

# STATES OF JERSEY

## OFFICIAL REPORT

TUESDAY, 20th APRIL 2021

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

## **COMMUNICATIONS BY THE PRESIDING OFFICER**

### **1. Tributes to His Royal Highness The Prince Philip, Duke of Edinburgh**

#### **The Bailiff:**

It is difficult to believe that it was only 11 days ago that we learned the sad news of the death of His Royal Highness The Prince Philip, Duke of Edinburgh. Since that time we have all heard a great deal indeed about his life, his work and his contribution to Britain and to the Commonwealth. However, this is the first occasion on which this Assembly has had the opportunity formally to mark his death and to reflect upon what he has meant to Jersey and his place at the centre of British life more generally. The death of His Royal Highness was of course not only a national moment but a deeply personal and private one for Her Majesty The Queen and for all of the royal family. I would like to take this opportunity to read to you the message of condolence sent on behalf of the Island to her Majesty. I wrote: “Your Majesty. The Lieutenant Governor, Bailiff and States and people of Jersey have received with deep sorrow the news of the death of His Royal Highness The Prince Philip, Duke of Edinburgh and send your Majesty their deepest sympathy. Islanders join your Majesty’s subjects across the Commonwealth in mourning the passing of a much-respected figure whose life of dedicated service to his country and to his family has been an example to us all. This has been exemplified by his selfless commitment to duty as your Majesty’s consort for more than 60 years. He will leave a wealth of legacies and positive influences through his many patronages and, in particular, by the Duke of Edinburgh Award scheme, which has provided the opportunity for many young people to develop lifelong skills for work and to fulfil their potential. On the 7 occasions when His Royal Highness visited the Island the people of Jersey were touched by his engagement and interest in local community life and by the warmth and friendliness of his personality as well, of course, as his sense of humour. Islanders who were present in Jersey during the occupation of the Channel Islands between 1940 and 1945 still cherish among their most happy memories the visit that Your Majesty made with His Royal Highness in 1949 when a special meeting of the States was held in the Royal Square. Your Island also recalls its pleasure at the visit of Your Majesty and His Royal Highness in 2005 when Jersey celebrated the 60th anniversary of liberation and a special Liberation 60 sculpture was unveiled on Jersey’s waterfront to celebrate the restoration of freedom. While we express our deep sadness by the news of the Duke of Edinburgh’s death we nonetheless rejoice in the knowledge that he led a very full and happy life and made an enormous contribution to the royal family and to the wider community throughout the Commonwealth.” I signed that message off in the customary manner. It seems to me that there is not a great deal more that I should or need to say on this occasion. The Duke of Edinburgh will be remembered for his character and his selfless service to and in support of Her Majesty The Queen and to her and her family our thoughts must inevitably turn as she moves forward without the presence of the man who supported her for more than 7 decades. The Duke of Edinburgh was from that generation that understood duty and service and those virtues he embodied. On his visits to Jersey he always showed a keen interest in Island matters and in the life of its people. Her Majesty The Queen is our Duke but he, the Duke of Edinburgh, was hers and he is remembered by us with respect and with affection. I now call upon Senator Gorst, as senior Senator to speak.

#### **1.1 Senator I.J. Gorst:**

The Senators join with you in offering our deepest, heartfelt condolences to Her Majesty The Queen and all the royal family. Her Majesty has been in our thoughts and prayers over the past days and will continue to be so in the weeks ahead. As you have indicated, tributes, sincerity and warmth have poured in from the 4 corners of the globe speaking of a man who had influenced so many. Moving

personal tributes from those who had met him, from those who knew him, and from those who loved him.

[9:45]

There were of course also tributes from those who had never met His Royal Highness but whose lives had been changed by undertaking the Duke of Edinburgh's Award programme and many of those are in Jersey. He was absolutely committed, as we know, to supporting young people to believe in themselves and to achieve their very best. His Royal Highness was, in many ways, the embodiment of the greatest generation of which he was a member. Indeed, his distinguished naval career included fighting against the greatest evil and threat ever known to these British islands. We owe him a huge debt of gratitude purely for his military service, although of course this was a career which he dutifully, perhaps if reluctantly, shortened in order to be of service to Her Majesty, country and the Commonwealth in quite a different manner. As you have said, he uniquely fulfilled the role of consort always those 2 steps behind. You have referenced the Duke's specific links and engagements over the years in Jersey and it is clear therefore that the sense of loss felt in the United Kingdom, the Commonwealth and the world is felt as acutely here in our Bailiwick. His Royal Highness Prince William, Duke of Cambridge, said of his grandfather: "His life service is to his country and Commonwealth, to his wife, the Queen, and to our family. I feel lucky to have not just had his example to guide me but his enduring presence well in my own adult life, both through good times and the hardest days." Duty, service and determination framed His Royal Highness's life. So when someone passes away we can, of course, think of our loss but we can also take the lessons they taught and allow them to live on in our community. I think duty, service and determination are attributes which we have already in abundance in our community but which each one of us would do well to continue. As we know, His Royal Highness was not one to encourage speaking unnecessarily and therefore in our own personal tribute to him I will end my words there. The Senators pray that His Royal Highness rest in eternal peace. God save the Queen.

#### **The Bailiff:**

Thank you very much, Senator. I call on the Connétable of St. Helier as senior Connétable.

#### **1.2 Connétable A.S. Crowcroft of St. Helier:**

The Connétables are aware of the profound sorrow felt by their parishioners following the death of His Royal Highness The Prince Philip, the Duke of Edinburgh, and of their deep sympathy for Her Majesty The Queen and the royal family in their bereavement. Meeting loyal subjects by Parish is a key feature of every royal visit and one of the pleasures of being a Connétable is to introduce their Royal Highnesses to individual parishioners, all of whom have moving and fascinating stories to tell which interests our visitors greatly. I have no doubt that the uniqueness of our Parish system has been one of the aspects that made the Duke of Edinburgh's 7 visits to our Island especially enjoyable with its emphasis on honorary service, from the first occasion in June 1949, accompanying the then Princess Elizabeth to his final one in 2005 marking the 60th anniversary of the liberation. Two of the Duke's visits included meeting the late Mitch Couriard M.B.E. (Member of the Order of the British Empire) who gave so much of his time to working with young people, supporting the Duke of Edinburgh Award and serving his Parish as a vingtenier. On Liberation Day in 2005 Prince Philip and the Queen met groups of Islanders in Liberation Square under their Parish banners and members of Parish municipalities in the Grand Hotel. The ceremony included a performance on the theme of reconciliation by the Jersey Youth Theatre and Prince Philip and the Queen were able to meet the Burgermeister of Bad Wurzach and some of those Islanders who were interned there during the war. This final visit to our Island by the Queen and the Duke of Edinburgh as a couple also included the unveiling of the "Freedom Tree" on the St. Helier waterfront and meeting Linda Rose Parkes, a local poet whose poem "The Tree" is inscribed in Jersey granite around the base of the sculpture. I was reminded of that poem by the poet laureate's elegy for the Duke of Edinburgh published just on

Sunday, on the day of the funeral, where he writes: “The major oaks in the wood start tuning up and skies to come will deliver their tributes.” Or, in the words of our Jersey Freedom Tree “When we sleep the open valves of landscape still draw us back to the windswept oak.” May he rest in peace.

**The Bailiff:**

Thank you very much, Connétable. I call upon Deputy Martin as the senior Deputy.

**1.3 Deputy J.A. Martin of St. Helier:**

From all of us on the Deputies’ benches and the people of Jersey we represent, I want to express our sincere condolences to Her Majesty The Queen on the death of her beloved husband, His Royal Highness, the Duke of Edinburgh. His Royal Highness was the longest serving royal consort in British history and gave his love and support not only to Her Majesty over the 73 years together but to his country and the wider Commonwealth. In this time, they have seen what only can be described as unimaginable reform and advancement to the realm. I had the privilege of being introduced to His Royal Highness when we celebrated the 60th anniversary of Liberation Day in May 2005. It was a fantastic day and I think this was the last time His Royal Highness came to Jersey. I know he had visited the Island many times before and I believe both he and Her Majesty enjoyed all the times they spent here. Like many others around the world, I watched on Saturday His Royal Highness’s final farewell which was a small family affair due to COVID but had all the fantastic input from the military and voluntary groups that the Duke had been involved with over the years. That was only to be expected. Our thoughts are with all the royal family as they come to terms with their sad loss. May he rest in peace.

**The Bailiff:**

Thank you very much, Deputy. I call on the Chief Minister to speak for the Government.

**1.4 Senator J.A.N. Le Fondré:**

On the sad occasion of the passing of His Royal Highness, the Duke of Edinburgh, I wish to express my sorrow and sincere condolences on behalf of the Government of Jersey. On 9th April I wrote to Her Majesty The Queen to express our deep and heartfelt sympathies and to express our admiration for his late Royal Highness. I know all of our thoughts are with Her Majesty and members of the royal family during their morning. Whether it is his much-valued patronage of local charities or his role in inspiring young people with the Duke of Edinburgh Award scheme, his impact on our community here in Jersey was evident and his loss will be felt by many. Members will recall that the Duke of Edinburgh visited our Island 7 times over as many decades. First in 1949 when alongside Her Majesty, then Princess Elizabeth, he attended a special sitting of the States Assembly held in the Royal Square. Alongside Her Majesty, the Duke of Edinburgh returned to Jersey in 1957 and 1978, again attending States sittings and Royal Jersey Agricultural and Horticultural Society events on both occasions. In 1983 His Royal Highness visited our Island unaccompanied by Her Majesty for the first time, opening the St. John’s Recreation Centre and presenting Duke of Edinburgh Gold Awards to a number of Islanders. In more recent times, Her Majesty and His Royal Highness returned to Jersey in 2001 and 2005 celebrating on the latter occasion 60 years since our Island’s liberation from German occupation and I know this final visit will be in the minds of many Islanders as we remember His Royal Highness today. Our Island’s connection to the British Crown stretches back over 8 centuries of co-operation, perdition, liberty and growth. The royal family have been and remain an integral part of our Island’s story and a link between ourselves and the wider British community. His Royal Highness was the longest serving consort to a British sovereign having served 69 years in that role, supporting Her Majesty both in her official duties and privately as a loving husband, father, grandfather and great-grandfather. He will be remembered fondly across the British Isles and Commonwealth realms, not only for his dutiful service but also for his work in both charitable and community pursuits. By the time he retired from official royal duties in August 2017 His Royal

Highness had completed more than 22,000 solo engagements on behalf of Her Majesty. His longstanding and dutiful dedication to public service will be admired for many years to come. I hope, despite the sorrow we all feel on this day, that we can look back at the Duke of Edinburgh's long career of public service fondly, remembering the role he played inspiring others, particularly young people and the duty he brought to his position. May he rest in peace.

**The Bailiff:**

Thank you very much, Chief Minister. Indeed, may he rest in peace. That concludes announcements under part A.

**QUESTIONS**

**2. Written Questions**

**2.1 Deputy M.R. Higgins of St. Helier of the Minister for Social Security regarding delegation of powers (WQ.125/2021):**

**Question**

Will the Minister –

- (a) provide a consolidated list of all the powers which she has delegated either to her Assistant Ministers or to officers since coming into office, giving the date and the reasons for each such delegation; and
- (b) provide a list of any powers which she has not delegated to an Assistant Ministers or officer, explaining for any such power why she has not done so?

**Answer**

All ministerial decisions are recorded in public Ministerial Decisions published on the gov.je website and are also published as a Report on the States Assembly website.

(a) The main delegations made by the Minister are currently set out in MD-S -2021-0016 and R.20/2021. The full text of the delegations is set out below.

Additional delegations relevant to the Covid situation are set out in MD-S- 2020 - 0060 and R.105/2020. The full text of the delegations is set out below.

All delegations are made by the Minister to ensure efficient and robust decision making and administration in each of the areas under her control.

(b) As published in MD-S- 2020 - 0060 and R.105/2020 all powers have been delegated to the Assistant Minister: “The Minister for Social Security has decided to delegate all powers and functions vested in her, including the power to make enactments and all other areas where the Minister has authority to act to Assistant Social Security Ministers.

**2.2 Deputy K.F. Morel of St. Lawrence of the Minister for the Environment regarding land area used for parking (WQ.126/2021):**

**Question**

Will the Minister advise how much of Jersey's land area is used for above ground, non-domestic car parking (including private and public car parks); and, for the avoidance of doubt, in the case of multi-storey car parks only the building footprint is required?

**Answer**

Due to the complex nature of the question, there are various aspects of this question such as how we differentiate between car parking spaces and the space for the car park as well as how we clarify land area. These need to be made clear before a definitive answer can be provided.

The full set of data requested is not held by Government in a form readily available, however, some data is held by the IHE department and informed the extant Island Plan:

8.94 Within the town of St Helier, there are approximately 3,200 public long stay (commuter) parking spaces; 850 public short stay three hour limit shoppers' spaces and 1,200 on-street spaces of varying time limits and restriction. This provides a total level of public provision of 5,250 car parking spaces.

8.95 The majority of parking spaces in St Helier, however, are private, comprising 3,500 residential and 7,000 private non-residential spaces.

It would be possible for the full set of data requested to be collected through existing data; however, this would be a substantive task which would likely require a dedicated FTE as part of a bespoke project. Data could be sourced from a GIS map of scheduled public car parking managed by the Government, parish parking, private parking, planning application data, etc.

It should be noted that 'land area (used for) ... car parking' could be interpreted as land for the sole use of parking, or other land used for car parking in association with another use, such as supermarket car parks. As such, this would need to be clarified as part of any scope to collate the data.

While public parking is legally scheduled to provide for enforcement, private parking is not. Thus, figures could be provided for public parking, it is doubtful the figures could be for private or unscheduled spaces – such as those for employees at banks, private spaces on land that are rented out, outside or under shops, builders yards etc.

There is an indicative area for scheduled public parking under government administration, but this wouldn't include the information for say parking at schools, or ambulance drivers, community nurses.

It is also difficult to differentiate between car parking spaces and the space for the car park, however, the former could be the area of the bays on the ground floor, whereas the latter will include landscaping features, turning heads, circulatory areas and 'dead spaces' like hatching adjacent to disabled parking bays etc. From a technical perspective, it is a lot easier to measure the footprint of an entire parking area/car park (including verges etc), rather than distinguish the exact area useable for parked cars when they are in the marked bays.

### **2.3 Connétable of St. Martin of the Minister for Infrastructure regarding drivers with diabetes (WQ.127/2021):**

#### **Question**

Further to his Ministerial Decision dated 11th January 2019 (Reference MD-T-2019-0002) in relation to an amendment to the Road Traffic (Jersey) Law 1956 and Motor Vehicles (Driving Licences) (Jersey) Order 2003, will the Minister advise whether -

- (a) reference made to adopting the same medical standards that are in place in the United Kingdom in relation to diabetes mellitus, refers to the document INF 294 - A guide to insulin treated diabetes and driving, issued by the DVLA (Driver and Vehicle Licensing Agency) as revised in September 2019;
- (b) INF 294 is to be considered advisory in nature and not enforceable under the Road Traffic (Jersey) Law 1956 as amended; and
- (c) insulin dependent drivers of Group 1 vehicles, can select either one of the following to test their ability to drive (i) a Flash Glucose Monitor, FGM) (ii) Continuous Glucose Monitor (CGM) or (c) a finger prick glucose check; and, if not, why not?

#### **Answer**

The detail contained within the Draft amendment to the Motor Vehicles (Driving Licences) (Jersey) Order 2003, mirrors the wording within The Motor Vehicles (Driving Licences) Regulations 1999 (as amended) in that, when referring to Diabetes Mellitus reference is made to a licence holders "awareness of Hypoglycaemia."

The detail within the guidance material INF 294 produced by the DVLA gives the public information that is contained within the main guidance document “Assessing Fitness to Drive a Guide for Medical Professionals”.

The control of Diabetes Mellitus by means of treatments requiring Insulin is covered in the draft Order under the new Article 30 (5) which reads as follows:

“(4) *The prescribed requirements are that –*

*(a) the applicant provides a signed declaration that he or she –*

*(i) undertakes to monitor regularly his or her condition and, in particular, to monitor his or her blood glucose at least twice daily and at times relevant to driving,*

*(ii) understands the risk of hypoglycaemia,*

*(iii) undertakes to comply with any directions regarding treatment for diabetes as may be given by the registered medical practitioner overseeing the treatment or a person working under the supervision of that registered medical practitioner, and*

*(iv) undertakes to follow the advice of his or her registered medical practitioner, or a person working under the supervision of that registered medical practitioner, concerning fitness to drive; and*

*(b) the parochial authority is satisfied that the driving of a vehicle by the applicant in accordance with the licence is not likely to be a source of danger to the public.”*

It is intentional that the legislation does not specifically mention the methods of monitoring an individual’s blood glucose level as the methods of treating and monitoring this particular condition are constantly evolving. The detail around this is covered in the guidance material and this being subject to regular review and amendment is better placed than the specific detail being placed in the legislation.

#### **2.4 Senator K.L. Moore of the Chair of the States Employment Board regarding Tier 1 and 2 employees (WQ.128/2021):**

##### **Question**

Will the Minister advise how many employees from Tiers 1 & 2 have resigned from the employment of the Government of Jersey since 10th November 2020; and provide a breakdown by department of the departures?

##### **Answer**

There have been 2 employees from Tiers 1 and 2 who have left the Employment of the Government of Jersey since 10 November 2020.

<b>Department name</b>	<b>Number of employees</b>
Treasury and Exchequer	1
Strategic Policy, Planning and Performance	1

#### **2.5 Deputy K.F. Morel of St. Lawrence of the Chief Minister regarding catering at the new hospital (WQ.129/2021):**

##### **Question**

Will the planned hospital at Overdale include full catering facilities, or will catering continue to be provided from St Peter’s Technical Park; and, if the latter, what is the anticipated weekly milage required to provide catering for the new hospital?

##### **Answer**

A full catering facility will be included in the new hospital at Overdale and the service is not planned to be provided from St Peter's Technical Park in future. Food will be freshly cooked or pre-prepared on site and the facility will provide services to the café, all inpatients, staff and visitors.

More information about the services planned for the new hospital is available in the Draft Functional Brief, a live document which can be found [here](#).

**2.6 Deputy K.F. Morel of St. Lawrence of the Minister for Health and Social Services regarding medical flights and social distancing (WQ.130/2021):**

**Question**

Is the Minister aware of any situations in which Islanders travelling to Southampton for medical treatment have been unable to be seated socially distanced from other passengers on Blue Islands flights, due to the aircraft being full, with no seats left spare to enable proper social distancing?

**Answer**

There is no legal requirement in Jersey or the UK to socially distance on planes and whilst every attempt is made to space passengers during flights with low passenger numbers, it would be impractical to block book seats for patients to maintain 2 metre social distancing, particularly on increasingly busy flights. There are no longer lifeline patient-only flights to Southampton, so Health and Community Services has no control over the number of passengers booked on a flight. All passengers on the flights are required to wear masks at all times when travelling. Hand hygiene is also implemented at the airport.

**2.7 Deputy R.J. Ward of St. Helier of the Chair of the States Employment Board regarding disciplinary procedures (WQ.131/2021):**

**Question**

Will the Minister confirm the number (if any) of disciplinary procedures carried out across all Government departments during the last 4 years in which a line manager has been both the instigator of the disciplinary action and the arbiter of the outcome; and will he provide a breakdown of such instances by Department?

**Answer**

The SEB has not been made aware of any instances during the last four years, across all Government departments, in which a line manager has been both the instigator of the disciplinary action and the arbiter of the outcome.

It is important to be precise about terms used in responding to this question;

‘Instigator of the disciplinary action’ we have taken to mean the commissioner of a process which could lead to a disciplinary sanction.

‘Arbiter of the outcome’ has been taken to mean the decision to apply a disciplinary sanction or not, and the level of the sanction.

Our disciplinary policy specifically identifies independent panels as the body responsible for reviewing facts around each case and deciding whether a sanction is appropriate and if so, the level of the sanction.

The HR case management team provides support to line managers dealing with complex or formal disciplinary cases.

Line managers present the case to the disciplinary hearing panel and in line with policy, no line manager referring a case to the HR case management team will take part as a Panel member at a formal Hearing.

Line Managers, in line with the Disciplinary Policy, may issue informal warnings to staff aside from any formal action. We do not hold data centrally about informal warnings.

Should the Deputy have any information to the contrary, we would welcome sight accordingly.

**2.8 Deputy R.J. Ward of St. Helier of the Minister for Home Affairs regarding the impact of the UK Crime Bill on Jersey (WQ.132/2021):**

**Question**

Will the Minister advise what impact the U.K. Parliament ‘Police, Crime, Sentencing and Courts Bill’ will have on the right to protest in Jersey; and what discussions, if any, have taken place to take forward similar changes to Jersey regulations?

**Answer**

The Police, Crime, Sentencing and Courts Bill is a piece of UK legislation, and will not have any impact on the right to protest in Jersey.

I am not aware of any discussions having taken place with the aim of introducing such changes.

**2.9 Deputy R.J. Ward of St. Helier of the Minister for Treasury and Resources regarding Andium Homes electricity charges (WQ.133/2021):**

**Question**

As shareholder representative for Andium Homes, will the Minister advise what charges are made by Andium for electricity supply where tenants pay separate electricity bills, either by key meter or monthly accounts with Jersey Electricity?

**Answer**

Andium Homes tenants pay Jersey Electricity direct for their domestic electricity consumption. These are private arrangements between the tenant and Jersey Electricity and do not involve Andium Homes.

321 tenants in a small number of multi-occupancy apartment buildings are provided with their heating and hot water on centrally controlled electric off-peak systems. The cost of the electricity consumed to operate these systems is borne by Andium Homes and recharged to tenants, on a proportional basis, as a specific service charge on their rent account.

These centrally controlled systems are being phased out as buildings are refurbished and it is anticipated that by 2025 all tenants will be paying for their heating and hot water direct to the Jersey Electricity.

**2.10 Deputy G.P. Southern of St. Helier of the Minister for Social Security regarding report formatting (WQ.134/2021):**

**Question**

Will the Minister advise –

- (a) why she has decided to cease the publication of an annual report in the previous easy to read format, with infographics and tables, and has instead chosen to split the relevant tables into a less accessible format;
- (b) where the tables 22-45 from the previous format can be found in the latest reporting; and
- (c) whether it is the Minister’s assessment that the new format of the information is more difficult to access?

**Answer**

- (a) Consolidated Government of Jersey financial and operating data has been provided in its Annual Report and Accounts (ARA) from 2018 onwards. This document has included



information previously published in the Social Security Annual report. Data sets contained in the ARA continue to be refined and updated year on year. Opportunities have been sought to only publish Customer and Local Services benefit data once, and also to make greater use of the existing GoJ open data platform for online data publication to supplement the data provided in the ARA. As a result of this ongoing change, the 2017 Social Security report was the last to be published as a separate report.

- (b) Tables 22-45 in the 2017 Social Security Annual Report primarily refer to tax funded benefit data. The underlying data sets for these tables are all available on the open data platform at <https://opendata.gov.je/dataset/cls-income-support> . The only exception is a summarised view of all benefit cost data in one table.
- (c) It is the Minister's assessment that the use of open data sets is an important way in which government activities are reported transparently and in detail to the public and that current and historic data is accessible in the same location. The site includes tools to allow tables and charts to be generated from the data, so that the user can analyse the data of interest to them.

## **2.11 Deputy G.P. Southern of St. Helier of the Minister for Social Security regarding minimum wage (WQ.135/2021):**

### **Question**

Will the Minister provide States Members with an outline of the review of the minimum wage as proposed in this year's Government Plan?

### **Answer**

I will shortly be publishing the terms of the review of the minimum wage-setting process in Jersey. Once it is published, States Members will have an opportunity to contribute to the consultation exercise included in the review.

## **2.12 Deputy M.R. Higgins of St. Helier of the Minister for Home Affairs regarding sexual assault cases (WQ.136/2021):**

### **Question**

Following the disclosure that there had been 650 sexual assaults against women reported to the States of Jersey Police in the last five years, resulting in only 72 convictions, will the Minister advise (from the Police perspective) why so many of these cases fail to be brought to court, and explain the relatively small number of convictions arising from these cases?

### **Answer**

The disparity between the numbers of sexual offences being reported to police and the numbers of cases being prosecuted and then convicted is of both national concern and concern in Jersey. These are often complex cases involving just 2 parties and with differing perspectives often centred on the issue of 'consent'. Other reasons include some deeply seated societal challenges such as myths and stereotypes and sub-conscious bias that can impact on jury decision making as well as some new challenges for police and prosecutors relating to digital evidence and changes in sexual behaviour (move to more online offending including stalking and harassment). Other challenges are peculiar to Jersey and the small island context.

Approximately a third of victims in Jersey do not support a prosecution – not all victims are seeking a criminal justice outcome, which is why we have invested heavily in our Sexual Assault Referral Centre (SARC) and Independent Sexual Violence Advisors (ISVA) over recent years. Both these

services ensure victims receive medical care as well as other therapeutic interventions. They provide victims with options and choices and the ISVA service will support victims through the criminal justice process should they choose to support a prosecution.

The SoJP have run a number of campaigns in recent years, most recently focussing on the issues of consent and perpetrators.

In the year to April 2019 to March 2020, just 1.4% of rape cases recorded by police in England & Wales resulted in a suspect being charged. In Jersey it was 6% in 2019 and 3% in 2020. The police and Law Officer Department are currently working on a joint action plan in an effort to improve the numbers of prosecutions.

### **2.13 Deputy M.R. Higgins of H.M. Attorney General regarding sexual assault cases (WQ.137/2021):**

#### **Question**

Following the disclosure that there had been 650 sexual assaults against women reported to the States of Jersey Police in the last five years, resulting in only 72 convictions, will H.M. Attorney General advise (from the perspective of the Law Officers) why so many of these cases fail to be brought to court, and explain the relatively small number of convictions arising from these cases?

#### **Answer**

Sexual assaults, including rape and other serious sexual offences, are some of the most complex cases the Law Officers' Department (LOD) prosecutes.

While there has been progress in how the criminal justice system responds to these offences, more needs to be done to encourage victims to report abuse with confidence which will ensure support to them through the legal process, and to bring more offenders to justice. It takes enormous courage for a victim to report the case as such an event can be deeply violating and distressing. The LOD is all too aware of the barriers many faces when deciding whether to report offences relating to sexual assault. These often include, shame, guilt, fear of the process, fear of not being believed, shock, cultural context, embarrassment, language barriers and fear of reprisal from the community.

In 2021, rape and serious sexual offending remains one of the most misunderstood forms of criminality in society. The evidence shows that this type of offending is commonly perpetrated by someone known to the victim. In many cases, there will be no visible sign of injury to support an allegation. Additionally, many offences occur in a domestic setting which presents additional challenges for proceeding to prosecution,

Psychological evidence shows that the neurological response to the trauma of rape and sexual assault can impact a victim's ability to give a clear and coherent account of the event. However, this evidence runs counter to many societal myths and stereotypes regarding rape and serious sexual offending which continue to persist.

Each case referred to the LOD for advice is reviewed by a Legal Adviser in accordance with the 'Code on the Decision to Prosecute ('the Code')' and whether there is a realistic prospect of a conviction. Where a case is not prosecuted, it will be because it did not meet the test under 'the Code'.

The legal and evidential requirements needed to proceed with a rape or sexual assault prosecution effectively, efficiently, and fairly can be significant to overcome. The prosecution must succeed in proving its case beyond reasonable doubt. Sexual offences typically occur in a private place between two individuals where there is little or no other direct corroborating evidence. It is necessary under the law for the prosecution to provide evidence not only that a person did not consent to the act, but that the perpetrator did not reasonably believe that they were consenting.

Perceptions about who a victim is; how they dress and act both during and after an assault can be a focus for the defence. However, these perceptions play no part in decision-making by the LOD on whether criminal charges should be brought.

Often both the complainant and accused are known to each other, and in many cases, they are the only direct witnesses. These issues are not insurmountable barriers to prosecution but demonstrate the very real challenges that the LOD face when building cases to charge and prosecute rape and sexual assaults.

Any decision to prosecute requires careful and detailed assessment of all relevant evidence. This might involve scrutiny of accounts given of the event, forensic evidence and careful consideration of digital material and any CCTV coverage. The growth of social media presents both significant evidential opportunities and challenges given the huge volumes of personal material which is now potentially available. The prosecution must ensure all reasonable lines of enquiry are followed and appropriate material is identified and disclosed so the accused is able to have a fair trial in accordance with Article 6 ECHR. All parties must have confidence that they will be treated fairly by the prosecution and wider justice system.

The key to a successful prosecution, notwithstanding the difficulties set out above, is by seeking to fully understand the impact of myths and stereotypes and by countering them so victims can get justice.

**2.14 Deputy G.P. Southern of St. Helier of the Minister for Social Security regarding income support (WQ.138/2021):**

**Question**

Will the Minister commit to a review of the 2-tier treatment for the private and social rental components of Income Support?

**Answer**

No, I will not commit to a review of the distinction between private and social rental components in Income Support.

A key feature of the Housing Transformation Programme approved by the Assembly in 2013 and 2014 was the introduction of new rules in the Income Support scheme to allow Income Support components to acknowledge the full value of the rent for a socially rented property.

This system for social rents is designed to support the investment in Jersey's social rented sector. The Transformation Programme has delivered significant improvements to the existing social housing stock bringing all existing homes up to the Decent Homes standard within a short period. Andium Homes are now developing new homes to increase the number of social rented units available.

The private sector rental components continue to include a cap, above which no additional support is available. There are a wide range of rentals in the private sector and an uncapped system would be impractical.

Both systems work together to ensure that Income Support households can access good quality accommodation that is appropriate to their needs.

**2.15 Senator K.L. Moore of the Minister for Health and Social Services regarding Covid-19 cases (WQ.139/2021):**

**Question**

Will the Minister advise how many individuals have contracted Covid-19 –

- (a) whilst in hospital and who have subsequently died, either from Covid-19 or due to other contributing factors; and
- (b) whilst in a care home and who have subsequently died, either from Covid-19 or due to other contributing factors;

and, within this breakdown, will he indicate how many of these deaths were directly the result of Covid-19?

**Answer**

The incubation period (time between exposure to the virus and symptom onset) for COVID-19 can be up to 14 days. Therefore, it is rarely possible to be conclusive about where a person has contracted the virus / where it has been transmitted as there are usually many interactions that take place in that period of time.

The ‘Cause of Death’ section on a death registration consists of four sections (1a, 1b, 1c and 2) for conditions which together present a narrative of the person’s state of health at the point of their death. This gives comprehensive details of the conditions that lead to a person’s death. Only those conditions which caused the death are included. Any condition which a person is suffering with at the time of their death but did not cause the death is not included. For example:

- 1a. The disease or condition that lead to the death (eg Respiratory Failure)
- 1b. Antecedent causes (eg Pneumonia)
- 1c. Morbid conditions giving rise to the above causes (eg Covid-19)
- 2. Other significant conditions contributing to the death but not related to the disease or condition causing it (eg Diabetes Mellitus, Chronic Obstructive Pulmonary Disease)

The full list of causes of death as recorded on the death certificates for all COVID-19 related deaths in Jersey up to 4<sup>th</sup> February 2021 was published in a recent Freedom of Information response: <https://www.gov.je/government/freedomofinformation/pages/foi.aspx?ReportID=4319>

The Government of Jersey publishes an annual deaths publication and the report for 2020 is provisionally scheduled for release in summer 2021. This will include analysis of underlying cause of death (as defined by the World Health Organisation). All of the conditions mentioned on the death certificate are coded using the International Classification of Diseases, Tenth Revision (ICD-10). From all of these causes, an underlying cause of death is selected using ICD-10 coding rules. For Jersey data, the cause of death data is coded and independently reviewed by clinical experts at the Office for National Statistics. This includes classification and coding of each individual death, with some standardisation to the causes, as there are instances where there are different terms used that broadly refer to the same thing eg “Stroke” and “Cerebral Accident”.

Throughout the pandemic, the Government of Jersey has published data on deaths where Covid-19 is included on the death certificate and where those deaths took place. As at 7<sup>th</sup> April, the data are as follows:

<b>Place of Death</b>	<b>Prior to 1<sup>st</sup> Oct 2020</b>	<b>1<sup>st</sup> Oct 2020 onwards</b>	<b>Total</b>
Jersey General Hospital	13	25	38
St Saviour’s Hospital	3		3
Care Home	14	12	26
Community	2		2
	<b>32</b>	<b>37</b>	<b>69</b>

Further detail on the deaths that were registered in 2020 and those that occurred in 2020 are included in the Annual Statement of the Superintendent Registrar (section 2.4 is COVID-19 related deaths):

<https://www.gov.je/SiteCollectionDocuments/Government%20and%20administration/ID%202020%20SIR%20Annual%20Statement.pdf>

**2.16 Senator S.C. Ferguson of the Minister for Health and Social Services regarding problems with specific groups invited to the Covid-19 vaccination programme (WQ.140/2021):**

**Question**

Will the Minister advise whether any problems have been encountered with inviting specific groups to participate in the Covid-19 vaccination programme; and, where any such problems have occurred, will he provide an explanation of how such problems are identified, addressed, and communicated to Islanders?

**Answer**

There are currently no concerns about the extent of take up within any priority group. The vaccination programme has seen a successful rate of vaccination – as illustrated in the table below – which has been facilitated through free, equal access for all.

**Weekly estimate of coverage of first dose for each priority group as at 4 April 2021**

Priority group	Cohort size	Number	Percentage
PG1. Care home residents	1,043 <sup>◇</sup>	1,022 <sup>◆</sup>	98%
PG1. Carers working in care homes	1,400 <sup>◇</sup>	1,329 <sup>◆</sup>	95%
PG2. Front line health & social workers	1,475 <sup>◇n</sup>	1,484	~100%
PG2. Aged 80 years or over	5,050*	5,218	~100%
PG2. Other health and social workers	3,404 <sup>◇n</sup>	2,908	85%
PG3. Aged 75 to 79 years	3,260*	3,162	97%
PG4. Aged 70 to 74 years	4,720*	4,522	96%
PG4. Clinically extremely vulnerable (high risk) 16 to 69 years	2,184 <sup>+</sup>	1,842	84%
PG5. Aged 65 to 69 years	5,430*	4,914	90%
PG6. Clinically at risk (moderate risk)	9,146 <sup>+#</sup>	7,083	77%
PG7. Aged 60 to 64 years	6,500*	6,158	95%
PG8. Aged 55 to 59 years	7,820*	7,137	91%
PG9. Aged 50 to 54 years	8,490*	6,997	82%

◆ Missing or incorrect information entered for a small number of vaccine recipients. Cross-matching against other sources to fill in gaps where possible. Approximately 300 recipients identified as PG1 are still awaiting coding.

◇ Unstable population (movements in and out of homes or staff movements)

\*Based on 2019 population estimate

*∩ Inconsistent population data as reliant on numerous data sources. Extra data sources have been requested  
+Number based on GP system (EMIS) report  
#Information related to carers held separately to the EMIS data so potential for double counting*

The Public Health intelligence team reports on the make-up of the COVID-19 vaccination programme twice weekly. This shows that 95% of carers working in care homes have had their first dose, and over 90% of those in all groups over the age of 55.

Since the start of the vaccination programme, efforts have been made to ensure all groups have been given support. This has helped secure the high levels of vaccinations we have seen.

The Connect Me service has been a vital part of the vaccine communications. Through the service, our communications team has had frequent meetings with different community sector groups to ensure Government is meeting the needs of all Islanders. Working with Connect Me has informed the communications approach and channels used. For example:

- All written communication to high- and moderate-risk Islanders was also produced in an Easy Read Information version for Islanders who find written information difficult. This was important because Learning Disabilities is one of the at-risk conditions identified by the Joint Committee on Vaccination and Immunisation (JCVI). Letters were also translated into different languages and circulated when requested.
- A walk-through video of the vaccination centre was filmed with the Government's Disability and Inclusion Officer to ensure Islanders with disabilities felt prepared when attending their vaccination appointment.
- Clocks from EyeCan were placed at the vaccination centre for Islanders with sight impairment.
- All leaflets with information about the vaccine have been translated into French, Polish, Portuguese, Bulgarian and Romanian and distributed via the Connect Me service to ensure they are reaching the right community groups. Also available on [gov.je](http://gov.je) for download.
- All leaflets were created in Easy Read Information format for Islanders who find the written language difficult to understand. Also available on [gov.je](http://gov.je) for download.
- Radio ads translated into different languages to support vaccine roll-out.
- Videos with information about the vaccine including appointments, moderate- and high-risk conditions and information on the vaccine were translated into British Sign Language.
- Videos filmed in various different languages featuring health and care workers explaining information about the vaccine and why they decided to have their vaccination.
- To ensure high levels of uptake with Healthcare Workers, we provided regular meetings with Healthcare Managers within the community care settings.
- Provided videos in various languages for Community and Hospital healthcare staff.
- Provided additional coaching events (led by behavioural scientists) for care home managers to support staff.
- For under 50s, working with the Jersey Farmers Union to communicate with agricultural workers.

## **2.17 Senator S.Y. Mézec of the Chair of the Privileges and Procedures Committee regarding hours spent on a report by the Law Drafting Office (WQ.141/2021):**

## **Question**

“Will the Chair advise how many hours were spent by members of the Legislative Drafting Office on the Draft Discrimination (Amendment of Law) (Jersey) Regulations 202- contained in ‘Age Discrimination and the Disposal of Premises: Consultation Paper’ (R.51/2021), which was presented to the States on 6th April 2021?”

## **Answer**

The total time spent by members of the Legislative Drafting Office on the Regulations was approximately 12 hours 30 minutes, of which 11 hours 45 minutes was time spent on drafting; liaison with the instructing officer; and checking the draft before it was issued. The remaining time was spent on formatting. The Office does not know, or record, time spent by departmental policy staff, and other advisers, on producing the instructions and responding to the queries from the drafter on each draft.

### **2.18 Deputy R.J. Ward of St. Helier of the Minister for Economic Development, Tourism, Sport and Culture regarding funding for the ‘Inspiring Active Places Strategy’ (WQ.142/2021):**

## **Question**

Will the Minister advise what proportion of funding for the ‘Inspiring Active Places Strategy’ is to come from the private sector; and what control, if any, over charging and future access to facilities will be retained for any privately funded development?

## **Answer**

The Inspiring Active Places Strategy relates primarily to the provision of Government-owned public facilities. It is still at an early stage and more work will be required to establish the proportion of private funding that might be possible or the systems of operation. Any funding or operating model that involves private partners in the delivery of sporting facilities will be required to maintain Government and Ministerial oversight. Agreements will be structured to ensure pricing of services and facilities remains affordable for all islanders.

### **2.19 Deputy R.J. Ward of St. Helier of the Minister for Economic Development, Tourism, Sport and Culture regarding consultation for the redevelopment of Springfield Stadium (WQ.143/2021):**

## **Question**

Will the Minister advise what consultation will be undertaken with local residents before any redevelopment of Springfield Stadium?

## **Answer**

Residents can currently participate in the formal consultation that is now under way on sports facilities that will be provided in future through the Inspiring Active Places strategy. This can be found at [www.inspringactiveplaces.je](http://www.inspringactiveplaces.je). The consultation runs until 30<sup>th</sup> April 2021. Residents can also submit comments through the planning process.

The project at Springfield Stadium to create an Active Gym and Fitness Studios in the current Sports Hall consists of internal works and will not impact externally on the current building. A planning application will be submitted to extend the parking by 37 parking bays. The design for this ensures the existing trees remain in place and are protected. The play area will be moved to the south side of the park near to the five-aside area to accommodate the additional parking.

There are no plans for other consultation specifically with residents but the Project Director would be happy to meet with any neighbours to discuss the plan in detail and can be contacted by emailing [inspiringactiveplaces@gov.je](mailto:inspiringactiveplaces@gov.je).

**2.20 Deputy R.J. Ward of St. Helier of the Minister for Economic Development, Tourism, Sport and Culture regarding ministerial responsibility for Jersey Sport (WQ.144/2021):**

**Question**

Will the Minister advise who will retain ministerial responsibility for the arm's-length organisation Jersey Sport at the point where Government funding is removed and the organisation becomes self-funding; and what level of control over decision-making will be maintained regarding charging for access to facilities?

**Answer**

There is no plan to cease Government funding for Jersey Sport and it is not expected that the organisation will become self-funding. Ministerial responsibility is therefore expected to remain with the Minister for Economic Development, Tourism, Sport and Culture.

Government sports facilities are operated by the Sports Division through the Operations and Transport team within Infrastructure, Housing and Environment (IHE). The level of charges for access to these facilities is therefore managed wholly by the Government, not Jersey Sport.

Jersey Sport provides a range of services on behalf of the Government such as school swimming, GP Referral programme and School Bike Ability training. Jersey Sport receives a Government grant through a Partnership Agreement

**2.21 Deputy G.P. Southern of St. Helier of the Chief Minister regarding reporting on relative poverty in Jersey (WQ.145/2021):**

**Question**

Will the Chief Minister advise when the report on relative poverty in Jersey will be published by Statistics Jersey to replace, or update, the previous report entitled 'Jersey Household Income Distribution 2014/2015', given the need for such information to inform planning for 2022?

**Answer**

As members have previously been advised, the 2019/20 round of the Household Living Costs and Income Survey (formerly the Household Spending and Income Survey) commenced in July 2019 and was due to run continuously over the subsequent twelve-month period to July 2020.

However, the developing Covid-19 situation led the Chief Statistician to decide to pause the fieldwork (data-gathering) in March 2020, with a view to re-starting when on-Island conditions were appropriate.

On the basis of information received from the then Chief Statistician, it was anticipated that the results of the analysis of the household income data collected during the pre-Covid nine-month period from July 2019 to March 2020 would be published in Q4 2020.

The Chief Minister subsequently consulted with the Chief Statistician on more than one occasion during Q4 as to the intended date of publication for the 2019/2020 Income Distribution Survey and relayed the results of these meetings to Members on 6/10/2020, 9/11/2020 and 17/11/20.

The summary of the position given to the Chief Minister was that Statistics Jersey intended for the 2019/2020 Income Distribution Survey to be published within Q4 2020.



Unfortunately, Statistics Jersey were unable to confirm a specific date within Q4 2020 as they were still in the process of validating the data which had been accumulated and would only be able to give a response once they were satisfied the analysis was complete.

As Members will be aware, Statistics Jersey is an apolitical body formally constituted under the Statistics and Census (Jersey) Law 2018. Under Article 7(2) of this Law “The (Chief) Minister must not influence any decision of the Chief Statistician in the exercise of his or her responsibilities under Article 3(1)”. Article 3(1) of the Law includes “(g) the form, timing and methods of dissemination of statistics compiled by Statistics Jersey”.

It has recently been clarified to the Chief Minister that only 500 responses had been received by March 2020, a smaller sample size than expected. It had been anticipated to achieve 100 household responses per month from the date of commencement of the fieldwork. As a result of the low response rate, an additional recruitment drive to increase the fieldworker force was undertaken to ensure that the target of 1,000 households could still be met by the summer of 2020. However, progress was subsequently thwarted because of Covid-19 restrictions.

The sample size taken (500) is considered by Statistic Jersey as being an insufficient sample to give granular detail or to provide a full Income and Expenditure report. By way of comparison, the sample size for the 2014/15 fieldwork was 1,250 households. It should be clear, however, that Statistics Jersey do intend to use the data that is available to provide some high-level information on household income distribution and relative low income in Jersey prior to the Covid-19 Pandemic. This work will be undertaken as soon as resources in Statistics Jersey allow, following the peak of the 2021 Census operations work.

Recognising the need for information on household income distribution, including detail on households and people living in relative low income, Statistics Jersey now plan to restart the income and expenditure survey fieldwork from September 2021. The preferred option under consideration is to arrange the sampling in such a way that work can be concluded to enable a report on household income distribution (and relative low income) to then be available around June 2022 and in time for the production of the next CSP.

The Chief Minister anticipates the view of the Deputy to this news, and indeed shares a similar level of disappointment, albeit recognising that this is due to the extraordinary circumstances created by the Pandemic.

### **2.23 Senator S.Y. Mézec of the Minister for Housing and Communities regarding Andium Homes redevelopments (WQ.146/2021):**

#### **Question**

Will the Minister advise what plans Andium Homes have for the refurbishment or redevelopment of Westmount Park and Old St. John’s Court; and how he and Andium will work with the Parish of St. Helier with regards to the effect of such plans on the St. Helier House site?

#### **Answer**

There are presently no specific plans for the refurbishment or redevelopment of Old St John’s Court and Westmount Park, both of which currently meet the Decent Homes Standard.

Andium Homes has carried out a strategic asset management review of all its existing sites to identify opportunities for redevelopment, which can deliver additional homes, through high quality design led intensification. Such redevelopments make an important contribution to Andium’s target of providing 3,000 new homes by 2030.

In July 2020, the Constable of St Helier announced ‘a new partnership’ between the Parish and Andium to consider options for the redevelopment of both St Helier House and the Westmount Day Nursery, which would deliver a new modern nursery facility, as well as a number of new homes.

Some limited conceptual work has been undertaken to determine the overall benefit of a wider development which might also include Westmount Park and/or Old St John's Court. However, such a proposal is far from certain and there is still much work to be done to determine the parameters, viability and deliverability of such a scheme. Any such proposals will require approval by the Parish Assembly, the Board of Andium Homes and, ultimately, would be subject to a planning application and the public consultation which forms part of that process.

#### **2.24 Deputy M.R. Higgins of H.M. Attorney General regarding road signs (WQ.147/2021):**

##### **Question**

Will H.M. Attorney General advise members of the legal consequences, if any, of the Minister for Infrastructure failing to display road signs under the Road Traffic (Jersey) Law 1956, Article 72, near junctions to advise motorists of the speed they are required to travel at on the road they are entering into, in circumstances where the motorist subsequently exceeds the speed limit on that road before coming upon a road sign stating what the speed limit is?

##### **Answer**

Article 72(2) of the Road Traffic (Jersey) Law 1956 (the "Law") reads:

*The Minister shall cause traffic signs to be placed and maintained on or near the roads or cycle tracks to which any Order made under Article 21, 46, 62 or 63 relates in such manner as to indicate the requirement of the Order:*

*Provided that the duty imposed on the Minister by virtue of this paragraph shall not apply in any case where the effect of any one or more Orders is that the requirements thereof apply to all roads in Jersey.*

Article 21 of the Law relates to speed limits.

There is no express requirement in Article 72 of the Law for signs to be placed in a specific location, including near junctions. There is also no guidance in the Road Traffic (Speed Limits) (Jersey) Order 2003 or the Traffic Signs (Jersey) Order 1968 which specifies where such signs should be displayed. Accordingly, there is no specific legal requirement for the Minister to ensure that signs are erected at junctions where roads join with different speed limits.

In relation to the driver, under Article 21(4) of the Law, if any person acts in contravention of Article 21(1) or any provision of any Order specifying the speed limit on a relevant road, he or she shall be liable to a fine not exceeding level 2 on the standard scale (i.e. a maximum of £1,000). The circumstances, including whether there was a visible traffic sign indicating the speed limit on the road, may be taken into consideration by the Court when deciding the level of fine in each specific case.

#### **2.25 Deputy M.R. Higgins of St. Helier of the Minister for Social Security regarding discretionary decisions (WQ.148/2021):**

##### **Question**

Will the Minister advise for each year since she was appointed –

- (a) the number of times she has personally exercised her discretion under the laws she administers;
- (b) in any such case the discretion she exercised (in an anonymised form), and in what circumstances it was exercised; and
- (c) what effect any such discretion had on the person or organisation concerned?

## Answer

The Minister's legal powers run across a wide range of statutory and financial areas. In any decision in which the Minister can choose to take an action or not, she will exercise discretion in her ultimate decision.

The wording of parts B and C of the question suggest that the question is drawn more narrowly than this and relates to situations in which the Minister takes a decision, using her legal powers, to provide a benefit-like payment to an individual in a discretionary manner. All of the incidents relating to payments to of this nature relate to the legal powers provided under Article 8 of the Income Support Law.

(a)

Year	Number of discretionary decisions made
2018 (from election)	9
2019	37
2020	50
2021 (to date)	9

Note in respect of 2020 and 2021, two decisions were made in each year relating to additional support for university students due to Covid19. Multiple students were covered by each decision. In all other cases each decision relates to one specific case.

(b) As noted above the power exercised by the Minister in each case is that provided by Article 8 of the Income Support Law. The circumstances leading to discretionary payments included the following situations:

- Financial support to pay repatriation costs – note a significant increase during Covid19
- Additional financial support over and above that normally provided under the Income Support scheme to university students during Covid19
- The need for additional childcare support over and above that available through the childcare components of the Income Support scheme
- The need for financial support for an individual in hospital in Jersey or in the UK for a longer period than is provided for under the Income Support scheme
- A payment under the diffuse mesothelioma scheme as set out in the Income Support Policy Guidelines
- Financial support in respect of a safeguarding issue
- Financial support to households who do not otherwise qualify for Income Support in exceptional circumstances

(c) In each case a targeted financial payment was made to address a specific issue that required urgent attention and did not fall within existing statutory benefit rules.

**2.26 Senator S.W. Pallett of the Minister for Infrastructure regarding rescindment of parking restrictions at Le Port Car Park (WQ.149/2021):**

## **Question**

In relation to ‘Le Port Car Park, St. Peter: rescindment of parking restrictions’ (P.33/2019), adopted by the States Assembly on 21st May 2019, will the Minister advise –

- (a) what work, if any, has been carried out to implement the proposition; and
- (b) what consultation, if any, has taken place with the Comité des Connétables and other key stakeholders to identify and agree a list of designated areas for motorhome use around the Island?

## **Answer**

(a) In accordance with the requirements in part (b) of P.33/2019 officers have prepared an outline Resident

Overnight Stay and Campervan & Motorhome Parking Permit Scheme, including a proposed list of designated areas for motorhome use around the island.

(b) The Comité des Connétables are due to review the materials detailed above on Monday 12<sup>th</sup> April.

## **2.27 Senator S.W. Pallett of the Minister for Economic Development, Tourism, Sport and Culture regarding Les Quennevais Sports Centre Pool (WQ.150/2021):**

### **Question**

Will the Minister advise –

- (a) why the small teaching pool at Les Quennevais Sports Centre has been closed to the public for over a year;
- (b) what maintenance work, if any, has been carried out on the pool; who has undertaken any such work and at what cost;
- (c) the source of the funding for any such maintenance work, and whether the work has been undertaken within budget;
- (d) of any delay to these works; and
- (e) when the pool will re-open to the public?

### **Answer**

(a) Closure

The sports centre closed in accordance with Government instructions on 23rd March 2020 and re-opened in line with the Safe Exit Framework on 12th June 2020; the gatherings limit at this time was 20 swimmers in one pool only. Planned works for the learner pool were brought forward with staff draining down the pool for contractors to commence work in July 2020. Restrictions necessitated that only one contractor was engaged in a specific work area. The centre closed again on 4th December 2020 in accordance with Government’s Winter Covid Strategy and reopened on 15th March 2021. Centre staff commenced filling the learner pool at the end of January 2021 to accommodate curriculum and therapeutic swimming. Attempts to restart pool circulation in early February failed due to both circulation pumps having seized. Replacement circulation pumps for the learner pool were ordered on 17th February with an expected delivery date of 1st April 2021.

(b) Works completed

## **Project 1 – Building Renovations Ltd**

A total of 17 steel columns needed repairs and were sleeved with outer steel cases, which were welded for strength. They were then painted with a bespoke paint system suitable for the environment and conditions of a swimming pool.

**Project 2 – Building Renovations Ltd**

A new structural steel plate was fabricated and installed in the glazed curtain walling, which had corrosion at the base plates. It was fitted with the curtain walling remaining in-situ.

The budget for Projects 1 and 2 was £90,000 and the final account was agreed at £80,824 creating a saving of over 10% due to value engineering both projects.

**Project 3 – Building Renovations Ltd**

Removal of the bead and fibreglass coating to wall, spas, splashdown area, bubble pool and access ramp; and replacement with mosaic tile at a cost of £100,215.

**Project 4 – Centre staff**

Pool cover replacement works undertaken by centre staff during normal working time. No additional costs due to upcycling a main pool cover.

**Project 5 – IHE Mechanical Engineers**

Removal of existing circulation pumps, pool plant pipework adjustments and preparation to fit new pumps. Costs to date £16,420. This figure includes work to main pool fittings and fixtures such as circulation pumps, valves and associated plant.

**Project 6 – Grundfos/Sterling Hydrotech**

Replacement circulation pumps are on order with Sterling Hydrotech/Grundfos at a cost of £12,731. These arrived on 9<sup>th</sup> April 2021.

(c) Source of funds

<b>Contractor</b>	<b>Work Completed</b>	<b>Source</b>
Building Renovations	Structural work	JPH Projects
Building Renovations	Tiling replacement	Sports Capital

Grundfos/Sterling	TBC	JPH Maintenance
IHE Mechanical Engineers	Reactive works and ongoing	JPH Maintenance

(d) Delays

Contractors experienced significant challenges with removing the bead and fibreglass coating in a sympathetic way to prevent damage to the pool structure. There were delivery delays with the mosaic tiles. Grundfos pumps were due on 1st April 2021 and arrived on 9<sup>th</sup> April 2021 with fitting due to commence on 12<sup>th</sup> April.

(e) Re-opening

This is dependent on the arrival of the Grundfos pumps. Staff anticipate opening at the beginning of May.

**2.28 Deputy K.F. Morel of St. Lawrence of H.M. Attorney General regarding external lawyers (WQ.151/2021):**

**Question**

For each of the years 2018, 2019 and 2020, how much did the Law Officers' Department spend on instructing external lawyers in Jersey and how much did the Department spend on instructing external lawyers based in the U.K.?

**Answer**

The figures are set out in the below table.

	2018	2019	2020
<b>Jersey</b>	£859,968	£757,026	£493,471
<b>UK</b>	£235,150	£165,564	£315,781

**2.29 Deputy M.R. Higgins of St. Helier of the Minister for Treasury and Resources regarding budget allocations (WQ.152/2021):**

**Question**

Will the Minister advise members how much money has been allocated over the last 5 years through the Government Plan or budget process to the areas or organisations listed below?

- (a) the Judiciary, including all courts and tribunals;
- (b) the Police, including both the Honorary Police and the States of Jersey Police;
- (c) the Law Officers' Department; and
- (d) any other organisation that is funded from general funds but that also has access to allocations from special purpose funds.

**Answer**

This question is similar to the one asked by the Deputy earlier this year (WQ61). The table provided in the answer to WQ61 has been used as a basis for this response. It has been assumed that the question includes allocations from the Government Plan, Budget or Medium Term Financial Plan.

- (a) Please see the table below.
- (b) Please see the table below which includes allocation to the States of Jersey Police. The Government Plan, MTFP and Budget do not make allocations directly to the Honorary Police.
- (c) Please see table below.
- (d) In order to address the wide scope of part (d), the table below includes allocations to all departments and non-ministerial bodies over the period.

The question is not clear regarding which “special purpose funds” part (d) is intended to cover (that is not a definition used in the Public Finances Law, so this answer has been prepared on the basis that the Deputy means any Fund other than the Consolidated Fund). The answer has therefore been drafted on the basis that all Government Departments and non-ministerial bodies could theoretically access one or more of these Funds, as listed in the answer to WQ102 from the Deputy in March 2021.

In the table below MTFP means Medium Term Financial Plan and GP means Government Plan.

As always, if this is not the information the Deputy was seeking the Minister would encourage him to contact Treasury and Exchequer officers, or the Minister, direct. They will be happy to assist.

Year of funding	Recipient	Approval document	Source of funding	Capital/ Revenue	Reason	Allocation (£'000)
2016	Chief Minister	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	20,810
2016	Jersey Overseas Aid Commission	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	10,338
2016	External Relations	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	1,741
2016	Community and Constitutional Affairs	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	24,848
2016	States of Jersey Police	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	24,423
2016	Economic Development, Tourism, Sport and Culture	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	17,197
2016	Education	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	111,658
2016	Department of Environment	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	5,205
2016	Health and Social Services	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	203,777
2016	Infrastructure	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	189,479
2016	Social Security	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	28,618
2016	Treasury and Resources	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	32,496
2016	Bailiff's Chamber	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	1,564
2016	Law Officers' Department	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	7,798
2016	Judicial Greffe	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	6,616
2016	Viscount's Department	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	1,321
2016	Official Analyst	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	605
2016	Office of the Lieutenant Governor	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	738
2016	Office of the Dean of Jersey	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	26
2016	Office of the Data Protection Commissioner	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	267
2016	Probation Department	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	1,991
2016	Comptroller and Auditor General	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	777
2016	States Assembly and its Services	MTFP 2016-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	5,086
2017	Chief Minister	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	26,482
2017	Jersey Overseas Aid Commission	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	10,339
2017	External Relations	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	1,746
2017	Community and Constitutional Affairs	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	25,195
2017	States of Jersey Police	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	23,588
2017	Economic Development, Tourism, Sport and Culture	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	19,183
2017	Education	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	105,944
2017	Department of Environment	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	5,856
2017	Health and Social Services	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	207,908
2017	Infrastructure	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	39,981
2017	Social Security	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	186,226
2017	Treasury and Resources	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	21,447
2017	Bailiff's Chamber	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	1,688
2017	Law Officers' Department	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	7,556
2017	Judicial Greffe	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	6,558
2017	Viscount's Department	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	1,341
2017	Official Analyst	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	600
2017	Office of the Lieutenant Governor	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	735
2017	Office of the Dean of Jersey	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	27
2017	Office of the Data Protection Commissioner	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	374
2017	Probation Department	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	2,014
2017	Comptroller and Auditor General	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	804
2017	States Assembly and its Services	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	5,045
2017	Law Officers' Department	Ministerial Decision	Criminal Offences Confiscation Fund	Revenue	Revenue - International Centre for Asset Recovery	250
2018	Chief Minister	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	26,210
2018	Jersey Overseas Aid Commission	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	10,339
2018	External Relations	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	1,746
2018	Community and Constitutional Affairs	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	25,174
2018	States of Jersey Police	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	23,068
2018	Economic Development, Tourism, Sport and Culture	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	18,339
2018	Education	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	106,217
2018	Department of Environment	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	5,393
2018	Health and Social Services	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	210,787
2018	Infrastructure	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	35,367
2018	Social Security	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	187,551
2018	Treasury and Resources	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	20,974
2018	Bailiff's Chamber	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	1,700
2018	Law Officers' Department	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	7,324
2018	Judicial Greffe	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	6,497
2018	Viscount's Department	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	1,350
2018	Official Analyst	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	601
2018	Office of the Lieutenant Governor	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	725
2018	Office of the Dean of Jersey	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	27
2018	Office of the Data Protection Commissioner	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	440
2018	Probation Department	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	2,018
2018	Comptroller and Auditor General	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	817
2018	States Assembly and its Services	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	4,963
2018	Department of Environment	Ministerial Decision	Criminal Offences Confiscation Fund	Revenue	Combatting Fly Tipping and associated behaviour	6
2018	States of Jersey Police	Ministerial Decision	Criminal Offences Confiscation Fund	Revenue	Jersey Fraud Prevention Forum	50



Year of funding	Recipient	Approval document	Source of funding	Capital/ Revenue	Reason	Allocation (£'000)
2019	Chief Minister	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	25,473
2019	Jersey Overseas Aid Commission	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	10,339
2019	External Relations	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	1,746
2019	Community and Constitutional Affairs	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	24,627
2019	States of Jersey Police	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	22,468
2019	Economic Development, Tourism, Sport and Culture	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	17,796
2019	Education	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	106,317
2019	Department of Environment	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	4,676
2019	Health and Social Services	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	210,481
2019	Infrastructure	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	26,449
2019	Social Security	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	189,331
2019	Treasury and Resources	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	20,267
2019	Bailiff's Chamber	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	1,712
2019	Law Officers' Department	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	7,087
2019	Judicial Greffe	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	6,430
2019	Viscount's Department	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	1,346
2019	Official Analyst	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	572
2019	Office of the Lieutenant Governor	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	715
2019	Office of the Dean of Jersey	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	28
2019	Office of the Data Protection Commissioner	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	506
2019	Probation Department	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	2,022
2019	Comptroller and Auditor General	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	831
2019	States Assembly and its Services	MTFP Add 2017-2019	Consolidated Fund	Revenue	Departmental Revenue Expenditure	4,882
2020	Chief Operating Office	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	37,704
2020	Children, Young People, Education and Skills	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	147,637
2020	Customer and Local Services	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	90,661
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	64,402
2020	Health and Community Services	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	211,387
2020	Jersey Overseas Aid	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	12,431
2020	Justice and Home Affairs	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	30,314
2020	States of Jersey Police	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	23,805
2020	Office of the Chief Executive	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	18,951
2020	Strategic Policy, Planning and Performance	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	12,508
2020	Treasury and Exchequer	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	129,763
2020	Bailiff's Chambers	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	2,222
2020	Comptroller and Auditor General	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	857
2020	Judicial Greffe	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	7,474
2020	Law Officers Department	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	8,657
2020	Office of the Lieutenant Governor	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	757
2020	Official Analyst	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	585
2020	Probation	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	2,113
2020	States Assembly	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	7,542
2020	Viscount's Department	GP20	Consolidated Fund	Revenue	Revenue Head of Expenditure	1,824
2021	Chief Operating Office	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	36,638
2021	Children, Young People, Education and Skills	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	160,286
2021	Customer and Local Services	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	91,715
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	44,571
2021	Health and Community Services	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	227,435
2021	Jersey Overseas Aid	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	12,374
2021	Justice and Home Affairs	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	29,613
2021	States of Jersey Police	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	26,804
2021	Office of the Chief Executive	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	42,066
2021	Strategic Policy, Planning and Performance	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	9,997
2021	Treasury and Exchequer	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	67,155
2021	Covid-19 Response	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	87,277
2021	Bailiff's Chambers	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	1,841
2021	Comptroller and Auditor General	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	870
2021	Judicial Greffe	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	7,593
2021	Law Officers Department	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	8,452
2021	Office of the Lieutenant Governor	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	804
2021	Official Analyst	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	603
2021	Probation	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	2,371
2021	States Assembly	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	7,148
2021	Viscount's Department	GP21	Consolidated Fund	Revenue	Revenue Head of Expenditure	1,712

Year of funding	Recipient	Approval document	Source of funding	Capital/ Revenue	Reason	Allocation (£'000)
2016	Chief Minister	MTFP 2016-2019	Consolidated Fund	Capital	Desktop Upgrades	737
2016	Chief Minister	MTFP 2016-2019	Consolidated Fund	Capital	Income/Payment Management System	379
2016	Chief Minister	MTFP 2016-2019	Consolidated Fund	Capital	Corporate Web Platform Refresh	300
2016	Chief Minister	MTFP 2016-2019	Consolidated Fund	Capital	Web Search Engine Upgrade	105
2016	Chief Minister	MTFP 2016-2019	Consolidated Fund	Capital	Content Management System Refresh (SharePoint Upgrades)	105
2016	Chief Minister	MTFP 2016-2019	Consolidated Fund	Capital	Hardware Refresh	200
2016	Chief Minister	MTFP 2016-2019	Consolidated Fund	Capital	Taxes Office System Renewal	579
2016	Chief Minister	MTFP 2016-2019	Consolidated Fund	Capital	E Government (Previous Rephasing)	2,200
2016	Chief Minister	MTFP 2016-2019	Consolidated Fund	Capital	T&R JDE System (HRIS) (Previous Rephasing)	1,238
2016	Community and Constitutional Affairs	MTFP 2016-2019	Consolidated Fund	Capital	Minor Capital	300
2016	Education	MTFP 2016-2019	Consolidated Fund	Capital	Replacement Assets and Minor Capital - ESC	200
2016	Education	MTFP 2016-2019	Consolidated Fund	Capital	Jersey Heritage Trust - Archive Store Extension	3,500
2016	Department of Environment	MTFP 2016-2019	Consolidated Fund	Capital	Met Radar Refurbishment / Upgrade	372
2016	Health and Social Services	MTFP 2016-2019	Consolidated Fund	Capital	Replacement Assets (Various)	2,510
2016	Health and Social Services	MTFP 2016-2019	Consolidated Fund	Capital	Refurbishment of Sandybrook (Previous rephasing)	1,699
2016	Treasury and Resources	MTFP 2016-2019	Consolidated Fund	Capital	Replacement Assets	1,661
2016	Treasury and Resources	MTFP 2016-2019	Consolidated Fund	Capital	Infrastructure Rolling Vote	8,373
2016	Official Analyst	MTFP 2016-2019	Consolidated Fund	Capital	Replacement Assets - Non Mins	33
2016	Jersey Property Holdings	MTFP 2016-2019	Strategic Reserves	Capital	Les Quennevais School Rebuild	1,000
2016	Jersey Fleet Management	MTFP 2016-2019	Consolidated Fund	Capital	Vehicle Replacement (additional from consolidated fund)	1,200
2017	Chief Minister	MTFP Add 2017-2019	Consolidated Fund	Capital	Corporate Web Platform Refresh	300
2017	Chief Minister	MTFP Add 2017-2019	Consolidated Fund	Capital	Hardware Refresh	200
2017	Chief Minister	MTFP Add 2017-2019	Consolidated Fund	Capital	Taxes Office System Renewal	3,408
2017	Community and Constitutional Affairs	MTFP Add 2017-2019	Consolidated Fund	Capital	Minor Capital	381
2017	Community and Constitutional Affairs	MTFP Add 2017-2019	Consolidated Fund	Capital	Fire and Rescue HQ Colocation with Ambulance	500
2017	Education	MTFP Add 2017-2019	Consolidated Fund	Capital	Grainville Phase 5 (Inclusive of provision for Music Service)	8,234
2017	Education	MTFP Add 2017-2019	Consolidated Fund	Capital	Replacement Assets and Minor Capital - ESC	200
2017	Department of Environment	MTFP Add 2017-2019	Consolidated Fund	Capital	Equipment, Maintenance and Minor Capital	12
2017	Health and Social Services	MTFP Add 2017-2019	Consolidated Fund	Capital	Replacement Assets (Various)	3,100
2017	Infrastructure	MTFP Add 2017-2019	Consolidated Fund	Capital	Replacement Assets	1,637
2017	Infrastructure	MTFP Add 2017-2019	Consolidated Fund	Capital	Infrastructure Rolling Vote	8,165
2017	Treasury and Resources	MTFP Add 2017-2019	Consolidated Fund	Capital	Replacement Assets - T&R	86
2017	Official Analyst	MTFP Add 2017-2019	Consolidated Fund	Capital	Replacement Assets - Non Mins	50
2017	Jersey Property Holding	MTFP Add 2017-2019	Strategic Reserves	Capital	Les Quennevais School Rebuild	39,000
2018	Community and Constitutional Affairs	MTFP 2016-2019	Criminal Offences Confiscation Fund	Capital	Capital - Prison Improvement Works Phase 6	6,500
2018	Community and Constitutional Affairs	MTFP 2016-2020	Consolidated Fund	Capital	Capital - Prison Improvement Works Phase 6	1,733
2018	Chief Minister	MTFP 2016-2020	Consolidated Fund	Capital	Corporate Web Platform Refresh	326
2018	Chief Minister	MTFP 2016-2020	Consolidated Fund	Capital	Hardware Refresh	201
2018	Chief Minister	MTFP 2016-2020	Consolidated Fund	Capital	Citizen Database Upgrade	316
2018	Chief Minister	MTFP 2016-2020	Consolidated Fund	Capital	Business Database Creation	211
2018	Chief Minister	MTFP 2016-2020	Consolidated Fund	Capital	Open Data Platform Refresh	53
2018	Chief Minister	MTFP 2016-2020	Consolidated Fund	Capital	CRM Platform Refresh	316
2018	Chief Minister	MTFP 2016-2020	Consolidated Fund	Capital	Talentlink Replacement	474
2018	Chief Minister	MTFP 2016-2020	Consolidated Fund	Capital	Finance System - JD Edwards Upgrade	474
2018	Chief Minister	MTFP 2016-2020	Consolidated Fund	Capital	Taxes Office System Renewal	2,463
2018	Chief Minister	MTFP 2016-2020	Consolidated Fund	Capital	Replacement Assets	451
2018	Community and Constitutional Affairs	MTFP 2016-2020	Consolidated Fund	Capital	Minor Capital	169
2018	Education	MTFP 2016-2020	Consolidated Fund	Capital	Grainville Phase 5 (Inclusive of provision for Music Service)	1,995
2018	Education	MTFP 2016-2020	Consolidated Fund	Capital	St Marys School Refurbishment	5,500
2018	Education	MTFP 2016-2020	Consolidated Fund	Capital	Replacement Assets and Minor Capital - ESC	200
2018	Department of Environment	MTFP 2016-2020	Consolidated Fund	Capital	Fisheries Vessels	54
2018	Health and Social Services	MTFP 2016-2020	Consolidated Fund	Capital	Replacement Assets (Various)	3,000
2018	Infrastructure	MTFP 2016-2020	Consolidated Fund	Capital	Replacement Assets	4,089
2018	Infrastructure	MTFP 2016-2020	Consolidated Fund	Capital	Infrastructure Rolling Vote	14,164
2018	Infrastructure	MTFP 2016-2020	Consolidated Fund	Capital	Waste: La Collette Cell Construction	500
2018	Official Analyst	MTFP 2016-2020	Consolidated Fund	Capital	Replacement Assets - Non Mins	44
2019	Community and Constitutional Affairs	Ministerial Decision	Criminal Offences Confiscation Fund	Capital	Capital - Living Hope Life Centre	62
2019	Chief Minister	MTFP Add 2017-2019	Consolidated Fund	Capital	Desktop Upgrades	1,000
2019	Chief Minister	MTFP Add 2017-2019	Consolidated Fund	Capital	Corporate Web Platform Refresh	500
2019	Chief Minister	MTFP Add 2017-2019	Consolidated Fund	Capital	Web Search Engine Upgrade	100
2019	Chief Minister	MTFP Add 2017-2019	Consolidated Fund	Capital	Hardware Refresh	281
2019	Chief Minister	MTFP Add 2017-2019	Consolidated Fund	Capital	Citizen Database Upgrade	325
2019	Chief Minister	MTFP Add 2017-2019	Consolidated Fund	Capital	Business Database Creation	217
2019	Chief Minister	MTFP Add 2017-2019	Consolidated Fund	Capital	Open Data Platform Refresh	77
2019	Chief Minister	MTFP Add 2017-2019	Consolidated Fund	Capital	Data Warehouse Platform Refresh	487
2019	Chief Minister	MTFP Add 2017-2019	Consolidated Fund	Capital	Taxes Office System Renewal	2,507
2019	Chief Minister	MTFP Add 2017-2019	Consolidated Fund	Capital	Replacement Assets	430
2019	Community and Constitutional Affairs	MTFP Add 2017-2019	Consolidated Fund	Capital	Minor Capital	505
2019	Education	MTFP Add 2017-2019	Consolidated Fund	Capital	Replacement Assets and Minor Capital	250
2019	Department of Environment	MTFP Add 2017-2019	Consolidated Fund	Capital	Equipment, Maintenance and Minor Capital	12
2019	Health and Social Services	MTFP Add 2017-2019	Consolidated Fund	Capital	Replacement Assets (Various)	3,500
2019	Health and Social Services	MTFP Add 2017-2019	Consolidated Fund	Capital	Replacement Assets RIS / PACS IT assets	1,900
2019	Infrastructure	MTFP Add 2017-2019	Consolidated Fund	Capital	Replacement Assets	5,102
2019	Infrastructure	MTFP Add 2017-2019	Consolidated Fund	Capital	Infrastructure Rolling Vote	12,688
2019	Infrastructure	MTFP Add 2017-2019	Consolidated Fund	Capital	Waste: La Collette Cell Construction	1,148
2019	Infrastructure	MTFP Add 2017-2019	Consolidated Fund	Capital	Backlog Infrastructure Works	1,750
2019	Treasury and Resources	MTFP Add 2017-2019	Consolidated Fund	Capital	Replacement Assets	17
2019	Official Analyst	MTFP Add 2017-2019	Consolidated Fund	Capital	Replacement Assets	179

Year of funding	Recipient	Approval document	Source of funding	Capital/ Revenue	Reason	Allocation (£'000)
2020	Treasury and Exchequer	GP20	Consolidated Fund	Capital	Jersey Instrumental Music Service Premises	150
2020	Treasury and Exchequer	GP20	Consolidated Fund	Capital	VCP Replacement School	150
2020	Treasury and Exchequer	GP20	Consolidated Fund	Capital	North of St. Helier Youth Centre	500
2020	Treasury and Exchequer	GP20	Consolidated Fund	Capital	Le Squez Youth Centre/Community Hubs	250
2020	Treasury and Exchequer	GP20	Consolidated Fund	Capital	Rouge Bouillon site review	150
2020	Treasury and Exchequer	GP20	Consolidated Fund	Capital	Office Strategy	1,000
2020	Treasury and Exchequer	GP20	Consolidated Fund	Capital	Piquet House - Family Court	150
2020	Treasury and Exchequer	GP20	Consolidated Fund	Capital	Further Education Campus	400
2020	Treasury and Exchequer	GP20	Consolidated Fund	Capital	Fort Regent	2,000
2020	Treasury and Exchequer	GP20	Consolidated Fund	Capital	Our Hospital	5,000
2020	Treasury and Exchequer	GP20	Consolidated Fund	Capital	Learning Difficulties	250
2020	Treasury and Exchequer	GP20	Consolidated Fund	Capital	Island Sports Facilities, Inspiring Places	700
2020	Treasury and Exchequer	GP20	Consolidated Fund	Capital	Infrastructure Funding	500
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Capital	Schools	500
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Capital	Community Site Improvements	2,000
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Capital	School 3G Pitch replacements	750
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Capital	School Field development - Grainville, St John	400
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Capital	Mont A L'Abbe extension	850
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Capital	Rolling Vote	12,650
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Capital	First Tower Pumping Station Upgrade	650
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Capital	Inert Waste Site Feasibility	500
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Capital	La Collette Waste Site Development	500
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Capital	Island Public Realm including St Helier	400
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Capital	Sewage Treatment Works (Existing Major Project)	7,850
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Capital	Drainage Foul Sewer Extensions	1,500
2020	Chief Operating Office	GP20	Consolidated Fund	Capital	MS Foundation (Major Project)	3,330
2020	Chief Operating Office	GP20	Consolidated Fund	Capital	Integrated Tech Solution (Major Project)	7,400
2020	Chief Operating Office	GP20	Consolidated Fund	Capital	Replacement assets	5,000
2020	Viscount's Department	GP20	Consolidated Fund	Capital	Phoenix Software - Viscounts	45
2020	Judicial Greffe	GP20	Consolidated Fund	Capital	Court Digitisation	500
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Capital	Regulation Group Digital Assets	120
2020	Justice and Home Affairs	GP20	Consolidated Fund	Capital	Combined Control IT	2,299
2020	Justice and Home Affairs	GP20	Consolidated Fund	Capital	Electronic Patient Records	667
2020	Chief Operating Office	GP20	Consolidated Fund	Capital	Cyber (Major Project)	6,100
2020	Children, Young People, Education and Skills	GP20	Consolidated Fund	Capital	Replacement Assets and Minor Capital	200
2020	Health and Community Services	GP20	Consolidated Fund	Capital	Replacement Assets (Various)	2,900
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Capital	Sports Division Refurbishment	300
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Capital	New Skatepark (net of Pol Funding)	250
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Capital	Refit & Replacement of Fisheries Protection Vessel & Auxiliary Vessels	580
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Capital	Replacement Assets and Minor Capital (1)	4,333
2020	Jersey Home Affairs	GP20	Consolidated Fund	Capital	Minor Capital	561
2020	States of Jersey Police	GP20	Consolidated Fund	Capital	Minor Capital-Police	200
2020	States of Jersey Police	GP20	Consolidated Fund	Capital	Equipment Replacement	170
2020	Jersey Home Affairs	GP20	Consolidated Fund	Capital	Replacement of Aerial Ladder Platform	591
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Capital	Vehicle Testing Centre (Major Project)	250
2020	Infrastructure, Housing and Environment	GP20	Criminal Offences Confiscation Fund	Capital	Capital - Prison improvements Phase 6b	1,714
2020	Judicial Greffe	GP20	Criminal Offences Confiscation Fund	Capital	Capital - Conversion Courtroom 1 Magistrates Court (£10k spent in 2020. Project deferred to 2021)	450
2020	States of Jersey Police	GP20	Criminal Offences Confiscation Fund	Capital	Dewberry House (£250k spent in 2020. Project deferred to 2021)	1,000
2020	Infrastructure, Housing and Environment	GP20	Consolidated Fund	Capital	Mental Health Improvements	3,930
2020	Health and Community Services	GP20	Consolidated Fund	Capital	Health Services Improvements (including vital IT Investment)	5,000
2020	Health and Community Services	GP20	Consolidated Fund	Capital	Five Oaks Refurbishment	2,000
2020	Treasury and Exchequer	GP20	Consolidated Fund	Capital	Reserve for Central Risk and Inflation Funding	1,000

Year of funding	Recipient	Approval document	Source of funding	Capital/ Revenue	Reason	Allocation (£'000)
2021	Treasury and Exchequer	GP21	Consolidated Fund	Capital	Jersey Instrumental Music Service Premises	100
2021	Treasury and Exchequer	GP21	Consolidated Fund	Capital	VCP Replacement School	150
2021	Treasury and Exchequer	GP21	Consolidated Fund	Capital	North of St. Helier Youth Centre	350
2021	Treasury and Exchequer	GP21	Consolidated Fund	Capital	Le Squez Youth Centre/Community Hubs	250
2021	Treasury and Exchequer	GP21	Consolidated Fund	Capital	Rouge Bouillon site review	50
2021	Treasury and Exchequer	GP21	Consolidated Fund	Capital	Review of Greenfields	100
2021	Treasury and Exchequer	GP21	Consolidated Fund	Capital	Piquet House - Family Court	150
2021	Treasury and Exchequer	GP21	Consolidated Fund	Capital	Further Education Campus	150
2021	Treasury and Exchequer	GP21	Consolidated Fund	Capital	Fort Regent	1,800
2021	Treasury and Exchequer	GP21	Consolidated Fund	Capital	Learning Difficulties - Specialist Accommodation	100
2021	Treasury and Exchequer	GP21	Consolidated Fund	Capital	Island Sports Facilities, Inspiring Places	200
2021	Treasury and Exchequer	GP21	Consolidated Fund	Capital	Infrastructure Funding	300
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	Schools	1,500
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	Children's residential homes	100
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	Community Site Improvements	2,000
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	Le Rocquier and school/community sports facilities	1,305
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	School 3G Pitch replacements	750
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	School Field development - Grainville, St John	400
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	Les Landes Nursery	500
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	Mont A L'Abbe extension	850
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	Extend La Moye Hall and 2 additional classrooms	1,000
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	Extension to JCG School Hall	260
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	JCG and JCP additional music facilities	500
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	JCG and JCP new playing fields	336
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	Rolling Vote	10,232
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	La Collette Waste Site Development	500
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	Island Public Realm including St Helier	1,000
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	Drainage Foul Sewer Extensions	1,000
2021	Chief Operating Office	GP21	Consolidated Fund	Capital	MS Foundation (Major Project)	2,570
2021	Chief Operating Office	GP21	Consolidated Fund	Capital	Integrated Tech Solution (Major Project)	9,200
2021	Chief Operating Office	GP21	Consolidated Fund	Capital	Replacement assets	5,000
2021	Viscount's Department	GP21	Consolidated Fund	Capital	Phoenix Software - Viscounts	45
2021	Judicial Greffe	GP21	Consolidated Fund	Capital	Court Digitisation	1,648
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	Regulation Group Digital Assets	1,290
2021	Jersey Home Affairs	GP21	Consolidated Fund	Capital	Combined Control IT	2,000
2021	Jersey Home Affairs	GP21	Consolidated Fund	Capital	Electronic Patient Records	667
2021	Chief Operating Office	GP21	Consolidated Fund	Capital	Electronic Document Management Solution	500
2021	Chief Operating Office	GP21	Consolidated Fund	Capital	Cyber (Major Project)	6,500
2021	Chief Operating Office	GP21	Consolidated Fund	Capital	IT for Migration Services	1,000
2021	Chief Operating Office	GP21	Consolidated Fund	Capital	Service Digitisation	1,000
2021	Health and Community Services	GP21	Consolidated Fund	Capital	Jersey Care Model	1,300
2021	Health and Community Services	GP21	Consolidated Fund	Capital	Digital Care Strategy (Major Project)	3,400
2021	Children, Young People, Education and Skills	GP21	Consolidated Fund	Capital	Replacement Assets and Minor Capital	200
2021	Health and Community Services	GP21	Consolidated Fund	Capital	Replacement Assets (Various)	3,250
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	Sports Division Refurbishment	1,300
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	New Skatepark (net of Port of Jersey Funding)	685
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	Replacement Assets and Minor Capital	3,500
2021	Jersey Home Affairs	GP21	Consolidated Fund	Capital	Minor Capital	236
2021	States of Jersey Police	GP21	Consolidated Fund	Capital	Minor Capital-Police	200
2021	States of Jersey Police	GP21	Consolidated Fund	Capital	Equipment Replacement	170
2021	Jersey Home Affairs	GP21	Consolidated Fund	Capital	Replacement of Aerial Ladder Platform	768
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	Vehicle Testing Centre (Major Project)	2,000
2021	Judicial Greffe	GP21	Criminal Offences Confiscation Fund	Capital	Capital - Conversion Courtroom 1 Magistrates Court	440
2021	Jersey Home Affairs	GP21	Criminal Offences Confiscation Fund	Capital	States of Jersey Police Firearms Range	1,200
2021	Infrastructure, Housing and Environment	GP21	Criminal Offences Confiscation Fund	Capital	Prison Improvement Works - Phase 6b	90
2021	Jersey Home Affairs	GP21	Criminal Offences Confiscation Fund	Capital	Prison Phase 8	666
2021	States of Jersey Police	GP21	Criminal Offences Confiscation Fund	Capital	Dewberry House (Sexual Assault Referral Centre)	1,800
2021	Judicial Greffe	GP21	Consolidated Fund	Capital	Piquet House - Family Court	1,071
2021	Health and Community Services	GP21	Consolidated Fund	Capital	Health Services Improvements (including vital IT Investment)	5,000
2021	Health and Community Services	GP21	Consolidated Fund	Capital	Five Oaks Refurbishment	2,550
2021	Health and Community Services	GP21	Consolidated Fund	Capital	Learning Difficulties - Specialist Accommodation (Major Project)	2,000
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	Rouge Bouillon Site review outcome	2,000
2021	Health and Community Services	GP21	Consolidated Fund	Capital	Our Hospital (Major Project)	20,000
2021	Infrastructure, Housing and Environment	GP21	Consolidated Fund	Capital	Fort Regent (Major Project)	3,000
2021	Office of the Chief Executive	GP21	Consolidated Fund	Capital	Office Modernisation (Major Project)	650
2021	Health and Community Services	GP21	Consolidated Fund	Capital	In-patient/support services refurbishments	1,044
2021	Treasury and Exchequer	GP21	Consolidated Fund	Capital	Reserve for Central Risk and Inflation Funding	1,500

**2.30 Senator S.Y. Mézec of the Chief Minister regarding a digital register for commercial and residential properties (WQ.153/2021):**

## **Question**

Will the Chief Minister update the Assembly on what progress, if any, has been made on the implementation of ‘Establishment of a digital register of all commercial and residential properties’ (P.93/2020) that was adopted in September last year?

## **Answer**

Further to the update given to the Assembly in February of this year regrettably progress on this project has not moved forward in the way that had previously been anticipated. Work has not commenced on the development of the register due to competing priorities in IHE, including the response to Covid19, new office, Fort Regent, Inspiring Active Places and the Our Hospital Project.

I can confirm that the political lead will be the Minister for Housing and Communities. The Minister has asked that this is prioritised, as a clear decision of the Assembly, and instructed that an update be provided to the Assembly as soon as possible.

A Housing Political Oversight Group (“POG”) is in the process of being formed with the full membership shortly to be finalised. This group will oversee the agreed recommendations from the Housing Policy Development Board as well as actions arising from the Assembly such as those of P.93.

It has been clear that further resources are required to assist in delivery and implementation of policy and overall strategic co-ordination of Housing matters, and recruitment to assist in these areas is also due to be restarted in the near future.

The Assembly will be updated as to the progress of the Housing POG in due course.

### **2.31 Connétable of St. Lawrence of the Minister for Children and Education regarding payment of a Residence Order allowance (WQ.154/2021):**

## **Question**

In relation to the payment of the Residence Order allowance that is administered by Fostering and Adoption, will the Minister state –

- (a) when this payment was introduced;
- (b) who is eligible for it; and
- (c) how these individuals are notified of their eligibility?

## **Answer**

- (a) The allowance was introduced in May 2016
- (b) Carers of children who live with them in accordance with a Residence Order supported by the Minister. Parents or step-parents are not eligible.
- (c) If eligible the Fostering and Adoption Team Manager will write formally to the carers to inform them.

The process is as below:

1. The decision to recommend a Residence Order with a Residence Order Allowance must be reflected in the Child in Need Plan/Care Plan.

2. Residence Order Allowances will be agreed at the Placement and Resource Panel. The decision will be based on the report and recommendation of the social worker.
3. The Fostering and Adoption Team manager will write formally to the carers to inform them of the decision to grant a Residence Order Allowance and ensure that a Residence Order Allowance agreement is signed by the carers. An annual review of the suitability of the arrangement will be undertaken by the Fostering and Adoption Team.

NB. The policy came in effect in May 2016, so for any Residence Orders granted prior to this date this policy does not apply, although individual circumstances are taken into account.

### **2.32 Senator S.C. Ferguson of the Chair of the States Employment Board regarding senior civil servants (WQ.155/2021):**

#### **Question**

In relation to senior civil servants (defined as Director Generals and Directors or civil servants employed at the level below this), will the Chair advise –

- (a) how many, if any, are working from home in the U.K. in either a full-time or part-time capacity;
- (b) the breakdown of the numbers within each Government department; and
- (c) how many have a second job?

#### **Answer**

As at 16th April 2021, there are two senior Civil Servants working from home in the UK. Due to the low number of people working from the UK, we are unable to provide any further breakdown as this would result in individuals being identifiable.

No senior Civil Servants have a second job, although there is a member of the Jersey Field Squadron (Royal Engineers) within the group, which is paid.

Note: One person is there during their notice period.

#### Assumptions

1. Senior Civil Servants includes Tier 1 and Tier 2 directors. Should the Senator feel that her question was applicable to Civil Servants in Tier 3, data can be provided as required.
2. Working from home in the UK, has been taken as working from home in the UK on a long-term basis.
3. Second job means a paid second job.

### **2.33 Deputy K.F. Morel of St. Lawrence of the Chair of the States Employment Board regarding the new Government CEO (WQ.156/2021):**

#### **Question**

In the selection process for a new Government Chief Executive Officer, will the Chair explain the role of those members of the selection panel who represent the Jersey Appointments Commission (J.A.C.) and advise whether the members of the J.A.C. are ‘voting’ members of the panel?

#### **Answer**

Article 26AA, of the Employment of States of Jersey Employees (Jersey) Law 2005, concerns the appointment of the Chief Executive Officer. This is supplemented by the guidance produced by the

Jersey Appointments Commission, approved by the States Employment Board for the recruitment of the Chief Executive Officer.

The Board require the Jersey Appointments Commission to nominate Commissioners who shall be part of the panel that selects the Chief Executive Officer. Their functions broadly include:

- the approach to market, the role profile and selection of any agencies to undertake search activities;
- the criteria for selection, including each stage of selection such as longlisting, shortlisting and technical interview stages;
- assessment of the candidates for appointment to the role;
- undertaking the final interview panel; and
- The determination of the successful candidate on the basis of merit.

For all other appointments, the JAC Chair or Commissioner would normally chair the appointment process, although is not involved in decision-making. The appointment of the Chief Executive Officer requires Commissioners to be part of the decision-making body. Therefore, the Board appoint a person independent of the JAC to oversee the appointment and decisions ensuring that:

- the process is fair, efficient and conducted in accordance with best practice and principles in relation to the Code of practice for recruitment, the law, and JAC guidance; and
- the successful candidate is appointed on merit.

The Board have appointed the First Commissioner of the United Kingdom Civil Service to act as the independent Chair of the appointment panel. This role is not involved in the decision-making aspects of the appointment.

The Jersey Appointments Commission have nominated the following Commissioners to the appointment panel:

- Dame Janet Paraskeva: Chair of the JAC
- Peter Charalambous: Deputy Chair of the JAC
- Helen Ruelle: JAC Commissioner

It might also be of interest to note that the guidance issued by the JAC allows for a level of informal engagement with elected Members during the appointment process. The value of including other Members is recognised, and is in the process of being addressed, and will be finalized in due course.

### **2.34 Deputy R.J. Ward of St. Helier of the Minister for Economic Development, Tourism, Sport and Culture regarding the Government Co-Funded Payroll Scheme (WQ.157/2021):**

#### **Question**

How many members of the Economic Council, the Council of Ministers or the Competent Authorities represent, or have direct links with, companies benefiting from the Government Co-Funded Payroll Scheme?

#### **Answer**

The Co-Funded Payroll Scheme supports employees, and by extension businesses, in order to safeguard their salaries through the pandemic. Businesses' role is as a facilitator of the payment mechanism to staff, but they do not retain any of the funds.

States Members' interests are declared on the register on the States Assembly website.

It should be further noted that the Economic Council has never engaged in discussions around co-funded payroll or other elements of the business support package as this is outside of their remit.

More information regarding the recipients of the Co-Funded Payroll Scheme is available on the gov.je website via the link below:

[cofunded payroll scheme payment data.pdf \(gov.je\)](#)

**2.35 Deputy R.J. Ward of St. Helier of the Minister for Economic Development, Tourism, Sport and Culture regarding the parameters of the Government Co-Funded Payroll Scheme (WQ.158/2021):**

**Question**

What parameters in respect of economic growth are being used to plan for future need or recovery in sectors of the economy supported by the Government Co-Funded Payroll Scheme; and what is the range of recovery level predicted for these sectors in the next year and 2 years beyond that?

**Answer**

A new Economic Framework for Jersey is being produced in 2021. Broadly, and in the context of post-pandemic recovery for the medium-long term, it seeks to provide a clear overview of Jersey's economic ecosystem, identify threats, constraints and opportunities, and determine how sectors might best evolve through the design and delivery of initiatives to improve productivity, support a sustainable and vibrant economy, and to provide a skilled workforce for the future.

There are some predictions already in place that suggest that some of sectors supported by the Government Co-Funded Payroll Scheme will not recover to 2019 levels until 2023. Ultimately the answer is the future is hard to predict, but Government is working to develop a range of sector strategies and frameworks this year to determine what Govt. should do to support the sectors of the economy, many of which have bespoke needs. Trade-offs will also need to be found to chart an optimum path through carbon neutrality, living wage, population considerations, skills development & productivity improvements.

Economic measures deployed to date in response to the COVID-19 pandemic have been exceptional responses to a unique shock to the economy. Over the course of 2021 and beyond these will need to revert to more conventional fiscal measures to mitigate the impacts of a recession once the immediate shock of Covid-19 public health measures recedes.

A range of possible schemes are being considered to encourage the Island's economic recovery, including a focus on skills, back-to-work initiatives & investment incentives. Policy in these areas will take further time to develop.

**2.36 Deputy R.J. Ward of St. Helier of the Minister for the Environment regarding alternatives to carbon offset schemes (WQ.159/2021):**

**Question**

What alternatives to carbon offset schemes have been investigated to achieve the goal of a carbon neutral Island by 2030, as agreed to by the States Assembly?

**Answer**

The Carbon Neutral Strategy (CNS) as agreed by the States in (P.127/2019<sup>1</sup>) has five defining principles.

Principle 2 of the CNS defines carbon neutrality as 'balancing the scope 1 and 2 emissions we produce against any activity that captures, absorbs or reduces global emissions so that they are equal.'

The primary route to carbon neutrality is reducing our own scope 1 and 2 carbon emissions through reduction policies. This will remain the focus of government and we have done extensive work to enumerate these as scenarios and the role they could play in reaching carbon neutrality.

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<sup>1</sup> [https://statesassembly.gov.je/assemblypropositions/2019/p.127-2019\(re-issue\).pdf](https://statesassembly.gov.je/assemblypropositions/2019/p.127-2019(re-issue).pdf)



## 1. Carbon reduction policies

70% of Jersey's emissions come from heating and transport. In developing the CNS, work was commissioned to explore the policies that could be adopted in Jersey and enumerate their impact on emissions and their likely costs and benefits.

Chapter 5 of the CNS illustrates a **possible range** of policy scenarios that would deliver against the aim for Jersey to be carbon neutral by 2030, with a focus on achieving net zero in the road transport and heating sectors.

For example, in the transport sector, initiatives investigated include:

- facilitating the uptake of electric vehicles by escalating existing fuel taxes to discourage the use of petrol and diesel vehicles and providing financial incentive(s) for the purchase of EVs, either in the form of a purchase grant, and/or in the form of a scrappage payment for owners of fossil fuel vehicles
- imposing a ban on the registration of new or second-hand petrol and diesel vehicles, so that they are gradually replaced by EVs over time
- facilitating the use of second-generation biodiesel (HVO) for all diesel vehicles, subject to further technical due diligence of the feasibility of such a transition in Jersey. This could involve fuel taxation concessions for HVO

Examples considered in the heating sector include:

- facilitating the replacement of oil and LPG41 heating systems in both domestic and commercial properties with electric heating systems
- upgrading the insulation of the domestic housing stock constructed prior to the 2001 Building Bye Laws which introduced energy efficiency requirements.

This work did not recommend solutions but provided evidence on carbon reduction policies for consideration by a citizens' assembly (see below).

A key finding in the CNS was that there will likely be emissions that cannot be abated at the time of neutrality. This particularly true if the target date is 2030 where we do not see a scenario of full decarbonisation no matter how aggressive and successful our carbon reduction policies are. For example, air and sea travel is highly unlikely to be decarbonised by 2030. Similarly, it is extremely ambitious to assume our public transport system will be so improved as to replace all personal vehicle movements or that all the remaining vehicles have transitioned to low carbon alternatives like electricity, no matter how desirable that might be.

## 2. Carbon offsets

The above being the case, in order to fulfil the agreed definition of carbon neutrality, we will need to abate any unavoidable residual carbon emissions by using 'offsets'. Offsets are a certified way of quantifying activity carried out globally that captures, absorbs, or reduces global emissions.

Principle 3 of the CNS relates directly to offsets (extract below). Please refer to the text below and note **‘offsets on their own are not a route to carbon neutral and should only be used where they are accompanied by robust and ambitious measures to reduce emissions’**.

### 3.3 Principle 3

#### We will require high standards in the use of carbon offsetting

- A. It is appropriate to use carbon offsetting where emissions cannot be abated, but offsets on their own are not a route to carbon neutral and should only be used where they are accompanied by a robust and ambitious measures to reduce emissions.
- B. As a responsible and ambitious jurisdiction any offset arrangements that Jersey enters into will be of the highest recognised standards.

### The work of the citizens assembly and the production of a carbon neutral roadmap

Chapter 4 of the CNS laid out a people-powered approach to tackling the climate emergency. This included a community engagement programme (ran from Feb to mid-March 2021) and a citizens’ assembly which is currently underway (running between mid-March and mid-May).

‘A citizens’ assembly will; be convened that will:

- be tasked to respond to the question “How should we work together to become carbon neutral?”;
- and to produce a report including recommendations, that will be shared with the States Assembly and the Government.

Pg. 39 of the CNS outlines that the citizens’ assembly should consider:

- the implications and trade-offs of a range of scenarios for achieving carbon neutrality and
- when and how a full transition to zero (or almost zero) emissions in key sectors might be achieved.

This includes considering alternative deadlines for carbon neutrality, and for zero carbon, that might fall before or after 2030’.

The recommendations from the citizens’ assembly will be used to develop a Carbon Neutral Roadmap containing the detailed policy for reaching carbon neutrality. This will be lodged States Assembly by the end of 2021.

The exact policy recommendations made by the citizens’ assembly may or may not align with those outlined in the carbon neutral strategy and detailed above. Participants of the citizens’ assembly are primarily considering carbon reduction policies but have heard evidence on the potential use of offsets to reach carbon neutrality for unavoidable emissions in their deliberations. All the evidence given to the Citizens Assembly is available online at [www.climateconversation.je](http://www.climateconversation.je).

**2.37 Deputy K.F. Morel of St. Lawrence of the Minister for the Environment regarding the total land area used for parking in Jersey (WQ.160/2021):**

**Question**

Following the answer to Written Question 126/2021, will the Minister provide an estimate of the total land area in Jersey that is currently used for car parking, adopting the Minister's suggestion in that answer of "*measuring the total footprint of an entire parking area*" as a means of calculating this figure?

**Answer**

In line with the response to the Deputy's recent written question (WQ.126/2021), the Government does not hold an estimate of the total land area in Jersey that is currently used for car parking. A specific study would be required to produce such an estimate, which would need to consider many variables.

The Deputy may wish to know that it is currently estimated that there are circa 90,000 cars in the Island. While these cars will take many forms, a family saloon is on average around 4.6m long and around 1.7m wide. The area of land used for parking any given car will vary, but will require enough additional space to, for example, enter and exit the vehicle and parking space safely. In addition, it might be reasonable to consider the provision of additional infrastructure to enable parking (access roads and turning heads, for example) as part of any estimate of land 'used for car parking'.

Government policy on land used for parking is currently under review as part of the development of a Parking Plan, as required by the Sustainable Transport Policy (P.128/2019, as amended) that was adopted by the States Assembly in 2020. The draft bridging Island Plan also proposes that new Supplementary Planning Guidance regarding parking standards be brought forward, including the introduction of new Sustainable Transport Zones that allows for different parking standards to apply in different parts of the island.

**2.38 Senator S.W. Pallett of the Chief Minister regarding a legal aid scheme (WQ.161/2021):**

**Question**

Will the Chief Minister set out a timetable for the implementation of a legal aid scheme under the Access to Justice (Jersey) Law 2019, including a definitive date for the lodging of an Appointed Day Act that will bring the 2019 Law into effect?

**Answer**

It is my intention that a legal aid scheme made under the Access to Justice (Jersey) Law 2019 will be implemented in time for it to be operational from 1 January 2022.

I am in receipt of a proposed scheme as developed by the shadow Legal Aid Guidelines Advisory Committee and am currently undertaking some informal consultations with key stakeholders. In addition, I have requested certain information as to the financial implications of the proposed scheme. I expect to receive feedback and this requested information in due course and subject to the outcome of the information requested, I expect to be able to lodge the Appointed Day Act by the end of May/early June.

This will allow a consultation period over the summer months, with a proposed scheme laid before the States by the end of October.

**2.39 Senator S.W. Pallett of the Minister for the Environment regarding Notices under Articles 49 and 74 of the Planning and Building (Jersey) Law 2011 (WQ.162/2021):**

**Question**

Will the Minister provide –

- (a) the current number of outstanding Enforcement Notices, Stop Notices, Condition Notices and Dangerous Building Notices under Articles 49 and 74 of the Planning and Building (Jersey) Law 2011;
- (b) a full list of each outstanding Notice as detailed in (a), including the date on which they were served and the property they relate to;
- (c) a full list of any and all outstanding Notices as detailed in (a) that have been referred to the Law Officers' Department for consideration of further legal action, and the date on which each referral was made;
- (d) the number of potential breaches of the Planning and Building (Jersey) Law 2002 that are currently being investigated by the Infrastructure, Housing and Environment (I.H.E.) Department and that may require enforcement action;
- (e) the number of officers that are currently dealing with enforcement issues within the I.H.E. Department; and
- (f) the number of officers that were dealing with enforcement issues within the Department on 1st May 2018?

### **Answer**

The Minister has agreed with Senator Pallett that additional time is required to compile the data from the department's records. The Minister will request the States Greffe to circulate a comprehensive answer on Monday 26 April 2021.

### **2.40 Deputy I. Gardiner of St. Helier of the Minister for Health and Social Services regarding food allergies (WQ.163/2021):**

#### **Question**

Will the Minister advise how many Islanders, broken down by age group, are currently registered as having an official diagnosis of a food allergy to the following allergens –

- (a) celery;
- (b) cereals containing gluten (such as barley and oats);
- (c) crustaceans (such as prawns, crabs and lobsters);
- (d) eggs;
- (e) fish;
- (f) lupin;
- (g) milk;
- (h) molluscs (such as mussels and oysters);
- (i) mustard;
- (j) peanuts;
- (k) sesame;
- (l) soybeans;
- (m) sulphur dioxide and sulphites (if they are at a concentration of more than ten parts per million); and
- (n) tree nuts (such as almonds, hazelnuts, walnuts, brazil nuts, cashews, pecans, pistachios and macadamia nuts)?

#### **Answer**

There is no official register of those who have been diagnosed with a food allergy. Such details are not systematically recorded other than in individual patient notes.

Where an allergy is suspected, a GP may carry out a skin/pinprick test or a blood test. The result of a skin allergy test is available more quickly, while a blood test carried out by the GP to determine the substances a patient is allergic to is then sent to the pathology lab for processing with the test results sent back to the GP electronically.

**2.41 Deputy I. Gardiner of St. Helier of the Minister for Health and Social Services regarding the OpenCell Covid-19 laboratory (WQ.164/2021):**

**Question**

Will the Minister provide the following information regarding Government expenditure on the OpenCell Covid-19 laboratory from 18th August 2020 to the present –

- (a) the cost of bringing OpenCell to Jersey;
- (b) the set-up costs;
- (c) any ongoing financial commitments (e.g. monthly rental and fees per test); and
- (d) any other payments that have been made since the time of set-up to the present?

**Answer**

Test processing provided by Open Cell is invoiced on an ‘as used’ basis. Our contract specifies a minimum of 150 tests per day. Therefore, the majority of costs are included in the ‘per test cost’.

- (a) Government did not fund any costs to bring Open Cell to Jersey.
- (b) Set-up costs funded by Government were limited to:
  - a. business licence required for Open Cell to operate here
  - b. legal costs pertaining to the ground lease
  - c. enabling works at the Aero Club site
  - d. ‘penetration testing’, which evaluates cyber security of the IT systems.
- (c) The ongoing financial commitment comprises the ground rent for the Aero Club and rental of 1 portacabin.
- (d) Other than a contribution towards initial accommodation costs, no other payments have been made since the time of set-up.

The questions raised are all subject to the existing contract and potential conditions of future awards of contract; as such, they are commercially sensitive. The total amount, for the year, is c£121k, or £131 per day – less than 1% of the mid-range projection of spend on test processing.

It should be noted that the cost per test for OpenCell is less than the cost per test processed in the UK, and processing covid swabs on-island also avoids significant transport costs.

In addition, on-island processing has increased our resilience – both in terms of avoiding off-island transport disruption and in reducing test turnaround times from c48 hours to an average of 12 hours. This creates significant benefits to individuals who are able to be released from isolation more quickly, and to the island as positive cases are identified much more quickly, leading to speedy contact tracing, isolation and testing of direct contacts.

**2.42 Deputy I. Gardiner of St. Helier of the Minister for Health and Social Services regarding Covid-19 cases (WQ.165/2021):**

**Question**

Will the Minister provide members with the following information in table form –

(a) a breakdown of the data regarding newly-identified cases of Covid-19 between 10th February and 10th April 2021 from the following categories –

- (i) seeking healthcare;
- (ii) inbound travel – active infections;
- (iii) admissions screening;
- (iv) planned workforce screening;
- (v) cohort screening;
- (vi) contact-tracing; and

(b) of those cases identified by contact-tracing, how many have come from cases in the community and how many from inbound travel?

**Answer**

There were 41 cases of COVID-19 identified from swabs taken between 10<sup>th</sup> February and 10<sup>th</sup> April in Jersey. The reason for test was recorded as in the following table:

<b>Test reason category</b>	<b>Number of cases identified</b>
<b>Seeking Healthcare</b>	4
<b>Inbound Travel</b>	11
<b>Admissions Screening</b>	1
<b>Planned Workforce Screening</b>	13
<b>Cohort Screening</b>	1
<b>Contact Tracing</b>	11

The incubation period (time between exposure to the virus and symptom onset) for COVID-19 can be up to 14 days. Therefore, it is rarely possible to be conclusive about where a person has contracted the virus / where it has been transmitted as there are usually many interactions that take place in that period of time.

Contact tracing is an Environmental Health activity undertaken to identify and isolate people who have recently been in contact with individuals who have tested positive to prevent potential further transmission of the virus. Any individual identified as positive this way may have contracted the virus from them or may have been the source of transmission themselves.

Of the 11 individuals identified as positive through contact tracing, 3 were tested as contacts of inbound travellers and 8 were tested as contacts of people testing positive for one of the other reasons.

**2.43 Deputy M.R. Higgins of St. Helier of the Minister for Health and Social Services regarding medical records (WQ.166/2021):**

**Question**

Will the Minister advise members, with regard to patients seeking copies of their medical and other records, what timescales are determined as acceptable for providing such records; and what mechanisms, if any, are available to patients if these timescales are not met?

**Answer**

The timescale as defined in the Data Protection (Jersey) Law 2018 for Subject Access Requests (SARs) is within 4 weeks of receipt of the request. The period of 4 weeks may be extended by a further 8 weeks where necessary, taking into account the complexity and number of requests.

A SAR begins at the point the data controller has sufficient information to validate the request.

In the event the timescale is not met, patients can lodge a complaint directly with the departmental SAR point of contact. Patients are also entitled to lodge a complaint with the Jersey Office of the Information Commissioner (JOIC).

**2.44 Deputy M.R. Higgins of St. Helier of the Minister for Home Affairs regarding cases reviewed by the Jersey Police Authority (WQ.167/2021):**

**Question**

Will the Minister advise how many times since it was created the Jersey Police Authority has reviewed –

- (a) individual cases referred to the police;
- (b) groups of cases referred to the police;
- (c) types of cases (e.g. rape, other sexual offences and fraud); and
- (d) how efficiently the police investigate cases and how it goes about doing so;

and will he give examples of the cases (anonymized as appropriate) the Authority has investigated and of its findings?

**Answer**

The Jersey Police Authority (JPA) was established under the States of Jersey Police Force Law 2012 with a duty to ensure that the States of Jersey Police (SOJP) is an efficient and effective police force; delivers the key aims and objectives as set by the Minister within the resources available; and acts in accordance with any management policies as set by the Minister. It is also responsible for seeking from the Minister any additional resources needed by SOJP to deliver its key aims and objectives.

The JPA does not interfere in the criminal justice system and respects the operational independence of SOJP, which is required in order to allow officers to impartially investigate and prepare case files for the law officers departments. This means that the Authority does not routinely review the detail of individual cases.

The JPA Executive takes part in monthly performance board meetings and detection rates are routinely monitored and reported on. Case outcomes will often vary due to victim and or witness participation and it is envisaged that the new Victim and Witness Charter that sets out the standards of care to be expected for all victims and witnesses to crimes in Jersey which was published in January of this year, will see a change in the number of successful outcomes for our criminal justice agencies.

The JPA is reassured that SOJP officers and staff from both Uniformed and Crime Services are appropriately trained and qualified to undertake complex investigations in accordance with approved professional practice guidelines as recommended by the College of Policing UK.

The JPA measures the performance of SOJP against the objectives set out in the Annual Policing Plan and publishes the results in the States of Jersey Police Annual Report.

### **3. Oral Questions**

#### **3.1 Connétable R.A. Buchanan of St. Ouen of H.M. Attorney General regarding Parish Centeniers charging their own cases (OQ.89/2021):**

Will H.M. Attorney General advise whether it is the intention, once COVID restrictions have been lifted, to resume the normal practice of Parish centeniers charging their own cases (including those that require a person to be charged at Police Headquarters); and will he further advise whether there is any intention to make changes to the role of the centenier in the Magistrate's Court?

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

Where the formal charging of suspects is concerned, Article 3 of the Honorary Police Law expressly reserves that power to the centeniers. There are no plans at all to change that law. The only considerations at the moment are practical ones as to how centeniers can most conveniently exercise that power in future. That is the subject at the moment of consultations, which the Attorney General is having with all centeniers. The same provision of the Honorary Police Law expressly reserves the centeniers to power or presenting a person charged with an offence before the Magistrate's Court.

[10:00]

That is now supplemented by Article 23 of the Criminal Procedure Law 2018, which provides that on a defendant's first appearance in the Magistrate's Court the particulars of the offence with which that person is charged shall be read out by the centenier unless the centenier agrees that it may be read out by a prosecution lawyer instead. There are no plans to take the centeniers out of the Magistrate's Court and every intention that they should continue to have a role. But consideration is being given in the same consultation process I have just mentioned to how that role can best operate in future and what its ambit should be in the interests of the good administration of criminal justice. Discussions with the centeniers and the Comité des Chef on these continues at the moment. The Attorney intends to provide an update to centeniers this June in advance of their quarterly meeting. At present no firm or final decisions have been reached.

##### **3.1.1 The Connétable of St. Ouen:**

Would the Solicitor General confirm he is able to take steps to ensure that the newly introduced electronic case management system currently used by St. Helier is available to all Parishes?

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

We will do what we can, to ensure that whatever technology is in place to assist matters going forward is available to all centeniers in all Parishes. That is the best I can say at the moment.

#### **3.2 Deputy M.R. Higgins of St. Helier of the Minister for External Relations regarding French fishing boats (OQ.101/2021):**

Will the Minister update Members on his discussions with both the French and European Union authorities on the access by French fishing boats to Jersey waters and Jersey fishermen's access to French ports and markets; and state whether it is his assessment that the letter and spirit of the agreements are being met by all parties?

##### **Senator I.J. Gorst (The Minister for External Relations):**

I have had several meetings, including with the French Minister of the Sea, the E.U. (European Union) commissioner with responsibility for fishing policy and recently met with the presidents of La Manche and Normandy and due to meet with regional contacts in Brittany this week. I am expecting a further meeting with the E.U. commissioner in the coming days. While terms of the Trade and Co-operation Agreement are clear, returning access and control of the Island's territorial waters to Jersey authorities, there have been a number of implementation issues to work through. I am of course aware of reports of over fishing in Jersey waters and the suggestion that French boats



are taking advantage of Jersey's amnesty. However, I understand from the marine resources team that the fishing was legal and was not dramatically different from normal levels for this time of year.

### **3.2.1 Deputy M.R. Higgins:**

Can the Minister tell us of the nature of those talks and whether the issues that he has raised are being taken seriously by those authorities, for example the access to the French markets, and not only in terms of boats coming into our waters but our access by our fishermen to European markets and ports?

### **Senator I.J. Gorst:**

Of course the Deputy knows that when the United Kingdom left the European Union Jersey, by extension, became a third country and therefore access to all European markets for goods, of which fish is an extremely important element of our export, became much more complicated, much more bureaucratic and, as I indicated, there have been difficulties for our fishermen landing directly into French ports. I have been absolutely clear in all of my conversations, both at European Union level with the British Government and also with the French Government and French regional politicians that we would like them to ensure that those bureaucratic measures are alleviated as much as possible. It is fair to say that that has continued to be difficult. It has also been difficult for wholesalers to land in St. Malo, although my understanding and advice again from those directly involved and from marine resources, is that the issues in St. Malo have been somewhat alleviated. When it comes to dealing with the licences, the Deputy will be aware of the amnesty agreed by the Minister for the Environment for vessels with V.M.S. (vessel monitoring system) that amnesty comes to an end at the end of April, and this Assembly will be asked during this sitting to agree legislation to allow licences to be issued and we will continue then to work together with the European Union on evidence for smaller vessels.

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

Would the Minister agree that the ability of the Minister for the Environment to fairly condition French fishing vessel licences will ensure the sustainability of our waters for future generations?

### **Senator I.J. Gorst:**

I think we are all, in this Assembly, agree, and in the wider community, that our waters must be fished sustainably and this gives rise to some of the concerns that some Jersey fishermen have had about the number of licences previously issued under the Bay of Grainville agreement and of course the larger vessels, which have been highlighted over the last number of days. But the Trade and Co-operation Agreement will allow the Jersey Minister for the Environment to issue licences in a sustainable manner with sustainability at the heart of those issuing, as long as it is done on a non-discriminatory basis and using the best evidence and data available.

### **3.2.3 Deputy M.R. Higgins:**

Going back to the Minister's answer, can he tell me what assurances he received from the French and E.U. representatives he has been talking to and, in particular, what positive steps they have taken to do to alleviate the problems that our fishermen are facing?

### **Senator I.J. Gorst:**

Of course the Deputy knows that the problems we are facing arise out of the Brexit situation itself, i.e. becoming a third country for access of goods into the European market. We have asked for a reasonable approach to be taken, as we have taken in extending the amnesty. The concern of course on regard to our French colleagues is that the number of licences that Jersey might issue and any measures around sustainability that might be taken into the future of course we have spoken to our colleagues in La Manche. They would like to implement a border inspection post at La Manche. We fully support that but the Deputy can see that from their position they are saying that until licences

have been issued there can be very little, if any, progress on the border inspection post; that is why we are having to rely on the inspection post at St. Malo. It is important that we continue to maintain positive relationships and continue to talk as we get through the end of the initial amnesty and the final 2 months of the amnesty for smaller vessels. Because if we stop talking, if we behave in an unco-operative manner, these issues will continue.

**3.3 Deputy M.R. Le Hegarat of St. Helier of the Minister for Home Affairs regarding advising the public who ask about new legislation to contact States Members (OQ.103/2021):**

Will the Minister advise Members whether the States of Jersey Police are advising any members of the public who ask them about new legislation to speak to their local States Member as “they have the power to bring in new legislation” and, if so, why?

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

I am sure the Deputy will appreciate that I do not know what Members of the States of Jersey Police may advise members of the public in their daily interactions, which of course there are many with the public. However, I am assured that the scenario described by the Deputy is not happening as a matter of course or in a proactive way. However, having said that, we cannot consider it unreasonable for police officers to direct people towards politicians, States Members, if the public are asking about legislation, which may be in the process of being brought forward or which the public believe should be brought forward because that is our role to do that. It seems a perfectly reasonable thing to do.

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

What communication and consultation has occurred with the Minister and S.O.J.P. (States of Jersey Police) in recent times in relation to new legislation and, in particular, that of antisocial behaviour?

**The Connétable of St. Clement:**

The police are neutral as far as legislation is concerned in a vast majority of cases. It is up to us, the Assembly, to consider appropriate legislation. The police enforce the laws that we make. They do not make the laws.

**3.3.2 Deputy I. Gardiner of St. Helier:**

Does the Minister consider that there is a need for additional legislation to tackle antisocial behaviour around the teenagers and if yes, what type of legislation is required? If not, what other action is the Minister planning to take to make sure that this antisocial behaviour of teenagers will be tackled?

**The Connétable of St. Clement:**

Antisocial behaviour is a very difficult thing to deal with but something that is very difficult for the public to put up with too and it is something which must be tackled. I am looking for advice from the law officers, particularly from the Attorney General, who I know is meeting on a very regular basis with the police chief, who will eventually make recommendations to me as to how we can deal better with this issue.

**3.3.3 Deputy I. Gardiner:**

Just to reconfirm, if I understood correctly, that there is a work process in place to address and to find if any extra legislation is required to address growing concern in the public?

**The Connétable of St. Clement:**

That is absolutely correct. There are various options in different jurisdictions available to the law enforcement agencies and to the Children’s Services and we are looking at those to see if they could be useful in the Jersey context.

**The Bailiff:**

Could I just mention to Members that the ambit of the original question was of course advising in general terms when new legislation is concerned and what the States of Jersey Police are advising members of the public to do? The question cannot be, I think, used as a reason to pursue particular legislative initiatives with this Minister.

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

Thank you for reminding me of the original question because I think I was going to veer off somewhat, in which case I will withdraw my question.

**3.3.4 Deputy M.R. Higgins:**

The question that was asked was about the police getting members of the public to approach their representatives because I think the implication was that they did not have sufficient power. Can the Minister for Home Affairs tell us however what powers the police do have in this area and whether that would be a reasonable thing to say to go to Members to get new powers where they have existing powers? Can he tell us please what the existing powers are?

**The Bailiff:**

In which particular area, Deputy? I am not sure ...

**Deputy M.R. Higgins:**

In terms of antisocial behaviour, Sir, and the powers the police have in this area.

**The Connétable of St. Clement:**

Antisocial behaviour should not just be considered as an enforcement matter, as simply a police matter. It is much wider than that. It is do with the Children's Services, it is to do with C.Y.P.E.S. (Children, Young People, Education and Skills), it is to do with the Children's Commissioner. It is a much more rounded thing than the police just using the enforcement powers that they have, the powers of arrest, charge, and so on. It is much wider than that. We are currently - both myself, the Home Affairs Department, the Children's Commissioner - looking at the Youth Justice Review and I am hoping that something positive will come out of that in due course. But let us not pretend it is an easy fix. There have always been antisocial problems. The situation over the last 12 months has probably made things a little worse but we are talking about a relatively small number of young people and we have to find the solution to that jointly. Not just relying on the police to do it.

[10:15]

**3.3.5 Deputy M.R. Higgins:**

I agree with the Minister it is a much wider problem but I asked a specific question. What powers do the police have? He mentioned arrest and charge but for what?

**The Connétable of St. Clement:**

Any charges will be brought by the appropriate centener on the advice of the Law Officers' Department. It would depend on what sort of offence we are talking about.

**Deputy M.R. Higgins:**

That is the offence I am asking for.

**The Connétable of St. Clement:**

I cannot speculate about an offence. It could be anything at all from littering to assaults to whatever. Littering is antisocial behaviour but also committing an assault is antisocial behaviour.

**3.3.6 Deputy K.F. Morel:**

I have now reformulated my question. While it may or may not be the case that police officers are advising members of the public to contact their representatives in order to change legislation, would the Minister agree that in terms of offences, such as antisocial behaviour by youngsters, that legislation is not always the answer and that when there is an entirely predictable outbreak of antisocial behaviour following COVID restrictions that Government's responsibility is not so much to change legislation as to take proactive preventative measures to give those young people something to do.

**The Connétable of St. Clement:**

I could not agree with Deputy Morel more. He is absolutely right and that is what I was trying to say in my own clumsy way. But nevertheless, we do have a duty when this sort of behaviour comes to the fore, to ensure that our legislation is fit for purpose and that is what we will be doing.

**3.3.7 Deputy K.F. Morel:**

I am delighted the Minister agrees with me. With that agreement in mind, would the Minister be able to advise the Assembly as to what proactive preventative measures this Government has taken to make it less likely that young people undertake antisocial behaviour?

**The Connétable of St. Clement:**

It has been a little bit difficult recently with a significant number of changes in the Education Ministry but this is what we are trying to do. The police, law officers, C.Y.P.E.S., Children's Services, Children's Commissioner are working together to make recommendations on how the situation can be improved and this will continue. As I mentioned before, the Youth Justice Review will hopefully come before the Assembly later this year when we can look at the appropriate legislation, the appropriate policies going forward. What I would like to ensure the public, we are not sitting on our hands, we are working very hard, all of those agencies and others, to try and improve the situation for the Island as a whole and indeed for the young people themselves to try and divert them away from criminality.

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

Would the Minister advise members of the public if they are interested in legislation to bring it to the States Member and would he advise States Members to bring legislation to the Assembly should they believe it necessary?

**The Connétable of St. Clement:**

I am not sure if I completely understand the question but the obvious answer is yes, of course. That is what we are here for, that is what we are elected to do. If you want to report a crime you would not normally come to me or to the Deputy or to the Bailiff. One would normally go to a police officer, so the same thing applies.

**3.3.9 Deputy R.J. Ward:**

Would the Minister support such legislation and what would he do to ensure that there are not obstacles in terms of officer time that may get in the way of any legislation that is brought and passed by this Assembly?

**The Connétable of St. Clement:**

Again, I am not quite sure if I understand the question. If it is decided, if the Minister for Home Affairs or some other Minister decides that certain legislation is appropriate, it is up to them to gain law-drafting time and then bring it to the Assembly. It will be prioritised the same as every other piece of legislation.

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

Do you mind if I stand?

**The Bailiff:**

No, I think that is fine, provided you can be heard all right. Deputy, I think you can.

**Deputy G.P. Southern:**

Old habits die hard, I am afraid, especially with an old dog like me.

**The Bailiff:**

Indeed, I fully understand that.

**3.3.9 Deputy G.P. Southern:**

Does the Minister agree with the Chief Commissioner of Police in Liverpool that were he to be given £10 million to spend on antisocial behaviour, he would spend £2 million on policing and £8 million on improving the financial condition of the families with young people?

**The Connétable of St. Clement:**

Yes, I have not heard that quote from the commissioner but the principles behind it are absolutely right. Because a lot of these young people involved in the antisocial behaviour that we are talking about at the present time have been involved in unfortunate backgrounds, have not perhaps had the love and affection that most of us would take for granted and have had not the best opportunities in life. There is probably some merit in that statement.

**3.3.10 Deputy G.P. Southern:**

Will the Minister bear that in mind when he comes to voting on P.11?

**The Connétable of St. Clement:**

Sorry, I do not know what P.11 is.

**The Bailiff:**

It is too far outside of the ambit of the original question, Deputy. I think you will have to wait in suspense to learn how the Minister is likely to vote.

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

No, thank you, Sir, I think it has been well and truly covered.

**3.4 Senator S.Y. Mézec of the Chief Minister regarding the Housing Development Board Report (OQ.98/2021):**

I am feeling slightly asleep because the question is now out of date but I am sure the answers will account for that. Will the Chief Minister explain why the report from the Housing Policy Development Board has still not been published, despite having been received 6 months ago?

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

Yes, I had indicated that we were aiming for the report to be published at the end of quarter one. It has now been published and being considered by the Council of Ministers and presented to Scrutiny for comment; that is really all.

**3.4.1 Senator S.Y. Mézec:**

In the covering note for the report, as it was published yesterday, it says: "While the recommendations are not policy and do not commit the Council of Ministers to a particular course of action, the work of the report provides good foundations to inform our considerations of this important topic." Chief Minister, I think it is more than enough time to come to a view on the recommendations in the report.

Could he tell the Assembly whether he accepts the recommendations that are found in this report or perhaps just slightly rephrase that to not get such a general answer? Are there any recommendations in the report that he would outright reject at this stage?

**Senator J.A.N. Le Fondré:**

As we said, on any of the policy boards, the idea is to inform and advise in terms of development of policy moving forward. The intention is that, as we said, some of the policies are in the process of being incorporated, I think that some of them have been incorporated with the draft Island Plan. I am getting an echo, can you hear me okay?

**The Bailiff:**

Yes, we can hear you, thank you.

**Senator J.A.N. Le Fondré:**

But there will be other policies and I am not going to go into the specifics at this stage, which will require further consideration and will require basically discussion and approval from the Council of Ministers before they can be taken forward. That will, in all shapes and forms, as with any of these policies, require consultation and work, *et cetera*. That is what we said, there are some policies in there which are eminently sensible and there are some which will be more challenging.

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

Throughout the Housing Policy Board's report is a reference to affordable housing. Can I ask the Chief Minister, what is his definition of affordable housing?

**Senator J.A.N. Le Fondré:**

I am also going to be cautious answering that because we already have definitions that presently exist under the Island Plan process and I do not want to fall too far away from those definitions at this stage. I think the Deputy does make the point, a definition of what affordable housing is is appropriate and I think I would hope it would be in commonality with what most people would understand it to mean.

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

Does the Chief Minister support the reform of social housing, given the Housing Policy Board's strong support for the reform of social housing rents below 90 per cent? Can he give some information and his views on that specific area of the report?

**Senator J.A.N. Le Fondré:**

On a personal basis, as the Deputy may or may not be aware, I brought the amendment that made the ability for all social housing providers to charge rent up to 90 per cent of market, rather than at 90 per cent. On that basis, as a general principle, I am obviously in favour of social housing providers having that flexibility to charge rents that are less than 90 per cent. The only caveat, which we are in the process of just understanding, is the balance between, essentially, subsidising people in social housing who are not on income support and, therefore, notionally could afford 90 per cent of the market versus the wider impact on the overall market of rents being at a lower level. Subject to understanding that, and that is a piece of work that needs to be done, my principle at this stage is I support rents that are less than 90 per cent, subject to, again, the directors or trustees of the social housing providers basically using their judgment in managing their social housing appropriately.

**3.4.4 Deputy G.P. Southern:**

Is a 6-month wait set to be the norm for receiving and understanding a report from a policy board or are we going to see a better, quicker turnaround of such recommendations in future?

**Senator J.A.N. Le Fondré:**

The Deputy may or may not recall the events of the end of last year, which would, I would suggest, be outside of the norm. But if it helps that the report was given to me in its final form on 6th November, the Minister for Children and Housing then resigned on 8th November and a vote of no confidence, I believe, took place the following week. We then dealt with the subsequent consequences, including the reallocation, taking the opportunity, partially on the recommendations of the Children's Commissioner, to reallocate the responsibilities between Children and Housing. We had the Government Plan, we have had the COVID increase and obviously we continue in dealing with the pandemic and last, but by no means least, we also had the implementation, effectively, of Brexit. I would suggest in that period we have had a very significant amount of activity. Even so we have moved some things forward to put, for example, the ability to provide brownfield sites into the pipeline and also, as I have alluded to already, the Island Plan will also be including some of the recommendations, as I understand it, from the board in there. We have been and continue to live through extraordinary times and let us be very clear the pandemic has had a delaying impact on a whole raft of activities that we would all love to achieve.

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

Given the Chief Minister's involvements in rent-setting previously, will he now go further and will he personally advocate the setting of rents that are 80 per cent or even below that of by the market?

#### **Senator J.A.N. Le Fondré:**

I do not think I can add much more to what I have previously said, which, in other words, I basically want to understand the actual implications of doing it but to date there is nothing stopping social housing providers doing that already.

#### **3.4.6 Senator S.Y. Mézec:**

There is something that stops social housing providers from doing that right now and it is the financial return that Andium Homes is required to pay back to the Treasury. The Chief Minister will have an opportunity to give political approval to some of these recommendations in an upcoming States sitting with the proposition that I have lodged. Will the Chief Minister confirm whether he will be in a position by then to be able to confirm whether the Government supports the recommendations on rental housing that are found in the report, which he commissioned and which he has had now for 6 months, so that this work can begin very quickly?

#### **Senator J.A.N. Le Fondré:**

All I can confirm is that obviously consideration is being given to the Council of Ministers' position on the 80 per cent. There is a trade-off and I do not have a problem personally with the principle but it is subject to understanding the financial implications and that has always been the case.

[10:30]

#### **3.5 Senator S.C. Ferguson of the Minister for Health and Social Services regarding further civil servants to develop Jersey Care Model (OQ.95/2021):**

Will the Minister outline the case for the creation of 17 new civil servant posts intended to develop the Jersey Care Model at a cost of approximately £1 million a year to the taxpayer, particularly in light of the fact that the number of civil servants working in health now exceeds the number of G.P.s (general practitioners) in the Island?

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

The Jersey Care Model proposition, P.114/2020, provided an overview of the resource and functional requirements for the delivery and implementation of this 5-year change programme. The key finding in the review was that the delivery requires a rigorous portfolio management approach, including functions such as organisational change, quality improvements, communication and engagement,

commissioning in partnership support and must be supported by dedicated resources to ensure the successful delivery of this complex change programme. The programme management costs have been included in the Jersey Care Model funding model and these costs have been agreed by the States Assembly in the Government Plan. H.C.S. (Health and Community Services) undertook a review of existing resources and options for establishing the required resources. The first option was to engage a large consultancy firm. The second option was to establish a dedicated 5-year programme team within the department but that option was considered more beneficial for a huge number of reasons, including the provision of employment opportunities for Islanders. A key to the success of the programme is the establishment of good working relationships with a wide range of stakeholders, including primary care and private and charitable care providers. Establishing this dedicated team on Island will ensure we build up trust and good relationships for the long term.

### **3.5.1 Senator S.C. Ferguson:**

Does the Minister understand that the public feels that the policy his department is following, as demonstrated by the increasing numbers of civil servants, is a move to reconstruct the National Health Service in Jersey with its consequent inefficiencies?

### **The Deputy of St. Ouen:**

We do not have a National Health Service, we have an excellent service which involves charitable providers, private care providers, an independent primary care sector and none of that is threatened by the Jersey Care Model. Indeed, our partnership working with all of those providers will be enhanced. The criticism of previous proposals that started in 2012 under P.82 was that its progress was too slow, that there was not enough work being carried out on it. This scheme that is being established will ensure that we have a rigorous approach to designing and implementing change to enhance the healthcare of Islanders.

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

What consideration is the Minister giving to the possibility of expanding the delivery of primary care to, for example, children who are not necessarily in low-income families and those with chronic long-term illnesses? Is he examining, producing primary help either free or at low cost?

### **The Deputy of St. Ouen:**

The supplementation of the costs for primary healthcare are largely a matter to do with the Minister for Social Security, as the Deputy will know. I do not have a budget for that area. But of course we are always striving to improve healthcare with the partners we work with and that will include healthcare for children and those with long-term conditions. This is ongoing work that is continuous.

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

Ongoing work with an outcome to be delivered to this House by when?

### **The Deputy of St. Ouen:**

Work is ongoing with providers, for example, in the field of diabetes care, who have been working well and made very substantial changes with those working in the public service but also in the charitable organisations. That work does not come to the States for debate because it is part of the health remit. Improvements to healthcare just are continuous.

### **3.5.4 Senator S.C. Ferguson:**

Does the Minister not realise that the Jersey Care Model is merely moving some of the costs of health to the private citizen and pretends to reduce the health budget costs and it takes no account of the fact that we are not the United Kingdom?

### **The Deputy of St. Ouen:**



I disagree that the Jersey Care Model is moving at imposing costs on private citizens. That is not referenced at all in the proposition. It was not recognised by a Scrutiny Panel. It is not what this Assembly voted for. This is not an imposition of any sort of other healthcare service, other than the one that Jersey needs and has been supported by this Assembly, including its members serving on a Scrutiny Panel and it is supported as well in the Government Plan as a way to improve Islanders' physical and mental health and their well-being and we are getting on with that work.

### **3.6 Deputy R.J. Ward of the Minister for the Environment regarding Island-wide air quality monitors (OQ.91/2021):**

Following his answer to Written Question 303/2020 in respect of air pollution monitoring, will the Minister advise how many of the proposed Island-wide air quality monitors are currently in place and what is the timeline for full implementation of the system?

#### **Deputy J.H. Young of St. Brelade (The Minister for the Environment):**

Of the air quality monitoring to which my previous answer referred, 57 of those units are now in place, which is 46 of them at school sites and 11 at other places. Of course these are in addition to the static air quality diffusion tubes deployed in St. Helier and real-time sites in the market and how thus far. As regarding the timeline, this is what the experts call a sandbox project, which I understand is the testing of environment by Digital Jersey with new technology and it is dependent on the sensors working, communicating correctly, analysing the data and then having a U.K. (United Kingdom) academic institute to assure the data accuracy. When that phase is complete we will be able and in a better position to determine the timeline for seeing the project through. But of course those steps are within the control of the supplier at the moment.

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

Can I ask the Minister then what data is being currently produced and what communication is happening between his department, the supplier and others involved, such as Digital Jersey, in order to ensure that this project happens in time for the Island Plan, for example?

#### **Deputy J.H. Young:**

The current status is there are issues. As I look myself, the data is not yet available to the public. At the moment we cannot confirm that the information that it is producing is accurate and I think it is true that there are often numbers of the 46 I spoke of; 18 of those are working and 24 are not. There is one unit waiting installation and 4 calibrated units have been replaced. In terms of the contractual relationship, the firm that is handling this is a firm called AirSensa. I personally am not familiar with the terms of that contract but, nonetheless, it is a commercial contract by Digital Jersey and so there are communications going on. I just only undertake to produce a written report because it is a very technical and detailed matter but it certainly will not be left.

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

The Minister just mentioned AirSensa and I would like to bring the Minister's attention to his answer to written questions from 21st May 2019, which we are talking about a year before the pandemic. It is written Environmental Health signed memorandum of this then deal with Digital Jersey and AirSensa to install 200 sensors. Are we still planning to install 200 sensors and what has happened in 2019; why did this work not progress in 2019?

#### **Deputy J.H. Young:**

I think it is a very, very good question and absolutely spot on in terms of the work of the Public Accounts Committee. The 2019, yes, if that was the intention of 200, clearly one cannot go further until we can get the units that we have had working calibrated and reliable, then I think decisions can be made about whether to continue. Certainly, I think it also is true that the team that has been handling this project has changed. As we all know, we have COVID and the Chief Minister spoke

about that. Digital Jersey have had to do an awful lot of work, work was switched off for this project on to other things. Of course the Environmental Health staff have changed and they have been badly affected as a result of staff numbers during the COVID pandemic, which we are recovering from. Certainly, I am afraid it is true that this is a project which has not gone to plan and we need to find ways of getting it back on track, albeit I accept there are contractual issues at root which will have to be looked at. I am sure the report I spoke of to the Deputy will be available to the Public Accounts Committee and the officers, I am sure, will be available to talk about it.

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

Thank you, Minister, it is appreciated and we look forward to receiving an update. I would like to raise another point from the same answer. We had a special event of lodging around the school on 20th June 2019, coincidence with the Clean Air Day. Is it any special event or new air monitors can be installed in the Clean Air Day 2021, to have a special event like we had in 2019?

### **Deputy J.H. Young:**

On a more positive note, obviously we have done a lot of work on air quality monitoring using the previous technology of air quality diffusion tubes. There are 19 sites, including 7 new ones, testing for oxides and nitrogen. There are 6 sites for volatile organic compounds, including at various locations and real-time monitoring at 2 sites and there is now what is called an Osiris particle monitor being calibrated and delivered. I think there is progress, albeit on different technologies, I think, which will give us at least an improvement in the information available; at the minimum I hope it is better than that.

### **3.6.4 Senator S.Y. Mézec:**

Does the Minister consider that there is a potential issue with some of the big development schemes that are being planned in town, such as Limes, the Ann Street Brewery site, Play.com warehouse site, *et cetera*, where there is a risk of creating wind tunnels in busy traffic areas that could transport polluted air around? Does he not think that it ought to be a greater priority to understand the implications of the air quality monitors, to understand what health and well-being impacts this could have for people living in those areas if there are unacceptable levels of pollution there?

### **Deputy J.H. Young:**

It is a very good question. Sadly, we do not have an air quality law. There is no question if one looks at the monitoring information that we have got published in the annual reports; you will see maps of where the high levels of pollution are. Absolutely in the centre of town you can see them highlighted as red areas where they are subjected to unacceptable levels of contaminants and so there is no question.

[10:45]

What we have to have, I think, is that we need to fast track or at least progress air quality legislation, which we do not have; other societies have it. Of course I am seriously resource constrained at the moment, as Members know. It is not the only project. We got held up on the Environmental Health team. I really want to see in future States a much stronger investment in environmental health, biosecurity and other matters so that it does need to have greater priority. Part of that will be planning policies that I hope the new Island Plan will help that.

### **3.6.5 Senator S.Y. Mézec:**

Following on from the final point that the Minister just made then, how, if at all, does he think the Island Plan will help ensure that when there are planning considerations in the future that air quality is something that is taken into account properly and that they have the right data at their disposal to be able to come up with some sort of safe predictions on the impacts of polluted air on the people

who will be living in those areas, especially given that it seems the theme of the Island Plan is to focus on heavier development in town?

**Deputy J.H. Young:**

Also, I think we have got the policy principles in the draft Island Plan. Of course they are not in force until they get before the States. Obviously there is work to do in terms of the scientific methodology, which is way beyond my competence to work out how one does monitoring predictions of buildings and situations that have not been built. But, nonetheless, I think that is something that we will have to do and it will be crucial to how effectively we can make those judgments more reliably when making planning decisions.

**3.6.6 Deputy K.F. Morel:**

Is it the case in the Minister's judgment that most negative quality air in terms of poor quality air is generated through the motor vehicle in Jersey? Also, how much is the department spending on monitoring the air at these sites around the Island?

**Deputy J.H. Young:**

On the second part I am afraid I cannot answer that question. I do not have that information and I will arrange to circulate it to Members. I am certainly not aware of what I regard as the level of resources being available within the regulatory budget, which the Deputy knows is precisely zero. Because we have to recover all the costs at the moment under costs of fees and charges. But I will circulate an answer to the level of investment on that. Sorry, the first question: was it traffic related? I do not think it is just my opinion and I think if the Deputy reads the expert reports, which are produced annually, they are all on the website. It is quite clear that the contaminants are linked to multi-vehicle usage.

**3.6.7 Deputy K.F. Morel:**

Given the currently unknown cost but also given that we all know that it is the motor vehicle creating the air pollution, would the Minister agree that a more cost-effective method to protecting Islanders, particularly young Islanders' health and their lungs, would be to engage seriously with the safer routes to schools programme and to proactively cut the amount of traffic passing by schools and through busy traffic areas of St. Helier?

**Deputy J.H. Young:**

Absolutely. I certainly have put pressure on my colleague, the Minister for Infrastructure and his officer team, to progress schemes under that. I had the privilege of attending Mont Nicolle School, I met the staff and the pupils and parents and they have been campaigning this for years. I am delighted to say we have now achieved a breakthrough in a barrier, a new crossing on Petite Route Des Mielles where the railway crosses over, to deal with the safety hazards on that which stood in the way of that. I expect to see that is an example of things going well. We really have to proceed and accelerate the programme that the Minister for Infrastructure has to try and do something about the menace of pollution from vehicles.

**3.6.8 The Connétable of St. Brelade:**

Would the Minister advise Members whether the readings from the various monitors are publicly available and, if so, where?

**Deputy J.H. Young:**

Unfortunately, the readings on the experimental ones are not because they cannot be published because they are not validated and they are not considered accurate enough. There is a website which I tried to access myself, it is called Digital Jersey, Choose Jersey, Sandbox Jersey, presumably where AirSensa report that stuff but I cannot find it. The States website, there is an air pollution website. I

do not have the reference number, where all the reports are available and the monitors that I have spoken to, the information from those is on there; there is regular reporting.

### **3.6.9 The Connétable of St. Brelade:**

Would the Minister tell Members whether he in fact has the staff to continue this project? He indicated that he had had problems during COVID, we understand that but has he got resources to continue it?

#### **Deputy J.H. Young:**

I think the honest truth is we have seriously struggled with Environmental Health resources. The team was down to 50 per cent, as the chairman of the panel knows, at its most severe impacts on COVID. We lost a number of qualified Environmental Health officers who went back to the U.K. We were not able to recruit them because licences were not allowed because of the target operating model that we have all had to cope with. Finally that has now been solved. I am hopeful we will get those officers that will give us some progress. But I do not think that is going to be enough in the long run. We have to give greater emphasis to our Environmental Health resources.

#### **The Bailiff:**

I am sorry, Connétable of St. Saviour, I cannot call upon you. I have already called final questions for this particular one. Final supplementary, Deputy Ward.

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

I thank other Members for asking questions and widening the topic. I would like to ask the Minister: is it not the fact that the lack of genuine monitoring of air quality, particularly in central St. Helier and built-up areas in St. Helier where most development is planned in the Island Plan, run some coach and horses through the planning of the Island Plan because we simply do not know the long-term effects on young people's health who are living there of air pollution, which is a serious danger to many people's health if it is poor?

#### **Deputy J.H. Young:**

We certainly need to do more, which is why this project was attempted. Clearly, it has not gone successfully thus far. I would not write it off at the moment but I am not able to be positive about that. But what I can be positive about is we do have real-time monitors in place in 2 sites in town and you can look at those and see those results. They give you an immediate readout and you can see the trends and then of course the diffusion tubes, which are not immediate real time but they are used in the reports which go out; quarterly reports I think they are. You can see that the information is there; that is accurate and very fine information. But obviously we need to do better and extend that work.

### **3.7 Deputy L.M.C. Doublet of St. Saviour of the Minister for Children and Education regarding the reconnection strategy (OQ.93/2021):**

What plans does the Government have, as part of its reconnection strategy, to return schools to normal operations and when does he expect those plans to be implemented?

#### **The Bailiff:**

Who is answering for the Minister?

#### **Senator J.A.N. Le Fondré (Acting Minister for Children and Education):**

Sir, I believe it is me because ordinarily Deputy Wickenden is acting in the capacity as Acting ... but the Deputy has asked, under Standing Order 13(3)(a), for it to be applied to the Minister in person, which means it is me. It is expected that schools will return to normal with the removal of all physical distancing and bubble systems when there is no longer a requirement for this in the community.

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

I am struggling to thank the Minister for his answer because that did not really contain any information at all. Could the Chief Minister please outline the steps and dates by which schools will be returned to normal, please?

### **Senator J.A.N. Le Fondré:**

I thought it was not an unreasonable response because it bases us in line with the existing reconnection roadmap, which lays out the various stages that are in place. Obviously the end of that process to date is on Monday, 14th June, but obviously there are various measures between now and then. What I would just say is that the main priority to date has been to keep the schools open and compared to almost anywhere in the British Isles we have done exceptionally well in that area. If the Deputy feels that more could be done quicker, I am very happy to receive any submissions on that front. In particular, we can always request a review to be done on certain measures but bearing in mind, if we can, it is always subject to how we advance through the next few months, we can bring measures forward if that is appropriate. But, as I said, the focus has always been on keeping the schools open and operating as much as they can. But if the Deputy is saying, can we have a further review to see if more measures can be done and mitigated, that is possible but I always make the caveat that we change our measures according to the circumstances we face.

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

I would like to ask the Chief Minister, we do have a clear reconnection map for the economy of the Island. We have a clear reconnection map for travelling with clear dates. Do we have a similar clear reconnection map for schools?

### **Senator J.A.N. Le Fondré:**

To date the schools are not necessarily treated separately and I am just looking at it now, there is some very extensive guidance for education, which is obviously on the website. But the general intention is that we are consistent with the reconnection roadmap that is published.

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

I think further clarity is required because from one side - and I am really welcoming - we have 1,000 people can watch a rugby match during this weekend and at the same time reception and Year 1 at school cannot play together. Would the Chief Minister think that it would be helpful for schools to have a clear reconnection map going forward?

### **Senator J.A.N. Le Fondré:**

I was not aware they did not have a clear reconnection roadmap because we have published a reconnection roadmap with very clear steps in there and that is being applied to the community. I have always made the point, we have had this a number of times, it is always easier to, essentially, tighten up restrictions. As soon as we start trying to ease, every area starts asking for exceptions to be made to their own particular circumstances. Let us not underplay schools at all. In my view we have done exceptionally well. Certainly the last time round we have kept the schools open and we have kept them operational. As I said, we have probably done, I think, better than pretty well anywhere else in the British Isles in achieving that objective and that is what our objective remains. Obviously all the measures that we have in place at present are understood by the schools but, as I said, there is a reconnection roadmap which is published. The intention at this stage is to come out of this by June. However, if there are specific issues that any of the questioners have, I am very happy to take those away and ask the public health team to look at and review. There is no problem doing a review and I am acutely aware that each time we do that it is pressure and resource taken away from somewhere else.

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

What evidence or indicators will he be examining in order to decide whether to reconnect schools more fully?

**Senator J.A.N. Le Fondré:**

The measures that we look at in general are the measures that all States Members are shown on a fairly regular basis and particularly Scrutiny do receive updates on, which are the positivity rates, the active cases, the data around what we think may be coming down the line, what is happening with our neighbours; there are a whole range of factors that we bring in and Members, as a whole, are briefed on those regularly.

[11:00]

**3.7.5 Deputy G.P. Southern:**

Just a follow up to that, it is my understanding that there is serious consideration given to the arrival of a third wave in the Island, is that also the Chief Minister's impression of what may be coming down the line?

**The Bailiff:**

I think, Deputy, and I am afraid that is outside the parameters of the question because this is to do with the return to normal operations in connection with schools and so ...

**Deputy G.P. Southern:**

Sir, if there is a third wave coming and if there is any connection between going back to school and a third wave, then surely the connection is there.

**The Bailiff:**

The connection might be there if the question is posed in a different way but it is not there in the parameters of that question.

**3.7.6 Senator K.L. Moore:**

Has the Minister considered any additional courses or support for students who may need to top up on gaps that have arisen during the course of this academic year and the previous one, particularly being mindful for those who would have been sitting either G.C.S.E.s (General Certificate of Secondary Education) or A-Levels this year and have been unable to do so due to the COVID restrictions?

**Senator J.A.N. Le Fondré:**

In a very general level, from memory we approved extra funding in the Government Plan for precisely the area that the Senator is raising.

**3.7.7 Senator K.L. Moore:**

Does the Chief Minister consider that those are adequate and is he satisfied that there is adequate support, particularly in relation to information technology for those students, as mentioned in the initial question?

**Senator J.A.N. Le Fondré:**

I have got no reason to doubt that they are not adequate. Equally, I think, from memory, it is either coming out today or was released yesterday, there is a press release that either has been made or is being made in relation to extra resources being put into the I.T. (information technology) area.

**3.7.8 Deputy R.J. Ward:**

Would the Minister, in his capacity as current Minister for Children and Education, agree that one way to ensure a careful reconnection in schools would be to vaccinate teachers as a matter of urgency?

**Senator J.A.N. Le Fondré:**

I think we have rehearsed that argument on a number of occasions. We do go back to the medical professionals on this and their advice remains absolutely the same, that to date the vulnerability to COVID is fundamentally age-related and to date that is the policy we have followed. There are exceptions, there is an appeals mechanism but I think we have rehearsed that argument on a number of occasions. Can I just make the point as well, is that to date, with the extra measures that we have put in place at the beginning of this year, schools are absolutely safe, have been operating very, very effectively? We are showing an average of a 95 per cent attendance rate at the moment, primary school being about 97 per cent, secondary being slightly less, so the system is working well. We can always do better but it is working well.

**3.7.9 Deputy R.J. Ward:**

May I ask the Minister, in his capacity as Acting Minister for Children and Education, if he could confirm that he does not support the vaccination of teachers as a priority?

**Senator J.A.N. Le Fondré:**

I said we act on the advice from the medial professionals in this area and we continue to follow that advice.

**3.7.10 Deputy K.F. Morel:**

As the Chief Minister will be aware, earlier in this question session there was a discussion about antisocial behaviour among young people. Given that young people are still sitting in schools often wearing masks with the windows wide open and, as a result, are still having their education disrupted to some extent, does the Minister agree that it is important that our children experience a return to normality as quickly as is safely possible in order to minimise and prevent the likelihood of antisocial behaviour arising, which does happen when children feel unsettled?

**Senator J.A.N. Le Fondré:**

Yes.

**3.7.11 Deputy K.F. Morel:**

Given that the Chief Minister agrees that a return to normality is important, does the Chief Minister feel that the lack of certainty about a full reconnection to normality in schools is being hampered by the lack of a full Minister for Children and Education in their role at the moment?

**Senator J.A.N. Le Fondré:**

The short answer is we are not in ideal circumstances but these are the circumstances we face. The operational side continues and the political oversight is definitely there. I am in the process of putting some further measures in place around that area. But in terms of certainty, in the wider context and not in a political context, we will continue to face uncertainty, probably throughout this year because the pandemic, as a whole, continues to have changes, there are iterations as new evidence that comes through, all sorts of things. Although to date we are again in a good place, things undoubtedly will change as circumstances change and we will have new challenges during the course of this year. Our task is to navigate those challenges as we see fit and as we follow the professional and medical advice that we receive. From that perspective, unfortunately, we will not get the level of certainty that I think we would all have liked for 2021, for example, relative to, say, 2019. We have different challenges ahead and they will generate uncertainty. Our objective in all of this, and particularly in the educational field, is to keep the schools open and accepting the points that the Deputy has made, to try and get as many of our children, as many of our students, to receive as good an education that they can and the evidence to date and advice is that that is by being in the schools.

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

I just want to refer the Chief Minister to the reconnection strategy and I am looking at it at the moment and I wonder if he could just explain why there can be certainty around when standing alcoholic drink service can resume, when saunas and jacuzzis can reopen, when holidays can be taken, when people can have house parties and when nightclubs can fully reopen. But we do not seem to have certainty on when children can have whole school assemblies, on when secondary school children can learn without wearing a mask for 7 hours a day and when children will not have to miss chunks of the school day because of staggered drop-offs. I wonder if he could address those specific points, please, either in his answer today or could he get back to me on those, please?

**Senator J.A.N. Le Fondré:**

The reconnection strategy is obviously what is released in and so, for example, it emphasises in stage 5 that masks continue to be worn indoors. Obviously the detailed guidance on education is under the education section. But I am happy, if the Deputy wants to email me with her concerns, refer those into the team. But, as I said, to date the indication of the reconnection strategy is around aiming to get back to something like normal life in the Island and that would be within the education system by early June.

**3.8 Deputy S.M. Ahier of St. Helier of the Minister for Treasury and Resources regarding funding of the Our Hospital Project (OQ.100/2021):**

Will the Minister inform the Assembly when she intends to bring a proposition to the States in respect of the funding for the Our Hospital project?

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

As the Deputy would expect, I intend to bring a funding proposition to the States in respect of the Our Hospital project, alongside the proposition for the project to proceed. The Our Hospital Political Oversight Group has decided that it wishes to take that proposition later on this year; that is to lodge in July for debate in September.

**3.8.1 Deputy S.M. Ahier:**

Members were told last year by the Assistant Chief Minister that the funding debate would be in March of this year, then the Treasurer informed us that the debate would be in June. Why has there been such a lengthy delay?

**Deputy S.J. Pinel:**

I think it would take somebody from the Our Hospital project group to answer that. There have been delays, as there always are, with these situations through the area, the purchase of properties, the access, Scrutiny questions, so that has caused lots of delays. Of course until we have that debate on the final go to proceed we will not be able to lodge the business case for them ...

**3.8.2 Deputy I. Gardiner:**

During the hospital debate in November, it has been indicated by the Government that each month of delay costs. We are looking now into 6-months' delay for lodging the proposition, what cost will it incur for the 6-months' delay?

**Deputy S.J. Pinel:**

Again, that is probably a question for the Our Hospital project group. But the delays were estimated at being quite considerable and so with a lodging date of July, as the Deputy says, it is quite a long time to have held this up.

**3.8.3 Deputy K.F. Morel:**

Given that the Minister has said there will be a lodging in July of the funding and the actual proposition regarding the hospital itself, will the Minister be able to ensure that all Ministers and



relevant officers will be available throughout August for the questions and the appropriate scrutiny of those propositions?

**Deputy S.J. Pinel:**

As the Deputy will know, it is very difficult to organise a huge amount of responses in August but because of the late lodging there will have to be back-up for Members' questions - of course there will - especially as the debate will be into September, so Members will have to have access to information in order to conduct the debate.

**3.8.4 Deputy K.F. Morel:**

I imagine that Scrutiny will want a full scrutiny process of these propositions and so are likely to require hearings and so on. How will this be possible if Ministers and officers are not available during August?

**Deputy S.J. Pinel:**

That, Deputy, will be a call for Scrutiny but I do understand, of course, that Ministers must make themselves available, especially when it is a considerable amount of borrowing. But on the point of view of the Our Hospital project, then, as I say, that is not my remit as such; mine is the funding of it.

**3.8.5 Deputy S.M. Ahier:**

Minister, will the funding for the Our Hospital project be in place before the planning inquiry starts?

**Deputy S.J. Pinel:**

The funding option will be brought at the same time as the project proposition in July.

**3.9 Deputy I. Gardiner of the Minister for the Environment regarding updating the Food Safety (Jersey) Law 1966 (OQ.90/2021):**

Will the Minister provide Members with a timescale for updating the Food Safety Law 1966 with particular regard to making the labelling of the 14 most common food allergens mandatory for food businesses, as is already the case in the E.U. and the U.K.?

**3.9.1 Deputy J.H. Young (The Minister for the Environment):**

The Draft Food (Jersey) Law 202- is in the final stages of drafting to ensure all necessary post-Brexit measures in respect of food are covered. I hope to be in a position to lodge the primary law, either this quarter, quarter 2, or very early next quarter, quarter 3, this year. Subsequently, to the usual process it is hoped that it, along with secondary registration which will be needed, will all be in place by the end of the year. This would include mandatory labelling of the 14 most common allergens, as is the case in the E.U. and in the U.K. Of course in anticipation of this, the Environmental Health team was carrying out awareness training for the hospitality sector through breakfast bites and seminars and during visits. But now this activity will recommence, as the hospitality industry opens. Obviously many businesses already label their products and menus appropriately and that is encouraging.

[11:15]

Before I just finish that answer, I would like to take the opportunity to correct remarks I made in the previous sitting about law drafting to do with environmental work, *et cetera*, which I think was interpreted as delays due to the Legislative Drafting Office. This was not the case on investigation. It is a complex business and that team do a tireless job for us.

**3.9.2 Deputy I. Gardiner:**

I thank the Minister and it is really reassuring that the proposed legislation will be lodged this year. In the meantime, will the Minister commit lodging a campaign similar to the Food Standard Agency that speak up for allergies to help raise awareness of the need for proper allergen labelling for children and young people, especially as this group are most likely to suffer an allergic reaction when eating in the food businesses?

**Deputy J.H. Young:**

Yes, obviously it is a very important thing. I would have to discuss that with the officers, the chief Environmental Health team, to see. At the moment they are very, very severely stretched, as I think Members know. I do not want to make commitments that are unrealistic. Ultimately, I think there may be a requirement, I do not want to overplay that. But if it is necessary I will take steps to ensure that we can because preparing the industry for this new legislation is as important as the legislation and so on. I think the Deputy is right in her proposal. I will have to come back to her, I cannot give a commitment now though.

**3.10 Deputy G.P. Southern of the Minister for Social Security regarding government expenditure on benefits (OQ.96/2021):**

Following the response to Written Question 134/2021, will the Minister undertake to provide tables and charts generated from the Open Data site to allow for comparisons to be made for 2018 and (when available) 2019 with 2017 expenditure on benefits, as shown in Tables 22 to 45 of the 2017 annual report, with the tables and charts to include a summarised view of all benefit cost data?

**Deputy J.A. Martin (The Minister for Social Security):**

I am always willing to support Members to ensure that they have access to full information in respect to the areas that sit under my remit. The Open Data website is part of gov.je and it includes detailed information on benefit and contribution statistics from 2012 up to 2019 and these can be compared back to 2012. This information is available to everybody, members of the public as well as States Members and provides a detailed record of social security income and expenditure. The Deputy has previously been offered help to use the public available data to address his particular areas of interest and I am happy to repeat that offer. If there is any area where the data is not publicly available, I will provide the Deputy with the information he requires.

**3.10.1 Deputy G.P. Southern:**

As earlier, I may be an old dog and difficult to train to learn new tricks, I cannot handle the Open Data pages, which look just to me like a whole string of numbers. I would appreciate certainly some training, whatever it takes, in the department to cover that. But if I cannot understand what those tables are about, what about Joe Soap, average member of the public? Can they handle them or is this a format which reduces access and accountability, rather than expands access and accountability?

**Deputy J.A. Martin:**

I would hope not. This was the agreed way forward for the consolidated Government of Jersey finance and operating data to be provided in the annual report and accounts so that everybody could see it. Just the difficulty with the Deputy, and I am really not trying to be unhelpful, is exactly where he wants it. It might just be this is what you do to compare. I have made the offer before and the offer is still there.

**3.11 Senator S.Y. Mézec of the Minister for Home Affairs regarding the E.U. Settled Status scheme (OQ.99/2021):**

What approach will the Minister adopt in respect of E.U. nationals who have settled legally in Jersey but who do not apply for the E.U. settled status scheme by the deadline of 30th June 2021?

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

I am grateful to the Senator for the question because it reminds us and also any E.U. nationals who are resident in the Island that we are in the final weeks now of the grace period. It is essential that those who settled here before 2021 need to apply for the scheme. If, subsequent to 30th June, E.U. nationals who have not applied for settled status are found, they will be dealt with on a case-by-case basis, basically sympathetically, positively and helpfully. If there are reasonable grounds why a person has made that late application that will be dealt with positively. Every person will be carefully examined and helped to ensure that they obtain their status.

**3.11.1 Senator S.Y. Mézec:**

I thank the Minister for his answer. The last part of it gets at what I wanted to address with a supplementary question, which is about whether the Minister has the intention of adopting an approach that is open and will have the leniency that it may require from time to time when there may well be good reasons that people have not signed up to the settled status scheme. Will he be content adopting an approach, which is not going to instil fear in people if they sign a form wrong or if they make a mistake, completely innocently, that their future in Jersey will not be jeopardised by that?

**The Connétable of St. Clement:**

That is right, that is the absolute intention and has been from the very beginning. Those E.U. nationals who do not have British nationality and have been here for some time, or even have not been here for some time, delighted for them to remain and live with us. It is just important that they do have immigration permission to remain lawfully in the Island. We will do everything we can to help any late applications to achieve that.

**3.11.2 Deputy R.J. Ward:**

Can the Minister confirm that the real issue for anyone who does not apply for settled status may well be if they leave the Island and try to return? Can he outline what his actions will be in those circumstances?

**The Connétable of St. Clement:**

The real issue for someone who does not have settled status is that they will have difficulty in accessing work; they will have difficulty in accessing free healthcare; they will have difficulty accessing benefits; and of course they will also have difficulty travelling, particularly back from an E.U. country, into the Common Travel Area. Because they will have no right to entry unless they have a work permit and a visa, unless they are coming as a visitor. So, yes, there are potential difficulties for those who do not make application. But I see no reason why people should not make application. It is not a difficult process. It is a free process and it ensures their absolute right to be here.

**3.11.3 Deputy R.J. Ward:**

Can the Minister confirm from his answer, was he suggesting that anyone who does not have settled status may have trouble accessing healthcare, *et cetera*, on-Island, as is current, regardless of the length of time that they have been on-Island? Can I infer that from his answer?

**The Connétable of St. Clement:**

Yes, you can. If someone is living here illegally, which could be the case, they do not have the same rights as those who are living here legally.

**3.11.4 Deputy G.P. Southern:**

It appears to me that the Minister is making up policy on the hoof. Because I certainly, for one, have never heard that someone who is not signed up for settled status will have free medical care

withdrawn from them, no matter how long they have been here. This seems like, if true, a very big sledgehammer to crack a very little nut. This is heavy-handed treatment of foreign nationals.

**The Bailiff:**

Deputy Southern, that was supposed to be a question. That was an invitation for a question, Deputy, not for a statement.

**Deputy G.P. Southern:**

Does the Minister not agree?

**The Connétable of St. Clement:**

The Minister agrees that we should give every encouragement, every help, every assistance to those E.U. nationals who have not yet applied for settled status to do so, so that there is no risk of the situations that I described just now coming to fruition.

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

In the end of achieving this coverage, does the Minister have any idea how many people are still outstanding not having completed the required forms?

**The Connétable of St. Clement:**

No, I do not. Originally when we started this process we had estimated there would be around about 20,000 who would need to apply for settled status. Currently, there are over 16,000 who have applied. But, of course, the 20,000 was very much an estimate because we have no idea how many E.U. nationals have dual nationality, we do not know how many of those who were here when we did that estimate have left the Island. So it is impossible for us to tell how many are outstanding. The numbers applying have now reduced to a trickle.

**3.11.6 Deputy K.F. Morel:**

In previous answers to questions on this topic, the Minister had suggested or said that authorities would take an understanding approach to people who had not applied in time. Particularly where it was seen that it was an oversight on their part or they found it difficult to access the necessary resources. Can the Minister confirm that this is still the case or will the Minister be taking a hard-line approach to people who have not applied for settled status and be treating them as illegal aliens in the Island? Can he confirm which of these 2 approaches he will be taking?

**The Connétable of St. Clement:**

I wish the Deputy had listened to the first part of my answer. I said anybody who has not applied by the end of June of this year will be treated sympathetically, positively and helpfully. Reasonable grounds for not having completed are not limited but might include children, they might include people who have been ill, they might include people who have limited access to I.T. So the answer is we are going to be, and continue to be, have been sympathetic, positive and helpful.

**3.11.7 Deputy K.F. Morel:**

While the Minister said that he did not know how many people were left to apply, can he categorically state to the Assembly what efforts he will be making to ensure that as many or 100 per cent of those who are eligible to apply are aware of their need to apply?

**The Connétable of St. Clement:**

We have been trying very hard since the decision was made for the United Kingdom to leave the E.U. Our Communications Unit are working very hard at this time, redoubling their efforts to encourage those outstanding residents to make application before the end of June. We are doing that through media releases, through social media, again through the consuls. Of course one of the

problems is we do not know who they are so we cannot make personal approaches. But hopefully the message is getting through. The fact that we do have so many applications now, the fact that there is only a trickle of new applications coming through, I believe we must be almost there. I stress again, the object of the Customs and Immigration Service is to be helpful and sympathetic.

**3.11.8 The Connétable of St. Brelade:**

Given that the definition of residency varies with various different laws, would the Minister identify whether those who have not applied for E.U. settled status would be classified as residents or not?

[11:30]

**The Connétable of St. Clement:**

Anyone who is not a British or Irish national who does not have settled status would be living in the Island, no matter how long they have been here, illegally if they did not apply for settled status. That is my understanding.

**3.11.9 The Connétable of St. Brelade:**

Could I ask the Minister to clarify that answer because it is what I might describe as a grey area?

**The Connétable of St. Clement:**

I can get further legal advice but the Immigration Law is quite clear that anyone who is not a British or Irish national will need Immigration permission to remain lawfully in the Island. This has been the position from day one.

**3.11.10 Deputy C.S. Alves of St. Helier:**

Is the Minister aware of the delay in processing and confirming some of these settled status applications? As I have had numerous constituents who have done applications ranging from 2019 to the last 16 months who have not been contacted and have had to chase up their application to ensure that it has been processed.

**The Connétable of St. Clement:**

Yes, I am aware of that. We have been able to put in about a fivefold increase in resource to try to catch up. But the important thing that people must understand, as long as they have made application for settled status, they are entitled to be here. We have also now created an online facility where any individual who wishes to can put in their information and produce a document, which would indicate the fact that they have applied for settled status or indeed have been granted settled status, which they will be able to show to an employer, a landlord or healthcare professionals if they should need it.

**3.11.11 Deputy C.S. Alves:**

So the Minister is quite confident and can give assurances that these delays will not continue and that, bearing in mind some of these individuals will have English as a second language and are having to chase them up themselves, so can the Minister just confirm that he is confident that these delays will not continue?

**The Connétable of St. Clement:**

I very much hope that they will not continue but, as I said just now, the important thing, as long as the application has been made, there will be no difficulty for those individuals.

**3.11.12 Senator S.Y. Mézec:**

Could the Minister outline when he believes a person who did not sign up for E.U. settled status scheme, perhaps perfectly innocently, when that person, through going about their day-to-day life, would be likely to suddenly find out that was a problem for them? I mean instances like could it happen when they attempt to book an appointment with a doctor? Could it happen when they attempt

to get their child registered for secondary school after primary school was finished? When are those moments likely to bring them up on a system where they would then have to be dealt with?

**The Connétable of St. Clement:**

That is an interesting question and one that is a bit difficult to answer. Certainly when travelling, particularly back from Europe into the E.U. Probably when applying for social benefits. But I think travel is the most likely time where people might suddenly find difficulty getting back to the Island.

**3.12 Deputy G.P. Southern of the Minister for Health and Social Services regarding descriptions of contracts (OQ.97/2021):**

Will the Minister agree to provide detailed descriptions of any contracts his department has with private companies, not-for-profit businesses and charitable organisations for the delivery of specific services within the remit of the department, including the overall cost of the contract and any service level agreement details to ensure value for money and advising what consideration, if any, has been given to future growth in such service delivery?

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

The answer is yes; I am happy to agree to provide information about contracts the department has with external partners. The information will have to consider any commercial sensitivities. There are a number of ways in which the department commissions services. So, depending on which specific services are required, we will be able to produce information. But, as the Deputy will be aware, some health and social care services are commissioned by other departments such as C.L.S. (Customer and Local Services) and C.Y.P.E.S. We are currently embarking on developing the Jersey Care Model with commissioning being one of the key enablers. Work is currently being undertaken to review the department's commissioning arrangements, which will consider the future provision of services based on need and partnership arrangements.

**3.12.1 Deputy G.P. Southern:**

The thing I need to ask is what the size of the task is, if I am going to take a gander at the way in which services are being or are about to be commissioned and take a look at the numbers attached to them. Does the Minister have any idea of how many contracts he is talking about in total? Secondly, I do not want to be seeing a pile of documents that are redacted because of commercial confidentiality. We do need some information on how much a service is costing to be able to judge whether that is value for money. Would the Minister agree (a) to the latter question and (b) has he any idea how many contracts we are talking about?

**The Deputy of St. Ouen:**

I do not have a full and definite figure and indeed contracts come to an end and new contracts begin. There are dozens of these sort of contracts. We have contracts with off-Island hospitals for specialist services. We have contracts with G.P.s. We have contracts with charitable providers under social care, mental health services. We have contracts with private care providers. There are any number of workstreams and different providers and really we have such a diverse and vibrant sector here that is delivering good health and social care in the Island. It is difficult to be precise in this question. So, in answer to the commercial sensitivities, it is my intention to be as transparent as possible, but of course there are always commercial sensitivities that it would be inappropriate to disclose. Because that would frustrate the negotiation of contracts and prevent healthcare being delivered. As far as possible, all of this will be conducted transparently.

**3.12.2 Senator S.Y. Mézec:**

Could the Minister explain what sort of tone of advice he gets from his health advisers about commissioning health services, in particular to the private sector? Do they speak positively about

this as a way of delivering better healthcare or are they more positive about providing services in-house? That question is specifically about health advice and not budgeting advice.

**The Deputy of St. Ouen:**

We do not see that it is for myself as Minister or H.C.S. as a department to dictate how these services might be delivered in the Island. We work in partnership with the primary care, with charitable and private providers in the sector. That is the intention of the Jersey Care Model that we will work together as care groups to determine what the best way is of delivering a service the Island requires.

**3.12.3 Senator S.Y. Mézec:**

I am just trying to get at what is the balance between making decisions because they appear to be better value for money versus perhaps going for what could be a more expensive option, but ultimately one that is better because it is provided in-house and is able to work with other parts of the in-house services. Does the Minister get advice from his health advisers that is more preferential towards providing services in-house? Bearing in mind there may be practical reasons for not doing so from time to time. But in terms of the direction of travel, are they positive about in-house services or do they advocate privatisation as a better way of delivering health care?

**The Deputy of St. Ouen:**

That is a huge widely-ranging question, but I am very satisfied with the advice I receive. It is well-rounded. There is no agenda to go private. Obviously, within the hospital, we are good at providing specialist healthcare services at a secondary care level. There are all sorts of services, which might be better provided by others, particularly as we want to move into concentrating on preventative health, keeping ourselves well. Looking at nutrition strategy. Looking at keeping fit. A secondary care service does not need to do all that, though it is so highly important for the future of healthcare. There are so many other ways that sort of service can be provided and we are pleased to be able to be talking with a huge variety of providers who are keen to do that. My team recognise that and we look for the best way to provide for the healthcare of the Island.

**The Bailiff:**

I have a question from Deputy Ward and a final supplementary from Deputy Southern. You have asked for a second question, Senator Mézec. In these form of questions we do not normally allow a second question to come around. But, in any event, we are already past the time allocated for this particular question.

**3.12.4 Deputy R.J. Ward:**

Does the Minister accept that when services are outsourced to private companies, large, often U.K. providers, have a commercial advantage and will overwhelm any local provision? Often with what one might refer to as a loss-leader bid in the initial bid for the contract.

**The Deputy of St. Ouen:**

I am happy to speak to the Deputy about any instances he knows when that has happened. I am not aware of any large U.K. providers coming in. Unless the Deputy means in the domiciliary care sector where obviously there are pressures and it has sometimes been difficult to provide or to source a local. I am not aware that there are large U.K. providers seeking to enter into our healthcare market.

**3.12.5 Deputy R.J. Ward:**

One example would be the development of the new hospital, there will be a private wing I understand, and can he assure us that will not be outsourced to a large private company such as, just to pick one out of the air, BUPA, for example?

[11:45]

How will those services be run and how will those contracts be handled?

**The Deputy of St. Ouen:**

There are no plans to change the existing model. I have not heard any discussion about outsourcing our private patient service. We have a good service. We have public sitting side by side with private. The private service provides options for Islanders and it provides an income, which helps and enhances the public service. My understanding is that is going to be run in the same way as it always has in the Island.

**3.12.6 Deputy G.P. Southern:**

Just to be hopefully useful in providing a starting point, could I not suggest that the Minister prints a list of contracts?

**The Deputy of St. Ouen:**

I am sure we can discuss that with the Deputy. Those contracts are often a matter of public knowledge. It is well-known the providers we work with. That will be referenced in all sorts of reports also. We can draw together that information in an appropriate place.

**3.13 Deputy R.J. Ward of the Minister for Treasury and Resources regarding fiscal stimulus funding (OQ.92/2021):**

With regard to the fiscal stimulus funding allocated to organisations, will the Minister state what the criteria were for obtaining funding for government departments and independent organisations, how these criteria were communicated to applicants, what the process for applying for funding was, and how the funding criteria were applied in the application assessment process?

**Deputy S.J. Pinel (The Minister for Treasury and Resources):**

There was a single process, which applied whether applicants were government departments or outside bodies. A launch campaign took place on 19th November 2020. A website was set up to give all of the information related to the fund. A team was formed to deal with the documentation management and administration of the applications. They communicated through a dedicated email inbox. Applicants were encouraged to speak to the team if there were any issues with the information requirements. I understand that the feedback on this process has been extremely positive.

**3.13.1 Deputy R.J. Ward:**

With government organisations receiving funding, how was the division between particular funding for fiscal stimulus separated from day-to-day funding for what is a department that is a government department, which should be performing some of these duties anyway?

**Deputy S.J. Pinel:**

The fund was not set up to support departmental funding or capital projects. So the applications were sent to the Stimulus Oversight Group, as the Deputy will be aware. The expressions of interest were the first commitments to be looked at. If those were accepted then the applicants had to go and produce a business case and then those were looked at by the panel. So some went through departments but others did not, so it was a mixture.

**3.13.2 Deputy K.F. Morel:**

I apologise to the Minister for my ignorance of this subject that I am about to ask. With the P.128, the establishment of the fiscal stimulus funding, I lodged an amendment, which was successfully passed by the Assembly, and asked that the age and gender of the people most likely to benefit economically from the successful fiscal stimulus projects should be established in each business case. That the detailed economic benefit report should be published so that Islanders can understand how each project will bring benefit to the economy. Could I ask the Minister whether such publication of



these economic benefits has been undertaken? Could she also explain to the Assembly how they ensured or did they ensure that the gender and age of those who would receive the benefits was part of the business cases put forward?

**Deputy S.J. Pinel:**

Thank you to the Deputy and his amendment to the proposition was accepted and has been followed through to the best of the ability. Obviously, for instance the Opera House, which is a maintenance and refurbishment grant, will be mainly followed up with plumbers and electricians who tend to be male. But where the use of the reopening of the Opera House will tend to be a female audience. So it is a very difficult one to separate out as to the diversity of gender. But the Deputy's amendment has been followed by the Fiscal Stimulus Political Oversight Group.

**3.13.3 Deputy K.F. Morel:**

The second part of my question, which was that the detailed economic benefit report should be published so that Islanders can understand how each project will bring benefits to the economy. Has this been published and, if so, where can Islanders find it?

**Deputy S.J. Pinel:**

Not yet, in answer to the Deputy's question, because we have only just published the 30 successful projects, which have been passed by the Fiscal Stimulus Oversight Group. Once the economic benefit has been established, i.e. when the projects have started and hopefully finished, then of course that will be published. But it is too early to do that now because the projects have to start and get finished.

**3.13.4 Deputy I. Gardiner:**

The Minister in her response to Deputy Ward's question mentioned there is not investment in the capital project. Would this Minister advise what percentage from £25 million will be invested into the construction-based project?

**Deputy S.J. Pinel:**

Yes, Deputy, this is a difficult question because the construction industry is perceived to be the building of capital projects. The projects that have been agreed within the 30 of the first tranche of £22.8 million are largely training and skills and projects that involve, as I have just alluded to, heritage with the refurbishment, to allow them to open, of the Opera House and the Art Centre, as an example. A youth centre, the scouts, the air cadets, all of which are allowing people to reopen after what has been a year of closure, where the maintenance of the buildings have fallen into disrepair through lack of being able to do anything. So it is a broader sense than just construction and capital projects involving construction have not been passed by the panel.

**3.13.5 Deputy I. Gardiner:**

I agree with the Minister that we do have a problem with maintenance and we explore this not once at the state review at the Public Accounts Committee. Saying this, would the Minister not be concerned that investment into construction-based projects would result in the economy overheating as it has been reiterated in the Fiscal Policy Panel's letter to the Minister?

**Deputy S.J. Pinel:**

I can understand where the Deputy is coming from. But the construction industry, as I alluded to in my previous answer, tends to be large construction projects. These are not. The allocation of funding is for maintenance and refurbishment and projects within already constructed buildings. So large construction projects do not feature. One of the main reasons is (a) the overheating, as the Deputy alluded to, but also the fact that, even with a construction project from base, it would require planning

permission and various other permissions, and that would not fit into the timely part of the criteria of the Fiscal Stimulus Fund.

**3.13.6 Deputy R.J. Ward:**

It does seem that when is a construction project not a construction project, and that is when it is part of a Fiscal Stimulus Fund. But can I ask the Minister, is it not the fact that what has been created here is simply in part a slush fund for ministerial departments to carry on with work such as C.L.S. with extra funding for work that is part of their everyday remit? How is that going to be shown to not be the case and when will we see that data?

**Deputy S.J. Pinel:**

My apologies, I do not agree with the Deputy on this one. As I have just explained, construction is an overarching description. It does not necessarily apply or it can be differentiated with lots of other skills and employment that come under that umbrella term of “construction”. This is not necessarily just building new buildings. As far as helping skills, then the Advance to Work, which is C.L.S. as the Deputy mentioned, is promoting skills training, which has not been able to happen in the past year. So it is really a bigger picture of the economy recovering, not just one single aspect of it.

**Deputy G.P. Southern:**

If I may, I do not think the Minister has attempted to answer the question. The question was: is this a different route of funding business as usual? She did not address that at all.

**The Bailiff:**

Minister, that is what I understood the thrust of Deputy Ward’s question to be. Do you wish to provide a better answer than that?

**Deputy S.J. Pinel:**

It is not funding business as usual. It is funding something through a department in the case mentioned by the Deputy that they would not do and have not done before. So it is a new entrepreneurial route forward to training with more skills, which is what this Island and certainly the Assembly want to happen.

**3.14 Deputy M.R. Higgins of the Minister for Health and Social Services regarding hospital records (OQ.102/2021):**

Will the Minister advise Members what process a member of the public must follow to get their complete hospital records in good time; is it his assessment that current service delivery in this area is acceptable, explaining why if so and, if not, explaining why that is the case?

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

A member of the public is able to make a subject access request for their hospital records via the online form on gov.je or via a paper form available at outpatient reception or via email to H.C.S. Information Governance. The identity of the applicant or their authority to apply on behalf of another individual is validated prior to the request being processed. Delays can occur when the records are significant in volume or complex or the records are in clinical use as healthcare has a higher priority or H.C.S. Information Governance is not provided with adequate information, the scope of the request and the clarification. Nonetheless, the average time taken to disclose hospital records in 2020 was 28 days, which is in line with the initial 4-week timescale set out in the Data Protection (Jersey) Law 2018.

**3.14.1 Deputy M.R. Higgins:**

I might add that the Minister’s statement about response times varies considerably from the many emails and conversations I have had with people dealing with the department. Can he tell me then,

if someone writes to the group medical director, which a number of people have, asking for their records and in fact they have been in communication with him, why does he not respond to their emails and their letters and tell them that he cannot do it this way, it has to go through the subject access route request? Many people are being left without their records. Will the Minister explain, does he think the group medical director should be responding to people if they ask for their records and tell them what should happen?

**The Deputy of St. Ouen:**

The Deputy is asking me about the actions of another individual and he has not given me an opportunity to seek the answers from that individual. I would have thought that sort of request would have found its way to the relevant people who provide the records and process the requests. That is all I can say at the moment.

[12:00]

**3.14.2 Senator S.C. Ferguson:**

Does the Minister not understand that I think probably Deputy Higgins and I both know of cases where individuals have had to go to court to get a subject access request agreed and get the information. Or in some cases it has taken 2 or 3 years to get the subject access request complied with. Will the Minister look at this and just improve the efficiency of his department rather than let them sit there and refuse to issue the documents, which are the subject of the subject information request?

**The Deputy of St. Ouen:**

There is an appeals process, which goes first to the Jersey Office of the Information Commissioner and can ultimately end up with the courts. If there have been court judgments then we can draw from those if there is any further refinement of processes that need to be made. We are also subject to the guidance issued by the Information Commissioner. As I have said, the average time taken to disclose records is 28 days. There will be times when the situation is complex and it has been longer. There will be issues taken up I am sure about perhaps records that cannot be disclosed. Those would be the reasons why there is a continuing discussion over months and perhaps, as the Senator says, years. But I am satisfied that we are complying with the legislation.

**3.14.3 Senator S.C. Ferguson:**

Would the Minister like to provide a list of a number of subject access requests and the time taken? If the average is 28 days, does that include several at 2 days and one or 2 at 4 years. There are cases like this. It is questionable whether the people in Health, the civil servants, should be able to deny a subject access request for records when most civilised countries will comply more promptly to provide the information. Will the Minister just look into this and start sorting it out rather than just saying it is only going to take 28 days. I am sorry, it is not good enough, Minister.

**The Deputy of St. Ouen:**

I do not imagine that the response to the subject access request in any case took 4 years. I feel confident that what has happened in instances like that is that a response was provided in due time, as soon as it was possible, but the response has not been accepted and further discussions took place. That is a process that can either stay within the department or, if agreement is not reached, it can go through the statutory processes of appeal. But it is not the case that it took 4 years to respond to a request.

**3.14.4 Deputy M.R. Higgins:**

How would the Minister respond to a statement that the delays in giving these records to patients is designed to prevent those patients bringing actions in law against the department for negligence or

other things? By delaying responses or having to have to go back for repeated documents, they are trying to basically exhaust the time period before a person can bring a legal action. Does the Minister accept his department is deliberately obstructing people getting information to get legal redress for medical negligence, for example?

**The Deputy of St. Ouen:**

The Deputy began by asking me how I would respond and that is an entirely hypothetical question unless and until he can provide any concrete examples of deliberate malfeasance in that way. I have no evidence that my staff are behaving in that way. But they are exercising their duties under the Data Protection (Jersey) Law.

**Deputy M.R. Higgins:**

Not even doing that.

**3.15 Deputy L.M.C. Doublet of the Chief Minister regarding passports showing someone has received Covid vaccination (OQ.94/2021):**

Will the Chief Minister advise whether the Council of Ministers, the competent authorities Ministers or the Emergencies Council has discussed the introduction of a passport or certificate to show that someone has received the COVID vaccination; if so, what is the timetable for reaching a decision on this matter and will the introduction of any such scheme require the Assembly's approval?

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

The introduction of vaccine passports or COVID certification status is a topical proposal, which has received a good deal of media attention, both locally and in the United Kingdom. So competent authorities Ministers have received a briefing paper on the range of potential applications and the associated policy and operational challenges. So, in short, it has been discussed, but I emphasise there has not been any decisions yet at all. So it will be coming back to competent authorities. We need to, given the time I am answering this type of question, emphasise that any such certification might be considered would be principally for the purposes of travel. If it was approved it would form part of the Safer Travel Policy. In essence, it is not unusual for other jurisdictions around the world, and obviously for example parts of Africa require people to have been inoculated against yellow fever, to require people to have been vaccinated against, for example, COVID. Therefore, if that is to evolve, if that does evolve, there will be some form of ability to give people the ability to demonstrate that they have been vaccinated. That needs to be done in a proper way that is less open to fraud. It is ultimately going to be a voluntary system. In other words, it is to facilitate people if they wish to travel.

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

I thank the Chief Minister for his answer. As he stated that this would apply to travel, can I clarify that businesses and services locally will not be able to discriminate against people based on their vaccinated status?

**Senator J.A.N. Le Fondré:**

I cannot really give that answer. It is something that I think raises what I will call the whole ethical dimension that we have talked about. So 2 examples, one is that it is my understanding that, for example, airline carriers, therefore businesses and technically a business landing in Jersey, whether it is operating in Jersey, may at some point start requiring a vaccination certificate for people to travel with them. What I am unclear at this stage is whether that would be, for example, for short-haul or just long-haul. Equally, I understand that there have been rulings in other jurisdictions that allow employers to require employees in certain circumstances to have been vaccinated. So this is an evolving area and fraught with whole ranges of ethical issues. From my perspective, I do not yet have the advice in terms of what would the position be if a business locally decided that they required

all of their customers to demonstrate that they had been vaccinated through the production of a certificate. I do not know the position, if that is a commercial decision, or whether it infringes human rights for the sake of argument. That is something that we will be considering. In terms of where we are at this stage, it is purely around travel and it is around facilitating the ability for people to demonstrate that they have been vaccinated. That is from people being vaccinated in Jersey. Then the question becomes, as people are vaccinated, for example in the United Kingdom, if they are also producing a certificate, does that impact upon how they are treated in terms of the testing regimes if they come into the Island? That is a discussion that will be coming to C.A.M. (Competent Authorities Ministers) later.

**3.15.2 Deputy I. Gardiner:**

I thank the Chief Minister for his answer. As he indicated that the vaccination passport certificates become an international standard for travel, how quickly can they be issued in Jersey taking in account that the U.K. opens for international travel in mid-May?

**Senator J.A.N. Le Fondré:**

That is why, as I said, this is an evolving position. I mean evolving internationally as well. So I do not think there is yet an agreed standard. I know there is talk of appropriate digital apps and that may give the relevant level of certainty to demonstrate that somebody has been vaccinated. So, in essence, I would have to come back to the Deputy on this. We are seeking to do this as soon as we can. But I am making the point in essence, from our perspective, it is a voluntary system.

**3.15.3 Deputy I. Gardiner:**

As we will be opening to the travel with the U.K., will we have different isolation testing rules for vaccinated and unvaccinated tourists arriving to the Island?

**Senator J.A.N. Le Fondré:**

At this stage, or from Monday of next week, depending on the outcome of the debate, which I understand we are likely to be having later this week, there is no change in the red-amber-green and the way people will be treated. One of the considerations, which is what we are looking at, is whether, if somebody comes from an area, which is not green, but can demonstrate they have been vaccinated, is whether they should only be subject to the day zero isolation requirements or whether they should be required to continue to isolate until day 5, if for example they were coming from an amber region. That is where we need the advice to understand. But the view generally, the view to date is that it is likely that there would be some mitigation on the isolation requirements coming through. I do not see that shifting away from the day zero, the requirement to isolate until the results of the day zero test are known. But I do caveat that. It is ultimately based on the professional advice we receive. As and when we get to that stage, we would be doing an update to States Members.

**3.15.4 Deputy G.P. Southern:**

What consideration, if any, has been given to the possibility of opening discussions with the U.K. Government in particular to agree a standard in this area? What consideration has been given to the possibility that each country will have different standards and make the whole thing really difficult to apply?

**Senator J.A.N. Le Fondré:**

I have just mislaid a note I had on this subject, but the short answer is that there is no point in having, for the sake of argument, a Jersey standard, a Guernsey standard, a French standard, a U.K. standard, *et cetera*, and they do not all talk to each other. Again, it is early days, but we are keeping an eye on what is happening internationally. As an example, on the COVID app that we have already, there are measures in place to ensure that it does talk to similar apps, for example, in the United Kingdom.

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

The Chief Minister mentioned ethical considerations and I would like reassurance that any measures to introduce vaccine passports will come to the States Assembly so that, as a Parliament, we can give this issue full consideration.

[12:15]

### **Senator J.A.N. Le Fondré:**

If vaccine passports were to become mandatory, absolutely. If it is a voluntary scheme, basically I need to see what it looks like first. We are very obviously happy to give relevant Scrutiny members the briefing as and when any proposals are put forward. It is essentially, for the sake of argument, if the Assembly decided not to support a vaccination passport scheme, but if the prime air carriers required a vaccination passport scheme, that might put things into a somewhat difficult position for any Islander wishing to go and visit family members in the United Kingdom. That is why I pause in if it was a voluntary scheme effectively. But before we get to that stage, I need to know what the exact details are. As I said, these discussions are ongoing at this stage.

### **The Bailiff:**

Thank you very much, Chief Minister. That brings questions with notice to an end. Now, under part A it was remiss of me, and I apologise unreservedly, for not having mentioned that we have a new face within the Assembly, although suitably masked. We indeed have a new Member as a result. So I would like to welcome the Connétable of St. John to the first sitting. **[Approbation]** Because of my oversight at the beginning, the new Connétable has now sat through 2 and a half hours of States questions. Whether he is still as keen now as he was in the beginning of the day of course is a matter entirely for him. But we congratulate him on his election to the post of Connétable of St. John, warmly welcome him and look forward to his contribution to the work of the Assembly going forward. **[Approbation]**

## **4. Questions to Ministers without notice - The Minister for International Development**

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

In the role of International Development and the international aid that comes with that role, does the Minister see a link with encouraging action on climate change with any projects that the Government undertake in countries abroad?

### **Deputy C.F. Labey of Grouville (The Minister for International Development):**

Thank you for the question. Yes, indeed we do. In fact, one of our themes is in conservation livelihoods. So we do a lot of the work with Durrell. Recently, J.O.A. (Jersey Overseas Aid) has partnered with our Durrell Conservation Trust in their own low carbon initiative to offset 8.55 tonne of carbon through a project to replant the Atlantic rainforest. So we have many other projects in conservation, biodiversity, many with Durrell, as I have said, and it is about strengthening the support in local communities. But also we are really excited about this latest initiative and the project with Durrell.

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

Does the Minister feel that Jersey's commitment to carbon neutrality by 2030 gives a moral position that is beneficial in her work and moving forward when communicating with other countries?

### **The Deputy of Grouville:**

Yes, it most certainly could be. With our projects, especially these particular ones with conservation, we work with local communities to support sustainable farming practice and provide employment

opportunities. It is always good when we are promoting that agenda that we can stand up and say that Jersey has an agenda to reach carbon neutrality by 2030.

#### **4.2 Deputy S.M. Ahier:**

Jersey Finance has made strides to show the Island is a jurisdiction of choice for socially-responsible and sustainable investing. The Minister has spoken of Jersey as a centre of philanthropy and a force for good in the world. What measures are Jersey Overseas Aid taking to advance this agenda?

#### **The Deputy of Grouville:**

Jersey Overseas Aid is looking at how we can catalyse the creation of an impact investment fund, which focuses on the dairy sector in Africa, which is a really exciting initiative. The broad idea is to help the private sector establish a fund that invests in dairy infrastructure in Africa, such as milk collection centres, butter producers, vets and dairies. Its goal would be to raise hundreds of thousands of people out of poverty, reduce greenhouse gas emissions, and also deliver a financial return to investors. We are currently discussing the idea with international colleagues in the development world and with financial professionals in Jersey. We want to try to set an example that others can hopefully follow. We want people to see that they can make money out of doing good for others, which we feel is a really fitting way to mark the Island's 60th anniversary as an international finance centre.

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

I was wondering if the Minister might give me an update on a question I asked earlier this year, which is what work is Jersey Overseas Aid and the Minister for International Development doing or have they done to help provide vaccines to less-economically-developed countries, some of which have only managed to achieve 0.1 per cent vaccination rates in their population. I was wondering if she could update us because I did ask that question earlier this year as well?

#### **The Deputy of Grouville:**

Certainly. In 2020, our usual emergency budget is about £2 million. But because we were unable to carry out a couple of our branch-funded projects, we were able to divert some of that funding specifically to respond to the COVID emergency. So in 2020 we responded specifically to COVID by redirecting monies to various organisations, British Red Cross, U.N.H.C.R. (United Nations High Commissioner for Refugees), international health partners, Star Network. In May we sent £535,000 to those agencies. Later on in the year, when we were again able to use our travel budget, because we were not able to carry out any of the community work projects, and a couple of other projects, we were able to redirect £1 million specifically to the COVID response. This year, as well as our pooled funds, which are to humanitarian organisations on the front line, as well as those we will be using those pooled funds to respond to the COVID crisis. As well as that, we have sent £300,000 so far, £200,000 to U.N.I.C.E.F. (United Nations Children's Fund) and £100,000 to British Red Cross, specifically for the COVAX programme of vaccines. So our £300,000 equates to 75,000 vaccines.

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

Just if the Minister could clarify that the statistics for 2020 are not for the vaccines, because in May the £535,000, there was no vaccine available at that point. So could she just confirm that it is only the money in 2021 that has been used for vaccines?

#### **The Deputy of Grouville:**

Yes, I confirm that.

#### **4.4 Deputy D. Johnson of St. Mary:**

I am aware that the Minister is promoting the idea of a Jersey identity. Could she perhaps please briefly update us to where we are in the general scheme of things?

**The Deputy of Grouville:**

As many of you will know, I have been working on a project of Island identity. That is to look at people living in Jersey, how we see ourselves and probably more importantly, how others see us. So we can raise our international personality. So, as I say, we have the policy development board's report. We have written a summary document. At the beginning of May, we hope to launch the project and the website.

**4.5 Senator S.W. Pallett:**

I am sure the Minister would agree that when we have athletes or anybody representing the Island away internationally that it is important that they unite behind a national anthem that we all recognise as being something that we all support. I just wonder whether the Minister will clarify or bring a proposition at some point around finally deciding what our national anthem will be. I only say that from having experience at the Island Games when there have been mix-ups about exactly what our national anthem is.

**The Deputy of Grouville:**

Yes. I did note that it causes some uncertainty when our athletes are away, or even here, and winning medals that nobody quite knows what to play when they stand on the podium. So whether it is me that brings this forward or whether it is the Assistant Minister for Culture, I do not know. I am certainly not precious. It might be something the Culture Department wish to think about. But there was a competition some time ago, which looked at the anthem. The Island Home composition by Gerard Le Feuvre was chosen. But, for whatever reason, the public seemed to favour Beautiful Jersey. So I agree with the Senator, it is most certainly something that has to be addressed. It is something the policy development board recognised as remiss. So most certainly we need to address it. We need to address the emblem for our athletes. We need to do lots of things for our athletes when they travel abroad. We need to ensure that they know about the Island and that they take gifts and books and literature about the Island. So there is an awful lot we could do.

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

What projects are being considered by Overseas Aid in relation to 2022? By those projects I mean those projects that enable Islanders to contribute something by travelling overseas in relation to a given project for a specific location.

**The Deputy of Grouville:**

We have established quite a large outreach programme of various places that we can outreach. But probably the most commonly known to Jersey Overseas Aid are our community work projects, which had, up until last year, been running for 50 years.

[12:30]

They give Islanders a fantastic opportunity to travel to a developing country and contribute in some way, whether it is through a building project, whether it is through building sand dams, or the recent one that I set up in Lebanon with the Knights of Malta, and that is looking after severely disabled people. Unfortunately, we had to cancel the 2020 and indeed we have reluctantly taken the decision to cancel this year. I am hopeful we will establish them again in 2022 because they are most certainly something that we miss very much. Certainly in Lebanon we were able to establish a whole camp for Jersey. So that would have amounted to over 30 people going out there. However, we have other outreach programmes, such as internships, bursaries. We work in schools now with the S.T.E.M. (Science, Technology, Engineering and Mathematics) projects. Recently, we have set up a U.N. (United Nations) placement for an individual in Jersey. So that is a fantastic opportunity for a local person.

**The Bailiff:**



That brings the time to the Minister for International Development to an end. We now have a question period for the Minister for Social Security.

## **5. Questions to Ministers without notice - The Minister for Social Security**

### **5.1 Deputy G.J. Truscott of St. Brelade:**

As we all know, various social security investment funds were impacted quite severely by the recent stock market drop. Could the Minister update the Assembly as to the current position of said funds?

#### **Deputy J.A. Martin (The Minister for Social Security):**

I did have an update from my finance person and the funds are doing very, very well. I have also asked actuaries to look at the funds going forward because we did spend some money from the funds as well. I hope that reassures the Deputy.

#### **5.1.1 Deputy G.J. Truscott:**

That is certainly good news, Minister. You have just confirmed that you have appointed an actuary, which is good news. Could the Minister advise the Assembly as to when we can expect the actuarial report to be presented?

#### **Deputy J.A. Martin:**

We normally do the actuaries every 3 to 4 years. We are feeding in some more figures to the actuary that we always use, that we used last time to update where the funds are now, *et cetera*, on pensions and all that going forward. I do not think it will be too long because I need this information well before the Government Plan. I will check the date and I will get back to the Deputy.

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

Could the Minister inform Members what trends she has spotted in the use of special payments out of the income support funding? In particular, the trends between grants and loans when those special payments are paid?

#### **Deputy J.A. Martin:**

I have every answer the Deputy might have asked but I do not have an update on special payments or grants. It is an easy figure for me to find out and I will email the Deputy, and I can email it to everybody as well. But I would not want to make up a figure and even the trend. I have not been told there has been any more or any less, but I will get that figure to the Deputy.

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

Over something like a 5-year period would suffice.

#### **Deputy J.A. Martin:**

The Deputy wants a 5-year? Sorry, I thought he meant over COVID. But, yes, we would have those figures, yes.

### **5.3 Deputy S.M. Ahier:**

Will the Minister update the Assembly as to whether she has plans in place to reopen the Customer and Local Services building to the public now that COVID restrictions have been relaxed?

#### **Deputy J.A. Martin:**

I was asked this in Scrutiny and I said, before COVID, we had a footfall in Customer and Local Services of about 1,000 people a day. I am still not sure we are ready for that amount of people in that small place. We are doing things differently. I, and even Deputy Southern, have always asked, people can book an appointment, go down there and have some privacy. There are obviously other things that are in Customer and Local Services that do not come under my remit. So we will be doing

some things differently but as soon as we are out of COVID and everything is completely safe we will then make announcements of what is going to be different and what is not.

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

Given the successful implementation of a free phonenumber for COVID helpline, will the Minister be working on a free phonenumber to access all of Customer and Local Services, which are after all services for all of the public?

#### **Deputy J.A. Martin:**

For the 44 44 44 number Telecoms have put in, if anybody is hanging on for more than one minute they are interrupted and they are called back. There could be work being done, again I know the Deputy is very keen on this, and I quoted £40,000 per line. Again, we would have to see the budget. It may be a way forward but lots of people are doing everything online now. But I absolutely appreciate that some people are ringing on pay-as-you-go mobiles and it is absolutely not ideal.

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

Could I urge the Minister to address that? She guessed my supplementary question regards the prepay. Because perhaps those who can least afford it are having to pay, excuse the phrase, through the nose to contact. Could I ask the Minister to urgently look at reducing those costs to zero because it will help people access help.

#### **Deputy J.A. Martin:**

As I say, we will phone anybody back if they get through and they say they are very low credit, we phone back straight away. It is zero cost to the person but again the money has to be found. But, if more and more things are being done by phone and online is free, it is something that I absolutely will look at.

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

When recipients of income support are overpaid, suffer an overpayment, how is the decision what the rate of repayment will be communicated to those people?

#### **Deputy J.A. Martin:**

I have had quite a few oral questions on this. The person will be told that they have had an overpayment and it might be a very small overpayment and they pay it back straight away. If it has been going on for several weeks or months and it has become a large overpayment, I do not think it has changed in the last 10 years or more, people will look at the income of the household and the majority are paid back at £3 a day. That is communicated either by phone or letter. There is a conversation with the officers and the family.

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

When you say there is a conversation, what are the circumstances? Because the doors are closed.

#### **Deputy J.A. Martin:**

People are phoning, Deputy, and people who want to can have an appointment. We have appointments down there every day. The doors are not closed. If you go down now, I have been down there a few times, you can go in. People did not like to put letters or certificates or inquiries, there is someone on the inquiry desk. They are not closed and people can contact by phone or by computer. Then they will get their letter initially, and then they will phone up and speak to an officer about their overpayment and how they can pay it back.

#### **5.6 Deputy G.J. Truscott:**

According to Statistics Jersey, on 31st March of this year there were 450 people registered as actively seeking work for more than 12 months, up some 200 on the March 2020 figure. Could the Minister advise what is being done to proactively help these individuals return to the workplace in what can only be described as a difficult labour market?

**Deputy J.A. Martin:**

I totally agree and I was very, very pleased that we were successful at C.L.S., and particularly for this part, of getting £1.2 million. This will help people get back into work, especially long-term unemployed. It is for 6 months. It pays the employer while the person is being trained. There is also money for retraining for people who have maybe not been out of work so long. So we have not advertised it. We have a full advertising campaign starting in this week or the next week, and we want as many employers to take advantage of this so people can have the skills and the confidence to get back into work.

**5.7 Senator K.L. Moore:**

What benefits and exemptions are available to key workers such as social workers, nurses and doctors, who move to the Island? How are these benefits and exemptions communicated to that group?

**Deputy J.A. Martin:**

I am not sure if I quite understand the question. You do not mean social security benefits for people who are moving to the Island?

**Senator K.L. Moore:**

That is correct, such as vehicle emissions duty and G.S.T. (goods and services tax) exemptions.

**Deputy J.A. Martin:**

They may well be, but they are not administered by the Minister for Social Security. But I am happy to find out from other Ministers what the Deputy wants to know. We do have a very, very good information, "Moving to Jersey", there is pages of it about schooling, what you are entitled to, on gov.je.

**5.7.1 Senator K.L. Moore:**

Will the Minister commit to ensure that exemptions and benefits are clearly stated in that Moving to Jersey document?

**Deputy J.A. Martin:**

I am sure they are in the document. Everyone moving to Jersey is advised to read it and it is quite friendly. I have read it myself. But I will check what is on there and, if it is not up to date, I will make sure that it gets made up to date.

**5.8 Deputy R.J. Ward:**

Has the Minister undertaken any cost-benefit analysis of raising to a living wage in terms of savings on income support payments for the Government?

**Deputy J.A. Martin:**

I have not myself. We normally have the Employment Forum go out, and the most recent looking at different aspects was the 2017 Oxera report. Again, that was all before COVID and today's economy is completely in a different place. It is very hard to know what to look at in these times, basically, because we do not know how many businesses are literally hanging on by the skin of their teeth.

**Deputy R.J. Ward:**

The question was about increasing to a minimum wage not about businesses and how much that would save in income support. Can I ask for an answer for that?

**Deputy J.A. Martin:**

Sorry, Deputy. I think somebody not too long ago did give me a written or oral question on this. It is not always easy to tell. We do not know exactly per hour what people earn on income support because we know the overall amount. But the answer is probably no, I have not done any cost-benefit analysis.

**5.8.1 Deputy R.J. Ward:**

Given that, and that probably one of the arguments against increase to a living wage is it is inflationary, would the Minister support a salary cap which could be equally as inflationary for the economy?

**Deputy J.A. Martin:**

I think the Deputy asked me if I would support a salary cap?

**The Bailiff:**

Yes.

**Deputy J.A. Martin:**

I think businesses are businesses and I do not think I would like to go down that route.

**5.9 Deputy G.P. Southern:**

Does the Minister yet have any figures as to numbers of people treated in G.P. surgeries and primary care with the costs associated first quarter of this year compared to previous years? Do we have any trend?

**Deputy J.A. Martin:**

I was asked, it was very early on - probably January or February - by Scrutiny, and we are gathering the figures. Apparently the data is much richer because we have the H.A.S. (health access scheme) for all those on income support and pension plus. It is £12 for your visit and that includes any tests you might need for blood tests, *et cetera*, or referral to hospital. For every child under 16 it is free. Again, I am sorry, I do not have the figures for that off the top of my head but I am sure we are collecting them quarterly. As we are in April now, I will get the figures to the Deputy.

**The Bailiff:**

That, I think, brings questions, if there are other questions, to an end for this Minister. There is a remaining 15-minute period. It seems to me does someone move the adjournment at this point to resume after?

**LUNCHEON ADJOURNMENT PROPOSED**

**The Bailiff:**

The adjournment is proposed. The Assembly stands adjourned until 2.15 pm.

[12:45]

**LUNCHEON ADJOURNMENT**

[14:15]

**6. Questions to Ministers without notice - The Chief Minister**

**6.1 Deputy M.R. Higgins:**

Could the Chief Minister, as the chairman of the States Employment Board, bring Members up to date with the Alwitry case and whether a sum of damages has been agreed with his lawyers since the States have lost all of their cases?

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

It remains an active case and I am constrained slightly about what I can say publicly. It is reviewed every time pretty well that the S.E.B. (States Employment Board) meets and my understanding is that there is correspondence that continues between the respective legal parties. I think that is probably as far as I can go. What I can say is 2 things and one is that, after a while, I have been quite keen on certainly a presentation being made by law officers to States Members at some point to explain some of the legal implications in the overall scenario of what the case means for me. Most particularly, there are certainly 3 or 4 Members who have paid particular interest and I wonder if that might be of use to them. That is probably about as much as I can say in the public domain.

**The Bailiff:**

A supplemental question, Deputy?

**Deputy M.R. Higgins:**

No, Sir. I think that is all I need at the moment. Thank you.

## **6.2 Senator S.Y. Mézec:**

Following the report from the Fiscal Policy Panel, which is warning that the Island's recession may well be deepening, as has previously been expected, could the Chief Minister outline what he and his Government will be doing to ensure that the poorest people in Jersey will be protected in this economic crisis?

**Senator J.A.N. Le Fondré:**

To an extent, the Senator has asked me this in a variety of ways in the past so I think I will refer him back to one of the answers I gave I think since this side of Christmas, which includes things like the various parts of emergency legislation that has been put in place and the overall support that has been given to Islanders where all the co-funding schemes and things have supported about one in 4 Islanders in work. We have also committed to the overarching poverty strategy. Also most important is the G.P. piece. For example, subsidising for up to 12,000 Islanders in income support and not forgetting that, firstly, the general support that was put in place both last year where special payments were made to people on lower incomes and also things like the Spend Local card which went to everybody. I know those are one-offs but they all represent money and, equally, the present support where, for example, the social security rates have been reduced and that will be continuing for the next couple of months. We are acutely aware of the potential problems ahead and if we need to put extra measures in, we will do. Equally, the benefit of the income support system that is in place is strong and it is supporting people where needed and we have put extra measures in place.

### **6.2.1 Senator S.Y. Mézec:**

The Chief Minister very briefly referenced a poverty strategy. What specific actions will be part of a poverty strategy that will lift Islanders who are living in poverty out of that poverty?

**Senator J.A.N. Le Fondré:**

That is a lovely political question but on the basis that the poverty strategy is basically scheduled to be produced before the end of this year, I think it would be a bit early for me to start commenting on that at this stage.

## **6.3 Deputy S.M. Ahier:**

Chief Minister, since the collapse of BetIndex trading as Football Index, does the Chief Minister believe that lasting damage has been done to the Island's reputation as a centre for regulated gambling?

**Senator J.A.N. Le Fondré:**

I think the short answer is no. There are sometimes going to be challenges but the crucial thing is how we deal with them and making sure that the regulations are appropriate and work but I think, at this stage, it is probably too early to comment much further. I think the short answer is that Jersey, as a whole, still remains a well-regulated jurisdiction.

**6.3.1 Deputy S.M. Ahier:**

Does the Chief Minister accept that there was a regulatory failure in this case and will he hold an inquiry into how they received a betting licence having been described in a report in January 2020 as being "an exceptionally dangerous pyramid scheme"?

**Senator J.A.N. Le Fondré:**

I think before I commit to something like that publicly, I will be very happy to meet with the Deputy and talk it through. I am not averse in obviously talking to the relevant departments and officers. I am not averse if the facts warranted it to some form of review to understand exactly what went wrong but I would be happy to meet with the Deputy to discuss further.

**6.4 Deputy K.F. Morel:**

I would like to ask the Chief Minister about the Care Commission's Children's Care Homes Services 2020 overview report. In that, it states that an independent person comes over every month, in theory, to inspect the Government of Jersey's Children's Services and that is part of their regulatory requirements. However, during the pandemic, these visits were not able to be taken in April, May, June, September, October, November or December because the independent person appointed by the Government is based in the U.K. Given the failure of this person to undertake their role because of their geographic separation from the Island, will the Minister, particularly now that he has operational responsibility for children and education, ensure that the independent person is in future someone who is located in Jersey?

**Senator J.A.N. Le Fondré:**

I am again very happy to look into the exact scenario surrounding the independent person. We do also need to recall that one of the crucial things of the independent spectrum is that they are at arm's length. I think certainly, particularly around Children's Services as a whole, there have been many views that sometimes people have not had confidence in effectively an internal control process delivering that kind of level of independence and oversight that is needed. I will go back and check but that is probably why an off-Island, if you like, regulatory role has been provided and I would certainly explore whether it is capable for that person to be located in the Island. I suspect on the basis it is a periodic inspection regime and not a 24/7 inspection regime that, from a cost effectiveness point of view, that is not appropriate. I am happy to go away and check but I suspect that the rationale for keeping somebody off Island is to make sure you have that arm's length complete independence when dealing with what, in the past, as we all know, has been a very sensitive area.

**6.4.1 Deputy K.F. Morel:**

The Care Commission's report highlights the many instances of children who went missing during their time in care for various periods of time. This is obviously of great concern to all States Members and indeed all Islanders and with that idea of geographic separation in mind, it is known that certain senior members of Children, Young People, Education and Skills operate a large amount of time outside the Island. Is it not the case that the people best able to care for the children in Jersey would have to be based in Jersey?

**Senator J.A.N. Le Fondré:**

Just to be clear, the point made from the previous question is that it was the inspection regime essentially that was off=Island and not the people caring for children, and I think that is hugely important.

**Deputy K.F. Morel:**

I have then extended that to ask about people who are in the department.

**The Bailiff:**

Very well. If you could answer the question, Chief Minister. There are a lot of people who wish to ask questions of you and very little time left for which to do it.

**Senator J.A.N. Le Fondré:**

Apologies, Sir. Could the Deputy repeat the question then?

**Deputy K.F. Morel:**

The link here is being geographically located in Jersey so as well as that independent person, there are senior members of Children, Young People, Education and Skills who spend a lot of time operating not from Jersey. Now we know that there are many missing children. The report highlights this and I am wondering if the Chief Minister believes that the people best able to ensure the safety and the care of children in Jersey are people who are based in Jersey.

**Senator J.A.N. Le Fondré:**

I am pausing because depending where that question goes, you end up in personal scenarios by which, obviously, we are meant to be constrained in what we discuss. As an overall principle, I absolutely agree that the people directly caring for our children should be on-Island and, in that instance, they are. In terms of other levels, it depends on the roles that are being performed and whether there is any evidence of any impact on that performance and I think, given the time, that is probably as much as I can say. I am happy to have that discussion again with the Deputy.

**6.5 Deputy I. Gardiner:**

It has been stated that the annual report and accounts for 2020 will be signed by 31st March 2021. Would the Chief Minister advise why there is a delay in signing off States accounts?

**Senator J.A.N. Le Fondré:**

I am not entirely sure it was 31st March. I thought the drop-dead deadline was 31st May and, as I understand it, matters are being finalised as we speak.

**6.5.1 Deputy I. Gardiner:**

It has been stated publicly by the previous chief executive that the accounts will be signed by 31st March. Is the Chief Minister aware of a particular issue that is causing a delay and when will the States accounts be presented to the States?

**Senator J.A.N. Le Fondré:**

Bearing in mind it is the accounts process and that sits in the Treasury, my objective would be that the accounts are presented properly to Members sometime around the next sitting which is 11th May.

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

Could the Chief Minister state when I can expect to see a gender pay gap report for the public sector please?

**Senator J.A.N. Le Fondré:**

Apologies. I thought it had been published but I am advised that it is anticipated sometime in the next couple of weeks.

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

It was stated in the response to the original Scrutiny Gender Pay Gap Review that companies would be allowed to voluntarily publish their gender pay gap. Given that we have had a pandemic, could the Chief Minister state the time by which he would expect and encourage companies to start voluntarily publishing their gender pay gap data please short of any legislative changes?

**Senator J.A.N. Le Fondré:**

Bearing in mind the impact of the pandemic but I think at this stage - and I always caveat that - we are hopeful we might start seeing some data coming out towards the end of this year.

**6.7 Senator S.W. Pallett:**

As a follow-on from Written Question 161/2021 and the answer provided which I thank him for, could the Chief Minister confirm that the Access to Justice (Jersey) Law 2019 has in fact been given Royal Assent and that a scheme has in fact been drafted? Could he also explain why it is taking so long to lodge the Appointed Day Act?

**Senator J.A.N. Le Fondré:**

The significance of the Appointed Day Act is it does start the clock ticking and when I was updated on the draft proposals - and we have all been reactivated with the impact of the pandemic - basically over the last 6 weeks, as in the written response, I have asked certain questions including the financial impact both on the legal sector as a result of the proposals and also on the States finances, i.e. the taxpayer.

[14:30]

Once we get that information and subject to the outcome of that, then hopefully we will be in a position to start to get the Appointed Day Act lodged and, at that point, the clock starts ticking for getting this scheme in place. The intention at this stage is that the scheme is still on track to be live from 1st January of next year and the timing on that, therefore, is to get it into the Assembly hopefully for debate and approval sometime in September or October, I believe, from memory.

**6.7.1 Senator S.W. Pallett:**

I just really want an assurance from the Chief Minister that there are no further delays here and that his department is giving it the focus this deserves because this is such an important issue for Islanders, the access to justice.

**Senator J.A.N. Le Fondré:**

It has certainly become the focus. I would just make the point that it has all been balanced off by all the other considerations we have but we are very much focused on the delivery on the dates that I have outlined.

**6.8 Deputy R.J. Ward:**

May I ask the Chief Minister which of the policies outlined in your 2018 manifesto have you delivered upon and which of those do you intend to deliver upon by 2022?

**Senator J.A.N. Le Fondré:**

The reality is there is no way I am going to be able to answer that one in 30 seconds but we are achieving some in the areas that I committed to in that time, including making progress on population, a restructuring of the organisation, culture change of the organisation, office strategy, serious work being done on the hospital and, obviously, maintaining our basic principles within taxation.



**Deputy R.J. Ward:**

A supplementary, Sir?

**The Bailiff:**

I am afraid there is no time for a supplementary, Deputy. We have reached the end of the question period for the Chief Minister.

**Deputy G.P. Southern:**

Sir, there were in that session some rather long questions and some rather long answers.

**The Bailiff:**

Firstly, I have already extended our injury time by some 2 minutes, Deputy Southern. Secondly, I was going to make the general observation at the end of all the questions and answers that I have noticed that the return to the Assembly has not prompted any increase in the succinctness of questions nor indeed of answers throughout the entire question period. There have been some quite long questions verging on small speeches and there have been some very long answers really taking us beyond the one minute 30 seconds guidance for answers. I was exercising some measure of leniency because the first question period was quite lengthy and had not that many questions in it but we will have to be stricter going forward, so thank you for that observation.

## **PUBLIC BUSINESS**

### **7. Reduction of lodging period**

**The Bailiff:**

That brings all questions to an end. There is nothing under J and K. We move on to Public Business. Before we start Public Business, there are a number of applications to be made by the movers of propositions to the Assembly to enable those propositions to be taken and listed on the order paper to be then debated during this sitting. The first item is an amendment, P.11/2021, the minimum wage increased lodged by Deputy Southern. Deputy, do you wish to make the proposition under Standing Order 26(7) that the lodging period be reduced to allow the matter to be debated at this sitting?

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

I do indeed, Sir. Do I need to give a reason?

**The Bailiff:**

It is entirely up to you but of course it is within the gift of the Assembly whether they agree or not.

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

With the reason being that I did not see a complete consultation proposal until 2 or 3 days before lodging my amendment. It was appropriate to respond to what was coming to me.

**The Bailiff:**

Is that proposition seconded? **[Seconded]** Does anyone wish to speak on the proposition?

##### **7.1.1 Deputy J.A. Martin:**

Yes, just to say that we have no objection and I fully understand. The Deputy met with me the Friday before he lodged the amendment and realised there were some technical problems. I have no objections to him taking it as amended.

#### **Senator S.Y. Mézec:**

I was just saying I was seconding it.

**The Bailiff:**

Thank you very much, indeed. Does any other Member wish to speak? I am going to take this on a standing vote in the event that nobody indicates that they would wish to vote to the contrary and wish to have a formal recorded vote. Could anyone indicate now if they wish a recorded vote as opposed to me taking it on a standing vote? In other words, anyone who wishes a vote against or a recorded vote, please indicate now in the chat. Very well, I will take that as adopted on a standing vote.

**The Bailiff:**

The next item is the lodging by the Minister for Health and Social Services the Draft Covid-19 (Amendments - Extension and Suspension) (Jersey) Regulations 202- (P.25/2021). Minister, do you wish to make the application?

**7.2 The Deputy of St. Ouen:**

Yes, Sir, I am grateful. I do wish to make the application. P.25/2021 and the following proposition P.27/2021 will enable us to continue our COVID response to the extent needed throughout the coming months. I am sure we do not want to be in a position where we cannot address any public health issues and cause harm to Islanders' well-being. I hope it will be supported.

**The Bailiff:**

Are you making a proposition for both of them at the same time?

**The Deputy of St. Ouen:**

May I do so, Sir?

**The Bailiff:**

Well, yes, it is up to you but you will soon find out if that was a good idea when Members indicate a desire to speak. Is that proposition seconded? **[Seconded]** Does any Member wish to speak on that proposition? If no Member wishes to speak, again I will take this on a standing vote. If anyone wishes it not to be taken on a standing vote but on a recorded vote, would they please indicate now in the chat? No one has indicated a contrary view so I will take that as adopted on a standing vote. The next is the Safer Travel Guidelines Review Panel, which is Deputy Ward's panel who would wish to make a similar proposal for the lodging period in connection with Adjustment of Green Travel and Regional Categorisation Ahead of Reintroduction of Safer Travel Policy, P.34/2021. Do you make the application, Deputy?

**7.3 Deputy R.J. Ward:**

Yes, I do. Thank you, Sir.

**The Bailiff:**

Is that seconded? **[Seconded]** Does any Member wish to speak on that proposition? Similarly then, I will take it on a standing vote. If anyone wishes a recorded vote or a contrary vote, would they indicate in the chat so we know whether we can take it on a standing vote? The Connétable of St. Ouen would like a recorded vote. If we just wait, I will ask the Greffier to post a link into the chat. The link is now posted in the chat. 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.

**Deputy G.P. Southern:**

Sir, I have been unable to vote and I do not know why but I have a vote recorded as *pour*.

**The Bailiff:**

I am prepared to take that as we are going through teething problems so, yes, Deputy Southern, that is fine. I will record it as *pour*. The proposition is adopted.

<b><i>POUR: 37</i></b>		<b><i>CONTRE: 2</i></b>		<b><i>ABSTAIN: 0</i></b>
Senator I.J. Gorst		Connétable of St. Ouen		
Senator S.C Ferguson		Deputy of St. Peter		
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.Y. Mézec				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
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 Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

The other 2 matters are P.35/2021 lodged by the Minister for the Environment, Draft Illegal, Unreported and Unregulated Fishing (Jersey) Regulations 202-, P.35/2021. Do you wish to take this together with P.38/2021, Minister, or do you wish to take them separately?

**Deputy J.H. Young:**

Together, Sir, if I may. Can we deal with that now?

**The Bailiff:**

Just a second. Then that is also to be taken. The Minister asked for P.38/2021 which is the Draft Sea Fisheries (TCA Licensing of Fishing Boats) (Amendment of Law and Regulations) (Jersey) Regulations and the Minister is proposing that both P.35/2021 and P.38/2021 are taken at this sitting. Do you wish to make that proposition then, Minister?

**7.4 Deputy J.H. Young:**

Yes, if I may, Sir. Just briefly, as Senator Gorst mentioned in his answers this morning, we are in a situation where we have an amnesty regarding the sea fisheries agreement that was done by the U.K. and the E.U. and that amnesty expires for the big vessels about 30th April. I am in a situation where not only have these items just been lodged, one of them on Friday and the other one yesterday, this is an extremely complex matter. The law officers and the Law Drafting Department have worked heaven and earth to get to this point so in proposing this, I thank them. It is a matter of great public interest. We do need to fulfil our obligations under that agreement and I believe there is an overwhelming case for it. I hope the Members will support debating this today.

**The Bailiff:**

Is that proposition seconded? [**Seconded**] The Deputy of St. Martin, you wish to speak.

**7.4.1 Deputy S.G. Luce of St. Martin:**

In the Assembly, there is a regular list of people who object to the shortening of lodging periods. They have been silent today but we have just voted on 5 I believe where we have agreed to shorten them and I would just like to point out to P.P.C. (Privileges and Procedures Committee) that maybe they need to look at this again. If we are not careful, we are setting a precedent today whereby anybody with anything can come at any time and get a lodging period shortened. Having said that, I will absolutely be voting with the Minister for the Environment on this because fishing regulations and, in fact, all the things we have done today are important but I do worry about the precedent we have just set.

**7.4.2 The Connétable of St. Brelade:**

In the same vein as the previous speaker, I speak to the fishing regulations and they are very fundamental and my panel has not had time to scrutinise them in detail and we would have preferred to, but notwithstanding that, as the previous speaker mentioned, we would not push to delay the process any further.

**The Bailiff:**

Thank you very much, Connétable. Is there any Member who wishes to speak on the proposition? If no other Member wishes to speak, then I close the debate and call upon the Minister to respond.

**7.4.3 Deputy J.H. Young:**

I am grateful to the 2 speakers and their support. Just to highlight the fact that of course what we have had to do because we only, like everybody else, found out the details of the T.E.C.A. (Trade and Economic Co-operation Agreement) 4 days before the end of the year, obviously the effort that has had to go into concentrate on how this licensing scheme will work. Although we have not had a chance to be able to take the Scrutiny Panel through the fine wording of this particular draft amendment, what we have been able to do is to brief them on the intentions and the approach to licensing which the sea fisheries team have come up with. I think it is very comprehensive but, with that, I make the proposition and ask for the *appel* please, Sir.

**The Bailiff:**

You have called for the *appel* and, therefore, you would like a vote to be taken in the link?

**Deputy J.H. Young:**

Yes, please.

**The Bailiff:**

I will ask the Greffier then to post a voting link in the chat. I open the voting and ask Members to vote. The vote is on taking P.35/2021 and P.38/2021 at this sitting. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The proposition has been adopted.

<b>POUR: 37</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 0</b>
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Clement				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
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 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)				

[14:45]

That finishes the housekeeping in terms of what will be debated at this sitting. We now move on to Public Business.

**Deputy R.J. Ward:**

Sorry, Sir.

**The Bailiff:**

Yes, Deputy Ward, you wanted a communication. Please do.

**Deputy R.J. Ward:**

I just remembered very quickly that P.20/2021 of the proposition I put towards the amendment on licensing, I would like to delay reading it out from this sitting due to the work that has been undertaken by the Minister. I am not withdrawing the proposition, I have emailed all Members to let them know that I would delay debating of that to a future sitting. It may be withdrawn at some date but just to let Members know that it will not be debated at this sitting and I have emailed all Members.

**The Bailiff:**

Yes, which was the P number for that?

**Deputy R.J. Ward:**

P.20. I believe it is there.

**The Bailiff:**

Yes, the licensing for dwellings, it has already been moved to 11th May.

**Deputy R.J. Ward:**

Thank you.

**8. Minimum Wage Increase (P.11/2021) - as amended (P.11/2021 Amd.)**

**The Bailiff:**

We now move to Public Business and the first item of Public Business is the Minimum Wage Increase, P.11, lodged by Deputy Southern and for the purposes of this debate the main respondent will be the Minister for Social Security. Of course, the time limits apply as adopted by the Assembly on a previous occasion. Deputy, you have lodged an amendment to the proposition, do you wish to take it as amended? Are Members content that we take this one as amended? If there is any problem with that, please indicate in the chat. No? I ask the Greffier to read the proposition as amended.

**The Deputy Greffier of the States:**

The States are asked to decide whether they are of opinion (a) to request the Minister for Social Security to bring forward the necessary legislative amendments to allow for the minimum wage to be prescribed for 2021 and 2022 without a referral to the Employment Forum and to request the

Minister to ensure that any prescription of the minimum wage takes into account the view of the Assembly that (i) the minimum wage should be set with regard to the median wage; (ii) from October 2021, the minimum wage should be set at the level of the low-threshold, that is 60 per cent of the median wage; and (iii) by October 2022, the level of the minimum wage should be lifted to the hourly rate of £10, (b) to request the Minister for Social Security, when appointing members to the Employment Forum under paragraph (1) of Schedule 2 of the Employment (Jersey) Law 2003, to appoint at least 2 members who are representatives of third sector organisations with an interest in the alleviation of poverty, and (c) to request the Minister for Social Security, in accordance with Article 19(1) of the Employment (Jersey) Law 2003, to refer for examination to the Employment Forum the potential for the minimum wage be set at the level of the Jersey Living Wage, and if this were considered feasible, when the minimum wage could be set at that level.

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

Before I start, may I say what a joy it is to see living human beings again, even those with whom I disagree politically. It is a wonderful experience. I am sick to death of sitting in my office talking to the wall. It just feels like I am going crazy. Having said that, my intention today, despite the consultation that has been proposed in response to my proposition, it is my job to try and persuade you that this is the right thing to do. I start with a slightly disappointing comment, in the comments of the Minister, it says: "It is disappointing that this proposition has been scheduled for debate in April in advance of the outcome of the consultation exercise that the Minister for Social Security had published which seeks views on the issues set out in the proposition. A copy of the consultation paper is appended." The review of the minimum wage process was agreed as part of the 2021 Government Plan by the Assembly at the end of last year and there it is, it was indeed agreed: "We will review the way in which the minimum wage is agreed." Just a few words. No mention of consultation, no mention of consultation lasting 7 weeks at a time when the Employment Forum is not trusted to be able to conduct a consultation but the department is apparently, despite the short notice: "It would be inappropriate [they say] to support this proposition while a public consultation on the same subject is underway and Members are asked to reject this proposition." I draw Members' attention to the front page of my Minimum Wage Increase where it says: "Lodged au Greffe on 25th February 2021." Had the Minister brought her consultation before that date, I believe I might have pulled my proposition and said: "Go ahead, let us have the consultation and then we will see where we go." But since she has done it afterwards, not just a review but a consultation, a lengthy process thrown in the way of the proposition that is perfectly valid and deserves to be voted for itself. On 7th April the first mention of consultation was made: "I will shortly be publishing the terms of the review of the minimum wage-setting process in Jersey. Once it is published States Members will have an opportunity to contribute to the consultation exercise, including in the review." So, well done for that. Perhaps I might, if I were feeling generous, say: "Better late than never" but it is clear to me that a consultation at this small notice is the equivalent of a wrecking motion and I believe that what we will hear is the Minister saying: "I have offered a consultation. We should not do anything until that consultation is over." That may well be the case. The next thing I will draw your attention to is the proposed Common Strategic Policy 2018 to 2022, there it is, and I do so because this document is inspirational. It is absolutely inspiring. Statements in here saying: "We are going to do this, we are going to do that and we are going to try and do that" are magnificent. The amount of effort that went into the production of this, I remember almost 3 years ago now, being phenomenal. This is the product of every Member in this Chamber, every Members' concerted efforts to make sure we got a strategic policy that was right and appropriate for the Island. So that is where I start, with that document and what it suggests because what it suggests is eminently doable, valid and appropriate at this stage in our economy. What is magnificent about it is the way they have maintained the Common Strategic Policy aims throughout the COVID pandemic. They say, for example, in the foreword to the Government Plan: "The Government's aim is that they will protect all Islanders, especially those at the highest risk of the effects of COVID-19 will remain our priority

as we continue to react to the medical and healthcare challenges.” The Government put “improving well-being” as one of its main objectives. Absolutely innovative and a good initiative and laid out the foundations for the Jersey Care Model where they say: “Care will be proactive rather than reactive. Self-care, public health prevention and community care will be prioritised.” Again, a good piece of work to focus down on community care and prevention methods. Absolutely appropriate as we age as a society. Then we come into the nitty-gritty: “We will use the latest policy evidence to bring forward approaches that address the barriers that hold some children back.” Remember, part of this document is: we will put children first, address the barriers that hold some children back, for example, living in over-crowded or poor-quality housing, living in families with low incomes and limited access to primary care services such as G.P.s and dentists. We have done something about the cost of G.P.s; we have not done anything about dentists yet but that, I believe, may well be on its way. But the illustration here is living in families with low incomes. Key to anybody’s health, key to anybody’s well-being is sufficient income into the household, that people can afford things. In particular, the looking after children is important because from the limited statistics we have got, we know that we had some 30-plus per cent of our children living in relative low income and that is a high figure. It is higher, I believe, than that in the U.K. Then we get on to some real sharp, good statements: “We will reduce income inequality and improve the standard of living.” How effective is that? How appropriate that is now after COVID. This is absolutely the right thing to do and therefore, I would argue, we should be backing this up to the hilt and I believe that is what my proposition does. This: “We will reduce income inequality and improve the standard of living.” This strategic priority is explained by the following paragraphs: “Our average income per person is high but this hides large gaps between the highest and the lowest earners. There is a concern about growing levels of income inequality and the negative effect this has on our community and our economy. Income inequality is the thing to fight because whether you are a wealthy society or a poor society, inequality, differences between one another, is the big motivator that make people go off the tracks, that give people poor health. Then it goes on: “Having a job and reliable income is important for people’s well-being and contributes to our Island economy, but not everyone can get a suitable job and some workers find the wages from their full-time job are not enough to meet their living costs.” Our documents, as we are setting out strategic aims, debated for hours, it seems to me, in my memory - indeed, I think it was weeks - until we got it right. We were determined to get it right: “Not enough to meet their living costs” and that is exactly why I have brought a rise to the minimum wage because people cannot make ends meet. We say it - we say it - this is an opportunity to do something about it. Entirely appropriate. Finally, and this is where we are sharply focused: “We will work towards a fair balance between wages, taxes and benefits.” Remember, that every low-paid worker we are effectively subsidising through income support, those particular jobs. Your low-wage-paying employer, you are living off the taxpayer. The taxpayer is subbing your workers with income support to make sure they can afford to live in a house, to have 4 walls and a roof and that is why we need to act. Further on in the text: “We will work towards a fair balance between wages, taxes and benefits, rents and living costs to achieve a decent standard of living”, a decent standard of living, not luxury, a decent standard of living “through meaningful increases on the minimum wage.” There it is “through meaningful increases and on the minimum wage”. What better time to act on increasing the minimum wage than now as we are into recovery from COVID-19.

[15:00]

This year and next year by October - we are not talking about acting now and doing it instantly or the end of the year - we are talking about October 2022 in order to make that change and increase the minimum wage to a level where everyone can achieve a decent standard of living. That is what we are attempting to do. Why do we need to do this? I have produced some evidence in the proposition from the Income Distribution Survey. Remember, that is slightly out of date, it is 2014-2015, and we have yet to produce another for 2020 and 2022. What we do know in spite of the fact that that has not been produced and we have not got up-to-date figures, I am confident, and I think Members



should be confident, that the figures that were bad in 2014-2015 are going to be even worse. Now, not only did we flatline in terms of the economy and productivity in those 5, 10 years, but we have been hit by COVID, which may well be wrecking the economy and destroying jobs. So, for example, what has been going wrong? Well the first thing to consider is how come we have got the minimum wage which is below that of Guernsey, the Isle of Man, the U.K. Significantly lower than the U.K. We know, because we have done the work, it is 20 per cent more expensive, at least, to live here than it is in the U.K. and yet our minimum wage has fallen behind our nearest competitors. Why would that be? What are we doing wrong that we have not at least kept up with them, although I believe we should be ahead of them? Again, that comes back to some fundamental reasons as to why I am saying: “No, the minimum wage must change.” By the end of the year, let us get somewhere. By the end of 2 years, let us get somewhere significant and get those people on the minimum wage above the low-income threshold, the relative low-income threshold. We have got a proven case that there are too many in our society unable to make ends meet and we should be doing something about it now and over the next 2 years. So, for example, in Jersey in the decade before 2010, the average earnings index rose by some 13 per cent a year in real terms. The decade since 2010 has seen no growth at all in real terms with flatlining, let us say. Since 2010, household incomes have increased by less than inflation. We are getting worse off. Median household income after housing costs decreased for non-qualified and social renters, the lowest earners, between 2010 and 2015 in Jersey. This was driven, not only by increasing housing costs, that is rent, but also by a reduction in employment income. Average household earnings for those in the lowest quintile, the least well-off, fell by 17 per cent. An enormous sum, £1 in £6 reduced from people’s incomes. That is a big shot to take, that is what has happened on average. Examination of the income deciles, the bottom 10 per cent, reveals that the average income of the poorest decile, although it is 10 per cent, fell by a massive 36 per cent. People became significantly poorer than they have been. Our economy is not doing what it should, it is certainly not supporting low earners, that is why we need to move on this. Marmot in the U.K., whose work I quote and has been quoted in large scale for the last 10 years, concludes that: “Increasingly, work is not a way out of poverty and low wages, low benefit levels and the cost of living, especially the high cost of housing mean that many working people are in poverty.” Yet, what we want to do, and part of that is increasing the minimum wage to a reasonable level, we are committed, and this is quoting from Marmot again but it is very similar to our own documents: “Our objectives are to give every child the best start in life, to create fair employment and good work, good jobs, for all.” I do not know that we do that yet, improve access to good jobs, especially in deprived areas. “Ensure a healthy standard of living for all. Create and develop healthy, sustainable places and communities, i.e., ensure that there is a sufficient supply of affordable housing” and I do not know that we have done that one yet either, that work is still in hand. “Strengthen the role and impact of ill-health prevention” and again return to that initial initiative about we must do something about community health and prevention services in order to be able to keep our population as fit as we can while we increasingly age, some more rapidly than others. So what does this mean? I will go to the C.R.I.A. (Children’s Right Impact Assessment) to examine the impact on children because they, I believe, are key to this. We have to do something about children living in poverty, it has got to stop. Question 5: “Is a full Children’s Right Impact Assessment required? Explain your reasons.” Like a history paper “explain your reasons”. The answer they give in the investigation is: “Yes, the impact of low household income on children’s rights is considerable.” This proposition would begin the process of helping parents who are currently struggling and therefore helping their children. The following quote seems apt; they say: “While we are discussing relative poverty, the implications are still clear. It is trite at this point to note that the word ‘poverty’ does not appear in the Convention of Children’s Rights. It is also trite to note that child poverty constitutes a violation of a wide range of children’s rights under the C.R.C. (Convention of Children’s Rights).” Children’s rights are mentioned. “Living in childhood poverty frequently either results from or causes a failure to secure children’s economic and social rights such as the right to the highest attainable standards of health and to education.” So, there you have it, a proposition I believe appropriately timed, although some

may argue, to do several things: to request the Minister for Social Security to bring forward the necessary legislative amendments to allow for the minimum wage to be prescribed for 2021 and 2022 without referral to the Employment Forum and to request the Minister to ensure that any prescription of the minimum wage takes into account the view of the Assembly. So for 2021 and 2022 what I am saying is, let us get to the relative low-income level, and that means from £8.32, the current level, to £9.15, by October this year. Secondly, to ensure people remain above the low-income threshold, to raise that £10 in the following year, by the end of 2022. That is perfectly doable. The legislative amendments in order to make sure that we do not have to do this, accept the recommendation of the Employment Forum, I am sure can be done. The laws can be drafted to get us around that particular barrier. The proposition (a)(i) does not talk about levels of minimum wage, it just says: "Examine how we set the minimum wage" so the minimum wage should be set with regard to the median wage, the median wage meaning the halfway mark, 50 per cent earn more, 50 per cent earn less. That 50 per cent of the median is the international-accepted poverty marker. If you want to compare how well you are doing with another country, that is what you choose, the median. Where is your level: 60 per cent of the median gives us the relative low-income level. That is directly comparable to any other economy in any other jurisdiction and that is what we need to do, to move from the mean to the median. It does not require any extra cost and we can do that. We do not collect the median figure automatically at the moment, every 5 years, but it can be done. It is a relatively straightforward exercise; we could calculate it, we could measure it, year on year. So then from October 2021, minimum wage to be set at a level of the low-income threshold, that is 60 per cent of the median wage, and by October 2022 lifted to the hourly rate of £10. Then it goes on, this is again the interesting bit: "To request the Minister for Social Security when appointing members of the Employment Forum under paragraph (1) of Schedule 2 of the Employment (Jersey) Law 2003, to appoint at least 2 members who are representatives of third sector organisations with an interest in the alleviation of poverty" so to change the structure. At the moment we have got a chair, 3 employers, 3 employees and 3 neutrals and I am saying, change the structure, let us have something in there that says we have got to pay attention to poverty levels, to appoint 2, at least 2, probably 3, with an interest in poverty issues and let us see how their advice changes from what it has been in the past. Then finally: "To request the Minister for Social Security, in accordance with Article 19(1) of the Employment (Jersey) Law 2003, to refer for examination to the Employment Forum the potential for the minimum wage be set at the level of the Jersey Living Wage, and if this were considered feasible, when the minimum wage could be set at that level." The current level for Jersey for the living wage is £10.96 and that sounds like: "Oh, that is a big gap." It has been what we are talking about, £10 in 2 years' time and onwards but what (c) says is consult with the Employment Forum about when and how and if we can go to that level, and I think that is a wise way to go forward. So there you have it, I believe a thoroughly respectable and indeed joyful product of the work we have done over the years and I urge Members to support it wholeheartedly.

[15:15]

**The Bailiff:**

Is the proposition seconded? **[Seconded]** Therefore, I open the debate.

**8.1.1 Deputy S.M. Wickenden of St. Helier:**

The Minister for Social Security has asked me to make these initial comments to give the Assembly a balanced view of the issues in front of us. The Minister will then speak later during this debate. I am extremely disappointed that we are having this debate today.

**The Bailiff:**

I am sorry, Deputy, we have a lot of feedback and echo. Could everyone please turn off their microphones unless they are using them and let us try that again, Deputy.

**Deputy S.M. Wickenden:**

I am extremely disappointed that we are having this debate today. As a Government we made a clear commitment in the 2021 Government Plan to undertake a review of the minimum wage process. The need for the review was crystalised during the debate last year brought by Deputy Southern seeking to set a minimum wage rate at a specific figure. The Solicitor General explained that the Assembly could vote to set a minimum wage rate at any figure they chose but the Minister was still required to follow the Employment Law and engage the Employment Forum in a full review before any new rate could be set. As an Assembly, Members need to agree what the role of the Employment Forum is. Should they continue to recommend minimum wage rates? Do we want to continually second-guess them and debate challenges on the minimum wage every year in the future? What is the best way to get this right for Jersey? Our review will address all of these points and will gather evidence for Members to consider in a few months' time. Last year at the height of the pandemic, it would have been crazy to initiate a minimum wage review and we agreed with the forum that there would not be a review to set a rate for April 2021. The Government set up and implemented very successful emergency schemes to help businesses and co-workers during the pandemic: the co-funded payroll scheme which has helped many thousands of workers keep their current job and avoid mass unemployment, quick processing of a significantly increased number of income support claims received, the C.R.E.S.S. (COVID-19 Related Emergency Support Scheme) Scheme to support migrant workers left without employment and unable to get home during travel restrictions, the Spend Local card giving £100 to every man, woman and child in Jersey with an additional extra £100 to everyone on income support, a reduction of 2 per cent in the employee social security contributions for all workers from October 2020 to June 2021 this year. This is equivalent to a 2.1 per cent rise in take-home pay for any worker earning below £55,000 a year compared to our R.P.I. (retail price index) increase to 0.1 per cent that has provided a well-targeted support to workers at this difficult time. We know we need to look at the minimum wage rate but we also know that the economy has been badly affected by the pandemic. Our view will also gather evidence on timing and rate of a new minimum wage rate. This could be for October this year or April next year. We will be seeking States approval to use the COVID Regulations to allow us to implement the next minimum wage rate without using the normal Employment Forum routes. This review is underway and we will report back to the States before the summer recess. The Deputy said in his opening speech that the Minister's consultation is in response to his proposition. I can confirm to the Assembly that that is not the case and we have been working on the consultation and it was being developed before this proposition was lodged. Deputy Southern is asking Members to set a minimum wage for 2021 and 2022, ignoring the impact of COVID on local businesses without any understanding of the economic consequences, without gathering any evidence from workers or businesses and taking no regard for views of the public. In 2018, before anyone knew what coronavirus spike was, Reform Jersey published its election manifesto which included a pledge to seek to raise the minimum wage to £10 an hour by 2022. This is what Members are being asked to vote for today. There was no explanation of the £10 an hour figure back in 2018. It was not based on any economic analysis at the time. In 2022, the Island will be recovering from 2 of the hardest years in recent history. We need to encourage a rapid recovery of our economy. A political commitment to an arbitrary minimum wage figure with no understanding of the consequences is, in my opinion, the last thing that we need to be signing up to just now. Part (a)(ii) of the proposition would mean a 10 per cent rise in the minimum wage rates from October this year from £8.32 up to £9.50. Again, where is the evidence for this increase? If we are lucky, national governments will ease travel restrictions over the next few months and local businesses will be able to see an increase in overall activity over the summer. However, is that enough to justify a 10 per cent increase in minimum wage costs? How can we tell? The Deputy has given Members no evidence on which to base their decision. The Minister for Social Security is undertaking a review as we speak and we are gathering this evidence now. I urge Members to reject this part of the proposition and wait for our report in a couple of months' time. The Deputy also

asked for a specific change in the makeup of the Employment Forum. Although it is not clear from his report, he has confirmed that he would like to replace the independent members who sit on the panel today with members who are specifically represented on third sector organisations with an interest in the alleviation of poverty. Given that the review is underway now, and this includes questions on the composition and future role of the Employment Forum, it would be premature to ask Members to make a decision on this specific point. Again, I urge Members to reject part (b) for the time being and to wait for the Minister's review which will address the overall composition of the forum going forward. I can only repeat my disappointment that a political party that claims to be the representative of local people should be so dismissive of a public consultation process. The issues the Deputy has debated in the proposition are important and deserve to be looked at in detail and Members deserve to be given well-researched evidence and arguments to support possible changes. We do not have any of that today and I urge Members to reject all parts of this proposition knowing that the results of the public consultation will be published before the summer recess for further debate. The Deputy often talks about figures, comparing them to Guernsey. The Deputy asks us to look at this figure in isolation but these figures, such as the minimum wage in Guernsey and the U.K., cannot be taken in isolation. In Guernsey, you earn an awful lot less money before you start paying tax. Their health system is far more expensive than we have in Jersey. You have to look at the whole, not just one figure, as the Deputy is asking. I implore Members to reject parts of this proposition and wait for the consultation that the Minister is taking forward.

### **8.1.2 Senator S.Y. Mézec:**

I will get the ball rolling and I am pleased to follow Deputy Wickenden. In response, I suppose, to the latter part of his speech, I have to say how proud I am to be involved with a political movement that seeks to contribute ideas from how to improve the lives of ordinary Islanders in the face of a Government which is completely bereft of any ideas of its own and is not capable, it seems, of making even the simple decisions to try to make life better for people without outsourcing it and outsourcing it and outsourcing it as always. I think the fact that this proposition is before us, and I guess I share this feeling with the previous speaker, is of course a feeling of disappointment, although my disappointment stems from a different place to his. I am disappointed that this proposition is even necessary because I think if we are to live up to the commitments that many of us made in that in-committee debate on Jersey's recovery post-pandemic, this should have been something the Government was doing of its own initiative. The comparisons with other jurisdictions are relevant. Yes, it may well be the case that Guernsey's health system is more expensive than us but the cost of housing is less there. We have the statistics. We know that the cost of living in Jersey, even if we may have a more generous tax allowance, or this or that, the cost of living overall here is significantly higher than it is in the U.K., yet the U.K. has a substantially higher minimum wage rate to us. That ought to be something we find embarrassing because it is a demonstration that we are letting down the lowest earners in Jersey and those in Government do not seem to be able to treat that with the seriousness that it deserves. How I wish there were an opportunity, and of course we cannot do this because of COVID restrictions, I just wish there was an opportunity to see those in Social Security who are so adamantly against increasing wages for the lowest-paid people in Jersey to just sit in a room with people on those poverty wages and tell them to their face why they have to live their lives struggling to get by, many of them living in relative poverty despite the fact they are in full-time work, why they are not deserving of political action of those who run the Island. The consultation that has been launched is unimpressive and it seems to me to lack any particular direction. It seems to me to want to ask for a whole variety of views that will all be branching off in completely disparate directions that will not necessarily be particularly helpful. A much better use of the consultation would be to state what the Minister is thinking, or what direction we would like to get to, and ask people to feed in how we get to it. A consultation on how we get Jersey's minimum wage to a real living wage would have been a consultation that would be worth taking but it does not feel like this one is. But it is helpful for one reason: it helps demonstrate that it is axiomatically true that the

process we have is broken. After all, if it was not broken, why would the Minister feel the need to consult about changing it? That must surely be symbolic of the fact that it is broken and that it is recognised to be broken and combine that alongside the fact that our minimum wage has fallen behind, significantly behind, our neighbours, must surely be a sign that the results of that process are not fit for purpose. To use a legal term, I would say perhaps this is a case of *res ipsa loquitur*. In the context of clearly being accepted literally that this process is broken, what is the harm then in taking a political decision to fix it slightly, even if only temporarily and even if only while waiting for perhaps a longer-term solution while the consultation goes on? Or if you want to think about doing something subsequent to that, why not take a political decision that says: “We are the leaders of this Island, we believe the people in Jersey on low wages have a rough deal and ought to be treated better. So let us, at the very least, put some sort of sticking plaster on that will help them through the difficult period.” Nothing though. We get nothing and we get opposition to raising our minimum wage. Our minimum wage is £8.32 an hour. That is a poverty wage. To offer a wage to a full-time worker on that level, I would regard as an insult. It is not enough to live on. There are people who just want a basic standard of living, that is not good enough, but especially not good enough for people who might have a family or other sorts of commitments. In one of the wealthiest societies on the planet, they deserve better. I ask the question, and to those who may speak afterwards in opposition to this proposition, I want to ask them: what is their proposal instead? What will they do to improve life for the lowest paid people in Jersey? Do they have a proposal waiting around the corner? Do they have anything more than: we will just listen to what a consultation says? Because that is not a substantive answer. What will they do, what will they propose? If it is credible and if it will make a difference, then my party would certainly consider supporting it. But when there is nothing on the table, do not have a go at us for trying to put something on the table that will aim to make life better for these people by seeing their wages raised when they are already the lowest paid of all of our neighbours nearby on the Island with the highest standard of living. It is simply not a status quo that any of us should be accepting. We find ourselves in a situation where any sort of solution is going to be delayed and delayed will be no consolation to people who are living on those wages and who are struggling at the bread line.

[15:30]

We can talk about the crisis and say now is not the time and the effect it will have on businesses. I do not have much time for that argument because, do you know what, it sounds exactly like what we were told before the crisis happened in the first place. We are always told now is not the time and I get the impression that to some people now will never be the time. I think as a symbolic move, as we move towards our recovery, to say that our post-COVID society in Jersey, the Island that we are so proud to live on, will be one that treats poverty seriously, will be one that says that if you are in full-time work you should not be living in poverty. Your Government is going to be part of helping you move on that journey out of that, rather than pose itself as a constant obstacle which I am afraid the previous speech indicated that that seems to be what their intention is. I really do not think it is too much to ask that workers who have been through such a difficult time, who proportionately will have ended up paying the most for the crisis ... because these will be people who will have the least amount of savings, there will be those who will have lost the most job opportunities, unlike people at the other end of society who will have very likely got richer throughout this time while not being asked to contribute any more in any sort of tax measures. I think we owe it to them that we will make this a fairer society for them after all of this because if we do not then, frankly, we will have learnt nothing from the hardship that we have all been through. I think this proposition is timely, I think it is seeking to undo some of the damage that has been done over recent years where, because of poor political decision-making, our minimum wage has been left to fall behind our neighbours and leave many in Jersey living lives that will be worse than if they had been living somewhere else with a higher wage and higher support and lower cost of living as well. I will be voting in favour of this, all parts of it, but part (b) in particular I really do not think the Assistant Minister should dismiss.

This is about saying in that process of determining what future minimum wage rates are, that people whose interest is in the alleviation of poverty should be consulted in this because that is the point of the minimum wage. It is to give people a decent life when they are in work. If we are purely going by what businesses have to say about it and not considering those who are at the coalface helping people who have fallen through into poverty because of the pretty poor rate of the minimum wage we have now, then I do not know what we are doing because those people's views absolutely will be necessary. I urge Members to vote for all parts of this proposition and if they are not prepared to do so, I really would be interested to hear from them, what their alternative proposal is for a fairer Jersey after this because so far I have heard nothing to give me any confidence that anybody is more serious about anything other than offering platitudes.

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

I speak early because I think it is very important that we consider this proposition properly. We do not just dismiss because it has come before us again from somebody who has had a consistent political outlook of doing exactly this, that honesty in terms of the reason that we are in this Assembly has been shown. Sometimes we appear to be living in a world that is more like a film storyline than real life. This last year has certainly shown that. It has been like a strangely dystopian B movie that we have all been living in but today during this sitting it appears that we are more akin to Groundhog Day, this reliving of where we are. Yet again, we have Deputy Southern being absolutely true to his word and his manifesto. I will just remind one or 2 Members perhaps who have spoken before that a manifesto is what you pledge to do before you are elected and then you should be acting on that manifesto because that is the contract that you have with your electorate, that you have been true to your word with. That is what we are doing in Reform and that is why I think many people would want to do when it comes to a living wage, and that is certainly what Deputy Southern has done repeatedly throughout his time in this Assembly and I think that needs to be recognised. In that Groundhog Day, yet again we have a Government and those who oppose a real increase using this "this is not the time" argument. It is never the time to take action. I am absolutely certain I have used those words before in my short time in this Assembly. What we have is an absence, an absence of real leadership and an absence of care for those who struggle to survive in our society on low wages. We have received emails that say why we should not be voting for this yet again and that is the other Groundhog Day part of this last-minute emails from pressure groups. One of them suggested that on a minimum wage as being proposed, the increased minimum wage ... and part of me makes us look at the manifesto. I would suggest that the Deputy might need to do that again because even with this increase, working a 48-hour week, a 48-hour week hard work in fields, for example, manual work, you are earning £399. You will pay your social security, you may pay some tax if you are a single person, you may have subsidised housing but a chunk of that will be taken for housing, you have to buy food. What we have got, even with what we are calling a living wage, we have survival wages. We as an Assembly sit on these benches or sit in our homes, our comfortable homes, and are willing to say that, no, we will not even accept that level of wage for people working 48 hours a week, that we are willing to give less than that. We are willing to say that we will outsource our morality and our decision-making and what people can survive on in this Island and quite happily say: "Oh, no, we expect you to live on less than that." I ask every single individual Member of this Assembly, what would you accept to live on? That is not with all of the additional incomes that many may have, from being a landlord or from having property or from having income. I am talking as the only income that you have with the insecurity of some jobs, perhaps the insecurity of zero wages, the insecurity of your tenancy agreement, the insecurity of knowing where you will be long term. Because you cannot save for the future, you cannot save for a mortgage, you cannot put money away for those things in life that might be major life events and that is the reality of low wages. So we have a decision in this Assembly as we recover, and I will come back to that in a moment, about the debate that we had on recovery. As we recover from this COVID situation which has been horrendous for so many and has made us all think about what it is that we want our society to be like,

are we going to have a sustainable workforce with a living wage and businesses built upon a sustainable model of a living wage so that workers can survive on what they are being paid? They will want to stay in those jobs because they know they can live on it and perhaps even develop their skills and their training so we have a more skilled workforce. There is the recipe starting to develop for an actual positive vision for the future as opposed to the somewhat nihilistic one that we have at times of low wages, low skills, transient workforce. Once we start to do that in our society, that is when we start to succeed in this Assembly. Now many people, if you had have looked at your manifestos, I am sure would have said: "Yes, I want to see people's lives improved" and we all voted for the Common Strategic Policy. We found an agreement across this Assembly and, come on, let us be honest, that is not easy, but we agreed that we would look to reducing income inequality, improve people's lives and improve the experience of our young people and our children by removing that poverty, yet we have not succeeded in doing that. As we come to this debate again, yet again people will speak and say: "We cannot do this now because we cannot afford it." There are many, many, many businesses, both small and large, that are paying £10 or more per hour to retain their staff because they recognise that their staff need that wage. Many are restaurants, I will not mention the takeaway because I probably should not be using it as much with my figure, but they are paying their delivery drivers at least £10 an hour plus tips. Personally, I do not think you should have tips because you should have a living wage, but we will come back to that another time but it is happening. Any sustainable, successful business, one of the first things they are starting to do in a modern economy is to say: "We must pay our workers a decent level so that we keep them, we can train them, that they are loyal to us and we have a better service that we provide." That is the economics we should be talking about, that is the economics of the future of this Island. But what we are going to do again is we are going to address the economics of the past, the economics of unsustainability, of vulnerability and a failure and we must move on from that. The 10 per cent figure that was mentioned by the Assistant Minister is 10 per cent of very little, 10 per cent of very little that we are looking to increase it by and sometimes percentages can be misused. I mention something just simply, that we are going to vote for somebody on a board later who we will offer £22,000 for a minimum of 15 days' work. We will sit here and be happy to do that but at the same time many will not vote to say that in October 2022 - not even October this year - October 2022 we would say that you should be paid a minimum of £10 an hour. That is not just a contradiction, it is, or it could be considered to be, hypocrisy and we need to be really certain in this Assembly if we are going to build. The Government has *poured* money into businesses during the last year and I support that, I understand why it has had to happen. Now is the time that, as businesses rebuild, they need to do so in a sustainable way and the Government has shown that it can intervene when it is necessary and it can intervene to prop businesses up. What I would like to have seen from the Minister in this is to say: "Yes, we accept this amendment, we accept this proposition, but we will amend to put in some support for business to say if you are struggling with that transition to a decent wage which we as an Assembly and we as a Government voted for in the C.S.P. (Common Strategic Policy) and want to develop right now, we will support you into the long term" and then come to that Assembly and ask us to vote on that. I, for one, and I am pretty sure that many others in this Assembly have said: "Yes, that makes sense, let us put support in place." I will finish by saying that we need leadership. This Island is desperate, is crying out for leadership at a time when we are all looking to the future and wondering what it is going to be like. There are so many people who are on that low wage, that breadline existence who are so uncertain about the future. Let us start in the first sitting back with a real positive move for the people of this Island to say: "Yes, we will increase the minimum wage this year by that small amount [I think] and then by October 2022 it will be £10 an hour." At the same time we will improve the Employment Forum so that there is input from sectors that really understand what poverty is about because poverty is one of the most destructive elements of any society. So let us get the people in who really know what they are talking about and then we can act on their advice and will come back to us and do exactly that. So this is an opportunity to take action, not consult in terms of taking action, but to do something. I urge Members, please listen to what has been said by the Deputy, listen

to what is being suggested realistically in this proposition, not the fantasy land of “Chicken Licken” politics that the sky will fall in if we make some form of change. I urge Members to think very carefully and support this as a positive move and a step forward from day 1 on the return to this Assembly.

#### **8.1.4 Senator S.C. Ferguson:**

Does Deputy Southern understand basic economics? The scarcity of a particular good drives up the price. If we have too many low-qualified people in the population, then the value of the working person is lower which reflects the importance of immigration control.

[15:45]

We are working on it; yes, we need to improve productivity. I have been able to suggest means to improve productivity but I have been ignored, which is never a pleasant thing for anyone let alone a politician. The third factor is that the recommendations of some of our civil servants and the recommendations of our local elected party all have the effect of increasing the cost of living of everybody, including our low-income families. As a matter of fact, you will find that the climate change proponents will put our low-income families, including pensioners, into fuel poverty. Deputy Ward quotes the figures from the Farmers’ Union, but in the email we have received today, their minimum wage they are being paid at the moment is above Deputy Southern’s minimum of £366. Finally, where does the money come from; taxing pensioners? Remember, 75 per cent of our businesses are small businesses, so it is just going to wreck the other members of the society, not just the low income. What we need to do is to address the productivity first of all and perhaps ... I am not voting for this because I do not have the data to support Deputy Southern’s proposal. I will support him when I believe that I think he has got the data and the theory correct, but I do not think so at the moment.

#### **8.1.5 Connétable J. Le Bailly of St. Mary:**

Some of the low-paid businesses always lobby us when the minimum wage is mentioned because they wish to keep the minimum wage exactly that, minimum. Jersey, one of the richest and most expensive places to live, should be setting an example, not pleading poverty. The employer should be paying a fair wage, not expecting to be supported by the taxpayer. If the business cannot survive, then the business should ask the States for a subsidy loan after the audited accounts have been examined. The simple answer is: would any of you work for the minimum wage? Could you survive on that wage? If the answer is no, then you should support the proposition.

#### **8.1.6 Senator K.L. Moore:**

I am pleased to follow the previous speaker. It is a shame that we do not appear to be having a wide-ranging debate here, as it is a fundamental and very important matter that we all should engage in. Yes, it is of course a difficult time, given the events of the past 2 years and, yes, there are a great deal of uncertainties, but I do beg to differ with Senator Ferguson and her approach to dealing with those difficulties. If we look back, Deputy Southern has consistently raised this important matter with the Assembly year after year and we have always, as an Assembly, fallen back on the point that we had the Employment Forum to recommend the minimum wage increase to us. However, particularly when times are difficult, in order to achieve and deliver real change, we at some point have to change our own behaviour and change the pattern which has become the norm and branch out. I think it has been a feature of the minimum wage debate across the world and since it was first mooted that there have been cries of horror and declarations that jobs would be ultimately lost if a minimum was in fact set. It has been widely reported that those cries of horror were never seen or the conclusions of those cries of horror were never seen. As the previous speaker just pointed out, Jersey is a highly successful and very rich Island. Jersey Finance Limited have recently set their own target to approach the finance industry in a sustainable way. In their document it defines what do we mean by



sustainable finance. It highlights the sustainable development goals, which are set by the United Nations. Number one in those sustainable development goals is poverty, no poverty. Therefore if we are to assist Jersey Finance in their admirable aim to become a sustainable finance centre, which I fully endorse and support, we do have to, as an Assembly, tackle this difficult issue and ensure that we really do walk the walk. Today I think I will somewhat surprise Deputy Southern by supporting him and stepping in behind him, because we do have to change. Yes, times have been difficult, but the time is now to adopt new ways of working, to reset how we think about the future and to really define what we mean and what our vision is for this Island and for the families. I take on board of course the pleas from both the Chamber of Commerce and the Farmers' Union, but there are opportunities for Ministers to set special circumstances if there really are good arguments that the employment packages that some sectors give and some employees receive do put them in a different bracket. That can easily be done and achieved, but at the end of the day we have to, as an Assembly, conclude that in order to effect change, we cannot simply carry on doing what we have done before. We have to try and break that mould. As Senator Ferguson said to doing something differently, we can boost productivity because businesses will have to consider, first, what the impact will be on their bottom line or their increased wage bill, and that, as some businesses have already done, will see that they do their business, run their business in a different way, but they break the mould themselves and become more productive in order to be able to afford that higher wage. So I commend Deputy Southern today for bringing forward this argument and hope other Members will indeed reflect deeply on this important matter and vote to do things differently today.

#### **8.1.7 Deputy S.J. Pinel:**

I am pleased to take part in this debate. In my previous role as Minister for Social Security, I worked closely with the Employment Forum and was always very impressed by the quality of their recommendations. I was very pleased to accept their proposals, knowing that they were balanced and based on good evidence. In the last few years we have had repeated challenges to these minimum wage rates and I fully support the Minister for Social Security in her review of the overall process. If the Employment Forum is to continue its good work, this needs to be acknowledged and not subject to continual political challenge. The debate today seeks to impose minimum wage rates for this year and next year without any evidence, as mentioned by previous speakers. I do not support this proposition. In my current role as Minister for Treasury and Resources, I am acutely aware of the impact of COVID on local businesses. Government have provided enormous sums of money to maintain the Jersey economy. Working with the Minister for Social Security, we have also deferred payments due from businesses for both G.S.T. and contributions. Businesses now owe the government millions of pounds, which will need to be repaid over the next few years. The latest advice from the Fiscal Policy Panel paints a more pessimistic picture compared to October last year. Yes, the economy will recover, but it will take longer than was originally thought. Government will need to borrow more money and we should not aim to balance the budget until 2025. Against this difficult background, Deputy Southern has produced no evidence whatsoever that businesses can bear a 10 per cent increase in the minimum wage rate in October this year and another 10 per cent increase next year. A year ago we were talking about a quick bounce-back after COVID. Today we know it will be a long, slow recovery and it is vital that we continue to support businesses for the time being. During that recovery, we will need to look at minimum wage rates, but the proposals today are too much and too soon.

#### **8.1.8 Deputy R.E. Huelin of St. Peter:**

A very good reason to speak is the opportunity to take off the mask, which is rather suffocating. I find this proposition extraordinary and I do not understand why the Deputy has not withdrawn it, despite his protestations. As we all know, the Minister for Social Security is currently out to consultation to review the minimum wage in Jersey. It closes at the end of May. What is relevant is not the wage, it is the money that ends up in the pocket at the end of the day, at the end of the week

and at the end of the month of the individual. We all read a most interesting submission from the Chamber of Commerce received yesterday in our inboxes. It outlined how many businesses include food and accommodation, sometimes free. Most, however, have differing charging mechanisms, clearly distorting the actual wage at the end of the day. Now, this has been backed up by email from the Jersey Farmers' Union today and is factored into the Minister's consultation. We all therefore need the outcome of this detailed study to ensure these benefits are accurately factored into the calculations to ensure parity - and parity is the key word here - across the minimum and living wage. I have been contacted by concerned retailers who rigorously manage their outgoings and their P. and L. (profit and loss). The feedback is clear. Those businesses already run on very tight margins, and if this is implemented will have to seriously evaluate their viability. Now, we all know our retail businesses are currently struggling and I accept the proposition will take effect effectively in autumn 2022, but the outlook as of today is not clear. What is clear is that consultation will be closed and I expect the outcomes actioned by this Government. I am afraid the consequences of this are premature, have again not been fully thought through and we must wait for the outcome of Deputy Martin's review.

### **8.1.9 Deputy J.H. Young:**

I am very concerned about this debate. Coming into it, I thought that really we should try. We were working together between Deputy Southern and the Minister to try and end up with a situation which we could all support. My starting point was I remember when I got elected I took part in the Government Plan process and we attempted to have common strategic priorities. You remember those? One of those was to reduce income inequality and improve the standard of living. We made really bold commitments on that. Then we had another one, putting children first at the heart of all of our decisions, and of course what happens in low-income families to children? They definitely feel the effect of that poverty. It affects those children crucially and the outcomes of their lives. We signed up to those things and I am struggling to find, where do we set this aim about 60 per cent? But I do, I remember it being somewhere, but I cannot pin it down in the document.

[16:00]

While the debate is going on, I have been searching through trying to pin through all the labyrinth of reports that we produce, but I recall that, so I was hopeful that ... those are really sound objectives. Deputy Ward, I wrote down he made 2 really key points to me, that what we have, as a Government, we have put enormous public support into industries particularly affected, I believe, by the low-wage economy. We put enormous public money into that and I think we tried to help those industries, but I think it cuts both ways. I think it may well be some of the marginal employment may go and I think that it is something we may have to just acknowledge and find transitional systems with training or whatever we do. COVID is going to create a different type of economy. So with those 2 things, and that inequality, children first and public support, so Deputy Ward reminded us of that. Of course I am really struggling. I was hopeful that I could come up with something to support. Yes, we got an amendment, but then what we heard was, I think, a very unpleasant tone of knocking Reform. I think that is really not the right way to do things. We should try and find ways of working together. Now, I do think equally, because I have been critical of that, that there are some real issues with the process that Deputy Southern has adopted here because if there is a consultation process running, then is it right that you suddenly come in and say on part (a)(iii) in the proposition: "Well, we are going to make a decision about what happens in October 2022, 18 months away"? We do not know how the state of the economy is going to be. Are we going to find out? Are we going to have to provide support and so on? Whereas when I see part (ii), which seems to be, I think, what the argument is about, because I think it says: "October 2021, 60 per cent" and the proposition says bring forward the necessary administrative vehicle to put this into effect. Now, timing-wise we are told that the consultation finishes in May, so even adopting this proposition today, we are going to end up in the same place. If there is a logical argument why that 60 per cent - which was, I believe, an objective

we set right at the start of Government - cannot be done, we are going to hear it at that time. So as a direction of travel, I am very persuaded that we should do something about low-income employment because, after all, we are subsidising low-income employment through income support, from housing allowance, millions of pounds spent on that, propping up low wage, low incomes. Maybe not the only one, but there is an element of that there. I remember in previous Assemblies, and I do not often agree with many things he said, but the former Deputy Andrew Lewis, I can remember him saying there was an overwhelming case for having a decent minimum wage because otherwise we just subsidise our low ... so as a principle - as a principle - I think there are some strong arguments for the direction of travel. Now, I am really uncomfortable having to vote in a way which is ... because I do not want to make life difficult for my ministerial colleagues, although I am probably now finished up more one of the ones on the left of these now, now we have lost others in the Council of Ministers, but I do not like doing it because they are really hardworking people and they are very ... and my Minister and Connétable, I have every respect for them, but what I really dislike is where we end up with these debates where it has become all this tension of: "Well, it is Reform" and it is so on, and equally I think some of the comments ... and I would be critical of some. Well, I am not going to name them, but I think that now and again we get comments from Reform members also that wind that up and I would like to see that reduced so that we can work together and try and find a solution to these things. Now, I would hope ... and of course what I see in Deputy Southern's ... this is child impact. When you read through this, the child right impact assessment from the Deputy, we do not see many of those, do we? Yet look at it, when you read through this, have I misread this? There are arguments, finding loads of arguments as to why we should be going in this direction of travel. It seems to me the argument is about the pace and so I would like to have ... I struggle to make decisions here now for October 2022. I think it is too far in advance, that we do not yet know that. I think that has kind of been put on on the end, but I can see the point that we should now lock into a process where we start to deliver what I think we signed up for in the Government Plan, which we took to the States; the first one, not the last one - it was all numbers, the last one - the first one or, sorry, common strategic priorities, that is right. We did all those lovely videos and said all those fine things, you remember. So I am struggling and I do not know whether to abstain. I do not feel comfortable voting against my ministerial colleagues, but I really do not feel ... and certainly I am very unhappy voting against this proposition. Ideally, I would quite like the opportunity to vote for part of it so that from October 2021 we can have that direction of travel, leaving out the October 2022 decision, which I think predates. One last thing, I do agree with Deputy Morel. I think we have been very inclined to outsource a lot of our policymaking through various ... all these very, very sophisticated structures. I think as a direction of travel that should be repatriated, but that cannot be done overnight. We have got a lot of excellent people, but I think we do need to become more involved. This is one of my pleas for the next Government, the next Assembly, that we can be less reliant upon that and be more bolder and prepared to set our own policy directions and stick with it.

#### **8.1.10 The Connétable of St. Brelade:**

I would give great credit to Deputy Southern for once again bringing this proposition back to the Assembly. I have heard it before and there are reasonable arguments, but I would say in a position of conflict as an employer not only in the Parish but privately, the reality of the situation at the moment in Jersey is if you pay minimum wage you are unlikely to get any staff because there is such a shortage that you have to pay more than minimum wage to get the staff you want. I suspect that prevails throughout the industry. I am not going to speak much more than but to say that impacts of immigration and migration and the continuing effects of the pandemic really dictate the way this should go. I would urge Members to support the Minister for Social Security in following the proper process and seeing this through, get the information at the end of May and let us see where we go from there. She has the information. It is a balanced approach and I would urge Members to reject the proposition on that basis.

#### **8.1.11 Senator S.W. Pallett:**

I think it is only right that I speak, as the leader of Jersey's other political party, but I really just want to go back to Deputy Young's speech. Deputy Young said a lot of what I was thinking. I am not going to repeat what he said, but there is much in this proposition that I think we do need to take seriously and we do need to really consider carefully because we must get to a point where we reach agreement about the living wage, where the Island can be proud to look at itself from the outside in and be proud of not having a minimum wage set that is currently as low as it is because I do not think it does anything reputationally internationally. I do not think it enhances our reputation. I do not think subsidised low wages is something that we really want to be known for, but I am afraid at the moment that is where we seem to currently sit. Somebody said - I forget who it was - this was an extraordinary proposition. It is not an extraordinary proposition. I think most of us will understand why Deputy Southern has brought it and the political ambition that he and his colleagues have to drive change around minimum wage and living wage. They do it because ... and I am not trying to stick up for Reform because they are quite capable of doing it themselves, but there were bold commitments made in the Strategic Plan, of which most of us signed up to. One of the areas where I would like to think I had some input was around well-being, and I think ensuring that especially families in this Island and children are looked after is a huge part of Island life. It is something that we should protect, and part of that is ensuring that people can earn enough money to be able to look after their family, look after the children, look after their wife. At the moment I can certainly understand how there will be some that will be struggling in an Island that has got such a cost of living, high cost of housing. It is almost every city, we talk about housing and the unaffordability of housing and it is something that we need to address moving forward, but that is probably where I part company with Reform, certainly at the current time. We have been through a difficult 18 months, there is no doubt about that. Some of our economic sectors have weathered the storm relatively well, but there are others such as hospitality, retail and certainly agriculture that have found it extremely difficult during that period of time and now are finding it increasingly difficult to source staff. Some may say by having a living wage you might attract more people to the Island, and I think there is some argument in that, but at the current time there is a risk that a lot of these businesses, certainly in the hospitality sector, retail sector, as has been said, I think will be put at risk financially and within their viability. I do think we need to be extremely cautious about what we do over the next year or so while we recover from the damaging effects of an international pandemic. There is some consultation that the Minister has launched. What I would like to see is all sectors paying the living wage. To do that, I think we need to start looking at how we are going to transition certain parts of the economy through that difficult period. All of them have got ideas about how they can reach that, whether it is the Farmers' Union, whether it is hospitality, they all, I think, would ... nobody I have spoken to does not want to be in a position where they could pay the living wage. The issue is how they transition to it. It is the job of Government to try to get to a point where they can start to put ideas in front of them that will allow them to get to that point. We are not there yet. I am not going to criticise Reform for not having those answers in today's proposition, but I think we do need those answers. There are going to be consequences of increasing the minimum rate right now, but we do need to reach a better minimum wage or the living wage within a relatively short period of time. That is something I think myself and my colleagues are going to be looking at very closely over the coming months. The Employment Forum do an excellent job. I think at the current time we have got to look at the advice that they give us and I think we have got to abide by that advice, at least for the foreseeable future. I want to see people, lower-paid members of our society, in a position where they can afford decent accommodation, where they can afford to feed their children in the way that they want, but it has to be at a time and it has to be in a timeframe that is not going to put our economy or the recovery of the economy at risk. I know detractors of what I have just said will say: "Well, now is the time to do that, pay a living wage, get people off of subsidised income support" and various other things, but I think the timing is important. I will press and I will work hard towards ensuring that at some point everybody in this Island has a living wage, but I think it is around timing. I think we do need to take on board some of the comments made by representative bodies, some of which I

have met over the last couple of weeks, and all of which I think really want to pay their staff as much as they can,.

[16:15]

But they find themselves in a position where there are a lot of factors there affecting their financial viability. This might - not with all, but might with some - just tip them over the edge. So this is not an extraordinary proposition. It is one I cannot support at the current time, but I will - and I think I have to as we move forward - work towards a policy around the living wage in reaching it in the not too distant future because we need to commit to that. Internationally, we should not be known or should not be seen as a jurisdiction that pays a minimum wage at the level it is set now, but now it is just because of timing. I have got a lot of sympathy with what has been said by those that are a little bit more to the left than I am, but this is not a ridiculous proposition, it is far from it, but I think we need to think about the balance and strike a balance here. But unfortunately at the current time I cannot support this proposition, but there will come a time when I am afraid ... well, not I am afraid, I would be proud to support a decent living wage for all workers in Jersey.

#### **8.1.12 Senator J.A.N. Le Fondré:**

I am absolutely delighted to follow the previous speaker because it is all about timing and we did make the commitment about moving to a living wage. As the previous speaker correctly identified, which hopefully has not escaped too many Members, the events of the last more than 12 months now have been extraordinary and of course that will have an impact on plans. In terms of timing, it is worth reminding Members, assuming my facts are ... I understood them correctly is that originally we had P.11, as it was lodged, which was lodged on 25th February and that did result in some discussions between the Minister and Deputy Southern and indeed some changes taking place in the consultation document that is now going ahead. What we are debating is the result of the amendment he lodged last Thursday and the impact of that amendment is significant because it says that we are going to essentially look at minimum wage going up, but we are not going to consult the Employment Forum. That is quite a significant change and that is why, on this measure - because I have a lot of sympathy for what Deputy Young has said as well - but that is why this measure is now not being supported by the Minister because of the late amendment that came through. I am obviously keeping it quite short. So I think it is worth also making the point that a commitment was made to have a review of the minimum wage in the 2021 Government Plan, to perhaps look at the process. The public consultation has now been published. That is looking at the review of the way in which the minimum wage is set and also considering the level and timing of the next minimum wage increase. It has not been written with a specific outcome in mind and it is also important to look at international evidence, but it is also incredibly important to listen to local people and find a solution that works for Jersey. They are all very good reasons for moving to a living wage, but the pandemic has had a huge impact, but also please do not forget that we have put in significant measures to support many, many people on this Island in the last 12 months and some of those obviously still continue. Really, if the Deputy probably had not brought in his amendment and proposed the proposition as amended, I think there would have been a different outcome from the perspective of the Minister and the Council of Ministers, but we are debating it as amended. It specifically talks about not consulting or referring to the Employment Forum. That is the process we have had in play. On that basis, that is why, for example, I cannot support this proposition as amended. The consultation is taking place and that will come back through the Minister to the Assembly.

#### **8.1.13 Senator T.A. Vallois:**

Being in the States for over 12 years now, I think I have heard all the arguments against minimum wage increases a number of times and repetitively stated, so let us create that dose of reality. Is it ever going to happen for Jersey? Because there is always a reason not to do so. There was the financial crisis, we could not increase it then, then all the excuses that are made in between, and now

that we have had the pandemic, but yet other countries have managed to do so during these times and have been successful at doing it. I also remind Members if the Council of Ministers were willing to put a cap on rental increases or house price increases, then maybe I should vote against this, but that is never going to happen, is it? When we talk about not too distant future, next October is not too distant future. We have to bear in mind that when the Assistant Minister was referring to the list of support that was provided last year, those very workers who were working on that front line, putting themselves at risk during a pandemic, nursing care in the nursing homes, the retail, the hospitality, the people that kept us going when times were really getting tough, many of those people are those that may be on those minimum wage levels and yet that has not been mentioned yet during this debate by anybody. I have to remind Members that the taxpayer money that has been spent to support business has been driven during the pandemic, the majority of the funds of which are from the working population and not the business. So I repeat myself: when is a good time? When is the right time for Jersey to reach the minimum wage that is needed to have an actual living rather than just pure survival? I just wanted to make those points because I do not feel like they have been mentioned during this debate, but when we talk about the support that we have provided and crises that we have seen, not just over the last year but over the last 10, 12 years, whether it is to do with financial crises or the many other issues that we face. Deputy Ward referred to this issue of leadership and I think it comes to the crunch and it comes to the point where we have to put our marker in the sand and decide when it is we are going to do this and stop relying on people who are not elected to tell us what we should and should not be doing. I have to bear in mind the fact that there will be an election next year and there will be an opportunity for members of the public to decide. Maybe that is something that each Member should put forward, whether they do or do not support a living wage or an increase in the minimum wage and maybe that is the opportunity then, but at this point in time I will be supporting Deputy Southern's proposition.

#### **8.1.14 Deputy M.R. Higgins:**

There have been very good speeches from Senator Vallois, Deputy Young, Deputy Southern and others. I just want to say to Members: why did we enter politics in the first place? Some people I know felt that they wanted to contribute to the public good. Others entered politics to further their own interests, others for status. I know I entered politics because I wanted to see some change. In 2008 when I came into the States, I was appalled by the policies that were being pursued and I wonder how many of them have changed. For example, we still have the same housing crisis that we had way back then. We had unaffordable properties, which meant that our children could not afford to buy a house or get a flat or having to leave the Island and we had people on subsistence wages where they just about survive and we keep them there, for those Deputies - and I say Deputies because Deputies by and large do a lot of the casework - were dealing with families who were struggling to survive and are relying on foodbanks and handouts in other ways. To be honest, what has changed? Nothing. As a Deputy, I have been so frustrated, especially over the last 3 years, because we have achieved some good social policies, but we have not dealt with the fundamental issues. Population: we are still kicking it down the road, and I will tell you where I stand. I believe that we need to bring in a strict population policy. Yes, we need essential workers and we need to keep the economy going, but not the sort of free-for-all that many in the industry would want because the more people who come in depresses wages. I am appalled by the system that we have got, whereby bad employers are subsidised by the state through income support and we are paying housing costs because they are not earning enough. I am so fed up with this and things have got to change. I would say to Members I believe our economic model is broken. It has been broken for the whole time I have been in the States and trying to get change has been almost impossible, but I ask you, time is short. We have got just over a year before the next election. I would like to see us deliver on some of the things that we have stood for and make the changes that we need to change. I have consistently supported a living wage for as long as I have been in the States and I do believe that we do not really look at these things holistically. For example, we talk about the money we pay out in income support. Look at the money

we are giving certain industries in subsidies. Again, going back to what I think ... sorry, I am not sure who mentioned it, about the support we have given industry over the last year or so. I fully support what we have done to keep businesses going and to keep people in employment, but we have now come to the stage where we have to look at what we have done in the past and say: "Things have got to change. We cannot go on." All the businesses that have been supported who no longer in the future pay tax, we cannot just rely on the person in employment to pay tax. We are going to see ... I sound like a broken record on this. Over the years we have seen technological change and it is growing rapidly. We are going to see even greater unemployment in the future and we are going to see our tax base eroded, so we have got to look at new ways of doing it. We have got to look at the balance, the inequality. We have to look at all these issues and I do believe the States needs to get real and we need to start now. Let us start paying our workers a living wage going forward and let us deal with the housing crisis, let us deal with the population crisis and all the other things that have afflicted this Island. So as I say, why did you enter politics? Well, I hope it was to do something good. All I will say at the moment is that I will be supporting Deputy Southern, first, because I am consistent; I have got principles and I want to see this Island better in the future.

**The Bailiff:**

Thank you very much. A point of order is raised by the Connétable of Grouville.

**Connétable J.E. Le Maistre of Grouville:**

I may have misheard the Deputy, but I think he said that some Members had joined the States to further their own interests and I am wondering whether that is parliamentary. I certainly do not think it is true.

**The Bailiff:**

I think ...

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

I have gone deaf.

**The Bailiff:**

No, you have not. I have not spoken, Connétable of St. Saviour.

**The Connétable of St. Saviour:**

All right, sorry.

**The Bailiff:**

Standing Orders do prevent of course any speech that impugns the integrity or motives of Members of the Assembly. In my view, suggesting Members were in it for their own interests is perilously close to doing so, but I do not think it necessarily crosses the line at this point and therefore I will not rule that out of order, but it is a valid point of order. I think I would have welcomed more time to reflect on that and I probably should have reflected on it on earlier occasions, but at this point I make no ruling upon it. I may make a ruling upon it in some other occasions. Thank you very much, Connétable.

**8.1.15 Deputy J.A. Martin:**

I thank Members for the contributions to the debate so far. At this point I would like to reflect on the timing of this debate and why I will be asking Members to reject all parts of the proposition. For several years now the Assembly has had regular challenges to the recommendations put forward by the Employment Forum. We did not have that in 2019 and the Employment Forum put forward an increase in April and in October of that year and we were getting on track. It was going up and it was going up steadily and then we had COVID.

[16:30]

But even last year, we went into lockdown on 30th March and the minimum wage went up on 1st April, so I could not ask the forum to go out last year, it just was not practical. The forum is a voluntary body made up of 3 employee representatives, 3 employer representatives and 3 independent members. I appoint the forum members and they serve in a voluntary capacity. They have played an important role in establishing and maintaining minimum wage. They also help me, as the Minister, to investigate and make recommendations on changes to other areas of the Employment (Jersey) Law. I would like to take this opportunity to publicly thank them for the hard work and dedication in fulfilling this role. As Minister, I find myself in a difficult position. There is increasing political interest among States Members in the minimum wage rate, probably rightly so, and there are regular debates on the subject. How should I instruct the forum to undertake its review in this context? How would the voluntary members of the forum react if their findings were overturned by the Assembly? Would they want to continue to support the Government on an ongoing basis? To resolve this, I added the commitment in the 2021 Government Plan to investigate this area, and I have now published my consultation. While the consultation is underway, I urge States Members to defer any decision on the further composition of the role of Employment Forum until I can report back to Members on the outcome of the consultation. I did meet with Deputy Southern twice, on 2nd and 7th April, to tell him and show him eventually the consultation paper and I told him we have included the majority of his points in that consultation. Unfortunately, the Deputy mooted at one point that he might defer the debate, but we are where we are and we are here today. I think there is now a fairly settled opinion among Ministers and Back-Benchers that the local minimum wage rate does need to rise to a higher level and that we should be encouraging a higher wage economy across all sectors. That said, these moves must be taken carefully to avoid damaging the jobs and businesses in our economy today. In simple terms, Deputy Southern is asking for a 10 per cent rise, which is approximately £9.15 an hour, for the minimum wage this year and a further 10 per cent rise next year to £10 an hour. Senator Mézec said: "What is the harm?" We already have an excellent ... from this time last year, 310 people out of work, people who want to work who have lost their jobs. We have also people on income support now who are not getting the extra hours because the business they work for is already struggling. Please take these people in mind when you vote. The Island is facing challenging times and the Government have taken exceptional steps last year to support the workers and maintain the local economy, but as I have just said, many did lose their work and many lost extra hours. During 2020 we helped workers with over £100 million of wage support through the co-funded payroll scheme. We have increased the take-home pay of all workers through a cut in social security contributions and that will be until the end of June. Despite COVID, we have also introduced new schemes during 2020 to lower income support families. I launched the health access scheme last year. This supports the cost of G.P. visits with all services free to children and it is heavily subsidised for the adults. This scheme is covering 11,500 people. My consultation includes questions on setting the minimum wage rate for October 2021 or it is April 2022. I need to hear from businesses, from trade unions, from self-employed, the people from general public, from States Members who speak to their people, their constituents. I am going to be pushing this consultation everywhere over the next 6 weeks and then I will take it to Scrutiny when it comes back. I do not have the answers today, but I can assure you I do not believe Deputy Southern does too, but I am not knocking Deputy Southern. I know it is a Reform pledge and he has absolutely got the right to bring in his pledges. As Deputy Mézec says, they set out their pledges in the manifesto, absolute right to bring them. It does not mean everybody needs to support them. To be clear, I am not arguing against them increasing the minimum wage. I am not even arguing that at some point it should be living wage, but we need to give businesses time to get there. It is on this basis, on economic analysis, it does not include ... sorry, it is not based on any economic analysis and it does not include any comments or options from local businesses or worker organisations as to the likely impact of these changes. Members can read my consultation, R.62, and I will just read out for you the key issues:



“Who should be involved in reviewing the minimum wage? Should it be an independent body, as now, a mix of politicians, employers, employee representatives, an expert body made up of a professional economist, statisticians and those experienced in the areas of low pay? How often should the minimum wage rate be subject to a full review? Annually, as it has been the norm, or over a longer period, 3 to 4 years, like the Assembly?” But then we should set it against something so it rises every year: “What statistics should be used to help set the rate? What other criteria should be used to set the rate? What levels should be set for 2021 and 2022 while the changes to implement any new system is being undertaken?” I am very clear that we are running a consultation not on the back of Deputy Southern’s proposition. Work was ongoing on this and it was when Deputy Southern asked the Chief Minister: “When will I hear comments?” I asked to speak to him because I thought: “We have got a paper that is nearly ready to go” and even in the Deputy’s own words then when I met him, he said: “Oh, well, when I read it, it might be good for me to postpone my debate.” That was not my words, that was the Deputy’s words, but again, we are here today. When the consultation comes back separately, I would be seeking permission from Members to use COVID-enabling regulations to allow one minimum wage increase to get set outside the normal legal process without reference to the Employment Forum. This would allow for a minimum wage rate to be set later this year if that was the conclusion of the consultation and is supported by Members. The consultation report would also set out a proposal for the minimum wage process for the future, and as States Members, as I have already said, it is really important you get on board with this work and speak to the local businesses. When I put this in and we know where we are going, I will then be discussing it with Scrutiny. Ministers are often criticised for taking decisions without taking account of the views of the public. Today a Back-Bencher is asking us to do that. Senator Vallois said maybe in the next election that people should put down what they think the minimum wage will be. All States Members, I cannot emphasise enough, have that opportunity in the next 6 weeks if they think we are missing some industries or we are not talking to the right people, but we are pushing it and pushing it. I just want to emphasise what you are voting for today and it says: “To request the Minister for Social Security to bring forward the necessary legislation amendments to allow for the minimum wage to be prescribed for 2021 and 2022 without a referral to the Employment Forum”, that amendment was right, because we were not using the forum either this year with our consultation: “and to request the Minister to ensure that any prescription of the minimum wage takes into account the view of the Assembly.” Any Minister who did not take the whole view of the Assembly would be a very silly Minister. If you vote for £9.15 for October this year and £10 for October next year, that is what the Minister would have to bring back. Again, I am not sure if I could do it for 2022 using the COVID rules, but that is very clear. I just say to Members, if you are 100 per cent sure you know businesses can do this, there will not be more unemployment through this, you will then vote with Deputy Southern. I was very interested to hear the solution from the Constable of St. Mary, who said he thinks that every company should be paying their workers the minimum wage, but if they cannot afford it after they have done their accounts, they should get a top-up from the taxpayer. Now, I do not know where that money would be coming from or how that would work, but that is the way the Constable is thinking. I am sorry we are having this debate because I think we are all wanting to go in the same direction and I know that when we had the economic recovery debate, the in-committee debate, many Members spoke about the living wage and how we should, we need it, but that was in between COVID 1 and COVID 2 lockdown. Businesses are just about starting to go back and some have got really, really ... not working to full capacity because they cannot, they do not have visitors here and that hits on to other industries. So I really do ask Members to reject every part, because the consultation covers everything and this gives you a chance. It is just a short 6-week ... and it is a concentrated consultation. It is a meaningful consultation and that is where Members should be putting their efforts, making sure their views, the people they represent views are known and when it comes back, we will act on that. So please do not support the proposition in any form today.

### **8.1.16 Senator L.J. Farnham:**

The COVID-19 pandemic has had a significant impact on our economy, the effects of which will continue for some time. In fact, the recent advice from the Fiscal Policy Panel suggests it is going to go on longer than we had anticipated or hoped. But the pandemic has shone a light on the resilience of business in Jersey and has accelerated many of the challenges that businesses in Jersey face around productive growth. Jersey businesses have suffered significant economic shock as a consequence of the combination both of the pandemic and now Brexit. Many have had to exhaust reserves, increase borrowing and debt, defer G.S.T. and social security contributions in order simply to survive. Many of the businesses - with help, of course - have managed to retain the majority of their staff. A short-term move by the States at this time that creates a higher cost base through an increase in the minimum wage ... and that is not just an increase at the lowest end, the ripple effect of the minimum wage is felt through the whole staff structures of business, so we must not underestimate the costs. It does not just relate to that increase in the lowest level of pay, it pushes right through the pay structures, but to increase the cost base at this point, at a point where the co-funded payroll scheme ... and we must remember the co-funded payroll scheme was not really business support, it was support to protect jobs because employers and businesses were reimbursed for wages they have already paid out, so it was not technically business support, although it did enable businesses to continue to employ staff and keep their businesses moving and operating through the darkest days of the pandemic.

[16:45]

Of course other support is being phased out, as we announced recently, so any move now to increase the cost base would be counterproductive and would significantly, in my opinion, undermine some businesses' ability to maintain current staffing levels. Consequently that puts the Island's economic recovery at risk, especially in the hardest-hit sectors, at this pivotal point of the recovery process. In the context of this debate, we must note again that not all support has been aimed at businesses. Employee Social Security rates have been reduced, we have had the C.R.E.S.S. and single payment to low-income households. We must not lose sight of that. It might not be considered to be an awful lot, but it certainly has been useful, I know, to many Islanders. Over the past 12 months our future economy programme has developed clearer priority cornerstone objectives for Jersey's future economy, which will shape the resultant economic framework. Productivity remains a core and a key priority, but it does sit alongside other priorities, for example, around household resilience, skills and environmental sustainability, so as demanded by this Assembly, productivity support is also being considered in this broader context. If we need to transition to the living wage and because of the huge upheaval over the last year, we are not yet at that stage, as much as we would have liked to have been. I do not think any of us sit in the Assembly for status. We all do it because we want to help people and we want to help our Island and we are all aiming for the same goal here. As such, it is important to ensure that businesses have the right tools, the right advice and the right support in order to regroup, restructure their businesses and their finances and address productivity improvements, which in turn will allow for higher wages to be paid in a sustainable way. I urge Members today to allow the Minister for Social Security to gather the evidence from employers and their staff as this will protect jobs in the short term and lead us all to where we want to be in relation to a more prosperous and higher wage economy for all Islanders.

### **The Bailiff:**

Deputy Ward has a point of clarification.

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

Sorry, I do apologise. I was just wondering whether the Minister could explain what the clearer cornerstone priority objectives meant. It was quoted in his speech and I have never heard the phrase

before and I just think it would add. It is just not clear and this is a point of clarification as to what he means by that.

**The Bailiff:**

Clear cornerstone priority objectives?

**Deputy R.J. Ward:**

That is what I jotted down. I may have missed a word out.

**The Bailiff:**

I have to say, I did not hear that phrase myself, but are you able to clarify what that was, Senator Farnham?

**Senator L.J. Farnham:**

Yes. If I recall, that was referring to productivity. That remains a core priority of the future economy programme and the economic framework. I said that the productivity remains a key priority, but it does sit alongside other priorities, which will also be at the cornerstone of the plan, which includes household resilience, skills and environmental sustainability, as demanded by the Assembly.

**The Bailiff:**

Thank you very much, Senator. Yes, does any other Member ... Connétable of St. John.  
[Approbation]

**The Bailiff:**

The tradition is that that is left to the end of the first speech.

**8.1.17 Connétable A. Jehan of St. John:**

I come from a commercial background. I understand the genuine struggles of many, many businesses across various sectors. We read last week that over £1 million has been committed to a museum for agriculture. Well, if we do not help that industry, we may need a larger museum. Work is needed on the cost of employment in Jersey. Those businesses who rely on seasonal workers are paying government too much money for licences, money that could be being paid in wages. Could business social security payments be reduced for seasonal workers at the lower end? What can Government do to help these sectors who need assistance? We have just heard about the importance of productivity from the previous speaker, but I am aware of a fiscal stimulus bid that fell at the first hurdle, a bid that was designed to help businesses from all sectors to improve their productivity, a bid that would have helped strengthen businesses turned down. While in the middle of a consultation period we have seen government departments' budgets boosted by funding despite no planning permission and, as I say, supposedly during the middle of a consultation period by fiscal stimulus funds, yet today we are asked to wait, wait until consultation on this subject has finished. As mentioned earlier, I can confirm that new businesses generally have to pay more than the figures proposed to attract staff. I was shocked to hear the Minister say she did not know how much Government would save if this proposal was successful. We need the data to make decisions. Some of the savings could be used to support businesses, for example, with that social security contribution on seasonal workers. Yes, accommodation values need to be increased to give the recognition that is deserved when calculating the hourly rates. One of the first things I have seen in the Chamber is the pledge to putting children first. A vote against this proposition does not, in my opinion, put the children of low-income families first. The impacts on families on low wages is real. Only today we have heard that 12 months after the pandemic, some children are only now getting access to electronic devices, devices they should have had 12 months ago, at the start of the pandemic. In my view, the Government priorities need to change. This proposal gives them until October to find solutions. The consultation that the Government should be doing, in my opinion, is with businesses. What is needed

to bridge the gap and what can be done to assist them to ensure they can pay a reasonable wage?  
**[Approbation]**

**The Bailiff:**

Thank you very much indeed, Connétable. Very well, does any other Member wish to speak on the proposition? Connétable of St. John, you might note in the chat a number of people are saying “approbation”. You might recognise that had they been here, they would have been stamping their feet and that is the equivalent. Does any other Member wish to speak on the proposition? If no other Member wishes to speak on the proposition, then I close the debate and call upon Deputy Southern to respond.

**8.1.18 Deputy G.P. Southern:**

Thank you, one and all, for contributing to the debate. It was a very interesting debate, even if it is my seventh time I have done it. Before I pick on anybody to praise, because I am in a positive mood today, can I just say that I wish to take this proposition in parts? All of the parts can stand alone, so we have got (a)(i), (ii) and (iii).

**The Bailiff:**

You would wish to take (a)(i) separately, (a)(ii) separately, (a)(iii) and then the separate letters?

**Deputy G.P. Southern:**

Indeed. (a)(i) in particular, because it does not talk about a pay rise, it says change the mechanism and look to the median rather than mean, so we can compare things properly. Similarly, part (b) talks about a way of going forward with some experts or some people who are interested in poverty issues, which could make a useful contribution. Again, that should be separate. Indeed, one of the Deputies, the Deputy of St. Brelade, was focusing on: “I am not sure about 18 months’ time. I may be more sure about immediately” so (a)(ii) and (iii) can also be separated and he might want to vote for (a)(ii) but not (a)(iii) because it is longer term or vice versa. So I think just bear in mind that you can vote for this in bits and we might get somewhere, some of it through, which would be a joyful process for me. If I keep on pushing these pieces of paper around, eventually the top sheet will become obvious. Sorry, I am having a bit of a ... no, that is where I started. There we are. Yes, that is extremely relevant because 3 or 4 people have said: “I cannot vote for any of this.” Do have a think about that. There are some bits that even at their worst are not harmful and which do point to a way forward. Right, in some detail then, Deputy Wickenden talks about ... avoided talking about ... he was talking about the timing and in effect what we have got here is a minimum wage freeze imposed for something like 18 months. That is quite significant for people who have not seen a pay rise in 18 months and will not see a pay rise in 18 months. That is the hardship in many cases and we should be careful about leaving people like that. Quite rightly, he mentioned that the £10 an hour is not quite a figure plucked from the skies, but something that is a manifesto commitment, and I am not far from ashamed to say that is the sort of thing we, as a party, will be doing increasingly, delivering - or attempting to deliver - on manifesto promises, absolutely essential. Deputy Wickenden also questioned my knowledge of economics and I somewhat object to that. I am not an economist by training, but I have picked up a bit. One of the things I have picked up on is that wealth does not trickle downwards. If you want to change people’s economic position and change the economy, then you have to put money in at the bottom end, because it does rise, because if you put money into the bottom end, all of that gets spent, usually in the local economy, whereas putting it in at the top end, it does not trickle down, it does not get spent, not always here, it gets spent elsewhere and therefore if you really want to boost your economy, do it at the bottom end. That is one thing I have learnt and stick by. I thank Deputy Mézec for supporting, as you will expect, what we are doing. He did mention that hang on, and this is a fundamental change, that we need to recognise that the minimum wage decision is not just an economic one, it is a political one because we decide where we want to

set those figures and we should. The Minister seemed to take quite a matter of pride in the fact that the recommendations and the wishes of the Employment Forum never get overturned and I am thinking: "No. Well, sometimes they should be because they are not guaranteed to get everything right" and bear in mind what they do is recommend; they do not insist, they recommend. So it is open for any Minister for Social Security to say: "Oh yes, I have taken into consideration your recommendation, but I believe we should do more or less", one thing or another. Now, somebody - 2 or 3 people - talked about the high cost of living in Jersey and who is going to come to work in Jersey, and I think that is maybe a frightening thought, that if we do not do something about our minimum wage, then poor-paid workers are not going to be coming to us to pick our potatoes or man our hospitality outlets. They are going to be going somewhere else because they know the minimum wage there is - I do not know - 20 per cent higher, say 10 per cent higher, whatever, and we are not going to be able to attract the workers to Jersey. There is a frightening thought.

[17:00]

What would that do to our economy? Then we had a contribution from Senator Ferguson, who also said: "Who will come to the Island?" and the Constable of St. Mary, I thank him for his support, where he ... and, surprisingly, Senator Moore decided on this occasion, she said: "We need real change. We have to change our behaviour" and I believe she is absolutely right and I welcome her support. Deputy Pinel spoke out in what looks like support of poverty wages, as I expected, I am afraid. Deputy Young, increasingly nowadays, does on the one hand and on the other and seemed to take ages to agonise over: "Which way should I go?" I would urge him to follow his instinct and to support what I was proposing, because I think that is what his heart wants rather than elsewhere. Senator Pallett, I thank him for his contribution, and his reference to people do notice. If you are paying a lousy minimum wages to some of your workers, people internationally do notice and it does spoil our reputation. If we cannot even be bothered to pay our workers decently, then that is a black mark in many jurisdictions. Senator Vallois, I thank her for her contribution, absolutely. She kept saying: "When will a good time be? When is a good time to do anything?" and she was right to do that. I thank Deputy Higgins and Deputy Martin, who says we can do one rise this year more easily than we can do 2. Now, I do not understand why that might be, but I would argue - and I think it is probable - that there is a different fix to put in there to say that Article 18 of the Employment (Jersey) Law will not count for these 2 years and so we will do something else while we set up the new scheme. As she said, her mechanism was going to cut out the Employment Forum anyway, not just my amendment, and that was it. That will do nicely. It was a pleasure to hear from the Constable of St. John and I wait to hear or to see what his vote is, because I could not quite work out which way he was going to go. I thank him for that. Gosh, I have had a good afternoon today. I call for the *appel*.

**The Bailiff:**

Yes. You wish to take them all separately, I think?

**Deputy G.P. Southern:**

All separate.

**The Bailiff:**

Just one moment.

**Deputy G.P. Southern:**

I hope I can get the right button to press.

**The Bailiff:**

Very well, the *appel* is called for. The first vote then will be on paragraph (a)(i). The Greffier has placed a vote in the voting 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. (a)(i) has been rejected.

<b>POUR: 21</b>		<b>CONTRE: 24</b>		<b>ABSTAIN: 0</b>
Senator T.A. Vallois		Senator I.J. Gorst		
Senator K.L. Moore		Senator L.J. Farnham		
Senator S.Y. Mézec		Senator S.C Ferguson		
Connétable of St. Lawrence		Senator J.A.N. Le Fondré		
Connétable of St. Saviour		Senator S.W. Pallett		
Connétable of St. Brelade		Connétable of St. Helier		
Connétable of St. John		Connétable of St. Clement		
Connétable of St. Peter		Connétable of Grouville		
Connétable of St. Mary		Connétable of Trinity		
Connétable of St. Martin		Connétable of St. Ouen		
Deputy G.P. Southern (H)		Deputy J.A. Martin (H)		
Deputy M.R. Higgins (H)		Deputy of Grouville		
Deputy L.M.C. Doublet (S)		Deputy K.C. Lewis (S)		
Deputy J.H. Young (B)		Deputy S.J. Pinel (C)		
Deputy K.F. Morel (L)		Deputy of St. Martin		
Deputy of St. John		Deputy of St. Ouen		
Deputy M.R. Le Hegarat (H)		Deputy S.M. Wickenden (H)		
Deputy R.J. Ward (H)		Deputy of St. Mary		
Deputy C.S. Alves (H)		Deputy G.J. Truscott (B)		
Deputy K.G. Pamplin (S)		Deputy L.B.E. Ash (C)		
Deputy I. Gardiner (H)		Deputy G.C.U. Guida (L)		
		Deputy of St. Peter		
		Deputy of Trinity		
		Deputy S.M. Ahier (H)		

The next vote is on (a)(ii) and I ask the Greffier to place a link in the chat. I open the voting and ask Members to vote in the normal way. The vote is on (a)(ii). If Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting.

#### **Senator J.A.N. Le Fondré:**

Sorry, the delay. That was a vote *contre*.

#### **The Bailiff:**

All right then, I will note that vote. I have noted 4 votes so far in the chat and I ask the Greffier to close the voting. (a)(ii) has been defeated.

<b>POUR: 20</b>		<b>CONTRE: 25</b>		<b>ABSTAIN: 0</b>
Senator T.A. Vallois		Senator I.J. Gorst		
Senator K.L. Moore		Senator L.J. Farnham		
Senator S.Y. Mézec		Senator S.C Ferguson		

Connétable of St. Lawrence		Senator J.A.N. Le Fondré		
Connétable of St. Saviour		Senator S.W. Pallett		
Connétable of St. Brelade		Connétable of St. Helier		
Connétable of St. John		Connétable of St. Clement		
Connétable of St. Peter		Connétable of Grouville		
Connétable of St. Mary		Connétable of Trinity		
Connétable of St. Martin		Connétable of St. Ouen		
Deputy G.P. Southern (H)		Deputy J.A. Martin (H)		
Deputy M.R. Higgins (H)		Deputy of Grouville		
Deputy L.M.C. Doublet (S)		Deputy K.C. Lewis (S)		
Deputy J.H. Young (B)		Deputy S.J. Pinel (C)		
Deputy of St. John		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 of St. Mary		
Deputy I. Gardiner (H)		Deputy G.J. Truscott (B)		
		Deputy L.B.E. Ash (C)		
		Deputy G.C.U. Guida (L)		
		Deputy of St. Peter		
		Deputy of Trinity		
		Deputy S.M. Ahier (H)		

### The Deputy Greffier of the States:

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

### The Bailiff:

We now move to a vote on (a)(iii) and I ask the Greffier to put a link into the chat. The link has been posted in the chat. I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. (a)(iii) has been defeated.

<b>POUR: 20</b>		<b>CONTRE: 25</b>		<b>ABSTAIN: 0</b>
Senator T.A. Vallois		Senator I.J. Gorst		
Senator K.L. Moore		Senator L.J. Farnham		

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

### The Deputy Greffier of the States:

Those voting *contre* in the link: Deputy Wickenden, the Connétable of Grouville, Deputy Guida, the Deputy of St. Martin, Deputy Labey, Senator Le Fondré, Senator Farnham, the Connétable of Trinity, Deputy Lewis, Connétable of St. Helier, the Deputy of St. Peter, Senator Ferguson, Deputy Young, Deputy Martin, Senator Pallett, the Connétable of St. Ouen, Deputy Truscott, Senator Gorst, the Connétable of St. Brelade, the Deputy of St. Ouen, Deputy Ash, the Deputy of Trinity, the Connétable of St. Clement, Deputy Pinel and the Deputy of Grouville.

### The Bailiff:

We now come to a vote on paragraph (b) of the proposition and I ask the Greffier to post a link into the chat. The link has been posted. I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. Paragraph (b) also has been defeated.

<b>POUR: 21</b>		<b>CONTRE: 25</b>		<b>ABSTAIN: 0</b>
Senator T.A. Vallois		Senator I.J. Gorst		
Senator K.L. Moore		Senator L.J. Farnham		
Senator S.Y. Mézec		Senator S.C Ferguson		
Connétable of St. Lawrence		Senator J.A.N. Le Fondré		
Connétable of St. Saviour		Senator S.W. Pallett		



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

[17:15]

The final vote is on paragraph (c) and I ask, when it is available, the Greffier to post a 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. That has been passed.

<b>POUR: 24</b>		<b>CONTRE: 20</b>		<b>ABSTAIN: 0</b>
Senator T.A. Vallois		Senator L.J. Farnham		
Senator K.L. Moore		Senator S.C Ferguson		
Senator S.W. Pallett		Senator J.A.N. Le Fondré		
Senator S.Y. Mézec		Connétable of St. Helier		
Connétable of St. Lawrence		Connétable of St. Clement		
Connétable of St. Saviour		Connétable of St. Brelade		
Connétable of St. John		Connétable of Grouville		
Connétable of St. Peter		Connétable of Trinity		
Connétable of St. Mary		Connétable of St. Ouen		
Connétable of St. Martin		Deputy J.A. Martin (H)		
Deputy G.P. Southern (H)		Deputy K.C. Lewis (S)		
Deputy of Grouville		Deputy S.J. Pinel (C)		
Deputy M.R. Higgins (H)		Deputy of St. Ouen		
Deputy of St. Martin		Deputy R. Labey (H)		

Deputy of St. Mary		Deputy S.M. Wickenden (H)		
Deputy G.J. Truscott (B)		Deputy L.B.E. Ash (C)		
Deputy J.H. Young (B)		Deputy G.C.U. Guida (L)		
Deputy K.F. Morel (L)		Deputy of St. Peter		
Deputy of St. John		Deputy of Trinity		
Deputy M.R. Le Hegarat (H)		Deputy S.M. Ahier (H)		
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

**Deputy R.J. Ward:**

May I just congratulate the Deputy on that and also the voting throughout via the chat.

**9. Social Security Tribunal: Appointment of Deputy Chair (P.12/2021)**

**The Bailiff:**

The next item of Public Business, and I imagine we could get through this relatively quickly, is the Social Security Tribunal: Appointment of Deputy Chair, P.12, lodged by the Minister for Social Security. For the purposes of this debate the main responder will be the chair of the Health and Social Services Scrutiny Panel and I ask the Greffier to read the proposition.

**The Deputy Greffier of the States:**

The States are asked to decide whether they are of opinion to appoint, in accordance with Article 33A of the Social Security (Jersey) Law 1974, further to a process overseen by the Jersey Appointments Commission, the following person as deputy chair of the Social Security Tribunal for the period stated against their name: Advocate Barbara Corbett, 5 years.

**9.1 Deputy J.A. Martin (The Minister for Social Security):**

I have 3 separate Social Security Tribunal appointment recommendations today to appoint a legal chair across all 3 tribunal to ensure consistency of process and decision-making. The role ...

**The Bailiff:**

I am afraid you are breaking up, Minister, you are echoing in and out. If anyone has any microphones turned on that should not be could they switch them off and let us see if that improves.

**Deputy J.A. Martin:**

I did not put my camera on for that reason because I found it as doing that earlier. Shall I try again?

**The Bailiff:**

You are sounding better now so please carry on.

**Deputy J.A. Martin:**

Thank you. I have 3 separate Social Security Tribunal appointment recommendations for today to appoint a legal chair across all 3 tribunal to ensure the consistency of the process and decision-making. The role requires a qualified lawyer with a certificate to practice and at least 5 years' experience in the relevant role. A formal recruitment process was undertaken by the Judicial Greffe, 3 candidates applied and were all interviewed by the Judicial Greffe, the chief medical officer and a

commissioner appointed on behalf of the Jersey Appointments Commission. The panel decided to appoint Advocate Barbara Corbett as legal deputy chair for all 3 Social Security panels. The first of which is the Social Security Tribunal, which hears appeals on the range of benefits under the Social Security (Jersey) Law 1974, including income support and health insurance laws. The panel consists of a legally qualified chair or deputy chair and 2 lay members. I am very pleased that Advocate Corbett has agreed to take this important role. I propose the appointment and ask Members to support the proposition and agree her appointment for a 5-year term of office from today.

**The Bailiff:**

Is the proposition seconded? [**Seconded**] Does any Member wish to speak on the proposition?

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

Thank you, and I thank the Minister for proposing this. I note that the candidate is a woman but just because there is one element of diversity does not mean that we should not look at wider aspects. I want to ask the Minister: has the rest of the panel been appointed already? Are there standing members and we are just appointing the chair today or is it that we are appointing the chair and then the members will follow? If there is already a constituted panel, could the Minister just give some information about the diversity among the rest of the panel, please? I do think it is important that we take that into account when we are making these decisions.

**The Bailiff:**

A point of order raised by Senator Vallois.

**Senator T.A. Vallois:**

Thank you. The proposition refers to Article 33A of the Social Security (Jersey) Law 1974. Upon reading that particular Article it states that the Minister shall, by order, prescribe the constitution of the Social Security Tribunal. I have to ask from yourself, Sir, as the Chair, how this proposition prescribes with the requirements of that said Article?

**The Bailiff:**

I am afraid I am not in a position to answer that without referring to the law, which I do not have in front of me, Senator Vallois. If it says that it is the constitution that has to be provided for by order that is the composition not the individual names who fulfil the roles made up in that composition. I would have to check on the matter and I am not in a position to do so at the moment, I am afraid.

**Senator T.A. Vallois:**

Thank you, Sir. I just wanted to understand what it meant in terms of the ... because it states the order and therefore a proposition would not necessarily be needed if it is an Order by the Minister. Do I have that correct?

**The Bailiff:**

If it says that an appointment can be made by Order then that is correct, a proposition does not need to come before the Assembly, but I am afraid I am not able to advise the Assembly as to the provisions of the law and what it means in this instance without having it in front of me and the opportunity to reflect. If it is the case that the Assembly has approved any appointment then clearly, even if it is done by Order subsequently, that is simply a reinforcement of the position.

**Senator T.A. Vallois:**

Thank you very much.

**The Bailiff:**

Does any other Member wish to speak on the proposition? If no other Member wishes to speak I call on the Minister to respond.

**9.1.2 Deputy J.A. Martin:**

It is not the chair, it is a deputy chair across all these 3 tribunals today. From memory, I think I brought the chair and some of the lay members before Christmas and, from memory again, I think it was a mix of men and women, but I do not have that information for Deputy Doublet. I am 99 per cent sure it was ... I think it was 2 women and a man that were chairs across the different tribunals.

**The Bailiff:**

Do you call for the *appel* or can we take it on a standing vote?

**Deputy J.A. Martin:**

It is up to Members.

**The Bailiff:**

Yes, but you have no particular preference? If any Member wishes to have the matter put on a formally recorded vote, please indicate in the chat now, otherwise I will take the matter on a standing vote?

**Senator L.J. Farnham:**

If I may ask for the *appel* to be taken in fairness to the applicant.

**The Bailiff:**

Yes, indeed. Very well, I ask the Greffier to place a link in the chat. I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The proposition has been adopted.

<b>POUR: 42</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 2</b>
Senator I.J. Gorst				Senator T.A. Vallois
Senator L.J. Farnham				Deputy L.M.C. Doublet (S)
Senator S.C Ferguson				
Senator J.A.N. Le Fondré				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				

Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
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 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)				

**Deputy M.R. Higgins:**

Sorry, can we have the 2 abstentions, please?

**The Bailiff:**

I am sorry, I did not see any abstentions.

**Deputy M.R. Higgins:**

There is 2 in link, Sir.

**The Bailiff:**

You are quite right, there is. I did not see them I am afraid. You can have 2 abstentions, yes.

**The Assistant Greffier of the States:**

The Members abstaining were Deputy Doublet and Senator Vallois.

**10. Social Security Medical Appeal Tribunal: Appointment of Deputy Chair (P.13/2021)**

**The Bailiff:**

The next item of Public Business is the Social Security Medical Appeal Tribunal: Appointment of Deputy Chair. I ask the Greffier to read the proposition.

**The Assistant Greffier of the States:**

The States are asked to decide whether they are of opinion to appoint, in accordance Article 34 of the Social Security (Jersey) Law 1974, further to a process overseen by the Jersey Appointments Commission, the following person as deputy chair of the Social Security Medical Appeal Tribunal for the period stated against their name: Advocate Barbara Corbett, 5 years.

**The Bailiff:**

Do you make the same proposition, Minister?

**10.1 Deputy J.A. Martin (The Minister for Social Security):**

Yes, the second is to appoint Advocate Barbara Corbett as deputy chair of the Social Security Medical Appeal Board. The panel consists of a legally qualified chair or deputy chair and 2 medical practitioners to hear appeals with regard to the award of long-term incapacity allowance. I am pleased that Advocate Corbett has agreed to take on this role. I propose this appointment and ask Members to support the proposition and agree to her appointment for 5 years.

**The Bailiff:**

Is the proposition seconded? [**Seconded**] Does any Member wish to speak on the proposition?

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

Just to clarify my reasons for abstaining, and I will be abstaining from this vote and the next, very reluctantly, because I know that the candidate is of extremely high calibre and fully support her for these roles but I feel it is important that I stick to my principles and in the past have requested more information on the diverse characteristics of candidates for these types of roles and I firmly believe that this information should be provided so that States Members can make informed decisions about these roles. The information could be provided in confidence or otherwise but I will be sticking to my principles, despite the fact that I fully support the candidate for this role.

**10.1.2 The Deputy of St. Mary:**

Simply to respond to Deputy Doublet's comment, which I do appreciate, but I do note the appointment is under the oversight of the Appointments Commission undertaken by the Judicial Greffe and my understanding is that they themselves have regard to the diversity regulations or unofficial regulations which we put in place. For my own part, I know of the proposed vice-chair, I am aware of her calibre and it matters not to me whether the other Members of the panel are of whatever gender. Thank you.

**10.1.3 Deputy K.F. Morel:**

I would like to ask the Minister if she could in her summing up respond about the possibility ... I do not know if conflicts of interest are the right ... it is not conflicts of their own interests but conflicts arising due to the fact that you have the same people on the same panels. The report states that it is important to have consistency but at the same time I do question a situation where you have perhaps one person, an Islander, who is appearing both before the Social Security Tribunal and the Social Security Medical Appeals Tribunal, and is rejected in one in the first instance and how that could then, if the same people are hearing a different appeal but for the same person on a different tribunal, colour their response and their decision-making on that tribunal. It just seems to me a little odd that we have the same people across all the tribunals. Could the Minister respond to that?

**10.1.4 Deputy J.H. Young:**

I just wanted to balance up the debate. I think that we should recognise that as an Island our community is extremely fortunate to have such a very, very high quality candidate come forward, very well experienced and, frankly, ideal for the role.

[17:30]

It is 5 years, to take on the task of 3 different tribunals as a deputy chair, it is very comforting that somebody is prepared to do that. My guess is that it will be quite the commitment being made there. As regard the last person, I am sure everybody knows ... I think we have experienced laws you can absolutely recognise that they will certainly manage a conflict of interest by avoiding putting themselves in those situations and withdraw. That is why we have a chair and a deputy chair and other members. I am very pleased with this, I think it is a great move.

**10.1.5 Senator T.A. Vallois:**

I just want to clarify, my point of order was not to try to stop any kind of appointment in whatever way, it is no reflection of the person that is being put forward. I wonder whether the Minister can explain because, particularly in the proposition, it states and refers to Article 33A of the Social Security (Jersey) Law. It does not refer to anything with regards to appointments, it does refer to the constitution of the Social Security Tribunal and it does state that the Minister shall by order prescribe such a constitution. Also whether there will be any pay to any member, both in Article 33A and in Article 34 for the Medical Appeals Tribunal. I ask the Minister why it was deemed fit to bring the proposition forward, why it was not placed in terms of an Order and whether the payments that are paid out are equivalent to those that are seen in terms of direct board membership that we see in other areas of government boards and tribunals and sectors that help to assist us in our public sector work?

**The Bailiff:**

Thank you very much. Does any other Member wish to speak on the proposition? If no other Member wishes to speak on the proposition, then I call on the Minister to respond.

**10.1.6 Deputy J.A. Martin:**

I absolutely thank Deputy Doublet for explaining her reason to abstain. These have been lodged for quite a few weeks, if she had wanted any more information I could have provided it. I do know one man and 2 women applied and it was a woman obviously that we are asking to appoint today. I think the Appointments Commission tries to advertise in a way that you get as many people across the board. But, again, it must be somebody legal on this particular board and must have already practiced, have a 5 years' certificate. To the point of Deputy Vallois, I do not know, literally I have the proposition. I have done this a few times now and it has always come to the Assembly. If it could have been done by Order I am sure I would have done it by Order, but this is what I have been told needs to be done. It does need to change but we are where we are. Rates are for the day but may be paid in half days depending on the length of the tribunal hearing. The chairman is always paid half a day for writing up the decision and the chairman for all tribunals is £440, deputy chair £440, medical practitioner £440 and a lay member is £102. I hope that helps the Senator. Thank you. I ask for the *appel*.

**The Bailiff:**

I ask the Greffier to post a link in the chat and I open the voting and ask Members to vote in the normal way. If Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. The proposition has been adopted.

<b>POUR: 41</b>		<b>CONTRE: 2</b>		<b>ABSTAIN: 0</b>
Senator I.J. Gorst		Deputy G.P. Southern (H)		
Senator L.J. Farnham		Deputy R.J. Ward (H)		
Senator S.C Ferguson				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator S.W. Pallett				

Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
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				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
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 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 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 Assistant Greffier of the States:**

The Members voting *contre* are Deputy Southern and Deputy Ward.

**The Bailiff:**

May I assume that Members are content to proceed to deal with the last item of this appointment? Deputy Labey, you have proposed the adjournment so I think I have to allow that proposition ...



**Deputy R. Labey of St. Helier:**

I will withdraw that.

**11. Income Support Medical Appeal Tribunal: Appointment of Deputy Chair (P.14/2021)**

**The Bailiff:**

Thank you. Let us deal with Income Support Medical Appeal Tribunal: Appointment of Deputy Chair, P.14, lodged by the same Minister. I ask the Greffier to read the proposition.

**The Assistant Greffier of the States:**

The States are asked to decide whether they are of opinion to appoint, in accordance with Article 9 of the Income Support (Jersey) Law 2007, further to a process overseen by the Jersey Appointments Commission, the following person as deputy chair of the Income Support Medical Appeal Tribunal for the period stated against their name: Advocate Barbara Corbett 5 years.

**The Bailiff:**

Do you make the same proposition, Minister?

**11.1 Deputy J.A. Martin (The Minister for Social Security):**

Yes, I make the same proposition for Advocate Barbara Corbett and this is for the Social Security Tribunal appointment and the tribunal hears appeals on the award of the impairment component under the income support system and any other decisions made on medical grounds, plus care requirements for home carers, *et cetera*. Once again, I am pleased to say that Advocate Corbett has agreed to take on this role and I make the proposition.

**The Bailiff:**

Is the proposition seconded? [**Seconded**] Does any Member wish to speak on the proposition?

**11.1.1 Deputy K.F. Morel:**

Just to point out that in her opening speech the Minister said this is the Social Security Tribunal, it is indeed for the Income Support Medical Appeal Tribunal. I would ask the Minister to do me the courtesy of responding to the question I asked in the previous proposition and to go a little further and to explain how, given that they have the same people on the same panels, the tribunals handle the possibility of determining in different tribunals for the same people. How do they handle those conflicts? I would appreciate the courtesy of a reply to that.

**11.1.2 Deputy R.J. Ward:**

I want to reiterate what was just said. Although I have no issue with the person, the individual involved, it is about the role and I think we need to be very clear as to whether there is any possible problem with the interaction of the 2 roles with income support and social security. If somebody does have 2 judgments will that person see anything different if it is the same person. I do have a slight issue with that and also over the payment levels. I think in principle I will be voting against all of the appointments towards being paid significant amounts of money for their work when we cannot vote for a minimum wage increase. I would like to ask the question regards that possible conflict of interest so I have a greater understanding.

**11.1.3 Senator L.J. Farnham:**

While of course I will always respect the fact that Members can ask questions at any time I am surprised at the previous 2 speakers' questions. First I thought Deputy Young articulated the position very well. I know Deputy Morel was waiting for an answer from the Minister. I sometimes wonder why candidates put their names forward when we subject them to this. I am not saying there is anything wrong with questioning and scrutiny is a good thing. I am sure the Minister will address

the concerns they raise but I just want to iterate we have a good candidate who I know would have thought extremely carefully about conflicts or the potential conflicts or the perception of a conflict.

**11.1.4 Deputy J.H. Young:**

Just to say, I do understand where Deputy Ward is coming from here and it is a shame that we have to do these sorts of things when we have such an outstanding candidate and, frankly, this issue about fees, later on we are going to be talking about much bigger sums for the S.o.J.D.C. (States of Jersey Development Company). Here we have a local lawyer who could earn much more, and I am sure does, in practice and getting those sort of fees and giving up that time for 5 years, my word that is a big commitment. I think we should be so thankful we have people like that in the Island still prepared to do this.

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

Again, I do want to reiterate thanks to the candidate for standing. My reasons are the same for abstaining. Incidentally I hit the wrong button previously and was meant to abstain. I just wanted to reiterate from something that the Minister said in the previous proposition, she implied that I should have requested this diversity information. I just want to make it clear that for any appointment that is coming to the Assembly that this diversity information should be shared and I do not believe that Ministers should be waiting for a request, that should be something that comes as standard. I hope that all Ministers will be forthcoming. Indeed some Ministers have started to do this. I believe Senator Farnham did this the last time he brought an appointment to the Assembly. I would hope that this could be standard in future, please, from all Ministers.

**The Bailiff:**

Thank you very much. Does any other Member wish to speak on the proposition? If no other Member wishes to speak then I close the debate and call upon the Minister to respond.

**11.1.6 Deputy J.A. Martin:**

Thank you. I had no intention of being discourteous to Deputy Morel, it just completely slipped my mind and I thought Deputy Young had answered the question. All the tribunals I am looking at, they have a chair, a deputy chair, 2 medical and lay members and each tribunal only needs one of each so if you have seen one on one as the chair then you might need the deputy chair, if you have seen one medical you see the different medical, you can request that, and then there is a pool of lay members. Hopefully those conflicts do not happen. We are doing a lot more work on diversity. I am the Minister responsible for diversity and I did ask who applied for the position and, as I say, it was one male and 2 females. We did not get too many to choose from. This time the best candidate was appointed. The recruitment process was the Judicial Greffe took over the recruitment of panel members in late 2017 prior to this it was done by the Social Security Department. The recruitment information for this appointment was a commissioner was appointed by the Jersey Employment Commission who sat on the shortlisting and interviews, the position was advertised through gov.je and the Law Society. I have a copy of the advert and 3 people applied. All 3 candidates were shortlisted and interviewed and it was Advocate Barbara Corbett who was appointed, with the permission of the Assembly. I make the proposition.

**The Bailiff:**

I ask the Greffier to place a link into the chat. 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 has adopted.

<b>POUR: 45</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 1</b>
Senator I.J. Gorst				Deputy L.M.C. Doublet (S)
Senator L.J. Farnham				

Senator S.C Ferguson				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
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 Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				

Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

**Deputy R. Labey:**

I propose the adjournment.

**The Bailiff:**

The adjournment is proposed, the Assembly stands adjourned until 9.30 a.m. tomorrow morning.

**ADJOURNMENT**

[17:45]