

STATES OF JERSEY

MIGRATION POLICY REVIEW

BLAMPIED ROOM, STATES BUILDING

Committee: **Deputy G. Southern (President)**
 Senator P. Le Claire
 Deputy J. Martin
 Deputy J. Bernstein

EVIDENCE FROM

DEPUTY T.J. LE MAIN **(President, Housing Committee)**
MR E. LE RUEZ **(Chief Officer, Housing Department)**

on

Thursday, 24th March 2005

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DEPUTY SOUTHERN: Welcome, Deputy Le Main and Mr Le Ruez, President and Chief

Officer of Housing, to this Scrutiny Panel hearing. To start with, the formal end of the business, I am going to read a statement that is actually written in front of you. It is important that you fully understand the conditions under which you are appearing at this hearing. You will find a printed copy of the statement I am about to read to you on the table in front of you.

Shadow Scrutiny Panels have been established by the States to create opportunities for training States Members and Officers in developing new skills in advance of the proposed changes of government. During this shadow period, the Panel has no statutory powers and the proceedings at public hearings are not covered by Parliamentary privilege. This means that anyone participating, whether a Panel Member or a person giving evidence, is not protected from being sued or prosecuted for anything said during hearings. The Panel would like you to bear this in mind when answering questions and to ensure that you understand that you are fully responsible for any comments you make. That is the formal bit over. I think Deputy Martin has the first point, a fairly straightforward one.

DEPUTY MARTIN: Yeah, under the new proposed Migration Policy, what changes, if any, are envisaged to the appeal process, i.e., from IIG, and what criteria are used by the Committee to decide hardship cases?

DEPUTY LE MAIN: Are you going to start, or do you want me to start?

MR LE RUEZ: You can start and I will chip in.

DEPUTY LE MAIN: Well, probably, if I ... I anticipated you might ask this question, so I just photocopied something which may be helpful to the Panel. **(Same handed to Panel)** It is just the ... An appeals procedure, actually this should be something that should be or will be addressed by the ministerial issue. It doesn't come under this Migration Policy that we are discussing today. The issue has been considerably addressed by, as I say, by P&R with, what is his name, the chap I spoke to this morning?

MR LE RUEZ: Jeremy Harris.

DEPUTY LE MAIN: Jeremy Harris, and they have looked at all these appeals. We don't consider currently, the Housing Committee don't consider that there will be virtually any difference from previously. If you would like to look at your issue there, the first line of

approach of appeal would be, in our opinion, the Population Office staff, so somebody would go there with a politician or lawyer or otherwise. Then you have got another one, who is the Office Manager, the same thing. Then you have got a Population Office Director, so you have got all those in line. Then you can appeal to the Deputy Minister, okay, so, on an issue if somebody lost their job or somebody got dismissed and there was a problem. And then finally there is a minister and, after that, there is a review board or the right of appeal to the Royal Court.

I have to say that the Officers of the Housing Department currently, namely Peter Connew and Tina Worboys, are very, very experienced in dealing with appeals at the present time, and the Committee currently have delegated, within policy, delegated a lot of the issues that don't now come to Committee but are dealt with by Officers. Currently it is not very often now in the last 12 months do we get appeals, particularly in this sort of thing. I would rather hope that the appeals procedure can be dealt right through without the minister being involved at the end of the day. There is a right, right across this process, of the appellant being able to bring with him or her anybody to help to review their case, and I wouldn't see a problem with that.

But there is a bit of a difficulty on the case of a, similarly done by the Housing Committee at the moment, of two Members of Committee, as you know, that review an appeal and consider any new facts that may be put forward. Then it goes to the Housing Committee. But it seems to me that, on further investigation with other Committees, in particular the Health Committee, who had a similar process to the Housing Committee, inasmuch as when there was any health tribunal or health appeals under the mental health legislation, that two Committee Members actually interviewed, with the doctor or the otherwise, the appellant and they make solely the decision, not the Committee.

So I don't envisage ... and some of the fears that may have occurred amongst Members of issues such as a person being sacked out of their job and they have an issue with their accommodation, the Housing Committee currently have dealt with many of those cases, where J category licence holders for one reason or another have been dismissed or there has been a divorce or the person who has got the J category has walked out on the accommodation and left a wife and children. I don't think there has been one case that hasn't been satisfactorily arranged

with the appellant or the person appealing by allowing him quite a long time to stay in the accommodation or, in a couple of cases, G consents have been given. So I would rather hope that the momentum would continue.

DEPUTY SOUTHERN: Can I come in there, Judy?

DEPUTY MARTIN: Yeah, sure.

DEPUTY SOUTHERN: Do you think that an appeal to a single Member ultimately ... in that chain of command there, at which level do you see the discretion to grant coming in?

DEPUTY LE MAIN: If it is within policy, if it is within policy now, there is quite a considerable amount of discretion given to Officers at the present time, within policy.

DEPUTY SOUTHERN: Right.

DEPUTY LE MAIN: And a lot of the cases I think that you have been given, Deputy Southern, you have been given a list from the Department on Gs and what-have-you. Many of those -- many of those -- there could probably be another 40 or 50 like that that have been to the Department and the Department have actually dealt with them because they were well within policy.

DEPUTY BERNSTEIN: And precedent?

DEPUTY LE MAIN: Sorry?

DEPUTY BERNSTEIN: And precedent, in so much as the precedent has been set.

DEPUTY LE MAIN: Yes, there is a precedent over a period of time. About five or six years ago when I took over the Presidency and we had on Committee several minded politicians, particularly the Constable of St. Lawrence, Henry Coutanche, and Henry Baudains, whom most of you will know and may have worked with, but they were very, very sort of sympathetic to these cases. I think it is fair to say, Eric, that there were many more refused in those days and prior to those days than there are now, and the criteria has relaxed a lot. In fact, we are much more sympathetic now to hardship cases.

DEPUTY SOUTHERN: Did you say you have relaxed your criteria?

DEPUTY LE MAIN: No, no, I didn't say we have relaxed it.

SENATOR LE CLAIRE: I think you did.

DEPUTY MARTIN: Where is the criteria?

DEPUTY SOUTHERN: Where are the criteria?

DEPUTY MARTIN: Yes, where is the criteria and what policy?

MR LE RUEZ: The criteria were set out in the Housing Strategy, in paragraph 3.2.5 and endorsed by the States in 2002. I think, in terms of numbers and the more or the less sympathetic cases, what one needs to bear in mind is that you only have to go back a few years to find a much greater number of people in the unqualified sector, bearing in mind we have only just come down to a 15 year rule. Not so long ago, we had a 20 year rule and more cases were being put to the Committee in those years and more cases actually were being rejected. There are actually fewer cases, I would say, in total coming to the Committee these days and, I think, in the list that we submitted to the Committee, I have not totted it up exactly, but I think it was about 40 that were granted and only a handful that were actually rejected out of those applications.

SENATOR LE CLAIRE: I think you gave us 38 examples.

MR LE RUEZ: Well, as I say, I have not totted it up.

DEPUTY LE MAIN: Yeah, but the other thing you have got to remember is there is much more accommodation in the marketplace now, much better accommodation than there was five years ago as well, which has helped.

DEPUTY MARTIN: Do you mean in the unqualified sector?

DEPUTY LE MAIN: In the unqualified sector.

DEPUTY MARTIN: The qualified sector, yeah, so they are not coming ----

DEPUTY LE MAIN: They are not coming forward.

DEPUTY MARTIN: They are not coming forward. But that would be totally different. I think where you can get ... the licensed system, when they lose their licence for work, they will lose their housing, but they are not in the registered sector, they are in the A to H sector.

DEPUTY LE MAIN: Are you talking about an unqualified or are you talking about ----

DEPUTY MARTIN: A licence, when we come to a licence, so it would be regarded as A to H for leasing while they have the licensed employment.

DEPUTY LE MAIN: Currently ----

DEPUTY MARTIN: So lots more could come to you.

DEPUTY LE MAIN: Well, currently, if a J licence holder loses his position for one reason or another and is in accommodation, we have granted every applicant currently that has come to us on grounds of either children taking exams, they want to finish off terms or various issues and there have been several cases where the J category licence holder has walked out on a family, for instance, and issues like that and they have been dealt with very satisfactorily, 100%, as far as I can remember. I can't think of any cases that we have turned down at all.

DEPUTY BERNSTEIN: What have you done?

DEPUTY LE MAIN: Sorry?

DEPUTY BERNSTEIN: What have you done?

DEPUTY LE MAIN: We have given them a length of period of time to stay in their current home or, on a couple of occasions where there has been a death in the family or a tragedy or something, then we would have granted them hardship G qualifications, even though there has been even one tragic case 18 months or two years ago that one of the States Members took up and they had only been in the Island four or five years and there were children involved and what-have-you and the Committee felt a lot of sympathy and they were granted a G hardship.

DEPUTY SOUTHERN: Do you feel that ultimately appealing to the single person or minister is a good way of proceeding, because appealing to a committee has a different feel to it in terms of ----

DEPUTY LE MAIN: I have a difficulty with that, inasmuch as the Committee want to maintain what we have shown you here today because we believe that this is an issue for P&R and for the ministerial side of things, because I know Planning are in difficulty over an independent appeal, Health and Education and what-have-you and probably Social Security. But, at the end of the day, even with all those that appeal, you have still got the Review Board and the Royal Court at the end of the day.

I know exactly where you are coming from. Currently it works very well with Housing because an appellant can appeal to a subcommittee who can review the case and only

recommend it to the Committee, the main Committee and the main Committee of five currently make the decision. But the Committee are determined, I suppose in time, to maintain this course of action, unless there was guidance generally on all the other Committees on which way they are going to go.

DEPUTY SOUTHERN: So you think a decision will ultimately be down to effectively the Council of Ministers?

DEPUTY LE MAIN: Well, no. I would rather hope that, at the end of the day, as part of the ministerial government ongoing issues, it is an issue that I think at the end of the day the States Members themselves will have to make the decision because, as you know, the appeal is one of the great issues on the right of an individual.

DEPUTY SOUTHERN: Yes, and certainly I think there are some Human Rights implications there.

DEPUTY LE MAIN: You see, off the record, I would have no problem having an independent two members or tribunal, but there are difficulties. You know, there are difficulties of whether you get two members who understand the laws, whether they understand the policies of a Department or a Committee. You know, there are those sorts of issues. I think this time I do know where you're coming from. It really is ... in fact, I don't like, don't particular like, going to appeals, sit on Subcommittees because I find them too traumatic for me. So I wouldn't want too many come to me if I was currently the Housing Minister.

DEPUTY SOUTHERN: Can I bring you back to the change in numbers? You say that the current list that came to Committee is very positive, in that the vast majority have been accepted and not rejected. Could we have information on the others that don't go to Committee that have been actually at the discretion of Officers in that filtering system? Can we know what happened to those?

MR LE RUEZ: I think we just need to clarify a point in terms of the J categories and focusing on those, in that the majority of those where basically they were granted an extension are short term extensions.

DEPUTY SOUTHERN: Yes.

MR LE RUEZ: So they are not granted qualifications in that sense.

DEPUTY SOUTHERN: I accept that. Okay, I picked that up from ----

MR LE RUEZ: When the President was talking about, you know, the number of cases going through, then obviously the majority of J category cases would fall into that bracket. They are not long term extensions. If you are talking about consents granted to ----

DEPUTY SOUTHERN: Or rejected.

MR LE RUEZ: ---- G cases, the most common, I suppose, would be under the marriage breakdown policy, where it is clearly set out that an individual has a period of residence in the Island and five years married to a qualified person. They are then granted consent under G.

DEPUTY SOUTHERN: Under Article 8 of the Human Rights?

MR LE RUEZ: No, just under Regulation G.

DEPUTY SOUTHERN: To conform with Article 8 of the Human Rights Act effectively?

MR LE RUEZ: Well, if you wish to say that, although we don't refer to that in the policy. It is seen as a reasonably fair and just way of dealing with that application. If you want to refer it to -

DEPUTY SOUTHERN: But that has been introduced since the introduction of Article 8.

MR LE RUEZ: No, that has been in place for quite some time.

DEPUTY SOUTHERN: That Human Rights Law has been because it is the year 2000, so we are talking about ----

MR LE RUEZ: No, this policy was in place well before 2000.

DEPUTY SOUTHERN: I would be interested to have a look at the evidence on that. Anyway, we will come back on that.

MR LE RUEZ: Can I just check on what you were actually asking for us to provide?

DEPUTY SOUTHERN: Yes, you are saying you already grant discretion to assess a certain number of cases based on precedent or based on your guidelines by the Officers.

MR LE RUEZ: Right.

DEPUTY SOUTHERN: So I would like to know also, in addition to the list you have already supplied of the ones that end up with Committee ----

MR LE RUEZ: The numbers of the granted.

DEPUTY SOUTHERN: The numbers and what has happened to them.

MR LE RUEZ: The cases that got through the Officers.

DEPUTY SOUTHERN: Yeah, the cases that were reviewed by Officers.

DEPUTY LE MAIN: The majority, if I may say, a lot of those that come to Committee are people that refuse to accept that, you know ... what can I say? They were advised by the Department that it doesn't meet policy criteria and they have no chance of attaining their hardship with the evidence they have put forward, but they still insist. Many of them will take that advice from the Officers, but some will insist on going to the main Committee for the main Committee to make a decision. Invariably those are the ones.

DEPUTY SOUTHERN: Returning to your criteria again, your criteria were published in the Housing Strategy. It was a list of categories.

MR LE RUEZ: Yes, it was very broad.

DEPUTY SOUTHERN: The factors. It was very broad. So there are no guidelines that you could give to any applicant to say: "Your assessment, your application for a hardship case will be viewed along these lines".

MR LE RUEZ: No, you are right. The guidance is not detailed. It basically sets out the criteria which ----

DEPUTY SOUTHERN: May be taken into account.

MR LE RUEZ: It shows up factors that may be taken into consideration and it is not exclusive. There may be other factors, because while some G applications, as the President mentioned, have sort of common factors -- marriage breakdown, children and medical factors that are quite common -- you do get some very odd ones, you know, one-offs.

DEPUTY SOUTHERN: Paul, do you wish to come in?

SENATOR LE CLAIRE: It was exactly that point, Chairman. You mentioned, Mr Le Ruez, that the policy was set out in the Housing Strategy in 2002 and then you went on to say that it had been in place for a lot longer.

MR LE RUEZ: They are two different things.

SENATOR LE CLAIRE: Right.

MR LE RUEZ: Sorry, they are two different things.

SENATOR LE CLAIRE: Because I was trying to ascertain where the criteria were passed down under 3.2.5, you said, in the Housing Strategy. I just wondered if States Members were cognisant of the fact that, when they were approving the Strategy, they were actually passing on to a Department the criteria by which they would determine people's hardship consents.

MR LE RUEZ: These criteria were not being set up as something new.

SENATOR LE CLAIRE: Right.

MR LE RUEZ: It was really setting out what had been in place and used by the Housing Committee for many years. That is what it was.

SENATOR LE CLAIRE: And did it change at that point from politicians' responsibilities to civil servants, or has that always been the case?

MR LE RUEZ: Sorry, we seem to be at cross purposes here.

DEPUTY SOUTHERN: Delegation downwards, having delegation downwards. Yes, when did that change is the question, I think.

MR LE RUEZ: The criteria set out are Committee criteria used by the Committee when considering G applications.

SENATOR LE CLAIRE: Right.

MR LE RUEZ: You mentioned the Officers' decisions and I was referring to the marriage breakdown policy here, which has been in place prior to the year 2000 and prior to this Strategy being in place.

SENATOR LE CLAIRE: So, prior to 2000, Officers made the call on whether or not to grant hardship based upon that sort of criteria?

MR LE RUEZ: Yes.

SENATOR LE CLAIRE: Was there a change of any significance or if at all of the operational requirements for a matter to come to politicians and it was abdicated to civil servants after 2002 or have they always remained the same and, if so, can we see statistics to see what kind of consistency the Department has been exercising?

MR LE RUEZ: There was no change, no specific change, in 2002 and we can provide you with the details of the marriage breakdown policy, which is the one effectively which came up the most frequently.

DEPUTY LE MAIN: The most common one.

MR LE RUEZ: And again delegated power to the Officers. The actual policy, to my recollection, was varied once during the 1990s. I can't say exactly when, but we could look that up. The variation, if I remember correctly, was to do with the period of years ----

DEPUTY LE MAIN: They had lived together.

MR LE RUEZ: ---- that the applicant had resided in the Island, but we can provide you hopefully with obviously the current version and, if we go back and pinpoint the year, we can give you the previous version.

DEPUTY SOUTHERN: Do you want to come in?

DEPUTY MARTIN: Just one extra. They referred to ... when you just said "*marriage breakdowns*", in the new Migration Policy it refers for this part of the law "*spouse or partner*" who have been living together will be treated the same, but that doesn't happen now, does it?

DEPUTY LE MAIN: Yes, it does.

DEPUTY MARTIN: It does.

MR LE RUEZ: It happens with Housing.

DEPUTY LE MAIN: Yes, anyone cohabiting is considered the same.

DEPUTY MARTIN: Yes, living with children, yeah.

DEPUTY BERNSTEIN: I just want to clarify one point. You mentioned five years. I didn't quite hear what you said.

MR LE RUEZ: If somebody has been married to a person with residential qualifications for five years, that is the point at which they would be considered for consent under delegated powers.

DEPUTY SOUTHERN: Or in a relationship.

MR LE RUEZ: Yes, or in a relationship.

SENATOR LE CLAIRE: Can I ask one last question? I think Judy was going to pick this up. Either I am in the wrong place or you haven't picked it up. In one of the examples we were

given -- I think we were given 38 examples -- of what sort of things are considered and you listed them Mr A, Mr B, Mr C and Mr D, there was one specific example which caught our attention, which was an individual that was not granted consent. I think Deputy Martin wanted to cover that.

DEPUTY MARTIN: I will just read it, yeah. It is "*Mr M, seven years eight months towards a total of ten years. Jersey born.*" He had that total towards ten years and he left J employment and your criteria decision was "*Refuse, self created homelessness*". Well, he had been here seven years and eight months under a J. Possibly, you know, with work contracts being linked with the employment, you are going to see a lot more of these, so that criteria is not very helpful.

DEPUTY LE MAIN: I don't know the case you are talking about, but if he deliberately made himself homeless somewhere along the line ----

DEPUTY MARTIN: Well, he left employment, which you say ----

DEPUTY LE MAIN: Well, I don't know.

DEPUTY MARTIN: ---- which you say created homeless. I mean, I know, it's all broad brush and they are confidential, but I'm saying this new, you know, under the criteria, I think you are going to get the contracts linked, the licensed contract then linked with the housing accommodation. That doesn't give anybody here the work criteria for how long they've been in the job.

DEPUTY LE MAIN: No, but if they ... what we are talking about when we are talking about hardship, if somebody deliberately -- deliberately for whatever reason it may be -- renders themselves in a position and expects to be picked up on a hardship, it is slightly different to the one that's been not in that position and has been either sacked or dismissed or something by an employer or otherwise.

DEPUTY SOUTHERN: So you are saying that anyone with this link between the licence as will be and the accommodation, you are saying that anyone who felt that he no longer wished to work for an employer for whatever reason ----

DEPUTY LE MAIN: No, I didn't say that.

DEPUTY SOUTHERN: ---- and thereby renders himself ineligible to stay in his accommodation, would be deemed as deliberately making himself homeless.

DEPUTY LE MAIN: No, no, but what happens if someone deliberately, he was in a good job or in a job under licence and all of a sudden he decides he doesn't want to work any more and just doesn't turn up any more?

DEPUTY SOUTHERN: So, right, right, okay, that will happen then.

DEPUTY LE MAIN: Well it may happen.

DEPUTY SOUTHERN: Under the new system.

DEPUTY LE MAIN: In my opinion -- I mean, I could be wrong, but one would have to look at the case -- but there must be a bit of a difference from one who just deliberately renders himself in that position to one through no fault of his own.

DEPUTY SOUTHERN: But that is a heavy pressure. That is a heavy pressure on a person to stay in a particular job because his accommodation is linked to it.

DEPUTY LE MAIN: I did say one would have to investigate the case. It may be the case what you are just saying.

DEPUTY SOUTHERN: Eric, did you want to say something?

MR LE RUEZ: All I would say is no more pressure than exists on J category employees at the moment, because, if they choose to leave their employment, then they give up their housing.

DEPUTY SOUTHERN: Julian?

DEPUTY BERNSTEIN: Yes. Actually carrying on from there with the scenario of an employee having worked in the Island for a certain amount of time and then loses their job, what advice has the Committee considered regarding a potential challenge under Article 8 of the Human Rights Act?

DEPUTY LE MAIN: Well, all our policies, all our policies have been vindicated by the Crown Officers as being compliant with Human Rights, all of them.

DEPUTY BERNSTEIN: So you have covered all the angles?

DEPUTY LE MAIN: Yes.

DEPUTY SOUTHERN: Is the Committee aware that the likelihood is what will happen in the UK will happen here, which is that where there is a certain restriction on somebody's human rights, in this case under Article 8, the right to respect for private and family life, whereas that is

limited by our legislation, with the advent or the adoption, the full adoption, of Human Rights in Jersey, a challenge under that, according to our Housing Laws now and according to the Migration Policy in the future, could be made in Jersey Courts rather than going to the European Courts?

DEPUTY LE MAIN: Yes.

DEPUTY SOUTHERN: And it is likely that certainly the way things have worked out, the limits not by which, but ... what is the word I'm looking for.

SENATOR LE CLAIRE: Proportionality.

DEPUTY SOUTHERN: Yes, the restriction on right is proportionate or disproportionate is going to be decided by individual cases being challenged in the Courts. Are the Committee aware that that is likely to happen?

DEPUTY LE MAIN: With such a sensitive item as Human Rights in regard to Housing, the Housing Committee are very well aware that we could be open to challenge at any time. We have advice from the Crown Officers, but we all know that it is advice and advice can be challenged, and we do comply with the advice given to us by the Crown Officers on a lot of the issues. But, you know, yes, we could be challenged and, if we are challenged, then obviously our policies are not right and we will have to change our policies. But I would rather hope that it would never get to that. I would rather hope that if we are erring or could be erring -- I don't think we are, but if we were -- we would immediately take steps to make sure that it would be addressed.

DEPUTY SOUTHERN: Well, if you were to be found to be disproportionate in the Court and a step too far, I mean, you will be ordered by the Court to change the way you break the law.

DEPUTY LE MAIN: Well, we actually wouldn't need ordering. We would immediately -- we would immediately -- comply even with any pre-advice to any court case. If it came to our notice that we were advised by the Crown Officers that we could be, we would take steps.

DEPUTY SOUTHERN: The Crown Officers would not advise you. The Law is made by the Court, not by the Crown Officers. The Crown Officers give you judgment, an opinion.

DEPUTY LE MAIN: But as a States' Committee the advice that is received by the Crown Officers is taken on board by the Housing Committee.

SENATOR LE CLAIRE: Could I ask you a question, please?

DEPUTY SOUTHERN: Yes.

SENATOR LE CLAIRE: Specifically relating to that, I appreciate these proposals were drawn up by various bodies and groups and everything else, but your comments in relation to the proposition of these proposed policies, your comments included in the report do support proposals that are coming before the States Assembly. At what stage, if any, did the Committee consider the legal opinion as to whether or not these proposals would be acceptable under the Human Rights Law?

MR LE RUEZ: Sorry, at what stage did the Committee consider?

SENATOR LE CLAIRE: At what stage did the Committee consider the Human Rights implications that were going to come from our existing okay sturdy laws to what is being proposed now, which could be challenged? At what stage did the Committee consider the Human Rights implications before giving weight to their comments in the proposition to say that they can support it?

MR LE RUEZ: Could I say that I think the Committee believes that the proposals in the Report and Proposition are actually an improvement on the current situation in terms of the fairness to residents of the Island, in that there are two particular strands. One is to reduce the qualifying period and, therefore, to grant a greater number of people complete access to the housing market, and the other is, if the supply of accommodation allows, to grant a greater number of economically active working residents access to that market. Now, that must be an improvement on the situation we have now.

SENATOR LE CLAIRE: But that wasn't my question though. The question was at what stage, if any, did the Committee consider the legal advice, if it has considered the legal advice, on the proposals, not whether or not it is of the opinion that this would be a fairer system?

MR LE RUEZ: I am sorry, I don't really understand the question. The Committee, the Housing Committee, was not drafting the proposals. This is a Policy and Resources Committee Report and Proposition. Advice would be taken by that Committee and the Housing Committee was simply looking at the proposals in the Proposition.

SENATOR LE CLAIRE: It is just that the President said that he had received, or the Department and the Committee had received, legal advice for the objectivity and sturdiness of the laws from the Law Officers and I am just wondering ----

DEPUTY LE MAIN: No, on policies.

SENATOR LE CLAIRE: On policies, yes, and so I'm just wondering at what stage the Committee satisfied itself that the change in the policy, which is going to occur and which is proposed under this satisfied those legal requirements and, in particular, although it is a Policy and Resources document, unusually the Housing Committee's comments which are in support of the proposals set out in the proposition and the report are in the pages of the document.

DEPUTY LE MAIN: But the Housing Committee, the Housing Committee when it discussed and when it went through all these issues on this Proposition, considered that the improvements in this new document and the Migration Proposals were a vast improvement on what currently existed with the unfairness and also it was felt that it would, that the policies were, particularly in appealing, in the appeals, as compliant as previously.

SENATOR LE CLAIRE: Human Rights compliant?

DEPUTY LE MAIN: Yes.

SENATOR LE CLAIRE: You had that advice from the Law Officers?

DEPUTY LE MAIN: We continuously get advice from the Crown Officers. I mean, we are continuously in correspondence and in discussion with the Crown Officers on many of the issues. We have got, I think, two or three cases at the present time. We have got two or three cases at the present time where there have been States Member with specific comments that currently we are seeking advice on as well.

DEPUTY SOUTHERN: Do you want to move on to question 4, Paul?

SENATOR LE CLAIRE: Question 4, sorry, we are going to move on to something else. It was just that I wanted to ask something that was relevant. In the States on 1st March, which the *JEP* linked to a headline on 2nd March, you stated or it is recorded that, although you didn't accept that the numbers would double, there would be an increase in the numbers. Could you give us an estimate of what you believe the increase in numbers will be and how you see those numbers

crossing over, coming over through this new system, those existing numbers and the overall increase.

DEPUTY LE MAIN: When I said that I didn't see much of an increase, the issue was that currently we have something like 900 Js in the Island at the moment and many of them are in health and education. Now, currently I don't see any extra new incoming migrants in the next four or five years to be significant, maybe 100 maybe ... it is all according to the kind of businesses that are going to operate in Jersey, if it is going to bring in new business and help training and what-have-you.

The issue is that currently those people that are on Js will stay in Jersey as licensed. But the issue is that it is what ... the second stage would be of course what the Population Committee will do. Now, will they go out and give 400, 500 or 600 licences to those that are existing in the Island? Now, I can't give you that advice at all. When I made the statement about 900 and I didn't anticipate any more, I meant incoming, incoming new immigrants to the Island on that basis.

DEPUTY MARTIN: Can I follow that, Terry? You answered me. I asked the question in sort of two parts in the States, the permanent Js and the short term Js, you know, three to four year contracts.

DEPUTY LE MAIN: Yes.

DEPUTY MARTIN: Now do you see that? You have got your permanent Js and you I accept you can't change that. They will go to licensed, but they will go there when their contract is a permanent contract. They will go to the term of being told. How do you see the 600 that are on short term Js being going across to what sort of licence?

DEPUTY LE MAIN: Yeah, well, that would probably have to take over a four, five or six year period. It can't be done just immediately. The case will have to be made by the employers to the Population Committee, who will then issue licences if there is enough accommodation available. It is all subject to the availability of accommodation. Would that be right, Eric?

MR LE RUEZ: In terms of the total numbers of licences granted, that is correct, but I think what you are getting at is that those who are in the existing J category ----

DEPUTY MARTIN: Short term licences.

MR LE RUEZ: Short term licence holders, the proposals are draft proposals and I don't see any reason why the employer would not be granted perhaps some short term licences for specific jobs, but the employer still retains the right, of course, to grant those to whichever employee he wishes and every three years, shall we say, there is a review of the total number of licences granted to that employer. Now, the total number of licences could include permanent licences and short term licences. There is no reason why there shouldn't be a continuation of that arrangement.

DEPUTY MARTIN: There is nothing in any of the reports though that there is going to be a different type of licence. You see, the fairer system, we are told -- and this is not the first time we've heard -- is a three year licence and then it's making again ... or a long term licence. It's another category, but it's not actually in black and white in the Migration Policy.

MR LE RUEZ: No, it is not. The detail of the process is not there. It might say three years. Generally, at the present time, under the Regulations Undertaking Development Law, there is a three year review of the employee package for each employer.

DEPUTY MARTIN: Yeah.

MR LE RUEZ: I would see a similar sort of ----

DEPUTY MARTIN: Well, it's in the policy there. A three year business plan renewed every three years. It makes the case for a three year licensed job.

MR LE RUEZ: We might see a similar sort of arrangement.

DEPUTY SOUTHERN: Can I suggest that when the granting of a J category, for example, is traditionally in the Government's hands, in future that responsibility will be transferred to the employer. The Government's reason for granting J cats is to try and ensure that not too many people qualify to live here to keep the population down.

DEPUTY LE MAIN: Yeah.

DEPUTY SOUTHERN: That motivation does not exist with an employer. If he has got a good employee in a position doing a job, he is going to want to keep that good employee and he is just going to keep rolling the three year with the same ... it would be a rolling three year contract with the same employee and that actually, in handing over that control mechanism to the

employer, you are actually weakening controls on population growth because it is to the advantage of the employer to keep the person rolling through and thereby getting them qualification in the end. Do you follow that logic or not? Do you accept that that is a possible consequence of what we are proposing?

MR LE RUEZ: I don't think it is a necessary consequence, in that if there is a job and an essential job to be done, it has to be filled by a person. Whether that is a person who arrives on the Island and then gets sent away again and a new person comes in or it is somebody who remains here for the duration of that job, I don't think it makes a huge amount of difference. In practice, with there being no restriction on people coming to live here -- I am talking about living in the European Union and the UK area -- somebody who has been granted a J category licence in the past, a short term licence, where that has expired, for many cases they have actually remained in the Island but lived in unqualified accommodation. So, in terms of the population factor, I don't think that that slight change in the approach would make that much difference.

DEPUTY LE MAIN: And one of the other issues, of course, that has been of concern to many of the employers, particularly over the last two or three years, is this "*know your client*" scenario and the roll over, very short roll over, of three years and five years, where they were just changing over staff all the time, which was not beneficial to people, particularly in the finance industry, where relationships (as you all know) are built with bank managers and bankers and what-have-you, particularly with clients investing. They deal with someone for three years and then after they have got somebody else for three years and it hasn't been doing any good. One of the reasons or many of the cases made for extensions up to seven years has been made on that basis. We have had representations on several occasions by Colin Powell and others saying that, you know, "We've got these people that know our clients. The clients know them. We need to maintain that kind of staff."

SENATOR LE CLAIRE: Can I ask you, because that is very interesting that you have actually considered that as part of your thinking, because the "*know your client*" requirements under the Proceeds of Crime (money laundering) Law are quite specific. It doesn't matter how long you have known your client, if they want to open up a new account or something, they have still got

to produce a driver's licence or a passport etc. It is not necessarily an interaction between the persons, it is the proof of documentation, the proof of the company etc, the money and where it has been sourced from. So the "*know your client*" may be nice in as far as giving services is concerned, but I take a different perspective, and I think the law takes a different perspective, as to your interpretation of it.

DEPUTY LE MAIN: No, I think you have got me ... I don't think it is that part that I'm talking about. It is the "*know your client*" who is a client that lives overseas and has delegated huge sums of money to investors and bankers to work that money on his behalf, so he actually already knows. The "*know your client*" is already known, but the investor, the client, wants to maintain contact with the same person. It is not a case of opening a new bank account and dealing with somebody new. These are existing clients.

SENATOR LE CLAIRE: That is a matter of service, not a matter of "*know your client*" principles.

DEPUTY LE MAIN: It is. Oh no, no, no.

SENATOR LE CLAIRE: Knowing your client is a different thing than the "*KYC*" principles. I don't want to be picky about it, but I just think that there are two different issues there.

DEPUTY SOUTHERN: If I could take us on to some number work, Eric, probably directing this at you and not at Terry? The Strategy Plan 2005 to 2010 calls for an increase in the housing stock of no more than 1,750 units. Can you tell us how that number was arrived at?

MR LE RUEZ: Um ----

DEPUTY SOUTHERN: I presume they did consult you when they decided how many houses we are going to build in this period.

MR LE RUEZ: It's drawn usually ... sorry, it's drawn from Planning proposals rather than Housing because Planning, of course, control the overall supply of land and the development in the land rather than Housing. Um, the 1,750 was arrived at by pulling on various statistics and really I can't say any more than yes, we were consulted and, if you work back from that figure using the Island Plan and Planning for Homes documents, you will come to that.

The trouble with forecasting -- I was looking at this for a different reason this morning --

was that each point in time your figures change because you have new development going on, completion, demolitions etc. You have the Planning for Homes document which will be coming out hopefully within the next couple of months, which, on the basis of information which has been provided through the housing survey released six weeks ago... ~~or something like that?~~

DEPUTY LE MAIN: Yeah.

MR LE RUEZ: That will give forecasts for expected completions and expected demand over the next five years.

DEPUTY SOUTHERN: Yeah. When you were referring to that, were you referring to the Jersey's Housing Requirements 2005 to 2009 from the Statistics Unit?

MR LE RUEZ: That is the survey, yes.

DEPUTY SOUTHERN: That is the survey report. Right, okay, that is good because ... right, in that report, the Statistics Unit say that "*Housing requirements for 2005 to 2009 estimate a potential shortfall of 1,575 units in the two, three and four bedroom owner occupier properties*", yes? That is 1,575. So the first point is, if those units don't get built, there is a possibility that the surpluses elsewhere in the housing market that are predicted will get frozen, yeah? People will not be able to move out of one bed or two bed flats and into two, three or four owner occupation. So the housing market will lock, yeah? Do you see that as a risk at all, that there is a danger that, if numbers go up and the housing demand is not met, we will actually end up with a risk of a freeze in the housing market? It gets locked.

MR LE RUEZ: Um, well, there is always that risk. If you look back in time, you will see periods when actually there was very little building. That sort of situation arose and you have spikes in residential property values. Where we stand at the moment is that the survey has produced these figures but has not taken any account of the supply side; in other words, developments under construction. It is a figure purely of the demand. It doesn't take into account the supply and, if you look in the most recent document, which would actually be the last Planning for Homes document, which is now getting on for a year or so old, you will see the supply figures coming through, which present actually quite an attractive picture in terms of meeting certainly the majority of that demand. If you sort of project further on and look back at

the Island Plan, if proposals come through for the H3 and H4 sites, we are really in a very good position to bring about some of the proposals such as are in the population/migration document. In other words, one could reduce the qualifying period still further from 15 years without having a particular impact on prices. We talked about the 900 J categories at the moment. There might also be the potential to increase that number of licences granted if that was desirable.

DEPUTY SOUTHERN: Right. Can I suggest to you that your own figures would suggest that that is not possible, and I will take you through it, if I may? You are talking about 1,750 units as the maximum build in this period, yeah? You are talking about 1,575 possible shortage of two, three or four bedroom owner occupier properties, right? But this does not take into account the effects of the currently non-qualified households getting qualifications under the present 15 year rule. That requires, according to this document, another 155 units. 1,575 plus 155, you can already see that you are getting close to your 1,750 units and that doesn't allow you to then reduce the qualifying period from 15 to 10 years, as proposed in the Migration Policy, because that requires a further 255 units. Nor does it allow you to possibly increase the number of Js, i.e., increase the net inward migration, because you need another 45 units for every extra 100 net immigrants that you let in and give Js to.

So if this greater access that you say you are aiming for and this greater equity and equality that you are aiming for through bringing down the housing qualifying limit and possibly allowing a few more immigrants in, migrants in, with access to A to H, i.e., licensed, you are way over the figure that is in the Strategic Plan of 1,750. It won't work. You simply can't do it without busting that figure.

MR LE RUEZ: That may be true, but I think the key thing here is the 1,575 or around about that. It is theoretically possible that all these people will move into larger units and, therefore, create lots of vacancies, but we all know that that isn't going to happen.

DEPUTY SOUTHERN: How do we know that?

MR LE RUEZ: Um, the pieces don't fit. In other words, take the Housing Committee stock, for example, we have got 4,500 dwellings. At any one time in the last 10 years or so, we have had 500 people on the transfer list. Some of those 500, if we had been able to sort of swap them,

those who needed a two bedded into a one bed and those who needed a one bed or a two bed, if we would have been able to match them exactly meeting their requirements, then we could have shrunk our transfer list to a much lower figure. We wouldn't have had to put in a net 500 new units to clear the transfer list, if you follow me, and, with that 1,575, the same sort of logic applies. You don't actually need 1,575 new dwellings to achieve some movement. So the 1,750 is actually 1,750 new and additional dwellings to the whole housing stock. Does that make sense to you?

DEPUTY SOUTHERN: It will when I see the transcript possibly or either you may be returning here with further questions.

MR LE RUEZ: Just coming back to the housing survey, for example, it takes into account vacancies created when people die, okay?

DEPUTY SOUTHERN: Hmm hmm.

MR LE RUEZ: So it is not actually a new one bedroom unit of accommodation that is built. It is a unit becoming available because somebody has died. Does that help?

DEPUTY SOUTHERN: I think that is already catered for in the number 1,575. I think that is already catered for, but we will return to this issue no doubt in further detail. I mean, it is not something that we can ... I mean, bandying figures around orally is not an easy thing to do, okay? Would somebody like to take us on? **(Pause)** Or is it me?

DEPUTY MARTIN: It's you, Geoffrey.

DEPUTY BERNSTEIN: It's you.

DEPUTY SOUTHERN: All right, that is why nobody said anything. Okay, then, in the Housing Committee's discussion paper, dated 19th May 2004, which was attached to one of your Housing Department minutes, you refer to the possibility of reducing the percentage of non-residentially qualified households from something like 13% to 8% through a combination of increased licences and a reduction of the qualifying period. Can you explain how that is going to work?

MR LE RUEZ: Well, it is relatively straightforward in terms of principles. At the moment you have got probably just slightly less than 13% non-residentially qualified heads of household. If you reduce the residential qualifying period from 15 years to 10 years over a period of time, you

will put in several hundred households or lose several hundred households from the non-residentially qualified into the qualified market. Similarly, if you increase licence holders from 900, then, again, you attract certain people from the non-qualified sector to the qualified sector. The 12% or 13% equates to about 4,500 households or something like that.

DEPUTY SOUTHERN: Significant numbers, yes.

MR LE RUEZ: So, as you reduce that, then your percentage goes up. I think, as the President explained earlier, you will only do that if it can be done without ----

DEPUTY LE MAIN: Aggravating it.

MR LE RUEZ: ---- an impact on residential property values. In other words, the last thing you want to do is increase demand to the extent that it begins pushing prices up to the detriment of those who are residentially qualified at the moment. So you have to ensure the supply of accommodation is sufficient.

DEPUTY LE MAIN: In fact, we are lodging a proposition to further reduce from 15 to 14 years at the time we are speaking now.

DEPUTY BERNSTEIN: How many people will be involved?

DEPUTY LE MAIN: Sorry?

DEPUTY BERNSTEIN: How many people will that involve?

DEPUTY LE MAIN: Well, at the moment, the average has only been around not even 100, Eric, has it?

MR LE RUEZ: Yeah, we would estimate that, coming from 15 to 14, potentially about 150. That is potentially.

DEPUTY BERNSTEIN: Is that family or?

MR LE RUEZ: That is heads of household.

DEPUTY LE MAIN: Heads of households.

DEPUTY BERNSTEIN: So it is quite a lot of people.

DEPUTY LE MAIN: Yeah, but they don't all take them up. I mean, we have been estimating these figures for a number of years, but a lot of people are either living with a qualified person or married to a qualified person or in fact don't move their accommodation. It has actually been ...

the take-up hasn't been what we have expected.

DEPUTY SOUTHERN: The take-up estimated by the Stats Department is two-thirds of those who are granted qualification follow through and take up qualified accommodation. That figure is two-thirds, so if there are substantial numbers overall, it is still likely to be a substantial number that actually take it up.

DEPUTY LE MAIN: Well, it hasn't shown with our figures at the moment. In fact, we got a very, very low take-up particularly for States' rental accommodation, very, very low.

DEPUTY SOUTHERN: Very low in States' rental, yes, I accept that, but converting to owner occupier or private rental in the qualified sector is significant.

DEPUTY LE MAIN: The Housing Committee currently feel that the time is right again now to further reduce by a further year.

SENATOR LE CLAIRE: Why is it that, when I brought the proposition not long ago, it was opposed on the grounds that we didn't want to bring something in isolation until the whole raft of policy was considered by the States?

DEPUTY LE MAIN: Because we are continually monitoring the impact that the change of policy does on availability and what-have-you and, since the last time that you brought something, there has been a considerable amount of new accommodation put in the marketplace and the take-up hasn't been as high as expected.

SENATOR LE CLAIRE: When you say "*a considerable amount of new accommodation in the marketplace*", what kind of ... because I know we are going to receive a report in the future giving ----

DEPUTY LE MAIN: A considerable amount of ----

SENATOR LE CLAIRE: ---- forecasts of completion and demand, but how do you analyse that if the report is not ready?

DEPUTY LE MAIN: Well, there is a considerable amount of private sector accommodation in the marketplace with all the evidence before us, particularly from the estate agents, and around there is a considerable amount of accommodation.

SENATOR LE CLAIRE: Are you going to use that soon to be completed Planning for Homes

document which Mr Le Ruez mentioned, giving forecasts of completion and demand? Are you going to use that as part of your argument to convince the States to bring it down to 14 years, because you said that would be ready in a couple of months? I'm just trying to see where your timetable is.

DEPUTY LE MAIN: No, we're lodging it now. We believe we have got evidence before us now that proves that there is not going to be any great significant impact on the local market on availability, and the Housing Committee are committed to reducing and to making life more bearable for people and are committed to eventually reducing down to 10 years.

SENATOR LE CLAIRE: Because, if I can move on to question 9, which really follows this?

DEPUTY SOUTHERN: Yes, sure.

SENATOR LE CLAIRE: In expanding the licence agreement, there will be an impact on the housing demand and I sort of wondered what kind of measures are going to be in place to stop that demand upon the supply squeezing the prices higher. How are you going to do that?

DEPUTY LE MAIN: If we have a Migration Policy, the Migration Policy, this is all down to actually what ... we will still have to look at the demand and the availability and it will have to be worked with the Population Office, who will have to decide. If there is not the availability, they are not going to be able to grant any licences or long term licences. It is as simple as that. The licence will be issued to an employer only if there is currently enough accommodation to meet that need. You can't give more licences than the accommodation availability.

SENATOR LE CLAIRE: And with the 900 J categories right now, what is your estimate of the accompanying ... I mean, per J category, how many do you feel there are?

DEPUTY LE MAIN: Well, can I say that the Housing Committee will be soon considering to do away with the A to H. I think that we are considering looking at having A to J accommodation right across the board and Officers have been asked to prepare a paper on that at the moment. The Officers, without the Committee having discussed it in great detail -- we haven't discussed it -- the Officers are preparing to put forward a reason to have just A to J, which we believe may encourage more commercial properties to be converted into residential accommodation for rental.

SENATOR LE CLAIRE: Don't you think this is a bit strange, inasmuch as we are being

pressured by P&R to deliver a Scrutiny report so that they can get on with the debate they wanted to have this week and your Committee is proposing to make changes that they are recommending?

DEPUTY LE MAIN: No, the issue is, Senator, that we have been waiting for this Migration Report, which should have taken place last year. The issue is that we were promised faithfully. I made on behalf of my Committee certainly to many people that rang me, the likes of the ex-Constable, lady Constable of St. Brelades and all these people, who were concerned that this Migration Policy was going to be debated and I was giving them assurances on what we were all told, that the debates were going to take place last year, last year, and now, I mean, we are half way nearly coming up to a quarter of the year of 2005 and we still haven't got it yet.

SENATOR LE CLAIRE: Well, you told me the same thing, that you were, you know, not going to sit around waiting for ever.

DEPUTY LE MAIN: No. We were not intending to do any further reductions on the housing qualifications until the Migration Policy had been debated by the States, but we can't carry on. We have got a duty. We have got a duty because we believe there is enough accommodation at the moment to have another reduction, a further reduction.

SENATOR LE CLAIRE: Yeah.

DEPUTY LE MAIN: And it is unfair to leave people waiting and waiting and many of these people are people who are contributing in a large manner into the Island's economy. Some of them are wanting to buy. Some of them are getting a bit old now to even contemplate having mortgages and what-have-you. It is unfair, so we are going to go ahead and ----

SENATOR LE CLAIRE: I appreciate that. That is why I brought the proposition myself. Now, what I would like to ask though, if I could, please, President, is, in relation to bringing it down, two questions. Have you told the other Committees that you are intending to be doing this regardless of where it has got?

DEPUTY LE MAIN: No, we haven't told anybody yet at the moment.

SENATOR LE CLAIRE: And the second thing I would like to know is where your evidence to tell you? I know you are seeing evidence that the market is available. You have just said that, but what kind of evidence is available?

DEPUTY LE MAIN: Well, the evidence that we have got in the Department will be presented with the report to the proposition.

SENATOR LE CLAIRE: Yeah.

DEPUTY LE MAIN: I mean, I'm telling you this afternoon. We haven't gone out publicly at all. The Officers are working with the Committee on this at the moment and there will be a report and proposition lodged in the next week or so and you will be able to read the reasons, but the reasons are quite clear, that we believe there is enough accommodation at the moment and availability to drop by a further year, as we have always done.

DEPUTY MARTIN: Sorry, Terry, I was listening, but just on the point that you made there that there won't be any more licences allocated than there is accommodation to fill, now, are you talking about licensed accommodation, which would be in our A to H, because this is going to be a fight between Housing Officers and EDC or Reg of Unds when it comes to the crunch. I mean, you are making a statement that they won't issue any more licences. If there's not the accommodation in A to H, people can live in registered. They can't live in entitled. Well, they can. They can't live in entitled. Well, they can to a point which is already entitled and it is A to H, but it won't really ... how will it really work in practice? You are saying they wouldn't issue any more licences than there is accommodation out there, but there's people been running around sleeping in rooms and, you know?

DEPUTY LE MAIN: Well, I don't know. This is the basis of a worry that I've got at the moment.

DEPUTY MARTIN: Yeah, yeah, yeah.

DEPUTY LE MAIN: I certainly have that if the Housing Minister, whoever she or he may be, on the evidence from all factors shows that, you know, there is no availability or the availability is very tight, I would rather hope that the two Departments would work together on the basis, but ... well, it could be ... you are absolutely right. It could be that the Population Office, or whoever has been granting licences, could grant to have more licences than we have got. I don't know whether you would like to comment on that, Eric? It is a worry.

MR LE RUEZ: Well, I think, since the J category policy has been in place, the Housing

Committee has had to make a judgment on how many J category consents to grant, whether they should be short term or not. Over the years, the policy has varied from time to time.

DEPUTY LE MAIN: But it is the Housing Committee that has been doing it, not another Committee.

MR LE RUEZ: Yes, it is a discretionary regulation. With the Population Office, the Population Office will include housing control staff and Regulation of Undertakings staff. Now, new legislation will ~~come~~ through over the next few years, which hopefully will set in place similar sort of procedures so that the sort of fears that you have that, shall we say, an arm of the States' part of the Population Office could upset the supply and demand balance simply by granting employers willy nilly lots more licences could not take place. One would assume the minister responsible will be part of the Council of Ministers and would come under severe pressure if they allowed that situation to occur.

DEPUTY MARTIN: Yeah, but I'm not saying "willy nilly". The actual Migration Policy and the Economic Growth Plan is to grow the economy in a way that they will issue more licences. How many more we don't know and it will be probably cautious at first, but they will making their point. The employers, you know, they are saying, you know, grow your business. Of course you need more employers. They are coming to the office and they will be going to EDC -

DEPUTY LE MAIN: But they will only grow the business if it is new business or if it is going to bring additional benefits or benefits to those ----

DEPUTY MARTIN: And additional workers.

DEPUTY LE MAIN: Not necessarily.

DEPUTY MARTIN: Possibly not, but ----

DEPUTY LE MAIN: Not necessarily.

DEPUTY MARTIN: But it is growing the economy. You are fighting to advance.

DEPUTY LE MAIN: We have got a huge amount of young people that are in places like Highlands at the moment and politically all of us -- all of us -- have a duty to make sure that they have the first opportunity and not to take the easy way out. I tell you what, we have been fairly

tough with some of these people in the last two or three years, in wanting to bring people in and not having bothered to make a business plan, not advertised and not trained. We have sent them on their bikes a lot of them, you know.

DEPUTY BERNSTEIN: I would like to commend that.

DEPUTY LE MAIN: Well, by all means.

DEPUTY SOUTHERN: I am impressed that you have.

DEPUTY LE MAIN: Well, you know, we don't just give in like that. It is serious business. I mean, I've got a young daughter who went to university, but had a dickens of a job to get the kind of job she was trained for when she came back. It would have been the easiest thing in the world to have allowed an employer or that employer to have taken somebody from the UK.

DEPUTY BERNSTEIN: What sort of businesses have they been?

DEPUTY LE MAIN: Sorry?

DEPUTY BERNSTEIN: What sort of businesses have you been turning back?

DEPUTY LE MAIN: Well, all kinds. We consider all businesses now, not just the finance industry. We now grant Js, if it is a new business. If it is a new business or a small business, it doesn't have to be the finance industry, it is right across the board now.

DEPUTY BERNSTEIN: They need a business plan?

DEPUTY LE MAIN: Sorry?

DEPUTY BERNSTEIN: They need to have a business plan.

DEPUTY LE MAIN: They have to have very, very strong grounds to allow in a J when we have got a market of young people there waiting to be trained to take up positions.

DEPUTY BERNSTEIN: You were talking about the proof that they had looked within the Island. What sort of proof is that?

DEPUTY LE MAIN: Well, they've got to advertise. They've got to have a ... I mean, there are specific issues that, for instance, if you take a sail maker, for instance, you know, I met with the Yachting Association, you know, the boatyard boat people recently. Now, there is nobody in Jersey who does any training or anything like that now. There was a request for a sail maker because they believe, this small company believes, that they can get some business in from

France and what-have-you and those sorts of things are considered very seriously if they can give us some business back, they tell us. With the evidence provided to us, we are well aware that that kind of training and that kind of business is not going to be available in Jersey.

DEPUTY BERNSTEIN: I will read this question. *“It is important to recognise that meeting the needs for social rented and first time buyer homes is heavily dependent for the delivery of the homes on land zoned under Policy H2 of the Island Plan, in an appropriate time frame and in land with sufficient density. There are already increased objections to the density of housing schemes. Does this pose a risk to the Housing Policy?”*

DEPUTY LE MAIN: The issue is quite clear, that currently the density is far lower than density in places like Clos du Mon Séjour and Clos du Ville and all those. The current density applied by the current Committee of 72 habitable rooms is a lot lower than what it was in the past. Failure to ... failure on these H2, 3 and 4 sites, failure to deliver the kind of numbers under the current policy will only mean that you will have to look for more land and rezone further land. That is the issue.

DEPUTY SOUTHERN: Doesn't that threaten the achievement of getting the number of houses that you are going to need if you have do all this wonderful so-called equity moves that you are planning?

DEPUTY LE MAIN: Well, I think you will find that the President of Environment and Public Services will say to you exactly the same thing, that if we are not allowed to deliver the homes with the current policy of 72 habitable rooms ... I think they are lower than that at the moment, aren't they, in places? Are they lower than 72? Anyway, it is 72.

DEPUTY BERNSTEIN: Seventy-two?

DEPUTY LE MAIN: Habitable rooms per the acre.

DEPUTY BERNSTEIN: I understand.

DEPUTY LE MAIN: Now, Clos du Mon Séjour and Maufant Village and all those places, all those old places, were something like 84 or 85 habitable rooms.

DEPUTY BERNSTEIN: It depends on the size of the rooms, of course.

DEPUTY LE MAIN: Well, now, let's ... well, that's how they work it out.

DEPUTY BERNSTEIN: I know that, but it depends.

DEPUTY LE MAIN: Anyway, you know.

DEPUTY BERNSTEIN: Is that 72 box rooms?

DEPUTY LE MAIN: I don't know.

MR LE RUEZ: Clearly the density on the rezoned sites is much lower than the density you have in a built-up area.

DEPUTY LE MAIN: Yes.

MR LE RUEZ: And there are, as the President says, some arguments over whether the developments on the rezoned sites should have more dwellings on or less. Generally, local residents will argue that any new development should be minimal. From a purely housing need and meeting requirements of our waiting list, for example, then the more we have up to a point, the better. Certainly, I think, you know, the Planning Authority would have a very difficult job. The high density developments in the urban area, I would say, are probably of more concern to the Housing Committee, in that, while they take cases off the waiting list, a very high density and particularly a very high child density tends to lead to more social problems and those are expensive. So there has to be a balance struck. As the President said, there are arguments raging at the moment over just what sort of density should be allowed on the rezoned sites.

DEPUTY BERNSTEIN: I'm just trying to get my head round 72 rooms per acre. Is that approximately nine houses per acre?

MR LE RUEZ: We take a three bedroom house as five.

DEPUTY BERNSTEIN: So it is a bit more than that.

MR LE RUEZ: Yes. It is 14 and a bit.

DEPUTY BERNSTEIN: How can three bedrooms be five rooms?

MR LE RUEZ: You class the living room and kitchen/diner as two rooms.

DEPUTY BERNSTEIN: I am learning this afternoon. This is a learning curve.

DEPUTY SOUTHERN: A learning curve, yes.

DEPUTY BERNSTEIN: Sorry about that.

DEPUTY SOUTHERN: Can I take us on to the possibility of licensed employees owning

property? You have certainly said in one particular part of an Act in June 2004, you said: “*The Committee would be open to considering the possibility of allowing licensees, particularly those on long term licences, to purchase property providing there was some way of preventing full personal housing rights being retained even if employment ceased.*” What is your current position on this?

MR LE RUEZ: There would actually really be no change from the current arrangements which.... Take the position of States’ employees on permanent J category contracts. They are permitted to purchase by forming a company in which they own all the shares and then occupying the accommodation effectively as a tenant of the company. On completion of their ten years as a J category employee, there is a condition which requires them to sell out of the company into their personal ownership. In the private sector, the employer will form a company, if he so wishes, and the employee enters into an arrangement to benefit from any capital gain from that property. So there would be really no change in the future. Certain employees would be permitted, if they wished, to have an interest in the equity of a property that they occupy.

DEPUTY SOUTHERN: Effectively you are saying that Js and, in future, licensed employees will have the right to buy, effectively, as they move into the Island?

DEPUTY LE MAIN: Yes.

DEPUTY SOUTHERN: Through those mechanisms.

MR LE RUEZ: No more so than they do today. The requirement to go through this company business, which might seem a bit, you know, bureaucratic, why we do it is really to cover the eventuality of the employment terminating before ten years has been completed. It would be difficult to deal with a situation where an individual owned the freehold of a property and you would say “Well, I am sorry, you can no longer own the freehold of that property.”

DEPUTY SOUTHERN: It may well still be difficult after seven or eight years to actually enforce that regulation through the courts.

MR LE RUEZ: Well, perhaps.

DEPUTY SOUTHERN: But that is another issue.

DEPUTY LE MAIN: Yes, that is another issue.

MR LE RUEZ: Well, yes, in terms of Js, it has happened and it hasn't been particularly forced through.

DEPUTY LE MAIN: In fact, it is much fairer now, particularly for the public sector Js, where before they had no choice but to go through the States and pay a mortgage repayment at something that was higher than otherwise. It gives them more flexibility now. Particularly teachers and health people have been requesting for a long time the opportunity of being able to arrange their own mortgages and this is done through this vehicle.

DEPUTY SOUTHERN: In your Planning for Homes document, page 18, you talk about the requirement for new homes in table 1 and you say this: "*The figures in the table are based on a number of assumptions, including that there will be very limited movement between the qualified and non-qualified sectors.*" This appears to contradict what you have said actually at the meeting today, that you are looking for movement from the non-qualified into the qualified sector, significant movement.

MR LE RUEZ: Sorry, could I just check which page?

DEPUTY SOUTHERN: Sorry, page 18.

MR LE RUEZ: Eighteen.

DEPUTY BERNSTEIN: Second bullet.

DEPUTY SOUTHERN: The second bullet point. One of the assumptions is that there will be very limited movement between the qualified and the non-qualified sectors.

MR LE RUEZ: I am looking at the census. **(Pause)**

DEPUTY LE MAIN: There we are.

MR LE RUEZ: I have brought too many documents with me.

DEPUTY SOUTHERN: That is always a mistake. **(Pause)**

MR LE RUEZ: Yes, that's an assumption they take for that table, which would take into account any future reductions or, for example, additional licences. So, for the purposes of that table, yes, you are right, it has assumed that there would be limited movement.

DEPUTY SOUTHERN: But in fact you are actually trying to encourage movement from the non-qualified into the qualified sector.

MR LE RUEZ: If, by reducing the qualified period, yes, of course, that is the intention.

DEPUTY SOUTHERN: And by increasing the number of licences.

MR LE RUEZ: And by doing that, but it would not be done in one fell swoop, as it were. This would be done over a period of time.

DEPUTY SOUTHERN: And that's okay? The numbers you have produced are, therefore, valid or not valid?

MR LE RUEZ: I think what you have to say, as we said earlier, is that you are going to get a new table when you get the new Planning for Homes document, which is coming out in actually a few weeks time. So each of these has to be taken at the point at which they were drafted.

DEPUTY SOUTHERN: Okay.

MR LE RUEZ: These things don't just stand still.

DEPUTY SOUTHERN: It is rather like knitting with fog.

MR LE RUEZ: It can seem like that.

DEPUTY SOUTHERN: Okay. My understanding is that this Planning for Homes document has not been cross checked with the figures produced by the Stats Department in their housing requirements 2005 to 2009 to see if this, which takes us to 2006, mells and matches. Is that ... when is that due to be done?

MR LE RUEZ: That is for the next Planning for Homes document.

DEPUTY SOUTHERN: That is the next one?

MR LE RUEZ: Yes.

DEPUTY SOUTHERN: Right.

MR LE RUEZ: The survey ... just to clarify, the survey does not take into account the supply side and did not take into account anything in Planning for Homes. It was purely a survey at a point in time towards the end of last year.

DEPUTY SOUTHERN: Okay.

MR LE RUEZ: That now has to be fed into the new Planning for Homes documents and progress or not on things like the Island Plan in delivering a lot of what is shown here has also got to be updated.

DEPUTY SOUTHERN: Has there already not been some slippage in terms of the projections in 2004? Haven't we got some of the sites that have slipped?

MR LE RUEZ: Yes.

DEPUTY SOUTHERN: Because the finance is not available that was expected in 2005/6. It is not available until 2007.

MR LE RUEZ: There has been slippage in various areas. There has been slippage in terms of the development of the urban sites for funding reasons and slippage in terms of the development of the Island Plan rezoned sites for all sorts of reasons.

DEPUTY SOUTHERN: Right.

MR LE RUEZ: So, you know, that is what I say, the delivery at certain periods of time, well, you will see completely different tables in the next Planning for Homes document.

SENATOR LE CLAIRE: Could I ask a question in relation to the Planning for Homes document? On page 31, there is an interesting little analysis here, given that you are considering bringing a proposition in the next few weeks to drop the housing qualifications to 14 years. At the bottom of page 31, the paragraph covers the circumstances where there is a general agreement amongst the agents that people at the moment who are currently in possession of housing qualifications are holding back from purchasing property because they want gardens and garages and they see those coming forwards through the Island Plan, which they are waiting for. The report makes the point that they are willing to forego potential equity advantages that they might approve them going into the open market.

Given that you are going to move to an interim stage and probably going to be supported, I imagine, given the current climate and my thinking in particular, will those people feel the impact upon the fact that they have been waiting around for these new houses to come on stream and then suddenly they have got another 100 or 150 people potentially in the running with them? Will this not have an impact on the pressure for housing?

MR LE RUEZ: That is, taken in context, a view of the estate agents, that that might be ----

SENATOR LE CLAIRE: Yeah, and I appreciate it is not your document.

MR LE RUEZ: No.

SENATOR LE CLAIRE: It is the Planning and Environment Committee, but I just wondered what your rationale would be. You know, these things must have been considered when you were ... well, you say at the moment, for example, you have given us the analysis that there are people, even though you have dropped the qualifications, that aren't on the take up of the advantage because, in your experience, they don't always take it up. Deputy Southern has made the point that the Statistics Unit have argued that it is two-thirds and you are countering the argument by saying that the evidence doesn't bear that out, especially amongst States rental. But, given that the estates agents themselves that are in the business have identified this to the Planning and Environment Committee, I wondered if you had got any thoughts about it.

MR LE RUEZ: Well, new people are qualifying through different routes.

SENATOR LE CLAIRE: Every day.

MR LE RUEZ: Every day. If you look at the broader market, you know, you are talking about sort of 32,000 or 33,000 dwellings or something like that from bedsits to very large houses. The oil in the wheels of what is available and empty to the market varies from time to time. As the President has said, as things stand at the moment, there does seem a little bit of oil in the wheels, which is good, and the delivery of further accommodation through the development of the rezoned sites will put several hundred more units specifically for first time buyers into the market. Now, some of those first time buyers will, yes, be newly qualified first time buyers and, by dropping the qualification period, you will put a number of new people in. But if you say that a drop of 15 to 14 will potentially put in an extra 150, of which two-thirds, shall we say, will take up consent, perhaps half of those would be in a position to purchase.

SENATOR LE CLAIRE: I understand.

MR LE RUEZ: Over the course of the year. So it isn't going to have a huge impact, shall we say, on demand for these particular houses. It will have some impact, but these are new qualifiers and ----

DEPUTY LE MAIN: But the developers at the moment on the rezoned sites are having difficulty selling some of their new homes at the price that they are asking.

SENATOR LE CLAIRE: Will that improve with the drop of another year?

DEPUTY SOUTHERN: So you are increasing the supply of buyers so that they can get their prices?

DEPUTY LE MAIN: Sorry?

DEPUTY SOUTHERN: So you are increasing the supply of buyers so that they can get their prices.

DEPUTY LE MAIN: So they have to reduce their prices. There are developers now that are asking too high and developers have got availability of first time buyer household sites that they are building or starting to build and looking for buyers because some of the prices they are asking are similar prices to houses that are going in places like Miladi Farm and Maufant Village. Some of these developers, because we are going to be looking very soon, the Planning Committee will be looking very soon at the H3 and H4 sites, that the more you put in the marketplace, the places will further stabilise and reduce. So those developers are going to have to drop their prices.

SENATOR LE CLAIRE: So the converse of that would be, if you hold that opinion, that more properties will stabilise prices and perhaps reduce them.

DEPUTY LE MAIN: And reduce.

SENATOR LE CLAIRE: And realistic prices. But what is releasing more people onto the market going to achieve?

DEPUTY SOUTHERN: It will push the prices back up again.

DEPUTY LE MAIN: We are talking about 30 or 40 people that may purchase in that market.

SENATOR LE CLAIRE: No, we are talking about 150 people.

DEPUTY LE MAIN: No, we are not, not to purchase.

SENATOR LE CLAIRE: No, we are talking about 150 people. At the moment there are people

DEPUTY LE MAIN: Who could apply.

SENATOR LE CLAIRE: At the moment there are people that we acknowledge have got housing qualifications that aren't purchasing. The arguments are that that is perhaps because it's too expensive. If you follow the logic through, there could be another 150 people that see the

same thing, if they give them the opportunity, and collectively they may all become purchasers if the price was right.

DEPUTY LE MAIN: They could do, but the facts before us on the last five years in the way we have reduced housing qualifications have borne no evidence of that fact at all. In fact, we were estimating 100 a year, I think, that would qualify and one year we only had 32 that took up the qualifications.

SENATOR LE CLAIRE: Is that because, in 2002, I believe it was, house prices rose by 21%?

DEPUTY LE MAIN: No, I am talking about people qualifying who took up the option to qualify.

SENATOR LE CLAIRE: I know, but if you bear that in mind, that over the last five years not many people took up when they were granted it, you have also got to bear in mind that the reports bear out, you know, a significant rise in property prices which are only just stabilising now. I think, in 2001/2002, there was a dramatic increase in prices across the board of something in the region 21%.

DEPUTY LE MAIN: Yes, because there was a shortage in the marketplace.

SENATOR LE CLAIRE: Yes, and I have got some figures.

DEPUTY LE MAIN: There was a serious shortage of homes in the marketplace, family homes.

SENATOR LE CLAIRE: I just can't see how you have rationalised that argument, that more homes drive down prices but more customers don't.

DEPUTY LE MAIN: But there is not going to be that more. I am sorry, but you need to wait. You need to wait until you see our report on further reduction. But, if you look back, and we are quite happy to offer you, any of the Panel, the evidence, but if you look at the evidence that we have got before us on the reduction down from 20 to 15 on a yearly basis, it has been nowhere near where we expected to have the figures that we thought. Now, we have a difficulty, and there could be a difficulty, I'm not sure, that when the seasonal permits for work permits were in place for people that came from outside the UK to work in Jersey, they all ceased in the same year virtually and there will probably quite a number of those that, if we're not careful, could qualify hugely in one particular year so that we have a bulge. We will have that bulge in one

year because the permits ... they were free of permits and there were quite a lot of those people living in the Island who will stay in the Island.

SENATOR LE CLAIRE: In the statistics that were just released by the States' Statistics Department I believe it bears out my comment to you that house prices had risen to 21%. I know I have seen those figures somewhere. It is surprising that it doesn't seem that ... because the Chief Officer was seemingly disagreeing with me on that assumption, but it is not my assumption, it is Statistics?

MR LE RUEZ: No, I was disagreeing, I think, with the timing. The biggest increase in house prices occurred in 1997. That was the one, I think, that was over 20%. The last three years has seen a very flat housing/residential price. You will see with each one of the quarterly reports that variations have been, you know, plus or minus 5%, with the only slight uplift being in the three and four bedroom range and a slight downturn in the one bedroom flat area. So the last three years you have seen it being stable. If you go back, go back to 1997, I think that is the key year, where you see a dramatic increase in one year of around 20%. So I wasn't disagreeing with you that this had happened.

SENATOR LE CLAIRE: No, no, it was the year. Could I ask the Chairman a question?

DEPUTY SOUTHERN: I may not necessarily answer it.

SENATOR LE CLAIRE: Given that the Housing Department is considering through the Committee to lodge a proposition reducing the 15 years to 14 years, ahead of this proposition that we are racing towards presenting a report that can be debated, is it appropriate for us to identify the evidence that they are going to use for that reduction and put Scrutiny on that? Can we request that information or not?

DEPUTY SOUTHERN: As far as I am concerned, it forms a part of what we are looking at here.

SENATOR LE CLAIRE: So could we have that ----

DEPUTY SOUTHERN: And if they present evidence in the form of a report, I mean, obviously we will look at it.

DEPUTY LE MAIN: We are going to have a report.

SENATOR LE CLAIRE: Could I see that, please, Eric?

DEPUTY SOUTHERN: We will look at it. That is not a problem.

SENATOR LE CLAIRE: I know that I was getting it from somewhere. I just wanted to ----

DEPUTY SOUTHERN: Could I take us, Paul, if you don't mind, again, we started on page 31 of your report there, and we looked at the third paragraph on page 31.

MR LE RUEZ: Sorry, are we in Planning for Homes?

DEPUTY SOUTHERN: Yes.

MR LE RUEZ: Yes.

DEPUTY SOUTHERN: Let us at least get the right report. You talk there in that paragraph about many single person flats: *"Many of these properties are also being bought as private investment to let as a source of income as the alternative to banking their money or investing in Stock Market based products."* Now, is the Committee aware that some of these properties, these one bedroom flats in Jersey, are being touted in the Isle of Man and in the UK as investment properties and how does this tie in with your policy of trying to get first time buyers to buy in Jersey?

DEPUTY LE MAIN: We are well aware that, in certain developments where the developments are share transfers, people without qualifications from outside the Island have purchased flats, but all those flats are tied to A to J conditions, where they can only be occupied by local qualified people. That hasn't changed. That policy hasn't changed for the last 30 or 40 years. Anyone has been able to purchase a residential property by share transfer but not occupy it, in fact to lease it out or leave it empty. Nothing has changed.

DEPUTY SOUTHERN: So we have got a supply of one bedroom flats coming onto the market which actually are going to foreign owned buyers.

DEPUTY LE MAIN: The ownership ... with respect, the ownership is not a consideration. It is the occupation of the property. They are tied, whether they are A to H or A to J, but certainly some large developments like the old Jackson site there, we are well aware that quite a considerable amount of those or some of those have been sold to people that have no housing qualifications or live outside the Island, but they can only let them to people with qualifications. It doesn't impact on housing one bit, inasmuch as the occupation has to be ... they have to be

occupied by people with, in that case, A to J.

DEPUTY SOUTHERN: Okay. The Planning for Homes report also refers to the need for continuous monitoring to ensure that demand is not outstripping supply. Can the President say what resources and structures are in place to ensure this monitoring will take place? It sounds like a resource demand to me. It is something that we haven't done in past presumably to the same degree, but we now must.

MR LE RUEZ: I think we have certainly made efforts in the past to assess the demand and future demand. We use things like the rental waiting list, which tends to be a fairly good barometer of housing need. The reasons for that are that if accommodation is generally affordable and available in the private sector, then you don't get so many people who are applying to be housed by the Committee. If you have a situation where accommodation is scarce and, notwithstanding you have the private sector rent rebate scheme, it is unaffordable, then the number of applications grows on the waiting list.

We can look back to the early nineties, because I think the housing situation was that much worse for a time -- sorry, the late eighties and very early nineties -- where the waiting list grew at one point, I believe, to over 900. We then had a period in the mid-nineties up to '95 when, following the mini-recession in the Island, the overall housing situation eased and the waiting list dropped. It then picked up again quite significantly from around '96/97, which was when there was a very rapid increase in residential property values. In the last three years or so we seem to, again, have got back. I wouldn't say we have ever solved the housing problem, but we have got back a little bit in terms of containing the waiting list and it is now at 225/250 at the moment.

DEPUTY SOUTHERN: 250?

DEPUTY BERNSTEIN: Houses?

DEPUTY LE MAIN: No, people.

MR LE RUEZ: People on the waiting list.

DEPUTY LE MAIN: On the waiting list.

MR LE RUEZ: Now, that is just one indicator. We have got the House Price Index and, in the

House Price Index, you see the number of transactions that have taken place and the value of those transactions relative to previous quarters and the type of units being acquired. So when you see the increase in the number -- these are purchases, by the way, not leasehold -- you can gauge really whether the demand is growing or reducing. One thing you can't do is actually do things very quickly. If you think about the Island Plan sort of preparing as best it can to deliver certain supply at a certain period of time, you made the point about there has been some slippage. From the Island Plan being approved in 2002, was it?

DEPUTY LE MAIN: Yeah.

MR LE RUEZ: 2002. Here we are in 2005 and we haven't yet got one of the dwellings on any rezoned site actually completed nearly three years down the road. The other thing to bear in mind is that the Island Plan wasn't passed in, you know, just a week. There were a couple of years of preparation. So, from deciding that you need more accommodation to actually getting it is a long process. Wherever possible, we will use factors such as rental waiting lists and we also use first time buyer waiting lists as well, the House Price Index and we also have information on the number of leasing transactions. So we can take those into account.

DEPUTY SOUTHERN: Can I return again to this what I see as a possible problem with two, three and four bedroom owner occupied housing? When you were talking about the House Price Index, you were saying there is still growth in the three and four bedroom housing.

MR LE RUEZ: Yes, it is quite small.

DEPUTY SOUTHERN: Relatively small, but nonetheless still the demand there is currently higher than elsewhere.

MR LE RUEZ: Yes.

DEPUTY SOUTHERN: If you want to state that.

MR LE RUEZ: Yes.

DEPUTY SOUTHERN: And, in terms of social housing, it is three and four bedrooms, where you know you have got a shortage, you have got people waiting and desperate to move into some bigger accommodation. Again, I am talking to these figures that talk about the flow, the churn in the housing market, whereby, unless you get these two, three and four bedroom houses for owner

occupier built, you risk -- I will return to it again because it is actually critical -- you risk freezing up the market because all these people who are currently in these hundreds of one bedroom and two bedroom flats that are currently in there will be wanting to move on upwards and outwards and, if it doesn't happen, then that is the risk. Now, the risk is that, with increased numbers, either through the reductions in qualifications or through the numbers of licences being granted, we actually jam up the system. It is a risk.

MR LE RUEZ: I agree. Yes, I don't disagree that there is a risk there, but the control over granting more licences or reducing the qualifying period is there. You know, you get to 14 years and, shall we say, that is approved by the States. There is seen to be quite a tightening up in the way that you suggest. In other words, if the supply is not there and the demand has been increased to a level which is causing a problem, then reducing down to 10 years is going to take longer than perhaps we would hope.

DEPUTY SOUTHERN: Well, I'm done. I don't know about anybody else? Julian?

DEPUTY BERNSTEIN: No. I am very pleased with the answers.

DEPUTY SOUTHERN: Paul?

SENATOR LE CLAIRE: I would like to see some other bits and pieces, but I am pleased with the answers. Thank you very much.

DEPUTY LE MAIN: You know, if you need us back at any time, Chairman, I mean, we want to share it.

DEPUTY SOUTHERN: I don't think we would want you back, but you may be inundated with follow up questions.

DEPUTY LE MAIN: Well, the issue is that we want to share what we have got with you.

DEPUTY SOUTHERN: Thank you. Thank you, Deputy and Mr Le Ruez, for attending and spending the time.

DEPUTY BERNSTEIN: Happy Easter.

DEPUTY LE MAIN: Have a nice Easter all of you.

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