks” by a previous Minister for Treasury and Resources? I think that the public deserve some honesty on this. If revenue needs to be raised let us be frank about that discussion and talk about how we would like that to be done and who we think should be affected by that. We know that there is currently a complete lack of clarity on the long-term funding of our health system. We are anticipating at some point in the future being given a clearer indication of what the future for that may be. We are of course anticipating that that will involve in some shape or form more funding for healthcare, without any idea as to how that will be raised, how that will be ring-fenced or what budgets will be changed or which funds may be abolished or replaced or what have you. We know that there was a previous attempt by a previous Government to try to raise that revenue by raising, essentially, the basic rate of income tax by 1 per cent but not calling it a raise in income tax, establishing it as an entirely new tax with all the new bureaucracy and calculation systems that go with it but also with a cap put in place to prevent those

above the upper earnings limits from paying their fair share into it. With this amendment, as with previous amendments that have been brought on this, we say enough, let us be honest about the fact that we will need more revenue into our social security system, to be able to fund some of those things that we know that we need to fund, whether that is to protect people's quality of life through the benefit system or whether it is through providing extra funding for our health service offering, for G.P. (general practitioner) fees or anything like that. This provides a way of generating revenue to contribute to that openly and transparently and fairly, without asking those people in Jersey who are struggling to make ends meet, who are suffering from the housing crisis, who are suffering from the effects of COVID, to avoid having that mature and open conversation with them about how we will fund our public services, we will say at least from the outset that there should be a contribution made by those who are most capable of making that contribution and who are most able to see their contribution rise without really experiencing negative side effects from that and that, at least at the start, is some way of addressing this fairly. That is why we propose scrapping the upper earnings caps for social security and for long-term care. With long-term care, let us just explore this briefly. The long-term care tax rate was increased at the start of this electoral term and the upper earnings cap was increased, in fact it was increased quite substantially up to £250,000. There were options available to us at that time. Originally it was proposed that the long-term care tax rate would be doubled but thanks to a Scrutiny amendment that was held back and reduced. There was a suggestion behind the scenes that the cap would not be raised to £250,000 but in fact would be raised to £500,000, showing that it is something that we can consider doing. It is not sacrosanct, it is something that can be changed or amended. The basic rate was increased a bit, the cap was increased a bit, but that basic rate was not increased by the level that the Government had initially sought, which means that round 2, the next stage of increasing that rate, will be closer on the horizon than it would have otherwise been. Whereas if you choose now to lift the upper earnings cap you push that back even further and you get to protect people's quality of life through that tax earlier. The Government has published comments opposing this, which I think rely on the same old tired arguments. The one that I find particularly offensive in it is this argument about international competitiveness, that we have to offer tax privileges for the super wealthy in Jersey because if we treated them the same way we treat our local population they would be so disgusted they would get up and leave. I find that an offensive argument to make, to say that one rule should apply to the vast majority of us and a different rule, which offers exclusive privileges, should apply to another section of our population. It is an offensive argument to make. But it also, in my view, totally fails to take into account that competitiveness does not just matter for those at the top of our society but, as has been shown very much in the case during the pandemic, that competitiveness matters across all levels of our society. Look at our industries which are struggling to recruit people, particularly hospitality because many of the people working in those industries on the wage levels that have been traditionally set in those industries, they just cannot afford to live. Their rent is too high, cost of living is too high and so they are going, many of these people, to other places because they would have a better quality of life elsewhere. Our industries are suffering and the quality of life for the rest of us is suffering because our hospitality offering is not as vibrant as we would want it to be because of earlier closing hours or days where some of our favourite venues are not opening because they cannot find staff to that, something that is particularly sad and also those people in the middle, the squeezed middle, those teachers and nurses, those incredibly important key-worker roles. I am particularly sad to see the headline in one of the media outlets recently about social workers who were recruited in our recruitment campaign that was launched under my time, which I was very proud of, many of those people are not working in the service anymore, have gone elsewhere. One of the reasons they are attributing that to is the cost of living. It does not matter how much money we throw at a recruitment campaign or anything like that, we are simply not going to keep staff if they cannot have a decent quality of life when they come here. Again, the rest of us will suffer the consequences from not having talented and aspirational people in those roles because what Jersey offered them was not as competitive as what another jurisdiction might be able to offer them. I think it is insulting to say that

the issue of competitiveness only matters when it counts for that tax rate for those on the very highest earners. It does matter to all parts of our society and we are paying the price from that by not being able to offer people in those roles the quality of life that they need. This amendment is proposed both because I think it is morally the right thing to do, to treat people equally and fairly, but also financially because it offers our public finances the revenue that in years to come will be desperately needed to provide services that are paid out, not just from social security but at some point in the future long-term care as well, meaning that we do not have to put that burden even harder on to the shoulders of people who are already struggling. It offers a reprieve at least while that further work goes on on developing a population policy that is worthy of the title, for instance. On those bases I would ask Members, though this has not been the first time that they have been asked to consider it, to consider making it the last time they are asked to do this, so that we can have a fairer tax system and we can provide that revenue for our public services. Before I sit down I wish to reiterate the challenge that I made to a representative from the Government, who I presume will be the Minister for Treasury and Resources and a representative from the other parties as well, so they have the opportunity to be transparent about their positions that the electorate can expect them to hold, to explain if they are against this amendment why it is that they will support tax privileges for the superrich. I make the amendment.

The Bailiff:

Thank you very much. Is the amendment seconded? **[Seconded]**

2.7.2 Deputy J.M. Maçon:

We are having this debate yet again. I would like to ask Members not to support this amendment for 3 particular reasons, which I will go into. The first being our economy and considering the F.P.P.'s (Fiscal Policy Panel) advice, this is not the right time to consider increasing contributions. Jersey's economy is recovering but is still weak. We do not know what is in store for us next year, the outlook is very uncertain. This proposal goes against the Fiscal Policy Panel's advice. The F.P.P. are internationally recognised expert economists, have taken into account how our economy is doing and what we are proposing in the Government Plan over the next few years. Their very first recommendation is: "Revenue-raising steps, including high taxes, impose a burden that would not be appropriate at present." I just want that to sink into Members, they say: "Would not be appropriate at present." This is what this proposal would do; frankly damage part of Jersey's economy. Senator Mézec, as he touched on it, there is an argument that it could affect the international competitiveness of certain sectors within Jersey, particularly those of the financial and legal sector, as it will require employers of employees with incomes above £250,000 to pay significantly more social security contributions than they already pay. What is also a consequence of this amendment would be that self-employed people would also have to pay an extra 2.5 per cent social security contributions if they are in that income bracket. What this would do is there would also be an extra 1.5 per cent long-term care contribution, so 4 per cent in total. I just want to be clear to Members that when you are talking about social security contributions the way that it is tiered, when we get to this level what is collected from social security goes into different pots. This element of the social security system, when we are talking about this bracket, does not collect anything for the H.I.F. (Health Insurance Fund). If Members are concerned that not enough money is going into the Health Insurance Fund, what is being proposed here will not add an extra penny to the Health Insurance Fund. But I just want to say that now and take that off the table so Members are clear on that. What does this do?

[16:30]

This then takes money which then goes into the pension pot or the long-term care pot. Finally, what we also need to remember is that social security is at its heart a social insurance scheme, it is not a tax. You might think social security contributions are just another tax and that is true, that we are all expected to make a contribution to the Social Security Fund until we reach pension age and that this

universality and solidarities are spread through the social security system. But that is where the similarity with general taxation ends and I think this is very important because Senator Mézec, when he spoke, kept using the word “tax” and is treating social security contributions as a tax and they are not the same thing, and that is important to make that distinction. Contributions bring a right of protection and a promise of benefits in return during one’s lifetime if they are needed. This insurance principle is an important foundation of the social security system and its fairness. There needs to be a fair relationship between the contributions that anyone is expected to pay, regardless of how high their income is and the protection they get from the social security scheme. This proposal would break that relationship for those with the highest income in Jersey. As we have heard, Senator Mézec would argue that this is about fairness and that might be true for general taxation but for social security it is not how ... sorry, Sir, I am just getting a bit of feedback there, I will carry on. However, the fairness within social security comes from the overall package of what an individual gets from the support of their contribution. A person with low income or earnings gets the same value of benefit as a person with a much higher-earning income and that is where the fairness of the system comes out. Contributions of lower earners are supplemented by the contributions of higher earners. More recently, there has been the parental benefit, which is funded by employers, giving an extra 0.5 per cent contribution on higher earnings and we did that during this term. Therefore, those are the impacts that this proposal would have at this time. The F.P.P. are telling us not to do it. We know it will have effects on other sections of the job market and, fundamentally, it is important for Members to remember that the social security insurance system is a contributing system, it is not a tax. I know that is not comfort for anyone who looks at their payslip and sees money going out because it feels like a tax but it is not, and that needs to be remembered. The money that is raised for social security contributions does not get treated as general taxation revenue and they can be spent in other areas; that is not how the system works. It is almost hypothecated in how it works and that there are ring-fenced areas about how the money is spent once it is collected. This is why at the moment this amendment should not be supported.

2.7.3 Deputy R.J. Ward:

I know we have a lot to do today but I thought I would get it out of the way early. It is very interesting this debate because we have had so many debates in the last Government days where the argument has been: “But we are not raising any revenue through this. Where is the money coming from?” The first time there is a proposition or an amendment that says this is revenue-raising, what happens? The people rally round to protect the wealthiest as quickly as they can, and that is the issue we have here. Perhaps I will say to the last speaker, if those who are earning over £250,000 or even more, the richest in our society are struggling to pay this extra social security, they need to organise their finances better and that is the issue that we have got here. The figure is more like £260,000-and-something with other allowances, then you pay absolutely no more social security, it stops. You could earn infinite amounts above that. It is this never-ending amount, the sort of argument that was used just now with regards school headroom funding but it is an infinite amount. This is okay if you are the wealthiest in our society. It is clear which side the Government stands on. It is not the people of Jersey, the average person working all the hours under the sun, struggling to get by, struggling to pay their rent or just hoping to have something better than just making ends meet. No, it is those who are the very wealthiest and will be protected. When we talk about fairness, fairness is about everybody to contribute what they can. I believe that many who earn lots and lots, particularly after COVID, recognise how important it is in society that they make their contribution. This notion that low earners are supplemented by higher earners, what a bizarre notion. This is about what you are able to pay. If I was earning millions of pounds I would expect to pay more. I pay more than somebody earning half what I earn, I expect that; that is the way it works. That is how to deal with our society if we are going to have a social security system that works. I find, yet again, contradictions in approaches here that astound me. We are so close to making huge steps but, no, the arguments are the money is not there. What are we going to do about the money? Then as soon as

there is a way to raise money it is refused because it is targeting of bringing into the fold people that those in Government - and they are hangers-on - want to protect above anyone else. That is seen by our society now; that is seen by people, particularly as we come out of COVID and people have struggled. It is about time that this Assembly made this step. We need to remove the social security cap to make it equitable for everybody. We contribute what we can, it will raise funds. It means it can be spent on something to improve our society. I urge people to support this and say to people that if you are not going to support revenue-raising, do not vote against things that need money because you are missing an opportunity. Please, let us give this a go, let us finish the day well.

2.7.4 Senator T.A. Vallois:

When I stood at the last elections I made it quite clear in my manifesto about earnings limits. I gave some compromises about what I thought may be the case but I think that this is something that I should support. The arguments around using F.P.P. as the staple hold to argue against this shows why some of the arguments are inconsistent. F.P.P. also made a recommendation about not creating more funds but yet the Government argued like there was no tomorrow about why we needed a Technology Fund. I am sorry, I just wanted to make those points because I just find it astonishing sometimes when I am hearing some of the arguments that are coming out. It is okay for one and not for the other. Basically this is about priorities, basically this is about position on policy that the Government have and some Assembly Members might see completely different, and that is absolutely fine. But I believe from my point of view, I had it in my manifesto, I do not accept the F.P.P. argument because it was not accepted by Government for the Technology Fund. I will be supporting Senator Mézec in his amendment. Maybe that revenue could help with the funding formula in the inclusion review next year when the Minister for Children and Education identifies exactly what it is that he needs in order to pay for it.

2.7.5 The Deputy of Grouville:

I must confess listening to Deputy Ward I have a lot of sympathy with what he was saying and it is an easy one, I think, to look at the higher earnings and think, yes, of course they should be paying more in tax, they should be paying the same rate as everybody else, that is surely right. But this is the Social Security Fund and to remove the cap means that anything over and above that is tax. We are taxing them more and that might appeal, which is why I have just said I have a lot of sympathy with where indeed the proposer and Deputy Ward were coming from. But this is not the right fund to be doing it through because any extra monies raised in this fund will be ring-fenced and have to remain with Social Security and the long-term care fund. They cannot then be used for other things like education and whatever we choose to use them on; they have to stay within that fund. It would mean it is very restrictive. I am afraid F.P.P. are advising not to raise new taxes now and this is exactly what this would be, it would be a new tax. It is future employers or employers now, when they have got choices to come here or go to Guernsey or elsewhere, they might very well do that. It would not only be the rich that are losing out and having to move but there would be a loss of jobs. I think we are in a very delicate economic position right now. The cap was put up, it was raised quite considerably in 2020, and I think we have got to give it some time to bed in and see what results from that and see the results post-pandemic, post-Brexit of where we are before we start raising taxes. But this is not the right fund to be raising taxes in.

2.7.6 Deputy J.H. Young:

Earlier in this week we had a debate about the cost of our health service and how we fund this. I think all of us know, although that vote did not go through, that we are facing a huge increase of costs regarding our ageing society, demands of healthcare that we have to find ways of paying for. I certainly made the point, I think others kind of went along with the principle, that we do need to look at ways of funding our healthcare costs. Of course, what we have got here is a proposal that is not a health fund but an element that the social security contributions does go into the health fund. Of the

various parts of the proposal here, as the Deputy of Grouville has reminded us, there are 2 parts to this, and one is that those real high super-earners that are either in employment or self-employment that pay social security contributions and of course they would have to be below pensionable age, those people will pay the 2.5 per cent on their surplus income. When I saw the comments paper I had no idea that people in the Island are earning in excess of £21,000 a month for employment and of course that is what the comments say. Unless I have misread this, I think people are puzzled but I was puzzled I can tell you. Based on the contributions it says 350 people earn in excess of that and would pay 2.5 per cent or the employers would pay for them and, equally, self-employed people would pay similarly of people obviously, I suppose, from their trading activities. Then if there are taxpayers, which are the super-rich which are below pension age, they would also pay the social security contributions because those are the rules for all of us, that while we are below pension age we have to pay contributions. Not only does a big chunk of that money go in to pay for our health fund, which of course is where we are going on that at moment. We have been raiding it, we have been ripping the money out of that fund for a long time. Where is the magic money tree coming to replace that, which was the answer to that debate? But most important for me: pensions, that is where the rest of the money goes. We know that we have got a lot of pensioners in this Island living, frankly, below the poverty line, I believe, not acceptable.

[16:45]

Pensioners suffer when you have the kind of inflation and high costs that we are facing. It is absolutely right that we have a really, really healthy pension fund. I would hope that in the future that whoever is the Minister for Social Security after the elections - I will not be there - puts priority for pensions. Priority for pensions so that they can upgrade the amounts being paid, have pension flexibility, that there are lots of ways that people could buy extra years and have some options in there where they do not have now and have the opportunity to have that put right. We need a healthy fund, we are told it was £2 billion, okay, what this movement here, according to the figures, would put an extra £7 million into that pot and there will be a proportion of it goes into the H.I.F. - do not know how much that would be, let us say it is a couple of million - there is still £5 million more going into the pension fund, not the States employees one but the public pension scheme, the States pension scheme for everybody. Then there is the other bit to this, which I think are rather different issues, which is the long-term care fund ceiling, which is where all of us, we know, all of us taxpayers - we are all taxpayers - we have to pay 1.5 per cent at the moment, whether we are of pensionable age or not. We pay that through our whole life. It is absolutely right that that fund is really built up and as strong as it can be. Because, look, what we have seen about the ageing population numbers, and we even heard this week from our Minister for Social Security, that our Minister for Social Security intended or in fact the actuarial report recommended that that goes up to 2 per cent but it is not done. That indicates to me that that fund is in need of an extra funding source. For me, it seems to be an absolute principle. In this Island let us take the long-term care fund principle because that illustrates the principle very clearly. Look, none of us know whether we are going to need to draw up on that fund in later life. If we are lucky we will not. Sadly, if we are not lucky then I am afraid that fund ... and that applies to every one of us, whether you are super-rich or whether you are a person in ordinary circumstances. That is absolutely right that we all pay an equal share, proportionate of that. Raising the ceiling to do that, which would put another £8 million into the long-term care fund, I think, is a really good thing to do. I do accept the logic of course that I see what we have got is economic arguments and we are going to frighten off people earning high money. I do not think that applies to the long-term care people of retired age, people who have come to this Island to settle in retirement, and I think them paying a full share is equity, as I have said. I can see the issue about employment, in other words. But I do ask, is that really likely? Are people really going to be discouraged at this very, very super-earnings level because that is what it is? It is not just high earners, it is super-earnings level. Is it going to really discourage them? Of course, the Fiscal Policy Panel, I am sure all these people are the best economic experts you can get. They say we cannot have

extra taxation but, for me, all of the future indicates that we need to have a broader tax base in Jersey for the future; if we do not now we will do in the future. We should not close our minds to that. For the Fiscal Policy Panel to say no new taxes, I have heard that argument so many times. I am not criticising them but I am reminded that when that same panel, I think it was, gave us advice about what the economic effect with COVID would be, they told us that property values would collapse and property values would decline and house prices would be low. What happened? Absolutely the reverse. Has that been explained? No. I think, as politicians, reset the goals, reset the targets and I think our experts advise us and support us but in the end politicians decide. For me, I think this is the time now to put our marker down, yes, and vote this and support it, so I am strongly behind this.

2.7.7 Deputy M. Tadier:

What gets me in this Assembly is that, despite the progress I have seen made in the last 13 years or so, when things like the Discrimination Law did not exist, we have had to battle arguments saying we do not need a Discrimination Law, people should just be nice to each other. We have got to a point now where it is just axiomatically accepted that that kind of thing is the right thing to do and that we should have these kind of laws. But we constantly have to have similar debates about something else which should be accepted as axiomatically true and instinctively something that we should all know in our hearts and our heads is that you should not have a system whereby the poor and the middle earners pay proportionately much more than those who are most able to pay in our society. You do not need to be a biblical scholar and to know the story of the widow's mite to know that it does not make moral or even economic sense to do that. A challenge has been put out to the Alliance Party, who are in Government by and large, as to why they continue to support policy that favours the super-rich in our Island without being able to even explain that in coherent terms to the people who elect them or to their fellow colleagues in the Assembly. I repeat Senator Mézec's challenge to the governing Alliance Party to say exactly why it is they think that by favouring the super-rich in such a way that they are doing a benefit for the majority of the Island. Remember what we are talking about here, we are talking about people who earn over £250,000 every year. Most people do not even earn that kind of money in a 5-year period. I have heard an allusion made to self-employed people, we are talking about self-employed people who earn £260,000 a year; they are the ones we are talking about. Nobody is going to be affected by this proposition under that ceiling because we are talking about the upper earnings limit, not the standard earnings limit. We are not even asking them to pay the full amount of 6.5 per cent like we all do, we are asking them to pay 2.5 per cent more. I started off by being partly heartened when I heard the Deputy of Grouville saying it sounds like the logical thing to do, the penny is starting to drop I thought because of course it is the right thing to do, but then she said it would become a tax on the rich over £260,000. I was thinking to myself: "But it cannot just become a tax at that point, it surely is a tax already", if you want to call it a tax and this is, I think, where it gets into the semantics of it. We have had these arguments before. If you earn an average wage in Jersey you are paying that 6.5 per cent on all of your wages and you are paying it before your tax even. You are taxed on your social security contributions and you are paying social security on your pre-tax, on your gross income. This is the issue here, it is a tax for the vast majority of people who live on their wages and who have what I would call modest earnings. It does not suddenly become a tax just because you happen to earn more than £250,000 a year. Remember, if you earn £250,000 a year it probably only takes you maybe 4 or 5 years to save up enough money to buy your own house in Jersey, whereas if you earn an average wage you are probably condemned to not being able to afford one ever and being a perpetual renter or possibly leaving the Island. You could be part of a cohort who is making a very tough decision to leave the Island, as we have seen in the media and in social media, because our Island has become too expensive for our fellow Islanders to live. But that is okay because we continue to make policy for the super-rich and that favours the super-rich in our Island. I know where the Deputy of Grouville lives, I have lived there for a certain time myself, a beautiful part of the Island and it has got some very big houses there, it has got some very nice and well-to-do residents who, I am sure, would not

necessarily be caught by this system if they are living off other income which is unearned. But we always get into the argument, and this is one argument, saying we could not do that because it is ring-fenced. The £7.5 million and £8 million, that this would raise respectively a significant amount of money because you cannot spend it on every aspect of public spending that we might want to, it is not worth doing, which is complete nonsense of course. There is a paucity of argument there because you can spend it on a big load of things and a lot of projects. You can spend it on doctors, you can spend it on dentists; making those 2 areas much more affordable. You can spend it on lots of aspects that relate to healthcare and to social care if we wanted to. Of course the corollary of that should be those people saying because it does not make this money available to spend and because it, effectively, becomes a tax, well then we should raise the income tax rate. But of course they will not do that either because these people who defend the tax breaks for the super-rich in Jersey are also the ones who say a rate of 20 per cent is sacrosanct, even though we do not have a tax rate of 20 per cent now, we have got a tax rate of above 21 per cent. We have a tax rate for most people on their disposable income of 26 per cent. Most people in the Island pay 26 per cent of income tax on their disposable income, whereas the super-rich pay only 20 per cent on their disposable income; that is the kind of context we have here. I am sorry if some Members think I am going on but it is really important because this is about the type of Island that we have going forward and it should be set on values and it should be set on vision. The Council of Ministers and other parties will be going to the electorate and they will be saying: "We want you to vote for us in the future and this is our plan for what we are going to do." I think the politicians who are honest will say: "By the way, taxes are going to have to go up to pay for certain things." But they will not be telling you necessarily who they are going to tax but we know there is a pretty good track record from the governing party that they will not tax those who can afford it. That means you are going to see more indirect taxation, things like duty, things like petrol prices going up, things like G.S.T., possibly other indirect contributions for average people in Jersey, just so that they can protect their rich mates. That is not something that you will see from a Reform Jersey-led Government, you will see what we have been doing up until already. We will be saying to the electorate: "If we do need to put taxes up and there is a chance that taxes may need to go up, we will make sure that they fall first and foremost on those who are able to pay." This argument that if somebody is needed in the Island to be employed for a wage of above £260,000 a year, that they are somehow not going to come to the Island because that employer is not going to be able to afford an extra 2.5 per cent is complete nonsense. These are the employers who can most afford to pay. Just think about how inequitable that is that if you are an employer who tends to need to employ more employees but at a lower wage, if you take on 2 people or, let us say, you take on 5 people at 40 grand or 60 grand a year, if you excuse the vernacular, Sir, £60,000 a year, you are going to be paying the full 6.5 per cent contribution on that, but if you just take one person on or another person on over £260,000, you are not paying anything extra on that at the moment. So if you multiply that through industries that have to employ people at what we call average or reasonably modest wages, they are paying the full 6.5 per cent.

[17:00]

So an employer who has 100 employees at the £50,000 mark will be paying the full social security contributions, where if you can afford to employ 2 or 3 people at £1,000,000 a year, the Social Security Fund is effectively losing out, even though the same amount of wages might be paid. I hope Members follow what I am getting at. So there is not a fairness there either. Lastly, let us deal with the Fiscal Policy Panel's comments. I think Senator Vallois made a good job about the selective nature of which the Government chooses whether or not to apply the comments of the Fiscal Policy Panel, but the way I read it is that this is not a new tax anyway. It is a tax that already exists. Social security contributions exist already. The cap has been moved and a new level of contributions, which is much lower, has already been recognised that it can be charged where it was not charged before. What Senator Mézec is simply saying here is extend that; take the cap off completely. Allow the richest earners in our Island, the highest paid workers in our Island, to be able to pay a little bit more

than they are already. I do not like the idea that we presume that the highest earners in Jersey would not be prepared to pay this amount. At least they get a choice, it seems. When we impose taxes and charges on other individuals, we do not say: "What if they do not like it?" But with this group there is a presumption from some quarters in the Assembly that they simply will not like it and they will not tolerate it, whereas the reality is that they will be the best placed to be able to afford it because they probably have much more disposable income than other average workers and other average Islanders. At some point we have to realise that this is the right thing to do and that it will be done, and if it will not be done by this Government, then it will be done by a future Government. Luckily, the Government in this Assembly are in the minority and it is not up to them, it is up to all of us as individually elected Members to decide what is right to do and to vote with our hearts and heads on this because they should be united in realising that this is both the morally right thing to do and the economically right thing to do.

2.7.8 The Connétable of St. John:

In my last speech I spoke about mindset and culture. Well, what culture do we want here? What is our mindset? We are talking about people who will be earning £1,000 a day, every day. When I was earning £1,000 a day I was only working 2 days a week, but these people will be working 5 days a week and will have to earn more than £1,000 a day. Senator Vallois spoke about priorities. I tend to agree with my other parishioner, Deputy Tadier, that the amendment for me is about values. It is about values. I have enjoyed life on both sides of the fence, leaving school at 14 and earning 50 pence an hour in my first job, moving on, before my retirement as a senior executive where I was happier, I would say, to pay my social security then because I did not really notice it compared to when I was a young man starting out in life. Money in the long-term care fund would reduce the need potentially to increase contributions in the future or could be put towards our ageing population. I am pleased to say that I have more confidence in what Jersey has to offer than our Minister for International Development. If people choose not to come here due to our fair social security contributions, do we really want them? I would be very surprised if that would even feature in their decision-making. Just think what they will be paying currently if they were based in the United Kingdom in their tax and social security. I agree with Deputy Young's view. It is about values. It is about equality. Earlier this week there was some criticism on social media of our newest St. John residents. Well, I welcome them just as I welcome all new residents to St. John with open arms, and I hope they settle into the new home and environment. In my experience, people in this bracket value their life here and would see the reason behind this change. People earning the amounts that we are talking about employ accountants so that they can be tax efficient. We are going to hear in the next 6 months about people who are fiscally responsible with a social conscience. I put myself firmly in that bracket and I will be supporting this amendment.

2.7.9 Deputy G.P. Southern:

I just want to briefly get things absolutely crystal clear because there has been much talk about are social security contributions a tax, are they insurance, what are they? They are a hybrid, I think. They are not quite insurance. They were sold as insurance way back when some far-sighted people had the sense to say: "We need some kind of welfare system, pension system, into our old age." So they are paid at a certain rate with a third, a third, a third; a third paid by the employee, a third of the contributions paid by the employer, and a third contributed to from general taxation. That is where, if you like, the problems occur because, for example, in the last year we put something like £65 million as our third from States taxation into the fund. This is due to rise to £70 million and then to £80 million because pensioners are increasing, pensions are increasing all the way. So we are looking at a contribution from general taxation contributing to the pension fund, the social security pension fund, and that is seen as sacrosanct. What it does mean is if you raise more contributions - and the suggestion is here this measure alone will raise something like £7 million - that £7 million can go to the supplementation that is a grant into the fund, thus raising the fund, but it can also be

spent as general taxation because you saved it from your fund. So it can be spent as general taxation and that is where we are talking today about measures to increase by £10 million the money going into education. That could be part of the system. But that one third/one third/one third is important and it is important because what happens is that some low earners do not meet the standard earnings limit and, therefore, they have to have their contribution topped up to make sure that pensions are fair and are paid equally to everyone. That is what happens. We have heard this afternoon the way that supplementation works, but what we are aiming at doing is making sure that we in our old age - and it is we - can live well even though we no longer work. I think it was a contribution previously that talked about needing to look after our pensioners. What we have is significant numbers, around about one-third of pensioners, who are in relatively low income. Bear in mind, and again I will remind people, we have abandoned the income distribution survey that was due to take place last year. It was due to take place last year and what we have are figures dating from 2014 and 2015. So the big piece of work coming down the line is going to talk to us about our income distribution and what has happened to the rich and the poor over the last 6 years. How has the gap grown or narrowed? We suspect that because of Oxera and a general depression of wages that the income gap will be increasingly large. It was high enough last time we did it in 2014; it certainly, I suspect, will be much bigger nowadays. So bear in mind that whatever we are doing here, and we are raising extra money through these charges, this taxation, is to protect our low earners and our pensioners in the future.

2.7.10 Deputy J.A. Martin:

It is always a very interesting debate, this one. It was only 2 years ago that I did raise the cap by £100,000. I spent a lot of time listening to tax policy advisers: what did I want the money for? Why? This, that and the other. I literally said: "I know there is going to be a need to extend parental benefits and this is what I need to raise. How far can we push it?" It came back at £250,000 and we pushed it and we got to £250,000 and I then extended the parental benefits and they are now being paid out. This is not just on a whim. There are some misconceptions going around. I do not know if Senator Mézec meant this when he drafted the amendment. It does not touch the employee. It is the employer. Just employers of people who earn £250,000. Now, you might not think that makes a difference. I think it does because I am realistic. If you think I could just grab some money off higher earners and I was not doing it ... Senator Mézec and all the speakers so far in favour think you can just hit higher employers and they are just going to take it, everything is going to stay the same, when you have a sister island over there who then will be a much better place to employ people from, not here, there. We could lose a lot more of this money than we think we can get. We cannot put it in the H.I.F. Anything over this amount from the employer does not go into the H.I.F. It is quite clear. We cannot spend it on education. This is the Social Security Fund. It is for pensions, absolutely. We really need to be careful when we can suddenly say: "We will listen to expert advice here. We are paying F.P.P. for the advice, but today no, we do not want to hear it. Do not put any more taxes up until 2024." When you start touching higher employers ... the Constable of St. John said if they do not like it they can go somewhere else. Well, they might well do that and that is a lot of money we will lose that does in the circle already help the lower earning workers to pay their pensions, absolutely to pay their pensions. It is one of those, there are not that many people and they do bring in a lot of money. If you start moving things about very suddenly without knowing the consequences, you could really be a lot worse off. Now, I cannot say it enough. I said it to my Scrutiny Panel. I said it to the Assembly. The Council has said it. Every fund is having an actuarial review end of this year, early next year, so it will give the new Council of Ministers the real up-to-date figures to find out what is in the funds. At the moment I do not have a problem with the Social Security Fund. It has monies in it to 2070 - I probably will not be here then but I am going to have a good try - and we are still collecting it. I think the Deputy of Grouville spoke so much sense. She has worked in finance. She understands finance. At your peril you start moving this on a whim and say: "Well, of course, it is my principles that everything should be fair."

[17:15]

Well, it does not work like that. The world does not work like that. If the Senator had wanted to spend this money on other things or even directed it to what he wanted it spent on, he may have had a better case. I would not know one Constable in this Assembly who would go to their Rates Assembly and say: "We are putting your rates up a penny this year. We do not know yet what we want to spend it on but we think it is fair. It has not gone up for 2 or 3 years but we think it is fair." No, you cannot take a rate ... from memory, you cannot ask more than your expenditure. But we need to know what this money ... and it is money that could be there. As I say, it is not the employee. The Constable of St. John said the man earning £1,000 a day. It is his employer, and he can probably do the employing from anywhere in the world. He may well just do that. Why would he not? These are very successful people. They make this money because they are very successful people. They do not think: "Oh, no, no, this is going to cost me X or Y but if I just move a few miles across the water" or even somewhere else ... not the U.K., I am not comparing it to the U.K. because we are not in competition with the U.K. Why would they not? So, as I say, Senator Mézec is going to sum up, that is fine. He may want to explain why he has put it on the employer and the self-employed. Self-employed people, somebody said it is still a lot of money, but I cannot work it out. As I say, you are talking a few people in the scheme of things that are the most people ... the employers, it is not the employees, the employers, who can move at the drop of a hat. So just be very careful. You think you might raise some money, it might look fairer, and suddenly you are sitting there and going: "Oh, my funds are going down." Then what do we do? Do we then have to raise the other end on the lower earner? As I say, be very, very careful. People took the £100,000, obviously did not like it. That was on the employer as well, it was not on the employee, so you are hitting the same people again. They took that after me researching it for a good year. So, please, do not support this with just this ... as I say, not: "This is what it will raise if it stays the same." I do not think it will stay the same. As I say, you are hitting the same people I hit 2 years ago with my social conscience so I could pay parental benefits that I extended to 32 weeks, all with the support of the Assembly and, I think, the Reform Party as well. Everything I did on parental leave and parental benefits they supported me 100 per cent, but I cannot support them on this because they really do not know, have no idea if it will raise money or lose a lot of employers on the very top end, and why would they not leave?

2.7.11 Deputy D. Johnson of St. Mary:

I have to say that I have been somewhat disappointed at the tone of the contributions by various Members and the introduction of a social division into the equation. When I came to the Island some 40 years ago, it was acknowledged that there would be a relatively small number of what were then called wealthy immigrants to the Island who would be obliged to buy properties at the top end of the market not affecting the local market and who would be committing themselves to paying 20 per cent on their earnings. It was generally agreed, I think by all sectors of society, that that was a good thing. Their contributions kept taxes down for the rest of us. Forty years on, the position may not be quite the same and I do accept that we need to keep an eye on the number of people who come to the Island and the level of tax they pay. To a certain extent the same principle applies. These people who do come to the Island, yes, they can perhaps well afford to pay greater social security contributions, but if they know they do not need to pay them elsewhere then that is where they will go. I think anyone speaking on behalf of Locate Jersey will say that when potential candidates come to the Island Jersey is in a beauty parade. They can go not just to a sister island but further on the continent, and certain E.U. (European Union) nations have made a pitch for such persons and they will be better off financially there. But we rely on them wanting, in many cases, the British way of life. So all I am saying is that we certainly need to keep an eye on the number of people we seek to attract to the Island but those we do attract we need to make sure that they pay the optimum benefit. My concern is that if we do introduce this extra contribution, as per the proposition now before us, that will cause some to halt or look elsewhere. If we are seeking to attract people we need to attract those who are going to produce, among other things, of course, the highest monetary benefit to the Island as well as making other contributions. I do emphasise that monetary contributions are not all the one thing

and, as per the last speaker, I do have concerns that if this proposition were to go through it would be against our own interests in the sense that we might find ourselves putting off potential applicants, maybe forcing others to leave. Again, I go back to my basic point that a certain number of - I might still call them - wealthy immigrants do make a great contribution to the Island in more ways than money and we should be seeking to retain them as best we can and not putting obstacles in their way.

2.7.12 Senator I.J. Gorst:

Unfortunately, my camera is not working again this evening, sorry about that. This has been an interesting debate and I would like to return to the comments of some of the speakers and then perhaps to the mover of the proposition. Deputy Southern, one-time Assistant Minister in the Department for Social Security, let us just remind ourselves of that, said that the social security scheme was a “sort of” insurance scheme. Of course, he is right, it is a “sort of” insurance scheme but it has the attributes of an insurance scheme with a top-up from the taxpayer for all of the reasons that we know about and have accepted for many years. Let us be clear. Successive Ministers for Social Security have managed that scheme. The payments out of it have been uprated appropriately, even to the extent of changing the way that pension payments from the scheme have been uprated, not just via earnings but also via inflation in certain years. So, despite what a number of Members have said, it is in effect a scheme into which people pay in based on earnings based on what a premium-type approach should be of a social insurance scheme to get a benefit out at the other end. It is not a taxation, and the same, of course, with the long-term care model. Of course, it uses the mechanisms of the tax system because that was effective and less bureaucratic, but again it is a scheme that Islanders contribute into based on the principles of an insurance approach to be able to support them should they need long-term care, not just when they are older but during the course of their life. There are 2 elements to the social security scheme. One is that employees pay, self-employed people pay, but also employers pay. From an economic perspective, it is a cost of employment to employers. The reason I raise that is because most of those arguments in favour of removing this cap altogether have been extolling the benefits of squeezing more money out of employees. Not much has been said about the self-employed but we must remember that it would affect them as well. Not only employees but also, of course, 2(1)(e)s. It seems to me that much of the angst in this debate, if it can be called that, as the previous speaker, the Deputy of St. Mary indicated, has been pointed to the 2(1)(e) regime. I would say to those Members who do not like that regime they should have a conversation with the relevant Ministers and seek to engage them to amend that regime. I know that it is often under review and it is strengthened appropriately to have protections in place. If they still do not like that, then they can come back to this Assembly and seek to have it changed. That is the right way to deal with any angst felt in that scheme. I personally do not feel angst about that scheme. I think it has wider benefits than simply the taxation. Yes, it has to be managed. Yes, we have to limit the number of individuals that are able to avail of the use of that scheme, but I do think it works. So what we come back to is a proposal to really quite dramatically increase the cost of employment in Jersey. It does not compare well with our competitors. We would be out of sync with our competitors, but there is a more fundamental issue here. The Deputy of St. Peter alluded to some of these issues in this debate earlier in the week. What do we need to do in our community to ensure that we are an attractive jurisdiction for high-performing, productive businesses? I heard him say - maybe it was not in this forum - that we should be going out and seeking those opportunities. Those opportunities are in the tech and digital sector. The very highest performing tech companies and companies in the digital sector pay incredibly well for the brightest minds. We already struggle to provide the brightest minds and best educated people through our education system - we have heard some of those debates during the course of this Government Plan debate - but we do and are able to attract those individuals to our community. That has very strong knock-on effects for the rest of the community and employment in those companies, be they private equity companies, be they hedge funds, be they fintech companies. For all of those sorts of companies, this proposal without realising it, I believe, would mean that we were a much less attractive place for those companies. Despite what some think about unconstrained

immigration, but because of our immigration approach even now, we know that there is a lot of outsourcing that takes place and to some extent that outsourcing of jobs which are more administrative in nature is something that I think Government rightly supports because those jobs are going to be taken and taken out of economies across the globe because of digitisation and the increase in A.I. (artificial intelligence).

[17:30]

So what we should be looking for is to encourage high-value, productive businesses that are employing the brightest and the best from our education system, people from our own community, and also bringing in those from elsewhere and choosing to base their businesses and create employment here. This will do exactly the reverse. If we really are serious about being part of that new economy and attracting those businesses and encouraging local entrepreneurs in this area, then we should not do this. We will be driving a coach and horses through the insurance-based system anyway. I do not agree with that, certainly not on the spur of an amendment. I accept that it is absolutely the Reform Party's policy. I absolutely accept that and they are doing nothing other than delivering on their manifesto commitment, and I have no doubt that they will go into the next election giving the same commitment to Islanders. But for my part, it will make it much more difficult to deliver the transformation that we need right across our Island and right across our industries. It would be a short-term potential gain. We cannot be sure of what money it would actually raise because slowly and over time businesses would make decisions based on that greatly increased cost of employment. Let us be clear. That is part of the issue that businesses make decisions on, not individuals, as the Constable of St. John said. He is right, they look at lifestyle. They look at the quality of life that they can enjoy here in Jersey. But businesses directly look at the cost of employment. This would greatly increase that cost of employment without any consultation, with a by your leave based on a vote some time after 5.30 p.m. on a Thursday evening, shortly before Christmas. The Minister for Social Security I think has done a very good job in managing the Social Security Fund and the way that she has changed the parameters during the course of her tenure there. Many people will think that it is strange for me to be praising the Minister for Social Security, but she has done a very good job. She has squeezed where it is appropriate at the rightful reviews and the rightful consultations. She is right on this. The amendment I believe is wrong for all the reasons that I have said, not necessarily the reasons that the proposer is putting forward but the other unintended consequences that we have not heard very much about. So I really do, as we go into the break for half an hour, ask Members as they have their cup of tea and they have their biscuit, to think about the unintended consequences of dramatically increasing the cost of employment in the very sectors where we want to create opportunity, not send that opportunity to our competitors. Thank you, and with that I call for the brief half-hour adjournment.

The Bailiff:

Thank you very much, Senator. As indicated, I said that around about this time we would adjourn for 30 minutes approximately. Therefore, I will adjourn until 6.05 p.m.

[17:34]

ADJOURNMENT

[18:11]

The Bailiff:

I apologise for the slight delay on the start, but we have a technical difficulty inasmuch as I am now having to function partly on an iPad and partly on the chat and I cannot see what everyone else can see. But I think we are, nonetheless, able to proceed.

The Connétable J of St. Mary:

You are okay in St. Mary, Sir.

The Bailiff:

Excellent, thank you. Thank you very much, Connétable. Right, in which case we will resume. I now apparently have a corruption problem. If I am looking directly at the screen in front of me, it is saying: “The playback was aborted due to a corruption problem.” **[Interruption]** I just had a question: “Do you like the Teams app?” I am not going to answer that immediately. **[Laughter]** If there is meant to be a picture of me on it, then I appear to be there. Yes, very well. I apologise for all of that slight confusion. Does any other Member wish to speak on the amendment?

2.7.13 The Deputy of St. Peter:

I will kick off the evening session. In my former life when I was a salesman there was an adage that pay plan drives behaviour or the way you worked towards getting your commission drove your behaviour, and I think that is true in many walks of life, especially here. So what does that actually mean? Will this scare the horses if it is adopted? Who knows? I think probably not. Will it leave a bad taste in those who have made major commitments to come to this Island knowing how much tax that they will pay? That is both 2(1)(e)s and licenced as well. Who knows? But probably. Will that damage our reputation? I would suggest yes, a bit. But will it make it easy to attract and retain talent, both local talent and bringing in talent we need? Senator Gorst’s speech summed it up: our future depends on the brightest and the best talent coming from our own stock and coming into this Island to improve the productivity that we deliver in order to raise the taxes and pay for the services we have to do. But one thing I will note, it will send a rush down to all the tax accountants in St. Helier because they will immediately be advising their clients on how to reduce the income that they declare, whereby if they reduce their taxable income they will reduce their social security, if they are of an age, and their long-term care fund. That is what will happen in reality and I think we just have to be cognisant of that, that the taxes that are suggested that will be raised or the funds that will be raised will be considerably less than that because of the behaviour that this will drive.

[18:15]

2.7.14 Deputy S.J. Pinel:

In addressing directly this amendment, removing earnings levels and caps in our social security system will begin definitively to break the relationship between an employer’s or an individual’s contributions to these funds and the level of contributory benefits which might be received. Our social security system is essentially based on that conceived in the U.K. by William Beveridge 80 years ago. I am not, as I hope Members are well aware, averse to challenging century-year-old concepts, so perhaps it is time to do away with our system of social security contributions and fund our welfare system from taxation, hypothecated to the funds or not. To my mind, this is what Senator Mézec’s amendment 12, if approved, begins to achieve. By removing the cap on employees’ long-term care contributions and the cap on employers’ social security contributions, our contributions system will gradually cease to have the character of social insurance, referred to by several speakers previously, and simply become general taxation. This is my concern as the Minister for Treasury and Resources, amendment 12 has the character of a general tax hike. In the case of long-term contribution, it is a direct increase in the standard rate of taxation from 20 per cent to 21.5 per cent. I do agree with what the Deputy of Grouville said earlier, this is not a good time to increase taxes. Also in answer to Deputy Tadier, the distinction between the average charge that is long-term care as opposed to tax, long-term care is a charge because it is ring-fenced, not a tax because it does not go into general tax revenue. What impact will this change have on the taxpayers with the highest incomes, those earning in excess of £250,000 who contribute around 20 per cent of our personal income tax receipts? Do we need to keep them in Jersey and encourage others? The reality is that we are in competition with other jurisdictions for both new business and for retaining existing business. We rely heavily on the personal income tax contributions already paid by high-earning

people. I do believe that taking this fundamental leap in social and fiscal policy without a clear understanding of its wider economic impact is reckless. I have other points. The cap was only recently increased very significantly, as the Minister for Social Security mentioned earlier, and it currently stands at £252,000 a year for 2020. At the time of this increase it was regarded as being at the very limit of what could be done without impacting our international competitiveness. New businesses considering moving to a new jurisdiction take account not only of corporate tax levels and wage bill costs such as the employer's social security contributions, but of personal income tax levels and contributions that will be faced by their employees. I should also comment on what revenue will be raised by this proposal. Senator Mézec's report says it will raise an additional £7 million of social security revenue and £8.5 million of long-term care revenue, but these figures are predicated on this proposal not impacting taxpayer behaviour. The fundamental point though is we simply cannot know how significant changes in contributions or tax rates might affect behaviour, particularly in the longer run. What can be said is the proposal affects a relatively small number of highly remunerated but also highly mobile individuals and high-earning businesses dependent on highly remunerated employees. I do not necessarily share the Senator's confidence that highly financially literate businesses and individuals will not change their behaviours in response to any material step change in their business costs and personal taxation. Neither does this amendment make funds available for general expenditure. Additional social security and long-term care revenues are of course hypothecated for their respective funds. Finally I draw your attention to the comments of the Fiscal Policy Panel under the heading "Short and medium-term tax revenue": "Our advisers say the economy is still recovering and that revenue-raising steps impose a burden and are not appropriate at present." Thank you and I urge the Assembly to reject this amendment.

2.7.15 Senator L.J. Farnham:

The Minister for Treasury and Resources has said a lot of what I was going to say and hit the nail very much on the head, not least because of the timing of the introduction of this. On behalf of my own department, as Members will know, we run the inward investment and high-value residency schemes, which are small but very high-yielding schemes for the Island. They do not bring in a lot of people but they produce a lot of revenues, a lot of employment opportunities, a lot of tax receipts, whether that be in income tax or stamp duties, and on top of that make considerable contribution to the well-being, whether it be through philanthropic efforts or other means. By no means is Jersey the cheapest, nor do we try to be the cheapest, jurisdiction. We are not. As a matter of fact we are more towards the higher end of the costs but we do have to remain competitive with other jurisdictions, not the U.K. particularly but Guernsey, Isle of Man and those who compete with us. But of course we insist that those people who come and invest with us or move to live here make a commitment to the Island and they come here because we are safe and fiscally stable and politically stable, and we have good education, good health and we are a very desirable place to live. That is first and foremost. While talking about costs, there will certainly be a limit. If we look at the terms on which some of those programmes work, charging an extra 2.5 per cent over and above the current threshold and 1.5 per cent on long-term care makes a considerable difference to the overall tax paid. What we are doing now in the department and with the Housing and Work Advisory Group is we are continuously fine-tuning and improving those schemes to produce more revenues to make sure we limit the numbers, we do not exceed, we do not get too many people in. We are making sure we are not impacting negatively on certain markets and the housing market. We are currently working on raising the bar for these schemes, which are important to us. I just wanted to make that point and to bring this on now I think will throw all of that into a little bit of disarray. I think it is better to get quite a good return from some residents. That is far better than getting a lower revenue from fewer residents. I think what I am trying to say is if we do this we are going to be turning down over a period of time the income from the high-yielding schemes that we are managing and have taken years, if not decades, to get to this level. We could get more income ... how can I say it? It is late in the day. It is better to get a good income from more people than a higher income from less people,

which will reduce the overall revenue. We have not done the work on that but I know from working with these schemes for a period of time, once we introduce these sorts of levels it will have a detrimental impact and by default we could end up reducing the overall revenue. While I understand the rationale behind it, we are working to raise the bar and change the policies in these fields so we are gradually increasing the income and reducing the size of the scheme. I am sorry if that did not make ... I hope I have explained it properly but I would urge extreme caution. Referring back to what the Minister for Treasury and Resources said, the timing could not be worse with the pressures caused by Brexit and the pandemic and it is just not the right time.

2.7.16 Deputy K.F. Morel:

I very quickly want to say I am pleased to have supported the rises in the social security contributions in the past and I would love to support this one. I am afraid, Senator Mézec, I will not be this time. I wanted to avoid the “but”. I will not be this time and the reason is simple. I have no problem with the idea of no cap being on social security contributions. I do not accept the Minister for Treasury and Resources’ argument about the nature of the social security contributions looking like a tax if it does not have a cap on it. The reason for that is because the money raised goes into the Social Security Fund, so it is clearly still social security and, therefore, part of the insurance that we all benefit from in that respect. I do not think that argument holds water. I am afraid that I did not fully understand what Senator Farnham was saying but I did understand one part. At the very end he mentioned the pandemic and Brexit and it is not directly that but over the past 2 years and ongoing, businesses in Jersey have been hit enormously and they have been hit in many different ways, most clearly by the pandemic, also by Brexit. Some of them are suffering hugely and also though from various regulations and changes to the way businesses are allowed to operate in the Island that we have, as lawmakers, thrown upon them, some of them with consultation, some of them without. It is precisely that lack of consultation that is for me the issue here because it is not the employer who will be paying the contributions. That is the bit I am perfectly satisfied with. Sorry, it is not just the employee who will be paying the contributions. I am perfectly satisfied with that. It is the employer and so we would be adding a significant cost for some businesses and there is an argument to say they can probably afford it. That may be the case if they are paying their staff £300,000 a year but to not have had any consultation, to not have given any warning to businesses that this cost rise will be hitting them in 2 or 3-weeks’ time, I just do not think is appropriate given the position we are in at the moment with the enormous issues that businesses across the board face. We need a strong, functioning, entrepreneurial economy. I want people in Jersey to feel that this is the place to do business and there will be a time when we can raise this cap further. There will be a time when we can perhaps take the cap away altogether but I really fundamentally do not think it is in this way via an amendment just before Christmas, 3 weeks before it would be implemented. That would be giving a signal to businesses right now that the States Chamber really is not worried about whatever they are facing, and I do not think that is the right signal to give. I think there are other people in this Chamber who feel very strongly, like me, that the social security contribution cap needs to be raised further and further and possibly done away with and I will stick to that, but if we are to do that we need to do it with proper consultation, proper flagging in advance, et cetera. That cannot be done with this amendment. For that reason I will not be voting in favour.

The Bailiff:

Does any other Member wish to speak on the amendment? Deputy Ash, could I ask you to pause a second? Deputy Tadier, you have a point of order? Just before the vote you want it to be taken; is that right, Deputy Tadier?

Deputy M. Tadier:

It is just to ask if there are Members in the Assembly who might be affected by this change if they themselves earn over £250,000 or whatever the limit is per year, should they be declaring an interest?

[18:30]

The Bailiff:

I suppose it depends if it only affects employer contribution or employee contribution, which seems to have been mentioned, but it is for Members to consider whether they have a direct financial interest. Thank you very much, Deputy.

2.7.17 Deputy L.B.E. Ash:

That was a valid point from Deputy Tadier. I will not be long. I was challenged to an extent by Senator Mézec to produce a couple of answers. I was going to start by saying I would like to address a couple of lies that have been abounding but “lies” is slightly strong.

The Bailiff:

No, they are not slightly strong, they are absolutely unparliamentary, Deputy Ash, and if you are going to suggest anyone in the Assembly has lied that is not acceptable. Would you firstly withdraw any reference to “lies”?

Deputy L.B.E. Ash:

I will withdraw reference to “lies”, Sir. As I said I was going to start with that but I was going to go with “slight distortions of the truth”, which is what I was going to say.

The Bailiff:

I am sorry, that is simply a different way of saying “lies”. Deputy, you can say mistakes or inadvertent errors or something of that nature but if you are suggesting that Members have deliberately distorted the truth, perhaps the equivalent of saying they are liars, I am afraid that is not parliamentary and I cannot permit it.

Deputy L.B.E. Ash:

I fully respect your judgment, Sir. I shall withdraw any reference to that and I will say that I merely wish to make a couple of points, which I trust ...

The Bailiff:

That I think is almost certainly parliamentary, yes.

Deputy L.B.E. Ash:

Excellent. Senator Mézec said he wanted to hear from the Alliance Party and the Alliance Party’s view on this issue. The Alliance Party’s view on this issue is it is a free vote for anybody within the Alliance as it has been on every single vote within this Assembly since we formed the party because we do not operate a whip system. Whether we will in future but we will not in this because we are acting as independents. That is the Alliance view. As for our future policies, we will be having a full disclosure in February, which I am sure he will look forward to and he will know that, as you say to young children around this time of year, all good things come to those who wait. The other thing we have had put around is that these policies are Jersey Alliance party-led. We have heard a lot of that in the Assembly, I think you would agree. At the last count it was about 16 times it has been mentioned. The point I would make on that is that every Minister in this Council of Ministers, with the possible exception of, I think, the Minister for Children and Education because I think he was elected after the Jersey Alliance was formed, was elected before the Jersey Alliance was formed. They were elected by a majority of this Assembly. It is nothing to do with the Jersey Alliance. The Council of Ministers was elected by a majority of this Assembly. If you then look at how many Jersey Alliance Members ...

Deputy K.F. Morel:

Sir, point of order.

The Bailiff:

There is a point of order raised.

Deputy K.F. Morel:

I do not see how the speech is relevant to the topic we are debating, Sir.

The Bailiff:

I have to allow a certain amount of leeway because it has been suggested that these are all Alliance-led policies and that is simply being met by a response in the debate. If it is wrong to say it now it was wrong to say it then, so I will give Deputy Ash some leeway before I will become more in focus.

Deputy L.B.E. Ash:

I will not be long on this issue because I have other issues to move on to. Simple mathematics will show that Jersey Alliance Members number 10 in this Assembly, which means, if my maths is correct, there are 39 other Members and we are outnumbered by nearly 4 to one, which means that either like Millwall Football Club we punch well above our weight and are very intimidating or the rest of the Assembly are effectively ineffective, which I do not believe. As I say, I completely refute any allegations that this is Jersey Alliance-led. It is led by this Assembly as every policy has been since this Assembly was formed, in my opinion. The other thing I would like to address that has been put around very, very heavily in this debate is that the high earners in society, the high earners in Jersey do not pull their weight, they do not contribute sufficiently. Well, there are a few facts that we should put out there. The top 5 per cent of earners pay nearly one-third, that is 32 per cent, of all the personal income tax on this Island. The top 20 per cent of earners pay nearly two-thirds of the personal income tax. Half of all personal income tax is paid by 12 per cent of taxpayers and the other half is paid by the remaining 88 per cent. I think we can see that the higher earners who ... interestingly those with incomes of £50,000 or less - and I have to declare an interest here and I know Deputy Tadier would be keen that I do - pay only 22 per cent of the personal income tax collected on the Island. It is well worth considering when we are saying that the higher earners do not pull their weight. What has been a eureka moment, and I think a great moment, I am pleased to have heard it during this debate, is we have had speaker after speaker in earlier debates refusing to say where this money is going to come from to pay for various things that they have put forward. They have not said. It has been a mystery but we now know where that is coming from. At last we have discovered where it is coming from. It is coming from the wealthy of the Island. That is what is being suggested by this proposition, that the wealthy of the Island will pay for this and that is because the producer of this amendment is from the classic "spend now, the rich pay later" school of politics, and that is fine. In many ways that is fine. After you go through those people who are very wealthy and you have taken all the tax of them and we have run out, you then go after the not so rich and you then go after the poor. That is the problem with this philosophy. You cannot keep taxing people and then you slide away. It happens time and time again and I know Deputy Southern earlier on criticised me for abiding by a Margaret Thatcherism of looking after the finances. I have never been a Thatcherite but I would quote from one of her problems. Her problem is socialism is eventually you run out of other people's money, and this is exactly what we are looking to do. We are not just looking to go after other individuals' money, which I agree with Deputy Morel there is a slight case to do that. We are going after the employers of these people, which will make Jersey a much less attractive place to come if you wish to establish your company and employ talented individuals. That is what we have to really think about. I will end, and I know Members or established Members will always allow me a quote from Sir Winston Churchill: "Socialism is the philosophy of failure, the creed of ignorance and the gospel of envy. Its inherent virtue is the equal sharing of miseries."

2.7.18 Senator K.L. Moore:

I would like to start by declaring that a vote for this amendment would affect my household, so I do have a slight pecuniary interest. But I would like to talk about the nuts and bolts of this because I have found it a very interesting debate. Firstly, the Ministerial team has pushed us to refer back to the Fiscal Policy Panel's report and the fact that they do not consider this is a good time to be raising taxes, which is what they said, but the Government must also acknowledge that they have, in some of their own actions, such as the introduction of prior year tax and the way that they have conducted that, gone about doing their own revenue raising contrary to that advice from the Fiscal Policy Panel. Then there is culture change and the ...

The Bailiff:

I have just been musing and discussing with the Greffier the declaration that you made at the beginning. Is that a declaration of a direct pecuniary interest in the outcome of this debate?

Deputy K.L. Moore:

Well, it would affect my household, Sir, yes. Would you like me to withdraw?

The Bailiff:

If it would affect a Member or the Member's spouse if it is direct pecuniary benefit then I think the rules dictate that you cannot take any further involvement in the debate.

Senator K.L. Moore:

I will withdraw, of course, yes.

Senator S.Y. Mézec:

Sir, a point of order I guess following that. Is it worth taking an opportunity to allow any other Member who is in the same position to be absolutely clear on that? It is perhaps less important if it does not require a Member to withdraw, but if they are required to withdraw there should really be an opportunity for any other Member who is affected in that way to declare it and withdraw now.

The Bailiff:

I am working on the assumption that if someone is able to point to a spousal or personal income in excess of the figure that has been mentioned then that may well amount to a direct pecuniary interest. Members will have heard it being said, and it is a matter for individual Members to consider whether or not that Standing Order applies to them. Senator Moore has clearly said that it does apply to her and she is entirely right to do so in those circumstances. It is a matter for other Members to make any declaration that they think of as appropriate.

Deputy M.R. Higgins of St. Helier:

Sir, can you remind us what the figure is?

The Bailiff:

Above £250,000. Does any other Member wish to speak? A point of clarification were you asking for in what respect?

Deputy J.H. Young:

If I understood that ruling it means that those Members that are earning over or whose spouses earn over £250,000 a year approximately have an interest but those of us that have less than that do not. That strikes me as being a little bit strange, Sir. Have I understood it correctly that is your ruling?

The Bailiff:

My ruling is that anyone who has a direct pecuniary interest in the outcome of this debate should withdraw. A direct pecuniary interest will be an interest that is not shared by a large number of

individuals and it will be an interest that ... and it seems to me that if anyone has an income of above £250,000 as a household income, self and spouse, I think the right thing for me to do at this point is to make sure I have got the Standing Order entirely correct in my head, so if you wait for a moment or 2.

Deputy J.A.N. Le Fondré:

Sir, while you are contemplating matters the only reason I just raise the query because I know on tax-related matters usually there is a declaration because it affects a wider group of people. Obviously this is a very targeted measure so maybe that affects the ruling, but I just raise that point, Sir.

The Bailiff:

Yes, generally that is because it is shared by a large number of people and I think the theory here is that it is probably not shared by a large number of people but that depends rather what a large number of people might be. Standing Order 106: "A Member of the States who has, or whose spouse or civil partner or cohabitee has, an interest in the subject matter of a proposition must, if it is a direct financial interest, declare the interest and withdraw from the Chamber for the duration of the debate and any vote on the proposition." If it is not a direct financial interest these things do not apply. It seems to me that that is the appropriate Standing Order to apply and that is the definition that individuals should consider. I think if one has an income of less to the extent that some financial burdens may be shared to one's benefit that is not a direct pecuniary interest. I think it is if one is affected by the proposition itself that is a direct pecuniary interest. I am not sure if I can help you further than that, Deputy Young.

[18:45]

Deputy J.H. Young:

Sir, sorry to ask this but we have just decided to introduce independent taxation and that means that those people that are high earners are very much likely to have opted for individual taxation and so individually they may well be under the £250,000 but there might be a prospect that with their spouses that would come over. I am a little bit worried about this, that this is really difficult. I do not know, I am just really worried about this as a principle.

The Bailiff:

I am not sure what to do about your worry, Deputy Young. You may be worried about it as a principle but all I can do is apply Standing Orders, I am afraid, and the Standing Orders say what they say. I cannot reinvent and that is the Standing Order that has to apply, I think, in the circumstances.

Deputy J.H. Young:

Thank you, Sir.

Deputy R.J. Ward:

Sir, I have lost sound.

The Bailiff:

No, I have stopped speaking. Occasionally this is slightly the disadvantage of having a less than perfect system going at the moment if people cannot see what I am doing.

Deputy R.J. Ward:

I thought this was about social security contributions not taxation and if somebody's social security contributions would be because they have an income of over £250,000, then they have a direct interest, and their spouse does. It is as simple as that to me.

The Bailiff:

Was that your point of order, Deputy Ward?

Deputy R.J. Ward:

Yes. It might have been a point of clarification. I never get that right. I do apologise.

The Bailiff:

Not at all. It is just that perhaps Members could wait until I ask before they express a view when they have raised a point of order. Deputy Tadier, what is your point of order?

Deputy M. Tadier:

It was to ask if you could make a ruling that might assist Deputy Young. It is only individual earners who are getting over the cap of £250,000 or more, not combined family or joint incomes. If that is your understanding?

The Bailiff:

My understanding of the Standing Order is that it does not apply to joint incomes; it applies to individual income. So, if you or your spouse or civil partner, taking them all individually, are affected, or may be affected, then the Standing Order applies. Deputy Guida, you have a point of order?

Deputy G.C. Guida:

I am afraid I do not understand, sorry. I am a little bit worried about the extent of this rule. Does that mean that if somebody came into the Assembly with a proposal that would affect 48 of the Members of the Assembly financially, directly, they would all have to leave the room and only that person would remain to vote?

The Bailiff:

No. That is not what it means in my judgment, Deputy, because that will be an interest that is shared by a large number of individuals, if it affects most of the Members of the Assembly. This is something that I am not sure is shared by a large number of individuals in that sense and therefore it is appropriate, in my judgment, for people to make a declaration.

Deputy G.C. Guida:

I have another question. Would this not affect the representativity of the Assembly, the amount of votes that is representative of the whole Island if you steam off part of it?

The Bailiff:

The position is that is what would apply potentially for any declaration of interest that caused people to have to step out. It means that part of the Assembly, which was affected by it, could no longer participate. That is what the Standing Order says. You indicated earlier that you wish to make a declaration, Deputy Guida, is that something that, in the light of what you have now heard, you still wish to do?

Deputy G.C. Guida:

Yes, I am not going to lie. I am sorry, the discussion, I agree 100 per cent. A little bit worried about this being voted by people who are not affected. It is so easy to then bring propositions that really affect other people and then exclude them from the debate and the vote.

The Bailiff:

It may be there is a concern that you wish to raise and you could raise it with P.P.C., Deputy Guida, but the fact is I have to apply Standing Orders as they presently are. Standing Orders say that if a person has a direct financial interest, either themselves or their spouse or their civil partner has a

direct financial interest in the outcome of any debate then they have to declare it and then they have to withdraw. That is what Standing Orders provide. I have no flexibility in the way that I apply them. It is what the Assembly has voted to apply.

Deputy G.C. Guida:

Thank you very much.

The Bailiff:

Thank you very much indeed. But it is certainly a matter that can be raised, if it needs to be revisited, with P.P.C. and Standing Orders can be reconsidered. Are there any other points of order? Yes, Deputy of St. Ouen.

The Deputy of St. Ouen:

It is really to seek a clarification of your ruling. Because, as Assembly Members, we all vote on levels of taxation. That would create a direct financial interest in the outcome of such a decision. But yet it is ruled that is not of direct financial interest because it affects a large number of people. It does not affect all people because not everybody pays taxation. It may be that some Members, for various reasons, would not be liable to tax and others would. But we vote on that without declaring a direct financial interest. Here, I do not think there is a distinction, because the decision we are being asked to make will affect all in the Island earning above a certain level in the same way that we make decisions on that basis regarding income tax levels. Furthermore, 2 years ago, it has been said in the debate, a decision was made to increase the contribution level from about £60,000 then to the present £250,000. I appreciate it is difficult but I wonder what the decision was made as to direct financial interests when we voted on that 2 years ago. I cannot remember voting. I cannot remember whether people were asked to declare interests. It is the same point. We are raising a threshold and that is my point.

The Bailiff:

It boils down to your suggestion that this is shared by a significant number of people and therefore that exception applies in Standing Orders. It feels to me like I should take somewhat more time, if I can, to consider the Standing Order. But the difficulty lies in the fact that would require some form of break in the proceedings and really we are not in the position to do that.

Deputy M.R. Higgins:

Can I propose we adjourn for the evening and you consider this matter overnight? It is not as if we have a fantastic collection of amendments.

Deputy M. Tadier:

Can I raise the point of order as well?

Senator I.J. Gorst:

Can I second that proposition of Deputy Higgins. It is Senator Gorst. We have made good progress today. This is the last contested amendment. We can then have a full day tomorrow to debate the plan and reach a conclusion. Because we have made progress, it would be reasonable to allow you to consider this in a slightly slower time than has been asked of you. I second that proposition of Deputy Higgins.

The Bailiff:

Very well, thank you very much. There is a proposition that we should adjourn now to enable me to consider the Standing Order. The basis on which I have to consider it is whether or not this applies to a large number of individuals. But I have to consider it properly and a large number seem to be indicating that they agree with that course. But maybe not all. Deputy Alves asks do we need to

know how many people might be conflicted in order to know how many people might have to withdraw. There is a proposition that we adjourn now. That has been seconded by Senator Gorst. It is a proposition that the Assembly is entitled to take, therefore does anyone wish to speak on that particular proposition? Connétable of St. Ouen, do you wish to speak on that?

The Connétable of St. Ouen:

From my point of view, with the greatest of respect to everyone, we are making a lot of this. To me it seems relatively simple and Senator Moore has made the right declaration. This conflict of interest only affects those people who earn over £250,000 and who pay social security in Jersey, and therefore, if this proposition is adopted, would see an increase in their rates. So they have a direct financial interest in this and as such it is entirely right that they make that declaration. I cannot see how it would affect anyone else because, as you have pointed out quite rightly, everyone else would not be affected and income tax is a burden in common. So much like the landlords debate, for those of us who declared our interest as landlords, it affected quite a large number of us so we were permitted to remain in the debate because it affected a large number of the Assembly. In this particular instance Senator Moore was entirely right to make that declaration. It affected just a small number of people who have a direct financial interest in the debate and quite rightly you asked her to withdraw.

Deputy M. Tadier:

The Constable of St. Ouen hit the nail on the head. But there is one correction to make. It is not about whether a large number of Members of the Assembly have a conflict of interest or are affected, it is about whether it is an interest that is shared by members of the wider community in a sufficiently large number. The Minister for Treasury and Resources only a few moments ago said that this is a change that would only affect a few people in Jersey. So the Government has already acknowledged the fact that it is not something that affects most average people, or indeed many people in the Island, unlike perhaps landlords who are more numerous, although still not in the majority. I cannot help feeling that we made a decision to sit until 8.00 p.m. tonight and simply because some Members, it might embarrass some Members to have to declare whether or not they have incomes of above £250,000 from a particular work source, or their partners do, and it is good that Senator Moore was the first one to declare that. She clearly has nothing to hide. It is a simple matter. If you are affected by this you should declare it now. It does not need further consideration because the objection that was raised by Deputy Guida is a philosophical one. For example should anybody be excluded from representing constituents in the Assembly? But the Standing Orders are as they are and it is not for us to try to change certain Standing Orders that we do not like. I am reminded of the saying that when the gentlemen of England start losing the game they want to change the rules. This is an exact example of what we have here. Very simply, I would ask Members to declare their interests and for them to withdraw, as they should be doing on their honour, and for us to continue with this debate.

Deputy J.H. Young:

Members may see this as a bit of a nuisance really but your ruling is very important, not just for this item, but all sorts of future items. It raises 2 points. Yes, I understand your ruling that you apply to a Standing Order. But one element would be necessary. Is it that interest would have negative effects on the person or positive? Because it must be reasonable for a Member to make a personal decision, notwithstanding they fall within that category that they would still wish to go ahead and express a view, which would be to their detriment. So it is right you have time to consider that because it is really complex.

[19:00]

Because it will not just affect this debate, but lots of others. So I know it is inconvenient to suggest that we break now after having decided. But it is quite a significant issue. It is wider than just this

one proposition. So I would support giving you time to clarify that ruling, how that Standing Order is interpreted. What is an interest? Does it have to be in favour or against the Member?

Deputy J.A. Martin:

I am going to support adjourning tonight because I have no idea what Senator Moore's interest is, but it is not the person, the employee, who earns £250,000, has she got an interest that the person that she has an interest in is the employer? This is all very confused so I really think we need to adjourn overnight, decide. All my Social Security top people have said this is not going to affect the employee that earns under £250,000. So just to bring something else into it that you may need to consider, is it an interest if you have a partner who earns that money but they do not employ anybody earning that money, because it will not affect them.

The Bailiff:

On the face of the proposition, it applies to people who earn that sum or higher than that sum. I realise it has been said that it applies to employers only but on the face of the proposition, and it might need to be explained, it appears to apply to people who earn above that sum. That is certainly how I have read it.

Deputy R.J. Ward:

Your ruling was absolutely clear. I do not understand the problem. If you earn over £250,000 you could benefit from voting against this so that you do not have to pay any more social security. That is an interest and Standing Orders are very clear on that. Therefore that is what we need to do. I do believe very strongly that we have to have declarations tonight so that we know how many people this affects so that you can make a ruling. But also the irony of us stopping early over something like this when we were planning to go until 8.00 p.m. regardless of the impact on others, it just stuns me. So I do not wish to adjourn. Your ruling is clear - very clear - people just need to show their interest. I get it. I do not know why others do not.

Deputy S.M. Wickenden:

I agree with what Deputy Ward said. The ruling was quite clear. It was quite fair. We agreed to stay until 8.00 p.m. I had other commitments that I have cancelled to stay on because I need to be here and that is the right thing to do. Now we are going to stop. It is just not a good way of doing the governance of this Assembly to make these decisions so that people can go and make the appropriate arrangements and then crash it all. We should stay and finish. Your ruling was utterly clear and utterly correct.

The Bailiff:

Could I say that this should not be a discussion about whether or not Members agree with the ruling that I provisionally made. That is a matter ultimately for me. But it is about whether there should be an adjournment so that I can consider the points that have been raised in discussion in the Assembly. That is a matter for this discussion.

Senator L.J. Farnham:

I simply wanted to ask whether you required time to consider this, in which case it would be sensible to adjourn. If you do not require time then obviously it would not. That is all I wanted to ask confirmation of.

The Bailiff:

I will give people the opportunity to speak if they want to speak.

Senator I.J. Gorst:

Rulings from the Chair on matters on taxation and contributions are extremely important because they set the precedent for the future. That is why I supported Deputy Higgins's proposal. For the benefit of clarity, those Members who seem to think that there might be undeclared interests, I have no direct pecuniary interest to declare, either as regards income into the household or shareholdings in companies that pay at this level. I have nothing to declare. The point, is it sufficiently broad, or is it narrowly defined? One thing that has concerned me about this element of the debate is a lack of understanding of what the amendment does. It is about employers, self-employed and 2(1)(e)s, not about the employee. Because a different regime applies there. So perhaps that alone is a reason for Members to take longer when it comes to social security contributions. This is not just about long-term care. It is about the other thing as well. So your ruling is extremely important in the precedent it sets, whichever way you decide. That is your prerogative as the Chair.

The Bailiff:

I have not finished calling on people to speak, but I should say at this point that it seems to me that there are 2 views as to what this proposition means. There is one view that says, as it appears to say on its surface, that it applies to employees as well as others. There is the other view that has been expressed, which appears to be the Government view that it only applies to employers plus self-employed, and that is because of the different regime that applies. That is something on which I am not able to make a determination because it requires a legal assessment of where the position is. That may be something on which it is appropriate for the Assembly to take the view of the Attorney General as to what the proposition applies to in order that a ruling can then be made. Because that may be a relevant input into the ruling. I say that, for what it is worth, at this point simply because it is not clear to me, because of the different ways the arguments have been put, exactly what the proposition means. It does not seem to me that anyone has, other than asserting their position, explained why they take the view that it has the ambit that it does. It may be that legal advice is appropriate in these circumstances. It is an unusual situation but if Members think there would be benefit in seeking the Attorney General's advice on the matter overnight then that might be an appropriate way of going forward. Deputy Tadier, anyone can vote on the adjournment question, but there is no conflict, it is not a direct pecuniary advantage.

Deputy K.F. Morel:

I apologise to the Assembly because this is a rather embarrassing situation the Assembly has got itself into here. We voted this morning to stay until 8.00 p.m. I believe we should therefore stay until 8.00 p.m. The ruling you made makes complete sense. It is not difficult to understand. I believe this interpretation that you have just outlined, it is not necessary for us to find that interpretation. The ruling you made just makes sense. Are you as a family, as a household, would increasing the social security threshold above £250,000 affect you as a family, as a household? If not, stay here. If it does, then please withdraw. It is very simple. I am frankly quite embarrassed by the Assembly when it gets itself into these knots. We should stay here until 8.00 p.m. because that is what we voted on.

The Bailiff:

I will continue to allow people to have their say. The Greffier has raised an issue with me, which I will need to take 5 minutes to consider and I will need to step out for those purposes I am afraid so that I can gain a clearer understanding. But it may be of assistance if we just heard people speak as they go.

Deputy M.R. Le Hegarat:

I am quite clear in relation to the thresholds in relation to Social Security. What I just wanted to clarify, because I am obviously not an expert in this field, that some of both mine and my husband's income is that of pension, which does not come under the social security contributions monthly earnings higher end. But it then talks about this proposal would also require people with income

above £252,360 to pay an extra 1.5 long-term care contribution. Can we verify whether this is linked to the social security element or not? Because that is significantly different to where I would be as to whether I would have to declare an interest.

Deputy M.R. Higgins:

Can I just explain, we have got ourselves into a knot here, we are getting into all sort of views and everything else? We may have, as Deputy Morel said, agreed to stay until 8.00 p.m. It would calm things down, clarify the situation, if we could give the Bailiff the time. He is under great pressure to make decisions at the moment, which I do not think is fair. He can go away and come back first thing in the morning with a ruling and we can proceed. I am sure we will get through all the business tomorrow.

The Bailiff:

Point of order, Deputy Tadier.

Deputy M. Tadier:

The point of order is that is it not the case in the code of conduct that it is up to Members on their conscience to decide whether or not there is a potential conflict and then to resolve that conflict in the public interest? Also that we do not need an adjournment to know whether or not you earn over £250,000 per year or your spouse or cohabitee does. These are things that can be declared now and should be and then, even if we do agree to adjourn so you can consider the matter more widely, that declaration should be made now because Members are in a position to say whether they are affected. It is just a case of whether it is direct or indirect. Is that a fair representation of the situation?

The Bailiff:

It is not technically a point of order, Deputy, because it does not require a ruling from the Chair. But I will take that on board when I express the view that I will shortly express.

Deputy R. Labey of St. Helier:

This is not an embarrassment for the Assembly. It is a knotty problem that crops up from time to time. After Senator Moore had the good grace to declare an interest, your suggestion that you retire for 5 minutes is a perfectly acceptable one and we should allow you to do that and then see where we are from that point.

Senator T.A. Vallois:

Just briefly following on from Deputy Labey, who made quite a considerate response. I will just make the point that we have to consider whether the interest is required around the voting or whether Members are still able to speak in the debate, considering the interests that are laid. That is an important point to make.

The Bailiff:

I can answer that one quite easily, Senator. If it is a direct pecuniary advantage, a direct financial interest, then it is quite clear that the individual must declare it and withdraw from the Chamber so that they cannot speak on it either, if that was your question.

Senator T.A. Vallois:

May I ask then a point of order to yourself as to why that was not determined at the beginning of the debate around the consideration of that pecuniary interest? So then Members would be able to determine whether they could be party to the debate or not.

The Bailiff:

The answer is it was not raised before me and I am afraid I did not think to raise it myself. Also, it is a Member's responsibility to declare a conflict of interest. Sometimes the Chair or the Presiding Officer asks, but it is a Member's responsibility to consider whether they are in conflict at any particular point. No one else has indicated a desire to speak. The proposition before the Assembly is whether or not we adjourn overnight. It might help if I were to take 5 minutes to consider the position and come back and explain the position from the Presiding Officer's point of view as it currently stands. Therefore, unless Members urge me not to do so, I propose to step out for 5 minutes for that purpose.

[19:15]

PAUSE

[19:22]

The Bailiff:

I am grateful to Members for affording me the short indulgence of time. I have made the best inquiries that I am able to understand what the ambit of the proposition is. I remind Members of what I said earlier about the declaration of interest. It is any Member of the States who has, or whose spouse or civil partner or cohabitee has, an interest in the subject matter of the proposition must, if it is a direct financial interest, declare the interest and withdraw from the Chamber for the duration of the debate and any vote on the proposition. On the best information that I have available to me, it is anyone with an income of above £250,000 falls within the catchment of this particular proposition and therefore would have a direct financial interest. That is the ruling, if called upon to give it now, I would feel constrained to give in accordance with Standing Orders. But it is up to Members whether they wish to adjourn overnight for me to consider it further. The reason I say it is up to Members is because there is a live proposition before the Assembly for an adjournment overnight and therefore I cannot simply decide not to proceed with a live proposition. Deputy Young, you asked for clarification of that ruling?

Deputy J.H. Young:

Yes.

The Bailiff:

Yes, I am afraid I cannot hear you, Deputy Young.

Deputy M. Tadier:

Could I just clarify that you are not ruling on a hypothetical point of order, it was a point of order that I raised and you did rule on it and then we subsequently had 2 Members that I can recall declared an interest. It should be now for other Members to declare interests. Is it not the case that, even if we do adjourn, of which personally I do not see the logic, it is up to Members to declare an interest before we adjourn?

The Bailiff:

No, I am not sure that is right. If we adjourn so that I am to consider the ruling overnight then it is not required for people to make a declaration until I rule that is appropriate for them to do. I am indicating my current view, which is, after taking as much time as I reasonably feel able to do so this evening to consider it, that is my current view. It is a matter for Members whether they wish me to adjourn overnight and consider it further. But, if they do not, then that is my ruling.

Deputy M. Tadier:

Could I just ask a question, which continues the point of order? We do not normally get the opportunity to ask you to reconsider your other points of order overnight when you have given a clear ruling, so are we not setting a precedent here?

The Bailiff:

I am not concerned about this being a precedent. This is an unusual set of circumstances and I certainly would not normally require time to consider a ruling. I have firmed up on my ruling as much as I can. But there is a live matter before the Assembly, which is the question of an adjournment overnight. I cannot simply withdraw that proposition simply by giving a ruling now. That would not be appropriate for me to do. What I would like to do, if Members agree to proceed to the vote on whether or not we adjourn overnight, and then, if we do not adjourn overnight, I have made my ruling and we can continue. If we do adjourn then I will consider the ruling further overnight and I will either confirm it in the morning or indicate that I have departed from it in some way.

Senator J.A.N. Le Fondré:

Sorry, seeking further point of clarification on your rulings, and apologies for extending this particular matter. At this stage, would you be able to indicate to us whether the ability to consider it further overnight would have any significant bearing on your ruling, i.e. is there further information you would be able to obtain or further deliberation that you would prefer?

The Bailiff:

I am fairly settled in my view that it applies to anyone with an income of over £250,000 and I am not sure that I am likely to alter that view, Chief Minister. The point of consideration is whether there is anything in the interplay between that paragraph of the declaration of interest part of the Standing Order or the part under (b), which is whether it is shared with a large class of persons. That appears to me to be a circumstance where it is not a direct financial interest and I am not sure that I am likely to change my view. But, as I say, there is a live proposition before the Assembly. May I ask then that we put the matter to the vote? The vote is do we adjourn overnight and continue? There is a little over half an hour left before 8.00 p.m. in any event. Could I ask the Greffier to place a vote into the link? A vote pour will adjourn the matter overnight. A vote contre will have us proceed for the remainder of the half hour or any other period that the Assembly agrees. I open the voting and ask Members to vote. Members have had the opportunity of casting their votes. Then I ask the Greffier to close the voting. The vote to adjourn is passed.

POUR: 25		CONTRE: 19		ABSTAIN: 0
Senator I.J. Gorst		Senator L.J. Farnham		
Senator S.C. Ferguson		Senator T.A. Vallois		
Senator J.A.N. Le Fondré		Senator S.Y. Mézec		
Senator S.W. Pallett		Connétable of St. Brelade		
Connétable of St. Helier		Connétable of Grouville		
Connétable of St. Lawrence		Connétable of St. Ouen		
Connétable of Trinity		Connétable of St. John		
Connétable of St. Mary		Deputy G.P. Southern (H)		
Connétable of St. Martin		Deputy of Grouville		
Connétable of St. Clement		Deputy M. Tadier (B)		
Deputy J.A. Martin (H)		Deputy L.M.C. Doublet (S)		
Deputy K.C. Lewis (S)		Deputy of St. Mary		
Deputy M.R. Higgins (H)		Deputy G.J. Truscott (B)		
Deputy J.M. Maçon (S)		Deputy K.F. Morel (L)		
Deputy S.J. Pinel (C)		Deputy G.C.U. Guida (L)		

Deputy of St. Martin		Deputy M.R. Le Hegarat (H)		
Deputy of St. Ouen		Deputy R.J. Ward (H)		
Deputy R. Labey (H)		Deputy C.S. Alves (H)		
Deputy S.M. Wickenden (H)		Deputy K.G. Pamplin (S)		
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy S.M. Ahier (H)				

I apologise to Members to the extent that I am the agent of this confusion but I am afraid that is the position that we are in, in the Assembly, and accordingly we stand adjourned until 9.30 a.m. tomorrow morning. Deputy Tadier asked for a readout of the vote in both directions.

The Deputy Greffier of the States:

Those voting pour in the chat: Senator Ferguson, Deputy Pinel, Deputy Maçon, Deputy Martin, and in the link: Deputy Ahier, Deputy Labey, Deputy Lewis, Deputy of St. Martin, the Connétable of St. Helier, Senator Pallett, the Connétable of Trinity, Deputy Wickenden, the Connétable of St. Martin, the Deputy of St. Peter, the Connétable of St. Clement, the Connétable of St. Mary, Deputy Young, Senator Gorst, the Deputy of St. Ouen and the Deputy of St. John.

[19:30]

Those voting contre: there were none in the chat, but in the link, the Connétable of Grouville, Senator Farnham, Senator Mézec, Deputy Tadier, the Connétable of St. John and St. Ouen, Deputy Ward, Deputy Le Hegarat, the Deputy of Grouville, the Connétable of St. Brelade, Deputy Morel, Senator Vallois, the Deputy of St. Mary, Deputy Guida, Deputy Doublet, Deputy Pamplin, Deputy Alves, Deputy Southern and Deputy Truscott. We stand adjourned until 9.30 a.m. tomorrow morning.

Deputy M.R. Higgins:

Can I mention, I did vote pour but it has not been recorded.

The Deputy Greffier of the States:

Sorry, yes, I did not read you out, Deputy Higgins, you are a pour.

ADJOURNMENT

[19:31]