

# STATES OF JERSEY

## OFFICIAL REPORT

TUESDAY, 7th NOVEMBER 2023

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[9:30]

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

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

Sorry, Sir. Can I advise the Assembly that I will be absent this afternoon because I am undergoing a small medical procedure? But I am hoping to be back in tomorrow. I may not be, but I am hoping to. Thank you.

**The Deputy Bailiff:**

Thank you very much. Yes, Chief Minister.

**Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter:**

Apologies, Sir. Also, I have circulated a message to Members regarding the order of questions without notice and a statement that I would like to give today, and I was wondering if Members would be kind enough to agree for me to make the statement in advance of questions without notice. I thought it just might assist their flow of thinking and questioning.

**The Deputy Bailiff:**

So your proposition is your statement is dealt with after questions with notice but before questions without notice. Is that seconded? **[Seconded]** Does anyone wish to speak on the proposition of the Chief Minister. Members are content to proceed in that way. In that case, we shall do so.

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

I never know if this is the right time. I did return a written question to the Bailiff a week or so ago, Written Question 411/2023, because I do not think it was answered adequately. I have not received a reply and that could be with what has gone on recently, I completely understand. I just wonder whether I am too late to raise it as simply a written question that has not been answered now.

**The Deputy Bailiff:**

Well, I am sure you are not too late if it has been raised before. I will look into that. Perhaps you could kindly resend it to the Greffier.

**Deputy R.J. Ward:**

Yes, certainly. Thank you, Sir.

**The Deputy Bailiff:**

I will look into that over the lunchtime adjournment.

**Deputy R.J. Ward:**

Thank you, Sir.

## QUESTIONS

### 1. Written Questions

#### 1.1 Deputy S.Y. Mézec of St. Helier South of the Chief Minister regarding a register of all units of dwelling accommodation, following a decision by the Bailiff under Standing Order 12(4)(c) that the original answer was not directly relevant to the question asked. (WQ.378/2023)

*The Chief Minister tabled a revised answer on 19th October 2023 to this question following a decision by the Bailiff, under Standing Order 12(4)(c), that the original answer was not directly relevant to the question asked.*

#### Question

Will the Chief Minister confirm –

- (a) whether or not she maintains a register of all units of dwelling accommodation, in accordance with article 16(1) of the Control of Housing and Work Law;
- (b) how a member of the public may inspect this register, in accordance with article 16(2) of that Law; and
- (c) if she is not complying with this Law, why not, and when she will be addressing this?

#### Answer

- (a) As part of administering the Control of Housing and Work Law, systems are maintained which register all units of dwelling accommodation, and record information on categories of properties as Qualified or Registered, and any conditions or concessions.

Since 2012, this has been considered to sufficiently satisfy the requirements of Article 16(1). However, I have asked for this position to be reviewed as part of the work outlined below in part (c).

- (b) Article 16(2) provides that any person may inspect the register during normal business hours. However, at present, the information is not organised, nor is the technology configured, such that it can be made available for routine inspection by the public in line with Article 16(2).

For this reason, since 2012, the Customer and Local Services Department have responded to any request seeking clarification on the categorisation of any unit of dwelling accommodation, and whether there are any conditions or concessions to which that categorisation is subject.

- (c) Article 16(2) provides that any person may inspect the register during normal business hours. Currently, it is not possible for a person to inspect the full register.

The categorisation of a properties in Jersey, and conditions and concessions applied, change over time for a variety of reasons, and therefore there is considerable complexity in maintaining a full register that is accurate and complete at any one time. This is why, since 2012, when a request is made by the public for information, checks are undertaken by the department before confirming the details on any specific property.

Discussions have begun to use technology solutions to enable access to a full register as required by Article 16(2), and for any data quality issues to be resolved as part of this, including any required changes to internal departmental processes.

I do not have an implementation date for this work, in advance of more evaluation of the investment required. In the meantime, the process as outlined in part (b) applies whereby members of the public may ask for details on any specific property.

I thank the Deputy for raising this matter, and hastening efforts to remedy the situation.

**1.2 Deputy C.S. Alves of St. Helier Central of the Minister for Social Security regarding short term incapacity claims. (WQ.382/2023)**

**Question**

Will the Minister provide month-by-month statistics for the time taken to process short term incapacity claims, from submission to the Department to the point that the payments are in the claimants' accounts, for the last 2 years, broken down by mean, mode, and median average, and the maximum and minimum times?

**Answer**

		<b>Volume of Claims</b>	<b>Min No of Days to Payment Processing</b>	<b>Mean Average of Days to Payment Processing</b>	<b>Mode Average of Days to Payment Processing</b>	<b>Median Average of Days to Payment Processing</b>	<b>Max of Days to Payment Processing</b>
<b>2021</b>	<b>Jan</b>	1986	1	4.99	1	2	149
<b>2021</b>	<b>Feb</b>	1653	1	4.34	1	2	500
<b>2021</b>	<b>Mar</b>	1672	1	4.30	1	1	206
<b>2021</b>	<b>Apr</b>	1460	1	4.32	1	1	162
<b>2021</b>	<b>May</b>	1417	1	4.66	1	1	386
<b>2021</b>	<b>Jun</b>	1606	1	3.93	1	1	252
<b>2021</b>	<b>Jul</b>	2111	1	3.63	1	1	406
<b>2021</b>	<b>Aug</b>	2211	1	3.22	1	1	175
<b>2021</b>	<b>Sep</b>	1662	0	4.30	1	1	164
<b>2021</b>	<b>Oct</b>	1948	1	5.34	1	3	120
<b>2021</b>	<b>Nov</b>	2341	1	4.26	1	2	317
<b>2021</b>	<b>Dec</b>	2803	1	4.84	1	1	344
<b>2022</b>	<b>Jan</b>	3368	1	3.52	1	1	259
<b>2022</b>	<b>Feb</b>	2750	1	4.89	1	1	424

2022	Mar	2913	1	4.12	1	1	165
2022	Apr	2367	1	4.59	1	2	349
2022	May	1777	1	6.27	1	1	231
2022	Jun	1650	0	8.46	1	3	144
2022	Jul	2246	1	8.16	1	3	247
2022	Aug	1875	1	8.92	1	3	239
2022	Sep	1690	1	8.14	1	3	181
2022	Oct	2082	1	8.36	1	3	260
2022	Nov	2199	0	8.39	1	4	147
2022	Dec	2235	1	7.49	1	3	212
2023	Jan	2649	1	6.73	1	4	252
2023	Feb	1869	1	4.69	1	3	170
2023	Mar	2285	1	3.77	1	2	190
2023	Apr	1583	0	4.91	1	3	140
2023	May	1586	1	5.99	1	3	132
2023	Jun	1794	1	6.87	1	3	118
2023	Jul	1638	0	6.79	1	3	84
2023	Aug	1819	1	6.18	1	2	59
2023	Sep	1653	1	4.32	1	3	32

**Notes:**

Table data is identified as follows:

- Month: month claim received.
- STIA claim: data includes first certificate received per separate claim, it does not include extension claims.
- Payment processing: data relates to time to finalise payment within CLS system. The exact time to reach the claimant's account is not known by the department. There are a range of payment methods available and STIA payments are also made directly to employers in some circumstances.
- The recent 2023 data should be interpreted with caution as not all claims will have been processed at the date of the data extraction.

**Columns:**

- Number of claims: the number of first certificates received in a month
- Minimum number of days to processing payment: the fastest claims were processed in this number of days
- Mean: the total number of days to process all the claims divided by the number of claims

- Median: half of all the claims were processed in less than this number of days
- Mode: the most common number of days to process a claim
- Maximum: the highest number of days to process any of the claims received in that month. This figure relates to a very small number of claims per month where extra information is needed to finalise the claim. For example, it may be necessary to request information from a reciprocal country to establish a contribution record for the period to confirm that a benefit is due to be paid.

### **1.3 Deputy M. Tadier of St. Brelade of the Chief Minister regarding the inquiries into the explosion at Haut du Mont and the Collision of L'Ecume II, following a decision by the Bailiff under Standing Order 12(4)(c). (WQ.390/2023)**

*The Chief Minister tabled a revised answer on 19th October 2023 to this question following a decision by the Bailiff, under Standing Order 12(4)(c), that the original answer was not directly relevant to the question asked.*

#### **Question**

Will the Chief Minister state when she anticipates that the inquiries into the explosion at Haut du Mont and the Collision of L'Ecume II will be concluded; and will she advise whether the full reports and findings will be published, and if so, when?

#### **Answer**

The joint States of Jersey Police and Health & Safety Inspectorate inquiry into the explosion at Haut du Mont, named Operation Spire, is one of the largest and most complex criminal investigations in the Island's history. The investigation relies on specialist technical and scientific off-island examinations and reporting by experts. These examinations and reports will provide the investigation team with the necessary evidence to progress the investigations to a conclusion.

The States of Jersey Police have also been simultaneously investigating the tragic incident off the coast of St Ouen – Operation Nectar. This is a similarly large and complex investigation.

It is important that both investigations are thorough and rigorous in order to reassure the bereaved families and indeed all islanders that every effort has been made to establish the facts.

A file of evidence has been submitted to the Law Officers' Department (LOD) relating to Operation Nectar. Given the size and complexity of the file it will take some time to consider the evidence submitted by the States of Jersey Police. It is anticipated that a similar file of evidence will be submitted to the LOD with regard to Operation Spire when the experts' reports have been received, fully considered and the investigation concluded.

Operation Nectar and Operation Spire are investigations that are independent of Government. Accordingly, it is not possible for the Chief Minister to anticipate when they might conclude and it would be improper for a Minister to seek to influence the process of a criminal investigation. The Chief Minister is also not able to advise whether the reports and findings of these independent investigations will be published. This will be a decision for the investigating and prosecuting authorities to take at the appropriate time.

**1.4 Deputy M.B. Andrews of St Helier North of the Minister for the Environment regarding the Electric Vehicle Purchase Incentive (EVPI) Scheme. (WQ.395/2023)**

**Question**

Will the Minister state the number of applicants to the Electric Vehicle Purchase Incentive (EVPI) scheme, and the total amount of funding that has been distributed through this scheme to date?

**Answer**

As at 18 October 2023, the scheme had received 157 applications for the Electric Vehicle Purchase Incentive in total.

Of these, 122 have been redeemed and processed for payment and £415,000 has been distributed for payment of these incentives from the Climate Emergency Fund.

**1.5 Deputy C.S. Alves of St. Helier Central of the Minister for Treasury and Resources regarding Government supplier invoices. (WQ.396/2023)**

**Question**

Will the Minister state –

- (a) how many outstanding payments there are currently for invoices sent to Government that are over 30 days old;
- (b) what the total still owed by the Government to suppliers is due to the move to Connect;
- (c) whether any delay or failure from the Government to make payments within the normal terms and conditions has negatively impacted any local businesses; and
- (d) whether any such delays or failures contributed to any local businesses having to cease trading?

**Answer**

- (a) Since implementing Connect Finance/Ariba in January 2023 the Government has paid 135,000 invoices totalling £500 million. The Government pays over 4,000 invoices per week. Whilst payment performance was lower than our target in the first quarter, the Government returned to its target to pay 80% of invoices within 30 days from the second quarter.
  - a. There are currently 7,600 invoices in Connect Finance/Ariba over 30 days old. These invoices are progressing through the Connect Finance/Ariba system processes to obtain the necessary approvals prior to payment.
- (b) There have always been a number of reasons why invoices remain outstanding, and this was equally true before Connect was implemented. Implementation of Connect has, in the initial months, contributed to delays in payments. However, that impact is reducing as we address implementation issues such as system, training and adoption. It is not possible to quantify the amount of delayed payments by cause.

- a. For example, there are always some invoices for a preceding financial year that are paid in the following financial year. The Government has paid 98% of the invoices that have been received in 2023 relating to 2022.
- (c) If a supplier or department identifies that delayed invoice payment could potentially impact a local business a process for escalation is followed.
  - a. The Government makes daily payment runs and is able to make same day priority payments into supplier bank accounts if it is identified that a delayed payment may impact a local business. This process for escalation has been in place for many years and mitigates the risk to local businesses.
- (d) We do not believe that late payment has led to the insolvency of any local business.
- (e) The escalation process means no local business should cease trading as a result of a delayed invoice payment.

**1.6 Deputy R.J. Ward of St. Helier Central of the Chair of the Privileges and Procedures Committee regarding the current investigations of the Commissioner for Standards. (WQ.397/2023)**

**Question**

Will the Chair state the total cost since May 2022 of investigations undertaken by the Commissioner for Standards that have reached a conclusion?

**Answer**

The former Commissioner for Standards, Paul Kernaghan was in office from September 2017 – February 2023. From May 2022 to February 2023 the total cost for the work undertaken by the Commissioner was £2,000. The costs relate to 4 caseloads only - none of the caseloads led to formal investigations during the May 2022 – February 2023 timeframe.

The current Commissioner for Standards, Dr Melissa McCullough was appointed in February 2023. Since February 2023, there have been 14 caseloads in total. Of the 14 caseloads (5 of which have closed) there have been 3 concluded investigations:

- [R.107/2023](#) - Investigation of Complaint of Breach of the Code of Conduct for Elected Members by Deputy K.F Morel and Deputy K.L. Moore
- [R.129/2023](#) - Investigation of Complaint of Breach of the Code of Conduct for Elected Members by M.R Scott
- [R.130/2023](#) – Investigation of Complaint of Breach of the Code of Conduct for Elected Members by M.B Andrews (which combined 2 caseloads)

The total cost of caseloads and initial setting up costs from this period is £29,750 (62 days in total). In relation to the investigations above, approximately 18 days in total were spent on investigative work and report writing totalling £9,000. This work spanned from March 2023 to the submission of the Commissioner’s final reports (June 2023 for R.107/2023 and August 2023 for R.129/2023 and R130/2023).

The total cost for Commissioner for Standards work since May 2022 is £31,150.

**1.7 Deputy T.A. Coles of St. Helier South of the Minister for Treasury and Resources regarding outstanding 2023 tax assessments. (WQ.398/2023)**

**Question**

Will the Minister state the number of 2023 tax assessments which are still to be issued?

**Answer**

2023 tax assessments are not due to be issued before January 2024 once islanders begin to file tax returns for 2023 income.

The deadlines for filing 2023 personal income tax returns are 31 May 2024 for paper returns; and 31 July 2024 for online filing. 2023 tax assessments will be issued during the course of 2024 as returns are processed. A tax assessments is normally issued within 30 days of receipt of a complete tax return.

The vast majority of people who filed a tax return for 2022 have already received a tax assessment for that year.

Revenue Jersey routinely expects around 60,000 to 65,000 personal income tax returns to be filed annually. As of 16 October 2023, 965 tax assessments remain to be issued for 2022 in response to filed tax returns. These are likely to be issued by the end of October. Around 2,500 Default Assessments will be issued where a tax return has not been filed.

**1.8 Deputy M.R. Scott of St. Brelade of the Minister for the Environment regarding the patrolling of Jersey's territorial waters and monitoring of fishing activities. (WQ.399/2023)**

**Question**

In relation to the patrolling of Jersey's territorial waters and monitoring of fishing activities by the Norman Le Brocq or any other vessel used by the Government marine resources team, will the Minister provide the following information from the beginning of 2023 –

- (a) the number of patrols carried out and the dates of those patrols;
- (b) the areas covered in those patrols;
- (c) the distance travelled and time spent on those patrols; and
- (d) the catches examined, the nature of any infractions identified, and any enforcement action taken?

**Answer**

**Background**

Marine Resources has two patrol vessels: *FPV Norman Le Brocq* (Camarc 15m patrol vessel) which is generally used for offshore work, gear inspections and research; and *FPV Ecrehou* (Ribcraft 6.4m RIB) which is a lightweight RIB used for inshore work and for operations inside areas where the Norman Le Brocq cannot operate (e.g. offshore reefs, close inshore). Both vessels were operational in 2023 with patrol and other work being scheduled around maintenance/repair and in accordance with safe operating practice.



Records provided cover the period 1 January 2023 to the 13 October 2023 (286 calendar days). Please note that distance data are not available for *FPV Ecrehou* as only sea hours are recorded. All other information requested is summarised below and with detail by date provided in the appendix.

**(a) the number of patrols carried out and the dates of those patrols:**

Please see the appendix for full details but, in summary, the *Norman Le Brocq* was used for patrol work on 44 separate dates during 2024 and *Ecrehou* on 27 dates. The total number of patrol dates is 71.

**(b) the areas covered in those patrols:**

Please see the appendix for full details. A summary is provided below.

Sea Area	Description	<i>NLB</i>	<i>Ecrehou</i>
East/north-east of Jersey	Grouville; St Catherine; Les Ecrehous and Dirouilles	4	2
South-east/south of Jersey	Les Anquettes; Se of Minquiers; Chausey Basin	5	9
South-west of Jersey	Offshore; West of Minquiers	7	1
West of Jersey	Offshore; West of St Ouen	8	0
North-west/north of Jersey	Le Banc des Ormes; Les Pierres de Lecq	4	2
Inshore Jersey	Within the 0-3NM zone; inside bays	10	3
Les Minquiers	Within the reef	3	5
Les Ecrehous	Within the reef	3	5
Total	--	44	27

**(c) the distance travelled and time spent on those patrols; and**

Please see the appendix for full details. The *NLB* travelled a total of 1833 nautical miles and was at sea for 192.87 hours. Distance travelled is not recorded for *Ecrehou* but the vessel was at sea for 92.5 hours.

**(d) the catches examined, the nature of any infractions identified, and any enforcement action taken?**

During the course of boat patrols in 2023, Marine Resources undertook 75 catch and 26 gear inspections. From these, 42 offences were logged. A breakdown of these offences, number of incidents and actions is provided below. Please note that details concerning the status of infractions which are subject to ongoing investigation/prosecution cannot be provided.

Offence	Number of Incidents	Action
Bag limits	3	1 x PH; 2 x WL
No licence	2	1 x VW; 1 x IP
Inside a prohibited area	3	1 x NFA; 2 x VW
Out of season	6	5 x IP; 1 x WL
Gear issue	9	2 x GS; 4 x GL; 3 x WL
Undersize species	16	4 x IP; 5 x VW; 7 x VW
Wildlife Law	1	1 x IP
FEPA infringement	2	1 x IP; 1 x VW

GL = warning label attached to gear; GS = gear seized; IP = in progress; NFA = no further action; PH = parish hall; VW = verbal warning

## Appendix

Date	Vessel	Area of operation	Distance (NLB only; NM)	Duration (hours)
19 January 2023	Ecrehou	South-east/south of Jersey	#NA	3
02 February 2023	NLB	South-east/south of Jersey	26	3.5
07 February 2023	NLB	Les Ecrehous	71	6.5
09 February 2023	Ecrehou	North-west/north of Jersey	#NA	4
13 February 2023	NLB	Inshore Jersey	62	4.25
14 February 2023	NLB	West of Jersey	24	1.75
21 February 2023	Ecrehou	Les Minquiers	#NA	4
01 March 2023	NLB	South-west of Jersey	75	5.25
06 March 2023	NLB	North-west/north of Jersey	104	9.16
07 March 2023	Ecrehou	North-west/north of Jersey	#NA	2
27 March 2023	NLB	East/North-east of Jersey	71	6.75

03 April 2023	NLB	Inshore Jersey	63	6.08
04 April 2023	NLB	Inshore Jersey	95	6.5
05 April 2023	NLB	South-west of Jersey	51	4.16
17 April 2023	NLB	Inshore Jersey	4	0.55
20 April 2023	NLB	Inshore Jersey	7	1.32
21 April 2023	NLB	Les Ecrehous	62	7.75
25 April 2023	NLB	South-west of Jersey	75	4.5
11 May 2023	NLB	West of Jersey	34	3.25
12 May 2023	NLB	Les Minquiers	29	3.75
12 May 2023	NLB	West of Jersey	34	3.75
13 May 2023	NLB	West of Jersey	34	3.08
15 May 2023	NLB	Inshore Jersey	7	1.08
16 May 2023	NLB	West of Jersey	33	3.08
23 May 2023	NLB	South-east/south of Jersey	19	4
12 June 2023	NLB	East/North-east of Jersey	33	5.25
15 June 2023	Ecrehou	Les Minquiers	#NA	3
15 June 2023	NLB	South-west of Jersey	34	5
19 June 2023	NLB	Les Ecrehous	40	6.5
19 June 2023	Ecrehou	East/North-east of Jersey	#NA	7
20 June 2023	NLB	North-west/north of Jersey	122	7.5
21 June 2023	Ecrehou	South-west of Jersey	#NA	4
22 June 2023	NLB	Inshore Jersey	34	5
23 June 2023	NLB	Les Minquiers	34	5.33
24 June 2023	NLB	West of Jersey	31	5
26 June 2023	NLB	West of Jersey	32	3.75
27 June 2023	NLB	North-west/north of Jersey	50	4.75
28 June 2023	NLB	West of Jersey	31	3.84
07 July 2023	NLB	South-west of Jersey	63	3.7
10 July 2023	NLB	Inshore Jersey	13	5.75
11 July 2023	NLB	East/North-east of Jersey	30	5.75

12 July 2023	NLB	South-east/south of Jersey	18	2.32
13 July 2023	NLB	Inshore Jersey	13	3
17 July 2023	NLB	Les Minquiers	27	4
18 July 2023	Ecrehou	Inshore Jersey	#NA	1
18 July 2023	Ecrehou	South-east/south of Jersey	#NA	4
20 July 2023	Ecrehou	Les Ecrehous	#NA	3.5
20 July 2023	NLB	South-west of Jersey	33	4.25
21 July 2023	Ecrehou	South-east/south of Jersey	#NA	5
25 July 2023	NLB	East/North-east of Jersey	48	4.84
09 August 2023	NLB	South-east/south of Jersey	42	3.75
10 August 2023	NLB	South-west of Jersey	43	5.75
15 August 2023	Ecrehou	Les Ecrehous	#NA	2.7
16 August 2023	Ecrehou	Inshore Jersey	#NA	1.5
19 August 2023	Ecrehou	South-east/south of Jersey	#NA	3.3
22 August 2023	Ecrehou	South-east/south of Jersey	#NA	1.8
22 August 2023	Ecrehou	South-east/south of Jersey	#NA	1.8
23 August 2023	Ecrehou	Les Ecrehous	#NA	6
30 August 2023	Ecrehou	Inshore Jersey	#NA	2.4
02 September 2023	Ecrehou	Les Ecrehous	#NA	5
05 September 2023	NLB	South-east/south of Jersey	18	2
06 September 2023	Ecrehou	Les Minquiers	#NA	5
07 September 2023	Ecrehou	East/North-east of Jersey	#NA	5
12 September 2023	Ecrehou	South-east/south of Jersey	#NA	1
13 September 2023	NLB	Inshore Jersey	9	3

15 September 2023	NLB	North-west/north of Jersey	55	2.83
30 September 2023	Ecrehou	Les Minquiers	#NA	4
01 October 2023	Ecrehou	Les Ecrehous	#NA	5
10 October 2023	Ecrehou	Les Minquiers	#NA	4
11 October 2023	Ecrehou	South-east/south of Jersey	#NA	1
13 October 2023	Ecrehou	South-east/south of Jersey	#NA	2.5

**1.9 Deputy S.Y. Mézec of St. Helier South of the Minister for Housing and Communities regarding the Empty Homes Service. (WQ.400/2023)**

**Question**

Will the Minister provide the following information in relation to the Empty Homes Service –

- (a) a full breakdown of costs incurred in setting up and running the Service, including staffing costs and the number of employees dedicated to the running of the Service;
- (b) the number of empty homes brought back into habitation as a direct result of this Service; and
- (c) the number of homes reported as empty to the Service which, upon investigation, were not genuinely empty, and the cost and resources expended to discover this?

**Answer**

a) The breakdown of costs incurred in setting up and running the Empty Homes Service are included within the total spend against vacant homes. It is, therefore, not possible to disaggregate costs associated with running the service and time and resources invested into policy.

Due to data privacy concerns, only the *total* expenditure for vacant homes is provided in answer to this written question. Deputy Mézec has been provided with the breakdown of costs in a separate communication, upon his agreement.

Total spend for 2022 and 2023 = £57,131

b) It is impossible to definitively measure the number of vacant homes that have come back into use as a result of the service, as would be the case with other measures designed to discourage vacant homes. The reasons for a home being brought back into use will be unique to the owner. However, it is understood that the existence of the Empty Homes Service has already had a positive impact in influencing decisions, evidenced by the level of engagement with the service and enquiries received from home-owners.

Notwithstanding this, as the [Action on Vacant Properties update report](#) explains, of the 132 homes assessed to-date, a total of 38 homes have been identified as having been brought back into use, being

actively marketed, or are currently being refurbished with a view to being brought back to the market. Since the publication of the update report, one further property has been identified as now being back in use.

c) At the time of writing the update report, all homes investigated to date have been regarded as genuinely empty, as far as the evidence would suggest. Since the publication of the report, one case which had been reported to the service – but not previously investigated – has been confirmed as not being a genuine empty home. The cost and resources to confirm this were negligible. Cases of this nature are expected to be minimal as case reviews progress.

### **1.10 Deputy M. Tadier of St. Brelade of the Chair of the States Employment Board regarding the employment of individuals in the public sector. (WQ.401/2023)**

#### **Question**

In relation to the employment of individuals in the public sector, will the Chair advise –

- (a) the number of job descriptions or employment contracts where a second language is explicitly mentioned as being (i) desirable, or (ii) mandatory;
- (b) the number of employees with a working knowledge of French, given that French is one of the official languages of Jersey;
- (c) where multi-lingual staff are employed and use their languages as part of their job, how these additional skills are recognised, if at all, in pay scales; and
- (d) whether the States Employment Board has any plans to offer additional language tuition to all staff as part of their Continuous Professional Development or otherwise, especially in Jersey's major languages which include, but are not limited to, English, Portuguese, Polish and Romanian?

#### **Answer**

- a) We do not hold job descriptions in a way that we can extract this information.
- b) We do not hold this information.
- c) The grading of roles is based on a job evaluation system. Where roles require specialist skills this is reflected in the job score, that is then matched against the appropriate grade. There are no additional allowances for language and communication skills as these are already taken into account for job evaluation.
- d) Not at present, although employees can apply to take external courses where communication skills, such as languages, translations and signing will be beneficial to their work and customers / clients.

### **1.11 Deputy R.S. Kovacs of St. Saviour of the Chief Minister regarding the Public Sector Ombudsman Redress Scheme and Inquiries (PSORSI). (WQ.402/2023)**

#### **Question**

Will the Chief Minister provide details of the work undertaken by Crest Advisory (UK) Ltd in relation to law-drafting instructions for the Public Sector Ombudsman Redress Scheme and Inquiries (PSORSI) as referenced in the report, [R.17/2023](#), for which they were paid between £100,000 and

£125,000 in fees and, if not, why not; and will she nevertheless state the outcomes from the provision of this funding?

### **Answer**

Crest Advisory Ltd were commissioned under the previous Government to expedite projects which had been delayed due to policy officer resources being deployed onto COVID-19 related work. For each of these three projects, Crest was commissioned to draft instructions to the Legislative Drafting Office for the production of draft legislation. This work has been completed. An outline of the purpose of the draft legislation is set out below:

- Public Sector Ombudsman – To establish a Jersey Public Services Ombudsman (JPSO), and to provide for its governance, functions and powers. The instructions produced by Crest formed the basis of law drafting instructions that I published in October 2022 ([Jersey Public Services Ombudsperson: Law drafting instructions \(gov.je\)](#)) and the draft Jersey Public Services Ombudsperson Law 202- is due to be lodged with the Assembly before the end of 2023.
- Statutory Redress – To establish a statutory basis for a scheme to provide redress, financial and non-financial, for individuals who suffered significant harm from specific types of abuse in specific contexts, as distinct from standing up time limited redress schemes in response to key events (for example, the Historic Abuse Redress Schemes I and II).
- Public Inquiries Law – A statutory mechanism to establish public inquiries in response to major events. The potential requirement for a public inquiries law was first identified during the course of the Independent Jersey Care Inquiry, which highlight limitations with the existing Committee of Inquiry structure in relation to major and wide-ranging investigations. The previous administration prioritised development of the potential law post-Covid due to concerns about potential demands for an associated public inquiry.

### **1.12 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding the waiting lists for ophthalmic interventions. (WQ.403/2023)**

#### **Question**

Further to her responses to [Oral Question 121/2022](#), [Written Question 204/2022](#) and [Written Question 267/2022](#), regarding the waiting lists for ophthalmic interventions, including cataracts, will the Minister advise what progress, if any, has been made in reducing the length of these waiting lists in the past year?

#### **Answer**

Firstly, and as I have stated previously, I agree that the waiting list and the waiting times for treatment are completely unacceptable. While I am glad that the below demonstrates progress has been made and that the service is on track to see some improvement, I would have preferred to see the waiting lists and times in a better position at this time, but I recognise that a variety of factors have impacted efforts.

The routine wait in Ophthalmology is currently at 21 months for initial assessment, > 90% of which are routine cataract patients.

The protracted waits in Ophthalmology are being targeted via:

- the waiting list recovery project which is funded to deliver an outsourcing solution; and
- recruitment to medical and specialist nursing posts.

As a result, it is anticipated that a considerable reduction of the waiting list will be seen by Q2 2024.

### **Waiting List Recovery Project Ophthalmology Update**

The Government of Jersey, on behalf of Health and Community Services, are currently engaging with external quality assured providers who could meet the specific requirements of patients. The service will provide additional capacity for a time limited period aiming to reduce the time patients are waiting for Ophthalmology. A procurement strategy is currently in development, of which the clinical activity is anticipated to commence in Q1 2024.

### **Internal clinical recruitment update**

Successful recruitment into the last medical vacancy took place over the summer and the successful applicant is scheduled to commence work in November 2023. This will provide the department with a ring-fenced cataract clinic each week.

The department is currently advertising for a specialist nurse which is out to advert for a second time after receiving no applications previously.

### **1.13 Deputy M.B. Andrews of St Helier North of the Chief Minister regarding Cabinet Office budget. (WQ.405/2023)**

#### **Question**

Will the Chief Minister provide a breakdown of the Cabinet Office budget allocated within the draft Government Plan 2024-2027, and detail how this will be spent across the period of 2024?

#### **Answer**

A breakdown of the proposed Cabinet Office head of expenditure allocated within the draft Government Plan 2024-2027 can be found on pages 13 – 18 of the Annex to the Government Plan: [here](#).

The proposed head of expenditure is subject to the approval of the States Assembly as part of the Government Plan debate in December 2023.



**1.14 Deputy M.B. Andrews of St Helier North of the Chief Minister regarding suspended employees within the Health and Community Services department. (WQ.406/2023)**

**Question**

Will the Minister state how many employees within the Health and Community Services department are currently suspended; and, of those suspensions, how many employees have been suspended for over a year?

**Answer**

The Health and Community Services Department currently has less than 5 employees suspended or excluded from the workplace.

In accordance with policy, a specific number is not being given in order to minimise the potential for individuals to be identified.

There are no employees who have been suspended or excluded for more than one year.

**1.15 Deputy M.B. Andrews of St Helier North of the Minister for Treasury and Resources regarding the abolition of the Upper and Lower Earnings Limits on Social Security contributions. (WQ.407/2023)**

**Question**

Will the Minister state how much additional revenue would be generated through the abolition of the Upper and Lower Earnings Limits on Social Security contributions?

**Answer**

Regarding the question about the upper earnings limit (UEL), the response to WQ.189/2023 stated that using data from the year of assessment 2021 there would be additional revenue raised of £9m into the Social Security Fund. A key assumption made is that there would be no change in employer or taxpayer behaviour as a result of removing the UEL.

With reference to abolishing the lower earnings limit (LEL), it is not possible to quantify the revenue impact of this change due to the intricacies surrounding the LEL.

Removing the lower earnings limit will allow people with very low levels of earnings to maintain a contribution record and claim contributory benefits. However, it will also mean that some of these people will be required to pay Social Security contributions to do so, rather than claiming an exception to pay through Low Income Contribution Relief.

The Social Security Fund normally receives a States Grant, funded by the general taxpayer. The States Grant is paid annually, except as otherwise agreed by the States Assembly. The calculation of the States Grant is linked to the contributions made by those who earn below the standard earnings limit (£5,060 per month, equivalent to £60,720 per year).

Removing the LEL would require the value of the States Grant to be increased to supplement the contributions of these very low earners up to the level required. This would be a cost to the Consolidated Fund. It is not possible to quantify the revenue or expenditure impacts on the Social

Security Fund of these changes accurately given existing data sources and possible behavioural changes.

### **1.16 Deputy M.R. Scott of St. Brelade of the Chair of the Privileges and Procedures Committee regarding the Constituency Office Support Team. (WQ.408/2023)**

#### **Question**

Further to the [Minutes](#) of the Privileges and Procedures Committee meeting dated 17th July 2023, will the Chair provide the following in relation to the Constituency Office Support Team –

- (a) a breakdown of the growth bid of £344,000 sought for 2024, and for subsequent periods, for the Team, including the number of additional staff to be recruited;
- (b) the 3 constituencies chosen to receive the benefit of the Team from 2024 onwards, as part of a pilot scheme, along with the names and political party, or political affiliations, of the States Members elected in each of those 3 constituencies;
- (c) the names and political party, or political affiliations, of the States Members of the PPC Constituency Office Sub-Committee who approved the report to which Minute No. A.15 refers; and
- (d) any benchmarking or key performance indicators regarding the output of the States Members of the 3 constituencies involved in the 2024 pilot scheme used either to support the growth bid or to be used to assess the benefit and improvement in productivity resulting from the additional support to be provided?

#### **Answer**

PPC has recognised that, for elected Members to be able to undertake their parliamentary and political work in a professional manner, they need to be appropriately equipped and supported. Although the States Greffe Members' Resources Team was established to support members (acting in an independent capacity) in relation to their work in and around the States Assembly, there is currently no dedicated resources for members to carry out their constituency work.

Providing adequate resources to members was one of the recommended benchmarks of the Commonwealth Parliamentary Association for democratic legislatures:

The legislature shall provide all legislators with adequate and appropriate resources to enable them to fulfil their constituency responsibilities.

When PPC last reviewed the benchmarks in 2022, the Assembly was found to only partially comply with the recommendation. This coupled with the Chief Minister's stated aim of opening constituency offices was why PPC established a Sub-Committee which was tasked with identifying the resources required to support States Members in their constituency work. The Sub-Committee comprised at least one member from each constituency to ensure adequate representation.

The Sub-Committee undertook its work during the first half of 2023 and provided a report for PPC to consider. At its meeting in July 2023, to which the Deputy refers, PPC considered the Sub-Committee's report, and its recommendations, ahead of developing a bid for the Government Plan. One of the recommendations made was that dedicated constituency support should be offered in three constituencies (St Helier North, St Helier Central and St Mary, St Ouen and St Peter) in the first

instance in order to test how this could work in practice, with the service being extended to other constituencies when resources allow.

(a) The breakdown of the growth bid of £344,000 sought for 2024, 2025, 2026 and 2027 is as follows:

	2024	2025	2026	2027
Constituency Staff	£294,000	£294,000	£294,000	£294,000
Constituency Funds	£50,000	£50,000	£50,000	£50,000
Total	£344,000	£344,000	£344,000	£344,000

The bid provides for 4 (3 Research and Project Officers and 1 Principal role) constituency staff members and a constituency fund. The fund will be available to support States Members with some of their constituency work expenses, to include constituency surgeries advertising, venue hire, printed materials etc... The fund would be controlled by the States Greffe and accessible by all members in the same way as the existing provision for IT grants.

(b) The three constituencies chosen for the pilot are - St Helier North, St Helier Central and St Mary, St Ouen and St Peter. Members elected in each constituency are as follows:

Constituency	Members elected	Political Party/Affiliation
St Helier North	Deputy Steve Ahier	None
	Deputy Max Andrews	None
	Deputy Inna Gardiner	None
	Deputy Mary Le Hegarat	None
St Helier Central	Deputy Carina Alves	Reform Jersey
	Deputy Catherine Curtis	Reform Jersey
	Deputy Lyndsay Feltham	Reform Jersey
	Deputy Geoff Southern	Reform Jersey
	Deputy Robert Ward	Reform Jersey
St Mary, St Ouen and St Peter	Deputy Lyndon Farnham	None
	Deputy Ian Gorst	None
	Deputy Kristina Moore	Better Way

	Deputy Lucy Stephenson	Better Way
Connétable of St Helier	Connétable Simon Crowcroft	None
Connétable of St Mary	Connétable David Johnson	None
Connétable of St Ouen	Connétable Richard Honeycombe	None
Connétable of St Peter	Connétable Richard Vibert	None

(c) The Constituency Office Sub-Committee comprised:

Deputy Carina Alves (Chair)	Reform Jersey
Connétable Karen Stone (Vice Chair)	
Deputy Lucy Stephenson	Better Way
Deputy Kirsten Morel	
Deputy Montfort Tadier	Reform Jersey
Deputy Moz Scott	
Deputy Barbara Ward	
Deputy Tom Coles	Reform Jersey
Deputy Robert Ward	Reform Jersey
Deputy Inna Gardiner	
Deputy Philip Ozouf	

The Sub-Committee approved the paper on the development of constituency offices on 27th June 2023. The minutes of the meeting (which was held electronically) note that Deputy Moz Scott dissented from the approval due to a number of concerns about the vision for constituency support and the equity between the constituencies, particularly the three that were due to be piloted.

(d) There are no set key performance indicators regarding the output of the States Members of the three constituencies involved in the 2024 pilot scheme. It is anticipated that the trial in the three constituencies will operate for a minimum period of six months (i.e. April 2024 – October 2024), with the States Greffe reporting back to PPC during Q4 2024. But if there is a need to respond sooner to develop the service, PPC will react accordingly.

PPC is mindful that the service needs to be consistent across members and constituencies which the States Greffe, in delivering this service, will take into consideration. By focussing on three constituencies in the first instance allows for a managed introduction to the service, particularly as the Sub-Committee found that not all constituencies want such a service at present (such as Grouville and St Martin).

Once the pilot has come to an end, PPC will review the feedback from members and the States Greffe and consider the impact the constituency service is having on members and the general public. Further thought will then be given to how the service might operate from 2025 onwards, and the associated resources required. The Committee believes that this is a sensible and financially prudent approach to take when developing a new service.

**1.17 Deputy M.R. Scott of St. Brelade of the Chair of the Privileges and Procedures Committee regarding growth bids in the Government Plan 2024-2027. (WQ.409/2023)**

**Question**

Will the Chair provide details of the following –

- (a) a breakdown of the growth bid of £179,000 for 2024, and for subsequent periods, for additional resources for the Legislative Drafting Office, including the number of additional staff to be recruited for such purposes (as referenced in the [Minutes](#) of Privileges and Procedures Committee meeting dated 17th July 2023) as well as any benchmarking or key performance indicators regarding the output of the Legislative Drafting Office used to support the growth bid and to measure improvement in productivity; and
- (b) whether any additional resources will be provided to States Assembly Scrutiny Panels over the period 2024-2027 to conduct reviews and to strengthen officer support, including through the recruitment of staff or engagement of consultants with specialised knowledge to assist Panels in scrutinising Government work, given that no growth bids in this respect are mentioned in the aforementioned Minutes?

**Answer**

(a)

**A breakdown of the growth bid for 2024-2027**

The breakdown of the growth bid of £179,000 for 2024, and for subsequent periods, for additional resources for the Legislative Drafting Office (LDO) is shown in the following table:

<b>Description</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>Total</b>
Relocation package for newly recruited drafter	9000				9000
Laptop	1000				
Salary minus £50,000 already awarded	76,400	78,400	78,400	78,400	311,600
Pension on full salary @ 16%	20,300	20,500	20,500	81,800	
Social Security on full salary @6.5%	8,200	8,300	8,300	8,300	33,100

Removal of recharge income no longer to be received from 2024	65,000	65,000	65,000	65,000	260,000
Investment total	179,900	172,200	172,200	172,200	696,500

Number of additional staff to be recruited:

1 experienced full-time permanent legislative drafter.

Benchmarking/KPIs regarding output that were used to support the growth bid:

The growth bid is designed to:

1. Ensure that the Government Legislative Programme can be delivered as required by the Council of Ministers;
2. Deliver legislation from within Jersey with a full complement of staff;
3. Meet the requirements of the Government Legislative Programme from within the LDO budget rather than having to ask other departments to fund drafting projects as in the past when internal resources have been saturated and there were insufficient funds within the LDO to outsource work to consultant drafters;
4. Complement LDO's organisational structure to represent a balance of senior, mid-level and junior experience;
5. Support all staff in their professional development and wellbeing;
6. Reduce reliance on consultant drafters, ideally to zero.

By way of additional information, the resources for 2023 included a bid for £50,000 to fund consultant drafters because the estimated work increase did not justify an additional post at that stage. However, due to the Roads Project from Infrastructure and Environment predicted to require an extra 3 days a week for a drafter, an additional 0.6 FTE of a drafter is needed from 2024 onwards. Because this made up the need to a full drafter post, a new drafter is being recruited instead of additional spending on consultants.

In assessing the resources required to meet the needs of Government and States Members the LDO takes account of trends in the volume of work requested by each Department and estimates the likely need for drafting based on the forthcoming Government Legislative Programme. The LDO is a demand-led service and there is a need for resources to match demand.

(b)

#### **Additional resources to Scrutiny Panels 2024 – 2027**

In terms of the Government Plan 2024 – 2027, no additional growth bids have been submitted specifically for the Scrutiny section of the States Greffe. The main reason for this is that in previous years, additional resources have been provided to assist the work of Scrutiny Panels, Review Panels

and the Public Accounts Committee – the team now comprises 2 x Principal Committee and Panel Officers, 6 x Committee and Panel Officers and 5 x Research and Project Officers.

Scrutiny is also supported by x 3 Communications Officers from the Digital and Public Engagement Team within the States Greffe.

In terms of engaging consultants with specialised knowledge to assist Panels in scrutinising Government work, Panels are able to call on the expertise of others through its Proceedings Code. If the topic is of a technical nature, Panels are able to commission expert advice (subject to approval from the Scrutiny Liaison Committee) to assist with the compilation and interpretation of specialist and technical information. Panels are also able to obtain evidence from a vast range of stakeholders including organisations, academics, industries and other institutions relevant to a review.

It is worth noting that in the previous Government Plan 2023 – 2026, the following growth bid was made as part of Digital and Public Engagement for Scrutiny research and communications:

Description	2023	2024	2025	2026	Total
Scrutiny research budget & 1.0 FTE Comms officer (CS8)	148,000	148,000	148,000	148,000	592,000

This bid was made (£100,000 for scrutiny research and £48,000 for 1 x Communications Officer) as the budget for research and publicising reviews and calls for evidence had previously come from underspends within Scrutiny and staffing underspends within Digital and Public Engagement. In addition, communication support for Scrutiny, including Review Panels, had previously been under pressure with only 2 Communications Officers supporting all Committees, Panels and Review Panels within the section alongside other responsibilities for States Assembly communications.

As the Scrutiny section has benefited from additional funding previously, it was not considered necessary to submit any more additional growth bids in this area for this Government Plan.

**1.18 Deputy M.R. Scott of St. Brelade of the Minister for Economic Development, Tourism, Sport and Culture regarding Economic Impact Assessments, following a decision by the Bailiff, under Standing Order 12(4)(c), that the original answer was not directly relevant to the question asked. (WQ.410/2023)**

*The Minister tabled a revised answer on 3rd November 2023 to this question following a decision by the Bailiff, under Standing Order 12(4)(c), that the original answer was not directly relevant to the question asked.*

**Question**

Will the Minister provide the date and details (including either a link to, or a copy of) every Economic Impact Assessment commissioned or conducted over the last seven years by the Department for the Economy, or any independent consultants engaged by that Department, in respect of the following organisations funded by that Department –

- (a) Jersey Business;
- (b) Visit Jersey;
- (c) Digital Jersey;
- (d) Jersey National Park;
- (e) the Jersey Competition Regulatory Authority; and
- (f) (after 2016) Jersey Reds?

**Answer**

Formal Economic Impact Assessments are not conducted as part of the process of Arms Length Organisation (ALO) governance. Such organisations typically have an indirect impact on the wider economy as they play the role of enablers to private businesses.

All payments made by Government to ALOs are accompanied by either a business case (for growth revenue expenditure) or a grant agreement with associated appraisal (in the case of grants made under existing partnership agreements).

Amongst the requirements for a business case or grant agreement are an appraisal of the costs and benefits of the available options and their anticipated impact along with a review of delivery against stated priorities.

Jersey Reds were a private business and work was undertaken, in 2018, by Via Analytics to measure the economic value of Jersey Reds to the wider economy. This report has not been published and is considered commercially sensitive, however I can confirm that the independent assessment determined that in 2018 the Jersey Reds made a contribution to Jersey's economy of £1.4 - £2.1m annually. This was largely derived from tax on payroll and fans from visiting clubs travelling to watch their team play in Jersey at that time.

The use of independent consultants is reported biannually via P.59 reports.

**1.19 Deputy R.J. Ward of St. Helier Central of the Minister for Infrastructure regarding the Liberty Bus Avanchicard unlimited annual pass. (WQ.411/2023)**

**Question**

Will the Minister state the total number of people who currently hold a Liberty Bus AvanchiCard unlimited annual pass, with this number not to include any other subsidised bus passes?

**Answer**

The commercial risk associated with non-concessionary ticketing sits with the bus contract operator LibertyBus, this would at any time be considered commercially confidential, but would be particularly sensitive during the current tender process. Thus, this would not be a matter for government to comment upon or disclose.



**1.20 Deputy R.J. Ward of St. Helier Central of the Minister for Infrastructure regarding the tax income received from High Value Residents for 2022. (WQ.412/2023)**

**Question**

Will the Minister state the tax income received from High Value Residents for 2022; and provide an estimate of the expected income for 2023?

**Answer**

The 2022 income tax year of assessment has not yet been finalised. However, the Comptroller currently estimates that around £25.8m will be assessed in respect of High Value Residents for 2022.

Regarding the 2023 year of assessment, the Income Forecasting Group's summer forecast shows no change from the position in the spring forecast. A prudent estimate of £28.5m is provided by the Comptroller for expected income tax arising in respect of High Value Residents in 2023.

**1.21 Deputy R.J. Ward of St. Helier Central of the Minister for the Environment regarding the reduction in duty on biofuels. (WQ.413/2023)**

**Question**

Will the Minister state the estimated cost, in pence per litre, of the reduction in duty on biofuels used in Jersey?

**Answer**

The proposed Government Plan 2024 – 2027 (p.38) has estimated the cost of a 9 pence per litre fuel duty reduction for Hydrotreated Vegetable Oil (HVO) to be £85,000 per annum. This was calculated based on the following assumptions.

In 2022, around 665,000 litres of HVO were imported into Jersey, generating approx. £425,000 in excise duty. This represents around 4% of the total diesel imported into Jersey for 2022. Using the 2022 figures of fuel per duty, a 9p cut would represent approximately £60,000 per annum.

Data from Q1 and Q2 2023 suggests an approximate 40% increase in HVO imports from 2022. The cost estimate was therefore updated to £85,000 per annum.

The proposed reduction of fuel duty for HVO represents the 9 pence per litre which is currently hypothecated to the Climate Emergency Fund.

**1.22 Deputy M. Tadier of St. Brelade of the Chief Minister regarding inquiries into the explosion at Haut du Mont and the collision of L'Ecume II. (WQ.414/2023)**

**Question**

Further to the revised response to [Written Question 390/2023](#) will the Chief Minister state categorically whether she has been given, or has asked for, an indication of when the inquiry into the explosion at Haut du Mont and the inquiry into the collision of L'Ecume II are likely to be concluded; and will she advise –

- (a) how asking for anticipated timelines for these inquiries would constitute an *improper* influence of the process;
- (b) in light of her statement that the investigations need to be *thorough and rigorous in order to reassure the bereaved families and [...] all Islanders*, whether those families are being kept up to date with progress of the relevant inquiry and, if so, how; and
- (c) whether she anticipates that there will be separate public inquiries into either tragedy and, if so, what arrangements for the financial contingencies of such public inquiries have been made?

## Answer

I am clear that the timelines are a matter for the relevant investigatory and prosecutorial authorities and that, while the timely conduct of work is important, this cannot be at the expense of completeness. I have received a limited number of updates from my officials in respect of these inquiries, including their possible conclusion and, to date, I am comfortable that the arrangements in this respect have been appropriate. I re-state that it is not appropriate for the Chief Minister to anticipate in public when a criminal investigation might conclude.

(a) In my view, the Chief Minister asking for anticipated timelines has the potential to improperly influence a process. These are independent criminal investigations, and I respect that independence. If I were to request timelines, the relevant investigating authorities might consider that they are being placed under political pressure and/or feel obliged or influenced to abide by those timelines. The investigations must follow the evidence, not arbitrary timelines sought for political convenience. It is a very well-established principle in democracies that there isn't any political involvement of any nature in criminal investigations.

(b) Since the Major incidents – the collision of L'Ecume II and the explosion at Haut du Mont – the bereaved families have been the main focus of the Police investigation and have been supported by their Family Liaison Officers (FLOs), who are dedicated and highly skilled officers in SOJP. The support provided to the bereaved families entails updating families, in a timely manner, with all relevant information regarding the police investigations, in line with the strategies outlined by the Senior Investigating Officers (SIO). These updates have been provided during meetings with the SIO and during private face to face meetings. The FLO's have also provided information regarding additional services available for families, including signposting to support agencies, and explain Criminal Justice and Coronial procedures, so that they can access all available services and support.

(c) I do not believe that, while the investigations are underway, I should make, or indeed that I have sufficient information to make, a determination on the need or otherwise for a public inquiry, or in relation to financial contingencies.

### **1.23 Deputy M. Tadier of St. Brelade of the Minister for External Relations regarding Consuls in Jersey. (WQ.415/2023)**

#### Question

Will the Minister –

- (a) provide a current list of Consuls that are present in Jersey;
- (b) state the estimated number of nationals resident in the Island that each Consuls represents; and
- (c) explain how it is determined that a Consul is required and how a Consul is then appointed?

## Answer

(a) the current list of Honorary Consuls in Jersey are as follows:

Country:	Honorary Consul:
Belgium	Yes
Estonia	Yes
France	Yes
Germany	Yes
Italy	Yes
Netherlands	Yes
Poland	Yes (n.b soon to be vacant)
Portugal	Yes
Romania	N/A (vacant, soon to be filled)
Rwanda	Yes (non-resident Honorary Consul for Jersey)
Spain	Yes
Sweden	Yes

(b) the estimated number of foreign nationals' resident in Jersey, broken down by nationality, is provided below in alphabetical order. Please note that this data was taken from the Jersey Census 2021. All places of birth cited in the 2021 census had 10 or more respondents.

Country:	Number of nationals in Jersey:
Belgium	48
Estonia	13
France	733
Germany	371
Italy	219
Netherlands	108
Poland	2,808
Portugal	8,280
Romania	1338
Rwanda	<10
Spain	183
Sweden	97

(c) the decision of whether a country wants/needs to appoint an Honorary Consul is taken by that country, and not by the host jurisdiction (in this case Jersey). If a country decides an Honorary Consul is wanted or needed, that country will then find a suitable candidate, according to its own criteria and process, and inform the Foreign, Commonwealth and Development Office through an official letter. This letter is then shared with the Government of Jersey, specifically the Ministry for External Relations, to see if there are any objections with the suggested candidate for Honorary Consul. At this point, the Government of Jersey will also consult with the offices of the Bailiff and of the Lieutenant Governor as a matter of course. After this process has been completed, and assuming there are no objections, the candidate then takes up the position.

The Common Policy on External Relations references the importance of the work that External Relations undertakes to engage with diaspora communities residing on the Island, and the network of Honorary Consuls is extremely helpful in this regard.

#### **1.24 Deputy M. Tadier of St. Brelade of the Chair of the Privileges and Procedures Committee regarding the Independent Review of States Members' pay. (WQ.416/2023)**

##### **Question**

Further to the Independent Review of States Members pay, and the recommendation to align pensions and pay to other sections of the public sector, will the Chair explain what consideration the Privileges and Procedures Committee has given, if any, to reviewing States Members' sick leave entitlement; and will she further advise whether the Committee received any submissions and queries from the public in relation to States Members' sick leave entitlement?

##### **Answer**

In 2022, the States Assembly approved new legislation which put in place steps for PPC to take to appoint an independent States Members' Remuneration Reviewer. The role of independent reviewer is to determine the remuneration of States Members once each parliamentary term. In accordance with the Law, PPC has not been involved in the detail of the review in order to maintain its independence from the process. In that regard, PPC has not seen the responses to the independent reviewer's consultation and itself has not received any submissions or queries from the public in relation to Members' sick leave entitlement.

Although the Committee has not intended to review Members' sick leave entitlement, we would be very happy to meet the Deputy to discuss any concerns or views he may have on the matter.

#### **1.25 Deputy R.S. Kovacs of St. Saviour of the Minister for Social Security regarding Government funding for wound dressings. (WQ.417/2023)**

##### **Question**

Regarding Government funding for wound dressings, will the Minister explain –

- (a) what financial support, if any, exists for individuals on Income Support and the conditions they have to meet to receive such support;
- (b) what financial support, if any, exists for individuals not on Income Support and the conditions they have to meet to receive such support;

- (c) how many current requests there are for financial support for wound dressings, and how this information is recorded;
- (d) what wound dressings or medical hosiery items, if any, are available on prescription, and the amount allocated to fund these prescriptions annually;
- (e) any other funding her department has allocated to either directly aid patients with purchasing wound dressings or establishing projects to facilitate this; and
- (f) what plans, if any, she has regarding the extension of the successful Medical Hosiery pilot scheme from 2020 that provided medical hosiery to 225 patients?

## **Answer**

### **(a) what financial support, if any, exists for individuals on Income Support and the conditions they have to meet to receive such support;**

The Income Support Special Payment Regulations is able to provide support for health costs where claimants have an urgent one-off need and no other means of meeting the cost. This includes dressings: the cost of medical services and items supplied as a consequence of medical services.

### **(b) what financial support, if any, exists for individuals not on Income Support and the conditions they have to meet to receive such support;**

The support identified in part (a) is also available to households that sit just outside Income Support eligibility. This includes households where one adult is within 6 months of meeting the residency conditions but meets all the other conditions. It also includes households that have a household income that is no more than 10% above the eligibility limit but meets all other conditions.

HCS provide dressings free of charge to patients whilst they are an inpatient and 3 days of supplies are given on discharge - to allow time for the patient to purchase supplies once home. Patients attending outpatient dressing clinics do not pay for the dressings that are applied at time of appointment. HCS also provide a budget to FNHC to support the cost of the medical hosiery project.

### **(c) how many current requests there are for financial support for wound dressings, and how this information is recorded;**

There are a small number of individuals receiving support for the cost of dressings through the Income Support Special Payment system at present (less than 5). This information is recorded as part of the overall record of the claim.

### **(d) what wound dressings or medical hosiery items, if any, are available on prescription, and the amount allocated to fund these prescriptions annually;**

Wound dressings and medical hosiery are not included on the prescribed list held under the Health Insurance Law.

### **(e) any other funding her department has allocated to either directly aid patients with purchasing wound dressings or establishing projects to facilitate this; and**

No additional funding has been allocated within the CLS budget to support the cost of dressings or establishing a project in this area, this is a matter that sits with the Minister for Health and Social Services.

**(f) what plans, if any, she has regarding the extension of the successful Medical Hosiery pilot scheme from 2020 that provided medical hosiery to 225 patients?**

The medical hosiery scheme is administered through the Health and Community Services department.

HCS officers have confirmed that this scheme is being maintained. There are no proposals or plans to expand the HCS medical hosiery scheme at this time. As Minister for Social Security, I have no plans in this area, as this matter sits with the Minister for Health and Social Services.

**1.26 Deputy R.S. Kovacs of St. Saviour of the Minister for Health and Social Services regarding the funding for their department within the draft Government Plan 2024-2027. (WQ.418/2023)**

**Question**

Will the Minister provide a breakdown of the funding to be provided to her department within the draft Government Plan 2024-2027?

**Answer**

As advised in a response to an Oral Question from Deputy Southern at the sitting on 17 October 2023 (see Oral Question 210/2023 in Hansard), while the detailed allocations for this year could be provided, unfortunately, we cannot provide nor commit to providing such a detailed breakdown for next year's budget at this time. A statement of comprehensive net expenditure for HCS (and for other departments) is already available in the Government Plan Annex.

Finance Business Partners for HCS are working on the detailed allocations with each service and Care Group/Directorate as part of the normal yearly budget setting process. It is expected that the HCS Senior Leadership team will review the allocations in late November, and for them to be finalised and circulated in January 2024. It should be noted that this will be dependent on what changes, if any, result from the debates on the Government Plan.

As part of the Government Plan process, the Health and Social Security Panel have launched a review of the Proposed Government Plan 2024 – 2027 and evidence has been submitted (and is available here) as part of that process, and a public hearing will also be held in due course.

It is noted that a related Proposition (P.86/2023) has been lodged and is due for debate at the 7 November sitting.

**1.27 Deputy R.S. Kovacs of St. Saviour of the Minister for Social Security regarding the funding for their department within the draft Government Plan 2024-2027. (WQ.419/2023)**

**Question**

Will the Minister provide a breakdown of the funding to be provided to her portfolio within the draft Government Plan 2024-2027?

**Answer**

This information is provided on page 10 of the 2024 [Government Plan annex](#):

**Table 4 – Ministerial Mapping**

Ministerial Mapping <sup>2</sup>														
£'000	Chief Minister	Minister for Housing & Communities	Minister for Econ Dev Tour, Sport & Culture	Minister for Children & Education	Minister for External Relations	Minister for Health & Social Services	Minister for Justice & Home Affairs	Minister for Infrastructure	Minister for International Development	Minister for Social Security	Minister for Environment	Minister for Treasury & Resources	Non-Ministerial	Total
Cabinet Office <sup>3</sup>	71,268	558	-	-	-	7,374	-	-	-	-	-	-	-	79,200
Children, Young People, Education and Skills	-	-	-	206,753	-	-	-	-	-	-	-	-	-	206,753
Customer and Local Services	-	-	-	-	-	-	-	-	-	106,249	-	-	-	106,249
Infrastructure	-	-	-	-	-	-	-	57,239	-	-	-	-	-	57,239
Environment	-	-	-	-	-	-	-	-	-	-	10,917	-	-	10,917
Health and Community Services	-	-	-	-	-	286,575	-	-	-	-	-	-	-	286,575
Jersey Overseas Aid	-	-	-	-	-	-	-	-	20,041	-	-	-	-	20,041
Justice and Home Affairs <sup>4</sup>	-	-	-	-	-	-	39,509	-	-	620	-	-	-	40,129
States of Jersey Police	-	-	-	-	-	-	27,382	-	-	-	-	-	-	27,382
Ministry of External Relations	-	-	-	-	3,382	-	-	-	-	-	-	-	-	3,382
Econ Development, Tourism, Sport & Culture <sup>5</sup>	-	-	35,237	-	300	-	-	-	-	-	-	-	-	35,537
Financial Services	11,228	-	-	-	-	-	-	-	-	-	-	-	-	11,228
Treasury and Exchequer <sup>6</sup>	2,297	-	-	-	-	-	-	-	-	-	-	137,351	-	139,648
Past Service Pension Liability Refinancing	-	-	-	-	-	-	-	-	-	-	-	13,790	-	13,790
<b>Governmental Net Revenue Expenditure</b>	<b>84,793</b>	<b>558</b>	<b>35,237</b>	<b>206,753</b>	<b>3,682</b>	<b>293,949</b>	<b>66,891</b>	<b>57,239</b>	<b>20,041</b>	<b>106,869</b>	<b>10,917</b>	<b>151,141</b>	<b>-</b>	<b>1,038,070</b>
Non-Ministerial Expenditure	-	-	-	-	-	-	-	-	-	-	-	-	43,008	43,008
<b>Total Net Revenue Expenditure</b>	<b>84,793</b>	<b>558</b>	<b>35,237</b>	<b>206,753</b>	<b>3,682</b>	<b>293,949</b>	<b>66,891</b>	<b>57,239</b>	<b>20,041</b>	<b>106,869</b>	<b>10,917</b>	<b>151,141</b>	<b>43,008</b>	<b>1,081,078</b>

<sup>2</sup> Government Plan 2023 – 2026 sought to make clear and strengthen ministerial lines of accountability by establishing alignment to heads of expenditure as far as possible, there are some exceptions, which are detailed below.

<sup>3</sup> Strategic Housing and Regeneration team maps to Minister for Housing and Communities. Public Health Directorate maps to Minister for Health and Social Services

<sup>4</sup> Health and Safety Inspectorate maps to Minister for Social Security

<sup>5</sup> Intellectual Property is included within the Economic Development, Tourism, Sport & Culture head of expenditure but maps to the Minister for External Relations

<sup>6</sup> Corporate Portfolio Management Office, Freedom of Information, Risk, Health and Safety mapped to Chief Minister

The CLS Net Expenditure is broken down as follows (Source: GP 2024-27 Annex, P24)

## Statement of Comprehensive Net Expenditure

Statement of Comprehensive Net Expenditure				
	2024	2025	2026	2027
£'000	Estimate	Estimate	Estimate	Estimate
<b>Revenue</b>				
Levied by the States of Jersey	-	-	-	-
Earned through operations	11,774	11,774	11,774	11,774
<b>Total revenue</b>	<b>11,774</b>	<b>11,774</b>	<b>11,774</b>	<b>11,774</b>
<b>Expenditure</b>				
Social benefit payments	91,542	93,813	96,150	97,390
Staff costs	16,173	15,726	15,726	15,541
Other operating expenses	5,011	5,011	5,011	5,196
Grants and subsidies payments	5,297	5,244	5,197	5,150
Impairments	-	-	-	-
Finance costs	-	-	-	-
<b>Total expenditure</b>	<b>118,023</b>	<b>119,794</b>	<b>122,084</b>	<b>123,277</b>
<b>Net revenue expenditure (near cash)</b>	<b>106,249</b>	<b>108,020</b>	<b>110,310</b>	<b>111,503</b>
Depreciation and amortisation	4	4	4	4
<b>Net revenue expenditure after depreciation</b>	<b>106,253</b>	<b>108,024</b>	<b>110,314</b>	<b>111,507</b>

### 1.28 Deputy L.V. Feltham of St. Helier Central of the Minister for Social Security regarding financial support for parents with children who have a health condition. (WQ.420/2023)

#### Question

Will the Minister outline what financial support is available for parents who find themselves unable to continue to work, or who have to take a break from work, due to their child having a health condition?

#### Answer

Financial support available to parents caring for a child with a medical/health condition.

#### Home Carers Allowance (HCA)

HCA is a contributory benefit for carers of working age who spend 35 hours (or more) per week caring for someone who requires a very high level of personal care. This includes children. HCA is not a means tested benefit.

The allowance is designed for working age carers who decide to stop working or reduce their working week because of their caring commitments.

Carers have their contribution record protected with credits so that they do not lose their own right to future Social Security benefits.

People claiming HCA are able to continue working a maximum of 15 hours a week.

The benefit is paid every 4 weeks and the amount is based on the standard rate of social security benefit (£265.93 per week). The total someone can receive is, therefore, £1063.72 every 4 weeks.



### **Child Personal Care benefit**

This benefit supports parents where a child needs a high level of personal care e.g. for a physical, sensory, emotional or cognitive condition expected to last more than 6 months. To receive this benefit one of the parents must pass the Income Support residence test. The current amount of this benefit, which is not means tested, is:

- £122.22 per week for a child with a level 2 need of personal care
- £175.20 per week for a child with a level 3 need of personal care

### **Income Support**

All eligible low-income parents can access Income Support benefit, which provides a broader range of support.

A parent caring for a child with high care needs for at least 35 hours a week may be eligible for the carer's component, in addition to adult, child, household and rental components. This currently has a value of £63.35 per week. Eligible families can also receive HCA.

Income Support families can access GP services through the Health Access Scheme. This provides subsidised services for adults (e.g. adult surgery consultation with a GP is £12).

All children up to the age of 18 receive free GP surgery consultations.

### **Home Responsibility Protection (HRP)**

HRP supports parents of working age who stop working or reduce their hours, in order to take care of a young child.

The HRP scheme protects the parent's future entitlement to an old age pension in the form of deemed social security contributions. A parent receiving HRP can work for up to 20 hours per week. The benefit can be received for up to 10 years.

### **Neo natal care**

The Minister's Ministerial plan for 2024 includes the following commitment taking action as necessary including providing financial support for parents of babies needing neo natal care.

### **1.29 Deputy L.V. Feltham of St. Helier Central of the Minister for Children and Education regarding support for the families of children that are diagnosed with chronic health conditions or terminal illnesses. (WQ.421/2023)**

#### **Question**

Will the Minister outline what support her Department has in place for the families of children that are diagnosed with chronic health conditions or terminal illnesses?

## **Answer**

The Children and Families Hub offers a single point of contact and referral to ensure children and families get the right help at the right time so that children are appropriately supported, safeguarded and protected. In addition to responding to referrals from professionals, parents/carers of children with chronic health conditions and life limiting illnesses can call the Children and Families Hub for advice, support and signposting.

The Children and Families Hub Service also offers direct family work and Family Partnership Workers complete early help child and family assessments and act as the Lead Worker, co-ordinating the team around the child and family when needed to develop a single early help plan. This can involve off-island health care and community and voluntary sector partners. For children with life limiting illnesses, support is delivered as part of the Palliative Care Pathway in partnership with Family Nursing and Home Care. Currently the Service is working with 16 children and their families on the Palliative Care Pathway and several children with chronic health conditions.

When greater needs are identified, a social work child and family assessment is undertaken, and the Social Worker will act as the Lead Worker. Assessment will consider support needs including provision of overnight short breaks and home care support.

Requests for mental health support for children are reviewed by the CAMHS Senior Practitioner in the Children and Families Hub to put in place an appropriate response.

CAMHS have a range of psychological and therapeutic support for children and families with chronic health issues or life limiting illnesses. Following the recent period of significant investment and positive recruitment, CAMHS now has three Consultant Clinical Psychologists, five Clinical Psychologists, three Assistant Psychologists, and a wide range of therapeutic staff.

For this specific area CAMHS has a new Paediatric Consultant Clinical Psychologist starting in November 2023 who will lead on the care and treatment support delivered to children and families with chronic health conditions or terminal illnesses.

### **1.30 Deputy L.V. Feltham of St. Helier Central of the Minister for Health and Social Services regarding support for the families of children that are diagnosed with chronic health conditions or terminal illnesses. (WQ.422/2023)**

## **Question**

Will the Minister outline what support her Department has in place for the families of children that are diagnosed with chronic health conditions or terminal illnesses?

## **Answer**

In Jersey there are a large number of children who have a range of long-term conditions such as asthma, epilepsy, and diabetes. These children and their families are supported through the HCS general paediatric service, and a range of specialist clinics led by paediatricians and specialist nurses.

For the majority of these children, their health condition is controlled, and the aim of the support provided is to minimise the impact of health on a child's physical, social, and educational development. This is achieved by provision of co-ordinated multidisciplinary care organised through the hospital clinic, including provision of education and training in self-management to the child and the family. Where appropriate, this also includes provision of support in schools and training of

teachers in relevant aspects of a child's medical management, to minimise the impact on school attendance and academic attainment.

For those children with a long-term condition requiring tertiary level medical input, there are a range of clinics provided by visiting consultants on island (e.g., in neurology) and there are referral pathways to UK tertiary centres in cases where other expertise is required. The families who need to travel to UK for tertiary care are supported with their travel arrangements including flights and accommodation by the HCS travel service.

Sadly, there are a small number of children who have more serious health problems requiring complex intervention and extensive support including those with a terminal condition who are not expected to live to reach adult life.

For these children, a care pathway was launched in 2016 based on the principles set out by the UK charity 'Together for Short Lives' that is considered to reflect best practice in the UK (available here). This pathway is managed jointly by the HCS Paediatric team and Family Nursing and Health Care (FNHC). Up to the end of 2022, there were 58 children managed on this pathway and as of writing, there are currently 27 on the pathway.

Many elements of good practice and themes are taken into account when planning support for the families of these children. Bespoke care plans, often multi-disciplinary in nature, are completed with the child with their family. Assessment of a family's needs involves ongoing, in-depth gathering, recording, and sharing of information. Regular, clear, and unambiguous communication is key in supporting each family. With families where English is not their first language, interpreter services are provided to facilitate the discussions with healthcare professionals. Community support is provided by nursing and health visiting teams from FNHC and in some cases this is supplemented by support provided from other specific charities. This support includes direct nursing care at home and provision of training and education to children and families to help with ongoing management of the child's condition. The community nursing team also provide liaison with educational establishments to ensure that there is appropriate support and a classroom health plan in place.

For children on this pathway access to medications has been facilitated, as have access to hospital appointments and investigations, to reduce the burden of illness on the families. In some cases, this includes provision of medication from the hospital pharmacy and delivered to the child and family as part of the FNHC home visits. Acute presentations are given priority at the hospital with defined care plans in place, in anticipation of a child's needs at the time of any predicted deterioration in their condition.

In addition, emotional and mental health support is available to families who are struggling, fatigued, or stressed about health conditions of their children. The community care team review sibling wellbeing, in addition to supporting the affected child, and give due consideration to any safeguarding issues that may arise in relation to the care arrangements in place. Where appropriate, additional support may be provided by liaison with the community mental health team.

The impact of living with a long-term condition can also have a significant financial impact on a family, and so this is considered as part of the multidisciplinary team assessment. Where appropriate, families are referred to community and local services in respect of this aspect of care, and in addition are provided information on local charities which may be able to offer additional resources and support to help the family cope with the demands of providing ongoing care.

### **1.31 Deputy A. Howell of St. John, St. Lawrence and Trinity of the Minister for Health and Social Services regarding staff employed within the Public Health Team. (WQ.404/2023)**

#### **Question**

Following the Minister's response to [Written Question 385/2023](#), will she provide the number of staff employed within the Public Health Team from 2019 to 2023, broken down by year, and further provide resourcing costings and staff costs, broken down by pay grade, as well as an organisational chart for the Team for 2019 and 2023?

#### **Answer**

The period requested covers the COVID-19 pandemic, which required additional and temporary resources in the Public Health Team to support the emergency response. For the purposes of answering this question, those posts that are substantive, established and funded have been included. Posts funded through the Jersey Care Model (JCM) and Building a Safer Society (BASS) have also been included. Posts associated with the pandemic response and recovery, i.e., those that were funded through emergency funds, have been excluded.

Public health services are critical for keeping the Island safe, preventing disease, reducing health inequalities, and improving the population's health, through for example, managing outbreaks of infectious disease, developing alcohol policy, delivering child nutrition programmes, or supporting efforts to improve air quality.

Pre 2020, the public health function had a limited capacity to deliver its responsibilities in the form of a small Strategic Public Health Team, delivering the bare minimum public health activity, based on our outdated Public Health Law, the Loi sur la Santé Publique (1934). A small number of supporting public health functions- namely some public health intelligence work and child health services - sat within Statistics Jersey and HCS respectively.

Today, the public health function consists of a range of duties which are either statutory, or are designed to support care & health services, protect health, or promote health. The public health team not only develops policy and strategy, but also commissions and delivers services, as well as responding to immediate risks to health, such as infectious disease outbreaks or other unexpected events.

The health system in Jersey is now meeting unprecedented challenges, resulting from the impact of an ageing population and the impact of increasing numbers of people with long-term conditions driven by lifestyle factors such as obesity and high alcohol consumption. Currently there are about 35,000 hospital admissions per year in Jersey.<sup>1</sup> The proportion of GDP spent on health is continuing to rise dramatically in most countries: in the UK healthcare spend has increased from under 10% of GDP in 2018 to just under 12% in 2022.<sup>2</sup> It is generally accepted that it is essential to reduce preventable diseases if rising costs and impacts are to be contained.<sup>3</sup>

The cost-effectiveness of preventing ill health (public health measures) means it is generally a much more efficient use of resources than waiting until diagnostic and curative treatments are needed from primary or secondary care. Studies show that on average for every £1 spent £14 will be saved.<sup>4</sup> This

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<sup>1</sup> Public Health Intelligence (2022) Government of Jersey Hospital Admission Rates 2021-2022

<sup>2</sup> World Bank (2023) Current Health Expenditure (% of GDP)- United Kingdom

<sup>3</sup> UK Department of Health and Social Care (2023) The Hewitt Review: an independent review of integrated care systems

<sup>4</sup> OECD (2006). Future budget pressures arising from spending on health and long-term care. OECD Economic Outlook 79:145-156 (<http://www.oecd.org/eco/outlook/oecdeconomicoutlookspecialchapters.htm>).

is particularly the case for Jersey, where initiatives to prevent disease have not generally been developed to the same extent as in other parts of the British Isles. Without prevention measures, the costs of health care and negative impacts of ill health will continue to rise at unsustainable rates.

## **2019**

In 2019, Jersey's public health functions were dispersed across a number of departments:

- the Strategic Public Health Team led by the Medical Officer of Health (MOH) were located in Community and Constitutional Affairs (CCA), which became part of Strategic Policy, Planning and Performance (SPPP);
- some Public Health Intelligence reporting functions were provided from within Statistics Jersey.
- the Child Health Team were located in HCS.

In 2019 a paper was commissioned to consider future challenges and look at Strengthening the Public Health Capability<sup>5</sup>. This review strongly recommended that a public health function was needed in Jersey that had sufficient financial and workforce resources to protect and improve public health. At the time, this aligned to the developing Jersey Care Model (JCM), with a recommendation that future specifications should feed into both the short-term health and wellbeing transformation and onwards to sustainable funding. The then Corporate Strategy Board approved the proposal to develop specifications for future strengthening of public health capability aligned to the developing Jersey Care Model (JCM).

The 2019 expenditure (staff and non-staff) on strategic public health activity was £812,000, and there was a headcount of 7. In addition, £945,000 was spent on child health, with this service sitting within HCS.

## **2020**

In March 2020, the Strengthening the Public Health Capability Review was concluded, and funding provided for in future years via the JCM.

In order to respond to the global pandemic, the public health team in SPPP was significantly enhanced with additional staff and other resources, with emergency funding provided. During 2020, the COVID Test and Trace team were part of Justice and Home Affairs (JHA), whilst the COVID Vaccination team were part of HCS. Public Health Intelligence was expanded to provide daily pandemic reporting. Previous written questions have considered the resourcing during this time, so this is not repeated here.

The 2020 expenditure on public health functions was reported as £487,200 and there were 7 substantive staff, however, during 2020, 4 staff members were seconded to the Covid Team and therefore the budget only covered 3 substantive staff.

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<sup>5</sup> Middleton, J and Southon, P. (2020), Strengthening Public Health and Public Health Law in Jersey

## 2021

A review of the Government Response to the COVID-19 Pandemic<sup>6</sup> by the Comptroller and Auditor General in April 2021, concluded that the proposed expansion of the public health function as part of the JCM should ensure that the function is properly equipped to address future health protection emergencies.

Following the retirement of the previous incumbent in 2020, the new Director of Public Health (Medical Officer of Health) took up their role in July 2021.

The continuation of the pandemic required ongoing support through emergency funding. In October 2021, responsibility for COVID Test and Trace moved from JHA to public health in SPPP.

Final specifications for strengthening the public health capability were included in the JCM business case as part of Government Plan 2021.

The 2021 expenditure (staff and non-staff) on public health functions was £816,000 and there were 8 staff.

## 2022

A Ministerial Decision (MD-TR-2022-260) was made to move the Health Promotion Team from HCS to public health in SPPP.

The Jersey Independent COVID Review<sup>7</sup>, conducted in 2022, found that the States entered the pandemic with out-of-date legislation and a poor public health function and made the following recommendation:

There is a need to review the expansion of the public health function proposed as part of the Jersey Care Model to ensure that it is properly equipped to address future health protection emergencies. This includes the need to strengthen the public health protection function and the public health intelligence function, which has been critical to inform decision making and the wider public during the pandemic. This will also allow us to monitor the indirect impact of the pandemic on health and recommend action to address health need.

The COVID Safe team were stood down as of December 2022, as part of the de-escalation of COVID measures. The COVID Testing team were stood down as of 31 January 2023 when the drive through testing centre was closed.

During 2019-2021 a number of small food and nutrition strategy pilots were carried out using the Government Plan 2020 budget for Reducing Preventable Diseases (RPD), with the full suite of RPD delivery being delayed as a consequence of the pandemic. By 2022, Public Health could begin to implement food and nutrition policy, services and health promotion activity for children, young people and families.

The 2022 expenditure (staff and non-staff) on public health functions was.

- £894,000 Strategic Public Health and JCM/BASS - including 21 staff.
- Food and Nutrition Strategy and Programmes- £800,000- including 4 staff.
- Health Promotion Team- £200,000- including 3.5 staff.

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<sup>6</sup> [Comptroller and Auditor General \(2021\) Government response to the Covid-19 pandemic- Management of the Healthcare Response](#)

<sup>7</sup> [Jersey Independent Covid-19 Review \(2022\) High Expectations](#)

## 2023

The Child Health Team were transferred from HCS to public health in SPPP (service transfer) at the start of 2023 as part of Government Plan 2023, now referred to as the Child Immunisations Team.

In July 2023, the Health Protection Review<sup>8</sup> [was published that](#) highlighted the need for additional public health resource, making 30 recommendations for improvement including a strengthening of the health protection workforce.

The 2023 budget (staff and non-staff) as at the end of September 2023 for public health is:

- £1.01m Strategic Public Health and JCM/BASS – including 21 staff.
- Food and Nutrition Strategy and Programmes- £480,000 – including 4 staff.
- Child Immunisations Team - £761,000 (Transferred from HCS) – including 5 staff.
- Health Promotion Team- £170,000- including 3.5 staff.

### **Risk and Impact of not increasing the functions of the Public Health Team.**

Recommendations in the various reviews conducted between 2020-2022 were based on an assessment of need in Jersey and were consistent with other parts of the British Isles and other international jurisdictions, where it is recognised that preventing physical and mental ill health, rather than treating it as it arises, is cost-effective, with high rates of return on investment.

A comprehensive population wide approach is now described in the 5-year public health strategy which lists the public health priorities for Jersey. These priorities were developed following a year of consultation, and they reflect: recommendations from external reviews, ministerial priorities and public priorities; and build on stakeholders' plans to achieve maximum impact. There are now high expectations for public health delivery. The team avoid duplication by working closely with the UK, Guernsey and other jurisdictions to reduce cost where appropriate.

The key risks of not investing in public health are:

- We would be very ill prepared for another pandemic; and have no clear plan for a health response to any other type of emergency (nuclear, chemical, biological).
- Vaccination uptake would decline, and the management of infectious disease will become disjointed, risking that preventable infectious such as flu and scarlet fever reach epidemic levels.
- Our preventable disease levels such as diabetes would rise more dramatically than in other jurisdictions.
- The financial demands from treating preventable disease would rise more sharply than in other jurisdictions.
- We would find it difficult to retain the senior public health professionals required.

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<sup>8</sup> [Public Health \(2023\) Health Protection Review](#)

The consequences of not having sufficient investment prior to 2019, may have contributed to the fact that Jersey has:

- Higher levels of alcohol consumption.
- Steeply rising levels of obesity.
- No clear comprehensive offer to prevent chronic diseases.
- That 20% of chronic diseases are categorised as preventable.
- Increasing health and care costs.

In summary, investment for public health in 2024 and beyond will establish an appropriate public health function similar to that seen in the rest of the British Isles. In 2019, a major review recommended that the public health function needed to be expanded to improve and protect Islanders' health and act as a brake to stem the rising demand in health and social care services. Failure to invest will leave the Island unprepared to deal with threats to the health of our population.

[Figure 1: 2019 Structure Chart \(See full chart online\)](#)

[Figure 2: 2023 Structure Chart \(See full chart online\)](#)

**Table 1: Costs & Headcount**

<b>Strategic Public Health</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023* as of Sept</b>
Pay	570,000	405,000	635,000	1,192,000	1,390,000
Non-Pay	60,000	40,000	220,000	537,000	317,000
JCM and BASS funds	0	0	-93,000	-835,000	-688,000
<b>Total Spend</b>	<b>630,000</b>	<b>445,000</b>	<b>762,000</b>	<b>894,000</b>	<b>1,019,000</b>
<b>Total Headcount</b>	<b>7</b>	<b>3 (4) *</b>	<b>8</b>	<b>21</b>	<b>21</b>

*\*4 of the 7 Public Health Staff from the 2019 establishment were seconded to deliver the covid pandemic emergency response.*

<b>Food &amp; Nutrition Strategy</b>	<b>2019- Pilot</b>	<b>2020- Pilot</b>	<b>2021-Pilot</b>	<b>2022</b>	<b>2023* as of Sept</b>
Pay	22,000	2,200	0	200,000	178,000
Non-Pay	160,000	40,000	54,000	600,000	302,000
<b>Total Spend</b>	<b>182,000</b>	<b>42,200</b>	<b>54,000</b>	<b>800,000</b>	<b>480,000</b>
<b>Total Headcount</b>				<b>4</b>	<b>4</b>

<b>Child Health Team</b>	<b>2019- HCS</b>	<b>2020- HCS</b>	<b>2021-HCS</b>	<b>2022-HCS</b>	<b>2023* as of Sept-PH</b>



Pay	185,000	175,000	126,000	227,000	134,000
Non-Pay	760,000	706,000	656,000	833,000	627,000
<b>Total Spend</b>	<b>945,000</b>	<b>881,000</b>	<b>782,000</b>	<b>1,060,000</b>	<b>761,000</b>
<b>Total Headcount</b>	<b>5</b>	<b>3</b>	<b>4</b>	<b>4</b>	<b>5</b>

Health Promotion	2019- HCS	2020- HCS	2021-HCS	2022-PH	2023* as of Sept-PH
Pay	0	0	0	176,000	163,000
Non-Pay	0	0	0	24,000	7,000
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>200,000</b>	<b>170,000</b>
<b>Total Headcount</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3.5</b>	<b>3.5</b>

**1.32 Deputy M.B. Andrews of St Helier North of the Minister for Treasury and Resources regarding residential dwellings owned by the Government. (WQ.424/2023)**

**Question**

Will the Minister state the total number of residential dwellings owned by the Government, and of these, the number currently occupied?

**Answer**

The Government owns 238 residential units, of which approximately 95% are currently occupied. The vacancy rate, which fluctuates, is low as there is considerable demand for accommodation.

**1.33 Deputy M.B. Andrews of St Helier North of the Minister for Treasury and Resources regarding the annual revenue from personal income taxation. (WQ.425/2023)**

**Question**

Will the Minister state the annual revenue from personal income taxation as a percentage of the Government revenue for the period 2017 to 2022; and advise how it compares with the OECD (Organisation for Economic Cooperation and Development) average?

**Answer**

This response replicates that provided to the Deputy in response to his WQ.144/2023 in April, with the addition of data in relation to 2022.

	2017	2018	2019	2020	2021	2022
Total personal income tax (£m)	428	453	475	463	558	559

Total government revenue (£m)	1,189	1,244	1,305	1,290	1,435	1,528
Personal income tax as % of government revenue	36.0%	36.4%	36.4%	35.9%	38.9%	36.6%

The OECD annually produce a mean average of personal income tax as a percentage of total tax revenue only. Comparative analysis is not therefore possible in the terms requested.

Notes

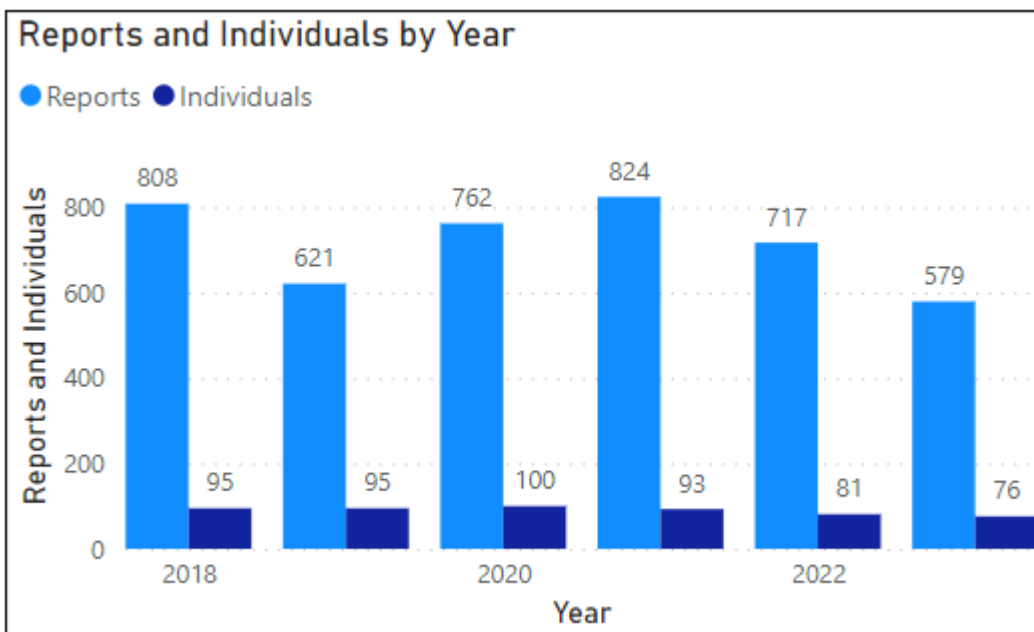
1. Total personal tax revenue has been taken from [Government of Jersey tax receipts](#) on Gov.je.
2. Government revenue has been interpreted to mean total income of the States in the Consolidated Accounts, before gains/losses on financial assets, as reported in the Annual Report and Accounts. This is consistent with the position taken in the response to the Deputy’s previous Written Question 282/2022.

**1.34 Deputy M.B. Andrews of St Helier North of the Minister for Justice and Home Affairs regarding missing persons. (WQ.426/2023)**

**Question**

Will the Minister advise the annual number of individuals, under the age of 18, reported missing over the last five years?

**Answer**



**Figure 1:** Reports to police of under 18s being missing and the number of individuals those reports relate to

Notes:

- The above figures include instances where under 18s are missing from a dwelling and a care home.
- There is not an equal distribution of reports amounts the individuals, i.e. a small cohort of under 18s each year are responsible for a disproportionate number of reports.
- The figures above for 2023 show data from 01/01/2023 to 31/10/2023.

**1.35 Deputy M.R. Scott of St. Brelade of the Minister for the Environment regarding fishing incidents between French and Jersey boats. (WQ.427/2023)**

**Question**

With reference to the response to paragraph (d) of [Written Question 399/2023](#), will the Minister provide a breakdown of the fishing incidents between French and Jersey boats and a comparison with the years 2021 and 2022?

**Answer**

**2023**

NLB: 44 days; 192.87 hours; 1,833 NM

RIB: 27 days; 92.5 hours

Offence	Number of Incidents	Action	Jersey	France
Bag limits	3	1 x PH; 2 x WL	2	1
No licence	2	1 x VW; 1 x IP	1	1
Inside a prohibited area	3	1 x NFA; 2 x VW	3	0
Out of season	6	5 x IP; 1 x WL	2	4
Gear issue	9	2 x GS; 4 x GL; 3 x WL	7	2
Undersize species	16	4 x IP; 5 x VW; 7 x WL	4	12
Wildlife Law	1	1 x IP	0	1
FEPA infringement	2	1 x IP; 1 x VW	1	1

GL = warning label attached to gear; GS = gear seized; IP = in progress; NFA = no further action; PH = parish hall; WL = warning letter; VW = verbal warning; MC = Magistrates Court

**2022**

NLB: 70 days; 301 hours; 2,820 NM

RIB: 27 days; 113 hours

Offence	Number of Incidents	Action	Jersey	France
Stowage of gear	2	1 x VW; 1 x WL	0	2
Undersize Species	3	3 x WL	1	2
Inside a prohibited area	4	3x VW; 1 x WL	3	1
Gear issue	4	1 x NFA; 3 x WL	2	2
Breach of Licence Conditions	2	2 x WL	0	2
No Licence	2	2 x MC	0	2
Out of season	4	1 x WL; 3 x IP	0	4

## 2021

NLB: 57 days; 252 hours; 2,499 NM

RIB: 33 days; 124.7 hours

Offence	Number of Incidents	Action	Jersey	France
Inside a prohibited area	3	2 x PH; 1 x NFA	2	1
No Permit	1	1 x WL	0	1
Breach of Licence Conditions	1	1 x WL	0	1
Wildlife law	2	2 x NFA	2	0
No Licence	2	2 x WL	0	2

**1.36 Deputy M.R. Scott of St. Brelade of the Minister for the Environment regarding Articles 59 and 60 of the Planning and Building (Jersey) Law 2002. (WQ.429/2023)**

**Question**

With regard to Articles 59 and 60 of the [Planning and Building \(Jersey\) Law 2002](#), will the Minister advise –

- (a) the number of trees, including their location and Parish, added to the List of Protected Trees since September 2022;
- (b) the number of requests to list trees, including provisional listings, received by his Department since September 2022;
- (c) the process for listing a tree;
- (d) the number of staff involved in the listing of trees, including those available outside of normal office hours should a tree be under threat;
- (e) plans for the future resourcing of this work should the Assembly support [P.71/2023](#), including any additional planning application administration required;
- (f) any future intention to make distinctions between ‘heritage’ trees, trees with public amenity value, and other types of trees; and
- (g) any plans to require planning officers undertaking assessment of planning applications involving the removal of trees, listed or otherwise, to consider the same criteria as a States Arboricultural Officer in making assessments for the purposes of Articles 59 and 60 regarding public amenity value and provide written decisions based on such criteria?

**Answer**

- (a) A copse/woodland (of approximately 90 trees) at Trinity Grange, La Rue du Presbytere, Trinity was added to the list of protected trees in October 2022.
- (b) A group of trees (over 100) was added to the list of protected trees, on a provisional basis, at St Joseph’s, St John’s Road, St Helier in April 2023.
- (c) There is currently no formal application process to request the listing of a tree, and this information is not held. Most proposals to consider the formal listing of a tree arise from the planning process within the context of development proposals.
- (d) The process for listing a tree is prescribed by Article 59 of the Planning and Building (Jersey) Law 2002 –

*“59 Notice and procedure for inclusion on, or removal from, the List of Protected Trees[218]*

*(1) Except as provided by Article 60, a tree shall not be included on or removed from the List of Protected Trees unless notice of the inclusion or removal has been duly served in accordance with this Article.*

*(2) Notice of proposed inclusion on the List –*

*(a) shall be served –*

*(i) on the owner of the land on which the tree is growing, or*

*(ii) (where such service cannot be effected) by being displayed in a conspicuous position on or near the tree; and*

*(b) shall contain a statement to the effect that any person may make written representations to the Chief Officer in respect of the proposed inclusion of the tree on the List.*

*(3) A person who without lawful authority removes or defaces a notice displayed under paragraph (2) shall be guilty of an offence and liable to a fine of level 2 on the standard scale.*

*(4) In determining whether or not to include a tree on the List –*

*(a) any representations made in response to the notice under paragraph (2) shall be taken into account to the extent that such representations relate specifically to the proposed inclusion of the tree on the List;*

*(b) any person considered to have relevant expert knowledge may be consulted and the views of that person may be taken into account.*

*(5) A further notice of the decision as to whether or not to include the tree on the List shall be served on the owner and (if different) any occupier of the land on which the tree is growing as soon as practicable after the decision has been made.*

*Trees may also be added to the list, on a provisional basis, where it is considered necessary or expedient to restrain the actual or apprehended removal of, or damage to, a tree suitable for inclusion on the List of Protected Trees. This process is prescribed by Article 60.”*

(d) The number of staff involved in the listing of a tree is variable. The process requires the professional assessment of the amenity value of a tree; administration of the formal listing process; and a decision to be made by the Chief Officer, or his delegate, to determine an intent and an addition of a tree to the list. Staff are not normally available outside of normal office hours to protect a tree that is under threat.

(e) Work undertaken to add trees to the list of protected trees owing to their amenity value, under the auspices of Article 59 and 60 of the law, and the resource required to undertake this work, is distinct and separate to the provisions of amendment 8 to the Planning and Building (Jersey) Law 2002, which is the subject of P.71/2023.

The latter will better protect trees by bringing works to them under the definition of ‘development’, under the auspices of Article 5(2) of the Planning and Building (Jersey) Law 2002. Separate arrangements have been made to manage the administrative and professional implications of broadening the definition of development to include works to trees, as an integral part of this work.

In its response to the Jersey Tree Strategy (2022), the Government committed to review the efficacy and use of existing legal provisions to identify and protect trees of special importance. This work, when it is undertaken, will consider resourcing.

(f) The criteria currently used to assess trees, relative to their potential for listing, includes the following factors:

- the tree’s size
- life expectancy
- position (and the public enjoyment it provides)
- the presence of other trees
- its relation to its setting
- its form and other special features, including:
  - if it is rare
  - if it is of exceptional landscape value
  - if it screens an unpleasant view

- if it is important in a larger composition

Any change to these criteria would be considered in relation to the future work to be undertaken to review the efficacy and use of existing legal provisions to identify and protect trees of special importance.

(g) Planning officers are required to assess planning applications to undertake development, and to justify their recommendations and decisions, against the island plan, and any other material factors. Proposals to remove trees are principally considered relative to bridging Island Plan Policy NE1 – Protection and improvement of biodiversity and geodiversity; and Policy NE2 – Green infrastructure and networks. Policy NE3 – Landscape and seascape character may also be of relevance in some circumstances.

Proposals to list trees, under Article 59 and Article 60, are limited to those criteria set out at (f) above.

In assessing a planning application to remove trees, a broader range of material factors, beyond amenity value, might be considered. It is the Minister for the Environment's intention to publish guidance, setting out those wider factors which might be considered, in support of the implementation of amendment 8 of the Planning and Building (Jersey) Law, as it affects the regulation of works to trees.

### **1.37 Deputy C.S. Alves of St. Helier Central of the Minister for Social Security regarding free period products. (WQ.430/2023)**

#### **Question**

In relation to free period products, will the Minister clarify –

- (a) how the period products are apportioned to each location;
- (b) what percentage of each type of period product (tampons with applicators, tampons without applicators and period pads) is supplied at each location;
- (c) how the size / absorbency of each product and the number of each product to be supplied determined;
- (d) how the availability of supplies of each product is monitored at each location; and
- (e) how often the products are restocked?

#### **Answer**

- (a) Products differ according to venues, the space available, and the usage. As part of the pilot there are now 23 venues (such as sports centres, libraries, charities, and food banks) and 20 public toilets with a range of products available. The full list of venues is available on [gov.je](http://gov.je) [here](#). Products are supplied in both female and male toilets to enable men to take products for their partners, children or those in their care, as well as for transgender and non binary individuals.

All venues other than public toilets, are supplied with the full range of products:

- Super soft pads
- Ultra thin night pads
- Normal liners
- Non Applicator tampons regular
- Non Applicator tampons super
- Applicator tampons regular
- Applicator tampons super

- Organic normal pads
- Organic non applicator regular
- Organic applicator super

Public toilets hold non applicator tampons and pads due to the smaller size of dispensers/venue.

- (b) All venues (other than public toilets) are supplied with a full range as listed above and equal percentage split of products when they launch. Products are then monitored for usage by venues directly and re-stocked according to demand, so the percentage then varies according to the venue. Public toilets hold 50% non applicator tampons and 50% pads.
- (c) As part of the pilot phase of this project, the range of products was initially chosen by the project team with advice from suppliers on likely usage. This has been adapted during the pilot to include a wider range, to include more sustainable products, based on customer feedback. All venues (other than public toilets) start with a supply of each of the product types at launch, and the venue reorders supplies based on demand which is user led. Public toilets currently only hold non applicator tampons and pads, although as part of the pilot, this is under review.
- (d) Availability of products are monitored and restocked by staff in relevant venues and by cleaning contractors in public toilets. The pilot continues to monitor user volumes on an ongoing basis and is working to increase the size of containers where usage is highest.
- (e) Products in venues (other than public toilets) are restocked on an ongoing basis when required, as monitored by staff who are based in the venue all day. These venues hold a stock they refill their product boxes from, and re-order as and when this stock running low. Public toilet dispensers are restocked either once or twice a day ( the cleaning frequency changes depending on location).

**1.38 Deputy C.S. Alves of St. Helier Central of the Minister for Justice and Home Affairs regarding the States of Jersey Police use of body worn cameras. (WQ.432/2023)**

**Question**

In relation to the States of Jersey Police use of body worn cameras will the Minister explain –

- (a) when cameras are required to be worn and operational;
- (b) how footage is stored and how long for;
- (c) under what circumstances might a camera be switched off;
- (d) how the use of cameras is monitored; and
- (e) the number of complaints received from the public, in the last 2 years, relating to cameras being turned off or not recording?

**Answer**

**(a) when cameras are required to be worn and operational;**

All uniformed police officers must ensure that they take possession of a BWV camera at the start of their tour of duty. Officers who work in plain clothes must consider best how to carry



and utilise body-worn cameras, dependent on their role, and acknowledging that there may be certain locations or operational situations where there is a need to balance force policy, with the need to protect officer safety and/or operational security.

Body-worn cameras should be operational when required for a policing purpose, or any other situation the user deems worthy. A policing purpose is defined by the College of Policing as including (but not limited to) the prevention and detection of crime, the apprehension and prosecution of offenders, the protecting of life and property and to preserve order. This covers a variety of policing scenarios and will lead to greater transparency in policing's actions. Users are also requested to activate their cameras prior to arriving at an incident. This allows for the camera to capture the gathering of any information and provides context around decisions made.

**(b) how footage is stored and how long for;**

Footage is initially stored on a specific piece of software known as Digital Evidence Management Software (DEMS) installed in a secure police computer system. If footage is not marked as evidential it will be deleted after a pre-defined period, currently defined as 30 days. Footage marked evidential will be retained for a longer period. The duration of the retention of any footage is governed by national guidance and relevant local legislation. This can vary dependent on the type of crime/incident however the decision to retain should be based on a policing purpose.

**(c) under what circumstances might a camera be switched off;**

Officers must utilise the National Decision-Making Model (NDM) when using body-worn video and record any justification and decision to start/stop recording on camera. All recordings must be related to a specific incident or encounter and must not be a continuous recording of shifts, or general patrol. There are certain situations and scenarios where body-worn video may not be appropriate and will therefore be switched off. This may include when speaking with a victim for a serious sexual offence or once a scene is under control prior to the commencement of a search. However, unless a force policy states otherwise, the expectation will be that there will be a tendency to record, rather than not to record, and a justification will be required to cease recording.

**(d) how the use of cameras is monitored; and**

The review/monitoring of BWV footage can help improve the professionalism of policing and provide a powerful tool for behavioural change and continuous improvement. Supervisors are encouraged to conduct regular reviews of their officers BWV, as this is an effective way of ensuring their officers are using BWV to record their policing encounters, and to maintain compliance with force policy and professional standards. Any non-compliance with force policy in relation to not using BWV correctly or mismanaging the information will be investigated thoroughly.

**(e) the number of complaints received from the public, in the last 2 years, relating to cameras being turned off or not recording?**

At the moment we are not aware of any complaints which relate to body worn camera use. It is however possible that body worn cameras form an element of the wider complaint. The only way of determining this is to review every complaint to confirm any association to body worn cameras or not.

Complaints into Police are constrained by the discipline codes contrary to the Police (Complaints and Discipline Procedure) (Jersey) Order 2000 and therefore data in respect of this question is not readily available. BWV footage is however routinely viewed by the Professional Standards Departments in relation to complaints against the organisation and individual staff members. BWV footage may help in the quicker resolution of complaints as the true facts of an incident can be quickly established.

**1.39 Deputy R.S. Kovacs of St. Saviour of the Minister for Children and Education regarding absences of pupils from school. (WQ.433 /2023)**

**Question**

With regard to authorised absences of pupils from school for each Key Stage, will the Minister state for each year from 2018 to date –

- (a) the number of authorised absences;
- (b) the number of absent days;
- (c) the number of absent days as a percentage of the school days during the year; and
- (d) how many absences were due to illness, or other reasons, including details of the reasons if known?

**Answer**

**Basis of preparation:**

(i) The attendance data in this report represents authorised absence and the data has been exported from SIMS on 24/07/2023.

(ii) All compulsory school age pupils from all Government schools in Jersey have been grouped in the following key stages as follows:

**Foundation:** Reception (Year 0);

**KS1:** Year 1 and Year 2;

**KS2:** Year 3, Year 4, Year 5 and Year 6;

**KS3:** Year 7, Year 8 and Year 9; and

**KS4:** Year 10 and Year 11.

The attendance data between 23/03/2020 and 31/07/2020 has been excluded for reporting purposes as this represents the period the schools were closed due to Covid lockdown in academic year 2019/2020. The recording of the absence data during that period is inconsistent.

The attendance for one day table includes 2 sessions: the morning sessions (AM) and the afternoon session (PM). The days lost do not represent full days, but the total number of sessions (AM and PM) divided by 2.

**(a) Number of authorised absences per session**

## Authorised absence by Session

AcademicYear	AM	PM	Total
☐ 2022/2023	<b>121840</b>	<b>129112</b>	<b>250952</b>
Foundation	7666	7827	15493
KS1	13719	13926	27645
KS2	25499	25888	51387
KS3	26317	29562	55879
KS4	48639	51909	100548
☐ 2021/2022	<b>150599</b>	<b>158456</b>	<b>309055</b>
Foundation	10547	10998	21545
KS1	18941	19500	38441
KS2	39803	41116	80919
KS3	31634	35008	66642
KS4	49674	51834	101508
☐ 2020/2021	<b>93623</b>	<b>99025</b>	<b>192648</b>
Foundation	6072	6035	12107
KS1	8931	9092	18023
KS2	21886	22777	44663
KS3	18607	21301	39908
KS4	38127	39820	77947
☐ 2019/2020	<b>50398</b>	<b>53369</b>	<b>103767</b>
Foundation	4851	4936	9787
KS1	7759	7691	15450
KS2	15312	15673	30985
KS3	12014	13454	25468
KS4	10462	11615	22077
☐ 2018/2019	<b>93554</b>	<b>97542</b>	<b>191096</b>
Foundation	6220	6281	12501
KS1	10716	10687	21403
KS2	18552	18889	37441
KS3	15999	17939	33938
KS4	42067	43746	85813
<b>Total</b>	<b>510014</b>	<b>537504</b>	<b>1047518</b>

(b) number of absent days

**Authorised absence by Days lost**

AcademicYear	Days lost
<input type="checkbox"/> 2018/2019	95548
Foundation	6251
KS1	10702
KS2	18721
KS3	16969
KS4	42907
<input type="checkbox"/> 2019/2020	51884
Foundation	4894
KS1	7725
KS2	15493
KS3	12734
KS4	11039
<input type="checkbox"/> 2020/2021	96324
Foundation	6054
KS1	9012
KS2	22332
KS3	19954
KS4	38974
<input type="checkbox"/> 2021/2022	154528
Foundation	10773
KS1	19221
KS2	40460
KS3	33321
KS4	50754
<input type="checkbox"/> 2022/2023	125476
Foundation	7747
KS1	13823
KS2	25694
KS3	27940
KS4	50274
<b>Total</b>	<b>523759</b>

(c) the number of absent days as a percentage of the school days during the year

<b>% Authorised absence</b>			
<b>AcademicYear</b>	<b>AM</b>	<b>PM</b>	<b>Total</b>
<b>2022/2023</b>	<b>6.5%</b>	<b>6.9%</b>	<b>6.7%</b>
Foundation	5.3%	5.4%	5.4%
KS1	4.4%	4.4%	4.4%
KS2	4.0%	4.1%	4.0%
KS3	5.7%	6.4%	6.0%
KS4	15.6%	16.7%	16.2%
<b>2021/2022</b>	<b>8.1%</b>	<b>8.6%</b>	<b>8.3%</b>
Foundation	7.1%	7.5%	7.3%
KS1	6.1%	6.3%	6.2%
KS2	6.1%	6.3%	6.2%
KS3	7.1%	7.9%	7.5%
KS4	16.7%	17.5%	17.1%
<b>2020/2021</b>	<b>5.2%</b>	<b>5.5%</b>	<b>5.3%</b>
Foundation	3.7%	3.7%	3.7%
KS1	3.0%	3.1%	3.1%
KS2	3.4%	3.5%	3.5%
KS3	4.4%	5.0%	4.7%
KS4	13.6%	14.3%	14.0%
<b>2019/2020</b>	<b>4.1%</b>	<b>4.4%</b>	<b>4.2%</b>
Foundation	5.1%	5.2%	5.1%
KS1	3.8%	3.7%	3.7%
KS2	3.5%	3.6%	3.6%
KS3	4.1%	4.6%	4.3%
KS4	5.2%	5.8%	5.5%
<b>2018/2019</b>	<b>5.1%</b>	<b>5.3%</b>	<b>5.2%</b>
Foundation	4.0%	4.1%	4.1%
KS1	3.2%	3.2%	3.2%
KS2	2.9%	3.0%	2.9%
KS3	3.8%	4.2%	4.0%
KS4	13.9%	14.5%	14.2%
<b>Total</b>	<b>5.9%</b>	<b>6.3%</b>	<b>6.1%</b>

**(d) how many absences were due to illness, or other reasons, including details of the reasons if known?**

**Attendance codes:**

AttendanceCode	Reason	Classification
E	Authorised absence as pupil is excluded, but still on the admission register, with no alternative provision made	Authorised
H	Authorised absence due to authorised family holiday	Authorised
I	Authorised absence due to illness (NOT medical or dental etc. appointments)	Authorised
M	Authorised absence due to medical / dental appointments	Authorised
R	Authorised absence due to religious observance	Authorised
S	Authorised absence due to study leave	Authorised
C	Authorised absence for reasons not covered by any other authorised absence code, this code should only be used in exceptional circumstances	Authorised
102	Illness Confirmed case of coronavirus (COVID-19)	Authorised

In addition to the attendance codes above, we have included the category Other. The Other category for authorised absence includes codes S, R, E and M, which have been grouped together to avoid disclosing identifiable data, as they represent numbers lower than 5 on different key stages.

Absence data are presented in the following pages.

## Authorised absence by Code

AcademicYear	C	H	I	I02	Other	Total
☐ 2022/2023	11673	9083	148229	5845	76122	250952
☐ Foundation	786	1118	12118	340	1131	15493
AM	378	555	5880	173	680	7666
PM	408	563	6238	167	451	7827
☐ KS1	1837	1996	20982	788	2042	27645
AM	829	986	10200	414	1290	13719
PM	1008	1010	10782	374	752	13926
☐ KS2	3453	4025	38179	1921	3809	51387
AM	1660	1983	18437	1049	2370	25499
PM	1793	2042	19742	872	1439	25888
☐ KS3	3219	1372	45864	1476	3948	55879
AM	1613	674	20907	1082	2041	26317
PM	1606	698	24957	394	1907	29562
☐ KS4	2378	572	31086	1320	65192	100548
AM	1188	284	13993	942	32232	48639
PM	1190	288	17093	378	32960	51909
☐ 2021/2022	20786	11581	147887	58454	70347	309055
☐ Foundation	1586	1666	13238	4263	792	21545
AM	656	829	6390	2186	486	10547
PM	930	837	6848	2077	306	10998
☐ KS1	3738	2985	20556	9648	1514	38441
AM	1704	1481	9884	4923	949	18941
PM	2034	1504	10672	4725	565	19500
☐ KS2	7084	5572	39824	25255	3184	80919
AM	3178	2746	18356	13492	2031	39803
PM	3906	2826	21468	11763	1153	41116
☐ KS3	4950	1019	44549	12550	3574	66642
AM	2351	509	18259	8701	1814	31634
PM	2599	510	26290	3849	1760	35008
☐ KS4	3428	339	29720	6738	61283	101508
AM	1724	165	12544	4668	30573	49674
PM	1704	174	17176	2070	30710	51834

☐ 2020/2021	28543	2300	95137	3871	62797	192648
☐ Foundation	2998	462	7561	103	983	12107
AM	1522	227	3703	49	571	6072
PM	1476	235	3858	54	412	6035
☐ KS1	5260	506	10517	445	1295	18023
AM	2501	248	5136	215	831	8931
PM	2759	258	5381	230	464	9092
☐ KS2	12603	977	26950	1332	2801	44663
AM	6070	480	12996	664	1676	21886
PM	6533	497	13954	668	1125	22777
☐ KS3	3963	181	30669	1526	3569	39908
AM	1911	88	14038	808	1762	18607
PM	2052	93	16631	718	1807	21301
☐ KS4	3719	174	19440	465	54149	77947
AM	1871	88	8946	256	26966	38127
PM	1848	86	10494	209	27183	39820



## Authorised absence by Code

AcademicYear	C	H	I	I02	Other	Total
☐ 2019/2020	9256	7136	78640		8735	103767
☐ Foundation	786	726	7593		682	9787
AM	327	359	3732		433	4851
PM	459	367	3861		249	4936
☐ KS1	1326	1742	11218		1164	15450
AM	671	859	5447		782	7759
PM	655	883	5771		382	7691
☐ KS2	3034	3219	22625		2107	30985
AM	1512	1584	10909		1307	15312
PM	1522	1635	11716		800	15673
☐ KS3	1902	955	20241		2370	25468
AM	952	468	9426		1168	12014
PM	950	487	10815		1202	13454
☐ KS4	2208	494	16963		2412	22077
AM	1067	245	7944		1206	10462
PM	1141	249	9019		1206	11615
☐ 2018/2019	8981	11628	101945		68542	191096
☐ Foundation	451	1505	9583		962	12501
AM	184	740	4659		637	6220
PM	267	765	4924		325	6281
☐ KS1	1354	2850	15414		1785	21403
AM	671	1409	7457		1179	10716
PM	683	1441	7957		606	10687
☐ KS2	2388	4797	27449		2807	37441
AM	1116	2357	13253		1826	18552
PM	1272	2440	14196		981	18889
☐ KS3	2610	1615	26154		3559	33938
AM	1172	793	12204		1830	15999
PM	1438	822	13950		1729	17939
☐ KS4	2178	861	23345		59429	85813
AM	1065	419	11022		29561	42067
PM	1113	442	12323		29868	43746
<b>Total</b>	<b>79239</b>	<b>41728</b>	<b>571838</b>	<b>68170</b>	<b>286543</b>	<b>1047518</b>

**1.40 Deputy R.J. Ward of St. Helier Central of the Minister for Children and Education regarding warning letters to parents for unauthorised holidays. (WQ.434/2023)**

**Question**

Will the Minister advise how many warning letters have been sent in the last 3 academic years (by year) to parents who have removed their children from school for unauthorised holidays?

**Answer**

Academic Year	Warning Letters Sent
2021 / 2022	0
2022 / 2023	3
2023 / 2024	3 to date

**1.41 Deputy R.J. Ward of St. Helier Central of the Minister for Social Security regarding the current daily allowance for food for those undertaking off-Island treatment for cancer and other conditions. (WQ.435/2023)**

**Question**

Will the Minister state the current daily allowance for food for those undertaking off-Island treatment for cancer and other conditions and advise when the daily allowance was last updated?

**Answer**

The current policy on food for off island treatment is within the Travel policy at para 3.7. as follows:

When staying in hospital-based accommodation, food/meals would normally be provided for the patient. Where this is not the case, HCS does not pay for food/meals. Where an eligible patient is required to stay in the UK for seven or more consecutive nights outside of a hospital environment whilst undergoing a continuation of clinical care and treatment, HCS will make a contribution of £10 per night towards the general living expenses of the patient (i.e. where patients are expected to buy their own food and it is not provided as part of their accommodation). This is reimbursed via an expenses claim once the patient has returned to Jersey. HCS does not hold any cash and does not have the capacity to pay expenses in advance.

The allowance was last ratified with the policy in October 2020.

Several charities provide further subsistence allowance to patients when receiving off-island treatment. These allowances are dependent on the patient and the relevant charity.

**1.42 Deputy R.J. Ward of St. Helier Central of the Minister for Infrastructure regarding Avanchi18 passes and Student Avanchicards. (WQ.436/2023)**

**Question**

Will the Minister state how many Avanchi18 passes and Student Avanchicards are currently in circulation?

**Answer**

According to figures provided by LibertyBus, as of the end of September 2023, there were 5954 active Avanchi18 travel passes and 3364 active Student Avanchicards.

**1.43 The Connétable of St. Brelade of the Minister for Economic Development, Tourism, Sport and Culture regarding the preservation of a section of building on Broad Street. (WQ.438/2023)**

**Question**

Will the Minister advise what consideration was given to the preservation of a section of building on Broad Street and any discussions that took place in relation to the decision to retain the section of building; will he further state whether he considers that such preservation was financially prudent?

**Answer**

Jersey has a rich historic environment that represents a distinctive, unique and irreplaceable resource. As a consequence of this, and the island's commitment to international obligations to protect architectural heritage<sup>9</sup>, successive island plans have established a policy regime that generally presumes against the loss of historic buildings.

Planning application P/2011/0817, submitted by LMN Jersey Investments Limited in June 2011, to construct an eight-storey building comprising of retail units and offices with basement parking at 19-29 Commercial Street and 31-41 Broad Street, St. Helier, proposed the loss of a number of historic buildings on the site.

This included the complete demolition and loss of 33 Broad Street<sup>10</sup>; and the partial demolition (all but the front façades) of 35 and 37 Broad Street<sup>11</sup>.

This planning application, which has been revised and renewed, was approved on 16 December 2011. The development that was permitted by a renewal of this permission (RP/2020/1117) is now being implemented by virtue of the demolition that is being undertaken.

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<sup>9</sup> Jersey is a signatory to the [Convention for the Protection of the Architectural Heritage of Europe \(Granada, 1985\) - Culture and Cultural Heritage \(coe.int\)](#)

<sup>10</sup> 33 Broad Street, which has now been demolished, was a grade 3 listed building comprising a reasonably intact eighteenth century commercial building set in the rear yard with what was a principally 18th century interior, including in-and-out panelling, a mantle shelf, original ironmongery, beaded ceiling beams, a spiral staircase with continuous newel post and a complete timber roof of pegged construction.

<sup>11</sup> 35 and 37 Broad Street were a remaining matching pair of late eighteenth / early nineteenth century granite buildings, with historic features, in this part of St Helier. The entirety of these buildings were listed at grade 3 (see [HE0068](#) and [HE0069](#)).

It is the facades of 35 and 37 Broad Street which now remain.

As can be seen from the above, their retention was part of the original planning application and is, thus, considered to be a commercial decision for the applicant.

**1.44 Deputy M. Tadier of St. Brelade of the Minister for Economic Development, Tourism, Sport and Culture regarding making entry to Jersey Museum free of charge. (WQ.439/2023)**

**Question**

Will the Minister provide detail on what progress is being made, if any, to making entry to Jersey Museum free of charge; and will he confirm whether this is a policy his department is pursuing and whether it is supported, in principle, by Jersey Heritage?

**Answer**

The Department for Economy has worked closely with Jersey Heritage to prepare a trial period of free entry to the museum following the completion of the new 1<sup>st</sup> floor exhibition space in 2024. It is anticipated that a 12-month trial will commence in Q3 2024 following completion of the renovations.

**1.45 Deputy M. Tadier of St. Brelade of the Minister for Economic Development, Tourism, Sport and Culture regarding the estimated cost to reopen a staffed tourist information centre. (WQ.440/2023)**

**Question**

Will the Minister state the estimated cost to reopen a staffed tourist information centre; and has the Minister or Visit Jersey identified any suitable locations where this facility could operate, and if not, why not?

**Answer**

Visit Jersey is actively in discussion with local partners regarding Visitor Information Services plans for next year. Value for money will be an important consideration, among other factors. Further details cannot be disclosed at this time due to commercial sensitivities, however an update will be shared before the end of the year.

**2. Oral Questions**

**2.1 Deputy B.B. de S.DV.M. Porée of St. Helier South of the Minister for Social Security regarding the repatriation of bodies (OQ.215/2023)**

Will the Minister advise whether there is any government funding available, other than the death grant, to repatriate the body of a person, with no personal assets, who passes away in Jersey, to their country of origin?

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

I thank the Deputy for her question. Yes, I can confirm that if there are no funds available to the family then government funding may be available to support the repatriation of a body back to Jersey or from Jersey to a ... sorry, back to Jersey or from Jersey to the person's home country.

**2.1.1 Deputy B.B. de S.DV.M. Porée:**

If I was to say to the Minister that I do know of such cases, would the Minister be happy to talk to me further outside and find out if further help can be available?

**Deputy E. Millar:**

Yes, I would be very happy to talk to the Deputy because we are not aware of any cases where repatriation of a body is not happening because of lack of funds.

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

Can the Minister advise what the procedure would be for somebody in that situation who may need access to those funds?

**Deputy E. Millar:**

Traditionally, when someone dies in a Parish, it rests with the Constable of the Parish to take responsibility for the funeral or the repatriation, where there is no family or no next of kin.

[9:45]

The Constable would normally do that. If there is insufficient money in the deceased person's estate to cover the costs, then the Constable can apply to the Minister for reimbursement. I think that is done through normal channels in Income Support, and that will be treated in the same way as a claim for funeral costs. Where there are families, the families can also apply for a special payment for funeral costs, and that is paid by way of a grant in a sum of up to £2,800.

**2.1.3 Deputy C.S. Alves:**

Can the Minister just clarify, does the Constable get in touch with the family or those around the deceased person or are those who are around the person that is deceased expected to make contact with the Constable? If it is the latter, how are they supposed to be made aware of that?

**Deputy E. Millar:**

I am not aware of the mechanics of that, but I believe if there is a death of someone in the Parish where there is no family then the police or relevant authorities will raise the matter with the Constable. Because if there is a family we would expect the family to either go to the Constable or speak to Income Support.

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

I wonder if the Minister might explain under what regulations or law these arrangements can be made.

**Deputy E. Millar:**

I believe it is a matter of Ministerial discretion. Under the income support legislation, I have discretion to make a payment in these circumstances.

**2.1.5 Deputy G.P. Southern:**

It could happen that the person is not eligible for income support. In that case, what happens? Can I repeat my question, under what regulation or order is this relationship between the Minister and the Constable enacted?

**Deputy E. Millar:**

I cannot quote you the exact regulation or order, but I believe I have Ministerial discretion, and I am not aware that there is any problem at the moment with repatriation of people to their home country or back to Jersey.

**Deputy G.P. Southern:**

And the eligibility for income support?

**The Deputy Bailiff:**

You have had a supplementary.

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

Will the Minister indicate if there is any kind of limit on how much funding would be made available to pay for a repatriation?

**Deputy E. Millar:**

I think if there is someone locally, we have costs of up to £2,800. I will answer Deputy Southern's question: it is not relevant if the person is not eligible for income support if they are in Jersey, including as a seasonal worker. Funding is available to repatriate the body if there are no other funds available. I am not sure if I answered Deputy Mézec's question because I went back to the first one. £2,800, but I imagine if it was more then we would find the funds to pay more. But, as I say, I am really not aware there are any issues with this at the moment.

**2.1.7 Connétable D.W. Mezbourian of St. Lawrence:**

There may not be any issues with this at the moment but I do recall some years ago having to arrange what was known as a pauper's funeral for someone in my Parish who passed away with no funds and with no family. Although it is not something that happens on a regular basis, I wonder if the Minister will commit to working with the Constables to identify a process that can be referred to immediately in such a situation. Similarly for the repatriation, either to Jersey or from Jersey, there should be something readily available for everyone to refer to. Will she commit to providing that as well, please? Certainly in the first instance, working with the Constables.

**Deputy E. Millar:**

If the Comité des Constables would like to raise with me any issues, I am very happy to consider them. I cannot speak for something that happened years ago, but I do understand it is normally the responsibility of the Parish Constables to pay for pauper's funerals, and that the Constables normally do that and have always done that. But I am happy to have a discussion with them, if someone would like to bring that forward to me.

**Deputy B. Ward of St. Clement:**

May we lift the défaut on Deputy Stephenson, please?

**The Deputy Bailiff:**

Do Members agree the défaut should be raised? The défaut is raised.

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

I would like to raise the défaut for Deputy Doublet, please.

**The Deputy Bailiff:**

Are Members content to do so? The défaut is raised.

**The Connétable of St. Lawrence:**

If I may, Sir, you did not give me the opportunity to ask a supplementary of the Minister.

**The Deputy Bailiff:**

I looked in your direction and you did not seem to be ...

**The Connétable of St. Lawrence:**

Sorry, I was expecting you to ask me. Beg your pardon. May I ask one?

**The Deputy Bailiff:**

Yes.

**2.1.8 The Connétable of St. Lawrence:**

Thank you. The reason that I would like to ask the Minister is because I did ask her whether she was prepared to draw up a process for the repatriation of people to or from Jersey, so that the public and States Members know where to go and know what they are meant to do? It is a very sensitive situation. Again, I am inviting the Minister to work with the Constables because although the Constable is required to arrange the pauper's funerals, we need to know how much money is available from Social Security, et cetera. There is a link between the Parish and the Social Security Department at that time. First of all, will the Minister agree to meet with the Constables and will she provide written procedure for the repatriation?

**Deputy E. Millar:**

As I have said previously, I am happy to work with the Constables, if this is an issue. I am really not aware that this is a problem, that we do not have issues with people being repatriated. The process is that people can speak to Social Security and it will be sorted out. But if people think there is any lack of clarity then, yes, we can certainly put something in place.

**2.2 Deputy M.B. Andrews of St. Helier North of the Chief Minister regarding growth bids in the Government Plan (OQ.212/2023)**

Will the Chief Minister explain the rationale behind the number of growth bids exceeding £47 million in the Government Plan, given that the Government is seeking to secure £10 million in efficiency savings?

**Deputy K.L. Moore (The Chief Minister):**

The Council of Ministers carefully considered a large number of growth requests once again this year as part of our preparation for the Government Plan. This included additional funding only where there was a need to mitigate a key risk or where investment was needed to deliver the Government's priorities. For example, £21 million of the £47 million is to address the well-documented challenges in health. The need to fund these priorities does not in any way preclude the need for Government to continue to review how it operates and to deliver the operational efficiency savings, as recommended by the F.P.P. (Fiscal Policy Panel)

**2.2.1 Deputy M.B. Andrews:**

Of course, there is a great risk when we see £47 million in growth bids because there potentially are plenty of inefficiencies in the first place, and hence why we need to make sure there are efficiency savings being made. So is there the potential for dysfunction to be part of the growth bids that are being proposed in the Government Plan?

**Deputy K.L. Moore:**

As I outlined, the growth bids are directed in areas of priority to meet the needs of the services that are delivered by the public sector in the Island, and also to meet the Government's priorities. We

are, in tandem, conducting efficiency work. There are 3 phases to that approach - 3 prongs - those are cashable savings for which targets have already been agreed and set; continuous improvement, which is establishing a culture across the public service throughout departmental teams for continuing improvement in service delivery; and then thematic reviews and best value reviews. We see that currently in Health and Community Services where the financial recovery programme is well-advanced and has identified £25 million worth of savings that can be made within the next 3 years.

### **2.2.2 Deputy M.R. Scott of St. Brelade:**

Could the Chief Minister just outline what exactly is being done to achieve efficiencies through government organisational improvement and give some details of the strategic workforce plan?

#### **Deputy K.L. Moore:**

That is a matter that is underway with the guidance and leadership of our interim chief executive. But, as I outlined in the previous answer, continuous improvement is a model for all public servants to ensure that we are delivering the best possible services for the best value for public money.

#### **Deputy M.R. Scott:**

I do not feel that answered my question about details of the strategic workforce plan, nor really answered the question about organisational improvement, other than to say that the chief executive was looking at it.

#### **The Deputy Bailiff:**

Do you want to ask your question again, so the Chief Minister knows precisely what it is you ...?

#### **Deputy M.R. Scott:**

I would like my question answered actually, Sir, please.

#### **The Deputy Bailiff:**

Can you repeat it so that it is in the ...?

### **2.2.3 Deputy M.R. Scott:**

Accepting that the chief executive seems to be looking at organisational planning and we have seen something yet, would the Chief Minister care to give details of exactly what the strategic workforce plan is and what it is going to achieve and how?

#### **Deputy K.L. Moore:**

It is rather difficult to provide a detailed answer when concision and brevity is required when answering oral questions, but there is plenty of information provided to States Members on these programmes. I can talk to the value-for-money programme, which was introduced at the Government Plan last year. It continues this year. It is identified work that drives through all departments to help and provide leadership to ensure that public servants can identify and tackle value-for-money work that delivers the best possible public services for the best value for money for taxpayers.

#### **Deputy M.R. Scott:**

I am sorry, I asked: what is the strategic workforce plan?

#### **The Deputy Bailiff:**

You have had an answer from the Chief Minister.

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

Could I be more specific than the previous questioner and ask for one example where value for money has been the driving force behind a reduction in spend?



**Deputy K.L. Moore:**

I can identify perhaps the reduction in medical locums and the conversion to permanent staff, particularly in our health services. That is a recurring theme and it speaks to our priority of recruitment and retention, and it brings down the cost. Because, as everybody will be aware, the cost of locum provision and bank staff is significantly more expensive than that of permanent staff. It also has an impact on the delivery of public services to our public. If I have the time to go into further detail, I can explain how, through the financial recovery programme, we can look at radiology and radiography, where that team has been particularly successful in bringing down waiting times through this work.

**2.2.5 Deputy G.P. Southern:**

Surely, it seems to me, that this value for money is part of business as usual. We do not set out to employ locums where we can get people at the normal rate. Surely is that not business as usual?

**Deputy K.L. Moore:**

You will be surprised. I think speaking to the financial recovery programme leads, it has been quite a challenge and a task, and we should all be grateful to them for their knowledge, experience and professionalism that is helping to deliver better value services and better quality services for Islanders.

**2.3 Deputy S.Y. Mézec of the Chair of the Privileges and Procedures Committee regarding training for Ministers on answering oral questions (OQ.222/2023)**

Will the chair advise what consideration, if any, has been given to facilitating training for Ministers on answering oral questions in the States Assembly in accordance with Standing Order 63(7)(b), that requires responses to be “directly relevant to the question asked?”

**The Connétable of St. Clement (Chair, Privileges and Procedures Committee):**

I thank the Deputy for his question. The committee has not considered facilitating a training session for Ministers on answering oral questions in the States Assembly. While information about questions, both written and oral, was included in the induction programme, this was more about the process in general and not specifically about how an oral question should be answered. Although the committee is always open to discussing training and development opportunities for Members, specific training for Ministers would normally be for the Government to organise.

**2.3.1 Deputy S.Y. Mézec:**

Could I thank the chair for an answer which was directly relevant to the question that I asked?

[10:00]

Could I ask her to perhaps consider liaising with the Government about what kind of training could be offered to Ministers, and perhaps tap into some of the resources that may be available through the C.P.A. (Commonwealth Parliamentary Association), for example, because it feels to me like this Assembly has wasted enough time in recent weeks when we have not had direct answers to very clear questions?

**The Connétable of St. Clement:**

Can I assure the Deputy that P.P.C. (Privileges and Procedures Committee) will be very happy to do this?

**2.3.2 Deputy R.J. Ward:**

Part of my question was taken. Would the chair consider having contact with the C.P.A., in particular the C.P.A. Academy, and it is developed, because we can tailor courses using that huge worldwide facility that we have a great involvement with?

**The Connétable of St. Clement:**

Yes, I will confirm that we will contact C.P.A. and get some advice on the training courses.

**2.3.3 Deputy M.R. Scott:**

Could the chair please advise whether there are any sanctions available in respect of Ministers who are persistent in not giving relevant answers?

**The Connétable of St. Clement:**

I am not aware that there are any sanctions at the moment for Ministers who do not give relevant answers. I would just encourage everybody in the Assembly to give relevant answers.

**2.3.4 Deputy L.V. Feltham of St. Helier Central:**

Would the chair undertake, within her discussions with the Government, to ensure that Ministers are, within that training or within those conversations, given information about the importance of question time to the democratic process?

**The Connétable of St. Clement:**

Yes, I think P.P.C. would be very happy to do that.

**2.3.5 Deputy A. Curtis of St. Clement:**

Just on the topic of advice on questions, would the chair consider giving advice to question askers to ensure they follow Standing Orders, in making sure questions, do not ask hypothetical propositions or ask opinion and not fact?

**The Connétable of St. Clement:**

Yes, I would like to say to the Deputy, we will look into that as well and offer advice.

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

Would the chair accept that, while it is extremely frustrating to not receive an answer to your question, that it is all part of the political circle of whoever is answering trying their best, where possible and if necessary, to avoid answering the question. It is just part of politics. Would the chair accept that?

**The Connétable of St. Clement:**

Yes, I would accept that. But I think we can only try to improve things in the Assembly. It will be up to the individual whether they do circumnavigate the question or not. But P.P.C., we are here to try and help with training and things like that, so we will do all we can to try and get, maybe in some instances, clearer questions and much better answers.

**2.3.7 Deputy G.P. Southern:**

Does the chair not accept that repetition of questions in order to seek an answer is one that wastes a lot of time in this Chamber, and it would be appropriate if we could be more efficient?

**The Connétable of St. Clement:**

I, for one, would be really delighted, as chair of P.P.C. and as an ordinary Member, if we could avoid so much repetition and get on with the business in hand. But I do not have a magic wand or anything, so I do not think that is going to be happening in the near future. But this is my hope that we can progress more efficiently.

**The Deputy Bailiff:**

You have had a question, Deputy Scott, in this session already.

### **2.3.8 Deputy S.Y. Mézec:**

Would the chair give consideration to perhaps a change to the Standing Orders, which would enable a situation where when questions and answers are limited by time, such as questions without notice, when they are limited to 15 minutes, that when an incident happens where a Member raises an objection to a question having not been answered in a way, which is relevant and direct, and the Bailiff agrees with that and asks the Minister to re-answer the question, that the time taken up by that should not count towards the 15 minutes?

#### **The Connétable of St. Clement:**

Yes, I will ask to have this and other questions that have been raised this morning to be put on the agenda for the next P.P.C. committee, and the committee will discuss all this and get back to the Assembly.

### **2.4 Deputy C.S. Alves of the Chair of the Comité des Connétables regarding driving licenses (OQ.217/2023)**

Will the chair advise whether driving licences in Jersey are issued with the date on which an individual passed their driving test rather than the date of the licence renewal or the date of when a foreign licence was exchanged for a Jersey licence; and, if not, why not?"

#### **Connétable M.K. Jackson of St. Brelade (Chair, Comité des Connétables):**

I thank the Deputy for her question. The direct answer to the first part of the question is no. The answer to the second part of the question, the "why not" bit, is fraught with complication. I will do what I can to answer the question within a reasonable time. The face of the Jersey driving licence, and you will have been circulated with a copy of it as a reminder, albeit you can rummage in your wallets or purses to have a look at yours. The face of the licence displays the date of issue at line 4(a) and on the reverse the date of issue by category in column 10. I understand the Deputy's question to be referring to the date shown in column 10. With certain exceptions, the date next to a category in column 10 will be the date on which the driver's entitlement started. Entitlement starts on the date the driver surrenders the test pass to obtain a full licence. This is not necessarily the date on which the individual passed their driving test. The exceptions currently are an individual who has held a full driving licence since before 1994. All driving licence records were computerised that year, and the date of issue by category will therefore show 1994, or whatever it is. Secondly, an individual who, despite a reminder that their licence was due to expire, did not apply to renew it until after it had expired. Thirdly, an individual who exchanged a foreign licence for a Jersey licence before June 21st has not already had their licence reissued. As Members may be aware, the Minister for Infrastructure is the licensing authority and the parochial authority, that is the Connétable, is the issuing authority for driving licences. The current practice is in line with the policy advised.

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

Does the chair recognise the issues that can arise from these inaccuracies when the dates are not stated of when people pass their tests, for example, hiring a car abroad or proving to insurance companies how long they have held their licence for? What work can be done with the ... I think it was the Minister for Infrastructure that the chair mentioned, to ensure that going forward this is rectified because it causes a significant number of complications for drivers.

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

To date, it has been understood that if a licence is not renewed prior to expiry, then the history is lost. On inspection of the licence, it is obvious that there is a period of time or there was a period of time when no valid licence was held. This could be relevant, for example, if the driver was involved in an accident. However, Parish officers have recently been in touch with D.V.S. (Driver and Vehicle Standards) for advice regarding column 10, and we understand that having regard to Jersey legislation

and the 2006 third E.U. (European Union) directive on driving licences, the date in column 10 should be when the entitlement to that category started. Once we have confirmed exactly how this is to be applied, we will address any anomalies. We are aware, for example, that a person whose licence does not currently show any history because they allowed their licence to expire may be at a disadvantage should they, as the Deputy suggested, wish to hire a car and need to show two years' experience or when exchanging their licence for a foreign licence. So we are in discussion with D.V.S. and hope to progress to a position where those anomalies will be covered.

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

From the answer just given, it does appear that changes will be made in order of those dates. Subsequently, what happens to the data from licences that have been exchanged? Is that kept so that this change could be backdated, otherwise we could be in a very difficult position if we are being seen to not obey the international law in terms of the times of those driving licences?

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

While that element of the process will be reviewed, we still have to determine how best to address the anomalies. In June 2021, we had not a dissimilar situation with Jersey licences which had been issued in exchange for foreign licences. On that occasion, following confirmation from the D.V.S. on the requirements of Jersey legislation and once again the third E.U. directive, we adopted the following, which was recorded in the committee minutes of 12th July 2021, which will be available online, and that indicated that licences exchanged from that date would show in field 10 the valid date from on the driving licence which is surrendered. In reality, if any individual was particularly concerned about the history being shown, that can easily be dealt with at a Parish Hall under the present system.

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

Thank you for that answer. It is confirmed that some data is kept, so if somebody does want to go back and change that, they can do that. Just to confirm that because it was a long and detailed answer.

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

That is correct.

#### **2.4.4 Deputy T.A. Coles of St. Helier South:**

Can the chair confirm, because he mentions that the driver's licence became computerised, but who is actually holding that data?

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

The Parishes will hold the data.

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

The chair mentioned that the licence became computerised in 1994 so there may be some discrepancies in dates. Can the chair advise whether those who took their licence before 1994, where that information is kept regarding that? Because this particular question arises because I know somebody who was in the situation that the chair described, where their licence expired by 2 days, and they took their licence in 1986 and it now shows as 2022. That is quite a significant difference. If everything has been computerised, can the chair advise what happens to the data for those who took their licence before ... I think it was 1994 that the chair mentioned.

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

That is a particular case I would need to take advice on. My understanding is as soon as there is a lapse in the driving licence it has expired and the individual has to start again. But in a particular situation like this, I think I would take further advice and refer back to the Deputy.

## **2.5 The Connétable of St. Brelade of the Minister for the Environment regarding the rejection of the planning application for Les Sablons (OQ.214/2023)**

Will the Minister advise whether he has reviewed, or intends to review, the planning application for Les Sablons following the independent planning inspector's report and the decision to reject this application; and if not, why not?

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

The planning application P.2022/0833 for Les Sablons is still a live matter, and so the question of a review is not relevant. Under the law, the developer still has a right of appeal to the Royal Court on a point of law. We are still within that appeal period and, depending on the court's decision, the matter may still require determination in the future so I am unable to comment further.

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

Does the Minister not consider that the existing process is far from satisfactory, not only for the public who end up footing the procedure bill costs, but also for the developer who will have sunk significant sums just getting to the stage extant today?

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

I do not believe there is any perfect system for judging appeals in the planning process. They all require a degree of judgement. For those who follow sports, we have seen increasing use of technology in adjudicating difficult decisions, from football to tennis to rugby. But there are still controversies and disagreements and things still come down to judgment. We have designed a system in Jersey that has been approved by the States Assembly, and it is currently in force. I certainly consider that there is always room to consider improvements and I would definitely consider that there is the potential to review the system that we have at the moment to consider whether improvements might be made.

[10:15]

I would suggest that that is something that should be approached with great care because there are great complexities in the system and great danger of unintended consequences.

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

When I was on the Planning Committee many years ago, we received training, including visits to U.K. (United Kingdom) local authorities entrusted with the important business of determining planning applications. Would the Minister outline what training is given to the members of the Planning Committee and the Assistant Minister for Planning, who took this particular decision following the appeal?

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

The matter of training for the Planning Committee is not a matter for me. The Planning Committee does not fall under my jurisdiction. In terms of the help that is available for the Minister or Assistant Minister, every appeal decision is supported by an officer. That officer is chosen to make sure that they are not conflicted, they have not been involved in the previous decision-making, and the support is available to the Minister to help them through the process of judging the relevant policies. It is not the job of the supporting officer to advise on what the decision might be.

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

The Minister did not answer my question. I did ask whether the Assistant Minister involved in determining this particular appeal had received any training in the important matter of determining planning applications. Could he answer that question, please?

**Deputy J. Renouf:**

There is no formal training but there is, as I say, advice available to the determining Minister as they require, and that advice is full and comprehensive and gives the ability for the Minister to ask any relevant questions that they feel are necessary, bearing in mind that the eventual decision comes down, as defined in law, to the judgment of the Minister, having taken into account all the relevant considerations.

**2.5.4 Deputy G.P. Southern:**

As part of the Minister's answer, he said that training was not his responsibility but the responsibility of a non-named other. Could he say who is responsible for training and whether this Assistant Minister received such training?

**Deputy J. Renouf:**

I just answered a part of that question. The point I made about the Planning Committee training is that it does not fall under the Minister's remit. I believe it falls under the remit of the Judicial Greffe, and therefore the questions would be better directed to the chair of the Planning Committee.

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

Does the Minister consider that better communications could have taken place between his department and the developer to avoid what some might view as a nonsensical situation, which seems just to be a repetition of the former Overdale Hospital proposals, whether one likes them or not.

**Deputy J. Renouf:**

I think there is on the record considerable contact between the developer and the Planning Department and, indeed, with the Jersey Architecture Commission and other bodies, and that contact was very full. There was a long process that led to the Planning Committee hearing, which led to the proposal being rejected by the Planning Committee on the advice of officers. That is then obviously subject to the appeal that was heard and I think, rather than nonsensical, I would say that any application that goes to appeal is, by definition, a finely-balanced decision and bound to involve arguments on both sides. I would also just like to say that, although I do not want to comment on the content of the decision, I do want to say that in support of the process and Deputy Jeune's role in that, I want to make it absolutely clear that in the case of the appeal, Deputy Jeune acted with complete probity and, in my view, she did her job thoroughly with careful consideration and great diligence, weighing all the relevant factors. She did nothing wrong and she has my full support.

**2.6 Deputy R.J. Ward of the Minister for Infrastructure regarding the bus operator contract (OQ.218/2023)**

Will the Minister advise what negotiations, if any, have taken place since the response to Written Question 355/2023, in relation of the Island's bus operator contract, and what further meetings are planned for the next quarter?"

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

The situation remains pretty much as it was the last time the question was asked. The team have not quite finished the documentation required for the tender process. We are hoping that is going to be done in the next few weeks, and that will be out by the end of November. If that is the case, and I think it will be, the first negotiations will take place middle of January. We are hoping to issue a contract towards the end of April, as we originally expected.

**2.6.1 Deputy R.J. Ward:**

It is interesting that the Minister says that the tender contract is not out yet. Yet, repeatedly, the Minister is saying that it is commercially sensitive and cannot answer any questions. May I ask the

Minister, what is in the contract, the tender documents? I am completely lost now because I thought they were already out for tender with different companies. That means that no questions can be answered about costs of the bus service in this Assembly.

**Deputy T. Binet:**

The Deputy may not have noticed, but there has been a lot of bad weather recently, and all the departments have been pulled this way and that in order to try and keep things moving. I think it is quite understandable that the process has been somewhat delayed. In terms of the actual commercial detail that is not available; off the top of my head, I cannot say, but I will say this. I seem to recall inviting the Deputy to visit the department to discuss the bus contract in some detail in May. Obviously the Deputy is very busy because he has had to cancel, I think, 3 appointments. Still awaiting his arrival to discuss the bus contract in full detail and I believe there is a meeting due next week.

**2.6.2 Deputy S.Y. Mézec:**

Could the Minister outline for the Assembly what specific instructions he has given for what kind of content ought to be in that tender document to deliver his vision for a bus service for Jersey, and what that is meant to look like?

**Deputy T. Binet:**

I am going to be quite honest and say that I do not have a fully comprehensive view of what sort of bus service we need. There is a very skilled team that run the bus contract. I trust them thoroughly. They go through with me periodically what they are doing and what their intentions are. I think if full details are needed, I do not think an oral question is the place for that, because quite simply we would have to come armed with so much information that we would be bogged down, we would not be able to do our job. I take the view that I trust the people that are doing the job. They seem very competent. The bus service we have is very good and I am sure it is set to improve.

**2.6.3 Deputy S.Y. Mézec:**

If the democratically-appointed Minister with responsibility for transport policy does not have much view about the future of the bus service, might it be a good idea to pass that on to somebody who does?

**Deputy T. Binet:**

I will repeat the fact that I am very confident in the abilities of the people that are actually employed to do the job.

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

Does the Minister know whether the tender includes details of the TownLink service, which is, I believe, an enormous success and very important for the town area, but at the moment is rather underused? It is almost like a bit of a mystery bus because people do not know really where it goes and when it does. Would he undertake to make sure that the town hopper service, if it is to be in the tender document, is really given more clarity and more communication to its users?

**Deputy T. Binet:**

I am afraid I cannot answer that either. But the Constable knows me well enough and, if he wants to know what the route is, he knows my phone number. He has my email address. He, too, is welcome to join Deputy Ward, if he wishes, to come down and fill his boots on information about the finer points of detail for the bus service.

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

My supplementary is merely to say it is not my knowledge of the town bus that is a problem. It is the fact that it does ... it is a good service. I admire the Minister for introducing it, but does he not agree with me that it needs to be widely understood and communicated to all the potential users of the service? I do not think it needs me to attend a meeting for that to be achieved.

#### **Deputy T. Binet:**

That is a very fair point, and I will take that on board.

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

Does the Minister not accept that the shape, form and indeed frequency of our bus service is a political decision and one which he ought to take responsibility for?

#### **Deputy T. Binet:**

I certainly agree that I should take responsibility for it, and indeed I do. I think the Deputy will agree, we have a very good bus service. I think it is set to improve because I do get presentations about the bus service and I go through it with the team. But if any Member thinks that you can remember every detail of every single area in a department like Infrastructure, they would be wrong. It is actually quite difficult. I go back to the statement I made saying the team are doing a good job and the bus service ongoing will improve. We are certainly reviewing the town bus service, as the Constable knows, because we have been in detailed discussion about public realm and how that is going to work and how the bus service will be adapted to accommodate the changes.

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

Would the Minister agree that the existing bus service we have is pretty good? Does he agree that there are very few changes to be made to the future contract, apart from perhaps minor tweaks? But would he agree that if it ain't broke, we should not fix it?

#### **Deputy T. Binet:**

I am certainly delighted that somebody in the Assembly recognises the benefits of the bus service that we have. I would like to extend my thanks to the Constable.

### **2.6.7 Connétable A.N. Jehan of St. John:**

I am envious of all of these Members who are being given invitations to meet with the department because I repeatedly asked to meet the department to talk about buses and the northern east to west route. I hope the Minister will extend an invitation for me, as I am someone who arrived here by bus today.

#### **Deputy T. Binet:**

I am giving serious consideration to doing a presentation for the entire Assembly. I had no idea that the bus contract and the bus service was of such interest. I can confirm to the Constable of St. John, and he knows this, that we are working on proposals. We are certainly evaluating a service to run across the north of the Island to the new hospital facilities at Les Quennevais.

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

I just ask the Minister whether he remembers that we actually have a meeting arranged on Monday, the 13th, for all the members of Reform so it was a much more effective way to use time? Also, I would ask the Minister why he does not simply answer the written questions that are put in, rather than just saying they are commercially sensitive, then we might all have information and we may be transparent, as was promised by his Government?



**Deputy T. Binet:**

If I am advised that something is commercially sensitive, I take my team on their word. I do not think it is my place to go giving away any secrets that are commercially sensitive. I am certainly looking forward to meeting Deputy Ward beginning of next week. And I forgot to extend an invitation to the Constable of St. John. I am being reminded that that extension should go to him too.

**2.7 Deputy L.V. Feltham of the Minister for Treasury and Resources regarding assessments of tax allowances and relief (OQ.220/2023)**

Further to the Minister's response to Written Question 392/2023, will he advise if assessments of tax allowances and reliefs are undertaken, or will be undertaken, as part of the Government's value-for-money programme, and if not, why not?

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

I do not currently envisage tax allowances and reliefs being reviewed within the value-for-money programme. The focus of that programme will be on the expenditure of departmental budgets. Full-scale policy evaluations of the type suggested by the Deputy are, of course, very labour intensive. I cannot envisage embarking on such reviews while the department is focused on key policy works such as independent taxation and international tax changes in addition, of course, to focusing on improving our customer service.

**2.7.1 Deputy L.V. Feltham:**

Given that the Minister was unable to provide within his answer to my written question a full list of tax reliefs and allowances and their purpose, how does he seek to undertake whether or not these allowances and reliefs are indeed providing value for money given the fact that the existence of the reliefs means that less money may be coming into the Government's revenue?

[10:30]

**Deputy I.J. Gorst:**

The current range of personal income tax allowances and exemptions of course, as the Deputy knows, principally favour lower income households. The process which the department takes, which I think is a fair one given the size of the department, is that when changes are being made, for example, around independent taxation, then at that point they do the review of the reliefs affected. So we know that income tax allowances are being affected by the introduction of independent tax, so that is being considered. We also know that the proposal is to introduce compensatory allowances. So it is done in that way rather than in the way that the Deputy is asking about.

**2.7.2 Deputy S.Y. Mézec:**

Does the Minister believe that Jersey's range of tax allowances and the levels at which they are set are currently at the optimum level for Jersey?

**Deputy I.J. Gorst:**

Well, they are at the level that has been set and approved by this Assembly. As I have said, the allowances and exemptions principally favour low-income households. I am happy to work with any Member who has any approach or ideas where they think other allowances may improve and deliver on the priorities of both Government and this Assembly. I have a question later about super deductions for RegTech investment. As I say, we will be asking the Assembly to approve new compensatory allowances in the independent tax changes that will come forward, and that is how we deal with it. So, broadly, I think the answer is, yes, but, as with any tax system, improvements can be made.

### **2.7.3 Deputy S.Y. Mézec:**

On what basis would the Minister be able to work with any Member who had ideas for alterations to tax allowances if he has no underpinning basis upon which to base a belief on whether the allowances are set at their optimum levels?

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

So we can see what effect allowances are having on Islanders. This Assembly, as part of the mini-Budget, and hopefully as part of the Government Plan in December, will be taking the decisions to dramatically increase thresholds in the income tax system that is seen on a daily basis by Islanders. It benefits them because it leaves more money in their pockets. So we have to be, in my mind - others may disagree and I think this is where the question is coming from - that we should function as a larger country that has specific people employed to do rolling economic analysis of all tax allowances and thresholds; that is not the approach that we take in Jersey. It is not, I do not think, a cost-effective approach. The approach that I will be taking with the RegTech super deduction is that it is a pilot scheme. Thereby, in real time, we will be able to do some of the analysis on that one allowance. As I say, that is how we deal with understanding the benefit of the allowances and the exemptions.

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

To what extent does the Minister consider that the allowances, the thresholds as they call them, are sustainable if we are to maintain a health service which is anything greater than third world?

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

There has been a lot of criticisms of Ministers answering questions and yet the question I have just been asked, I disagree fundamentally with the premise of the question which infers - and perhaps I am doing a disservice to the Deputy - that our health service is third world. Therefore, I am being asked to answer a question that I fundamentally disagree with the premise of. Our health service is not third world. Our health service has a number of challenges which this Government, under the leadership of the Chief Minister, is absolutely committed to deal with. That is why this Government Plan proposes to allocate tens of millions of extra pounds into that health service, it is why a turnaround team were brought in. That turnaround team is finally getting to grips with the challenges of the health service. Those challenges are not dissimilar to the challenges faced, not only in the United Kingdom but actually across Europe. This is a Government which is committed to dealing with those challenges. It will be asking Members to invest in the health service for the future while at the same time driving out inefficiency.

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

I will take out the emotive words about third world service and say simply: is the current level of allowances and thresholds sustainable if we are to maintain or improve the health service that we do have?

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

Well, I can only answer that with the information that the Government has put before Members in the Government Plan, and in that Government Plan Members will see that by judiciously allocating growth money by majority to the health service, it means that within the current income stream and thresholds and allowances as proposed within the Government Plan that additional investment can be provided.

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

Is the Minister aware that there are certain allowances that have not changed for numerous years and, if so, can the Minister advise the Assembly which ones they are, please?

**Deputy I.J. Gorst:**

I do not have the tax laws in front of me. I am aware that over decades some allowances wither on the vine, they remain in the law and from time to time the department takes them out. But I do not have a list of those in front of me. I am quite happy to give some details of some of the most recent changes which are, to be frank, and have been really quite archaic. It is not that long since the removal of the elder daughter stay at home allowance that was in place. These are the some of the archaic nature of what we are up against.

**2.7.7 Deputy C.S. Alves:**

Well, I would like to highlight to the Minister one particular allowance that has not changed in a number of years, which is the child maintenance, which is set at £2,600 per year regardless of the number of children. Will the Minister make a commitment to look into this and to look at changing this because I think everybody in this Assembly probably agrees that £2,600 in maintenance being paid into a family, regardless of how many children are in that family, is insufficient?

**Deputy I.J. Gorst:**

Of course, I am more than happy to engage with any Member around these issues, although I think the allowance works in a slightly different way from that which the Deputy might understand it. But I am more than happy to have that conversation.

**2.7.8 Deputy L.V. Feltham:**

Given that a number of reliefs may have been instigated in order to deliver benefits to the community, does the Minister consider that it is important that they should be measured to see whether the benefits are actually being delivered to the community and whether indeed they are providing good value for money? I use, for example, one of the most recent reliefs, which was the rent-a-room tax relief. Does the Minister have any idea whether that is indeed providing the benefits to the community, delivering value for money and changing the behaviours that the Assembly wish to change? If he does not have an idea whether those reliefs are providing the benefits to the community, does he consider that acceptable? As Minister for Treasury and Resources, would he consider what appears to be quite a slapdash attitude to identifying value for money ... would he accept that from other Ministers?

**Deputy I.J. Gorst:**

I do not accept what the Deputy is saying in regard to what is a slapdash attitude. The department over a number of years have made and will continue to make improvements and modernise the tax system. I personally do not find our tax system complicated but I know ... Members, of course, will understand why but I accept ... I am happy to answer or sit down and wait for a question.

**The Deputy Bailiff:**

It is important the Minister is able to answer a question so that he can be heard. Yes, Minister.

**Deputy I.J. Gorst:**

I reiterate what I just said. I am aware though that many members of our community do find our tax system complicated. I have said in this Assembly that there will, with the introduction of independent taxation, present going forward opportunities to modernise and to simplify the income tax system. When it comes to corporate tax, we do have a very simple approach to that. It is absolutely the case that the current income tax allowances and the exceptions principally favour low-income households. If the Assembly want something else or they want to build a bureaucracy that we see in other tax authorities, then by all means come to this Assembly and make the case. I do not see the case for that bureaucracy. I do not think that it improves other people's tax systems above ours. I think our tax system works incredibly well but that does not mean to say that we should not have it under review and make sure that it is modernised. I hope that when independent taxation comes back to

this Assembly in the new year, rather than trying to look to the past, rather than trying to keep in place archaic systems which are no longer fair and equitable and fit for the future, this Assembly says no to that approach and says yes to a modern fit-for-purpose personal tax system because that is what I will be proposing.

**Deputy M.R. Scott:**

I was interested in ...

**The Deputy Bailiff:**

We have had a final supplementary now, so, that is the end of questions for this Minister in relation to question 7.

**2.8 Deputy S.Y. Mézec of the Chief Minister regarding the Code of Conduct and Practice for Ministers (OQ.223/2023)**

Will the Chief Minister explain what advice she considered, if any, regarding the Code of Conduct and Practice for Ministers and Assistant Ministers before making public comments about the Assistant Minister for the Environment's decision to reject the planning application for Les Sablons?

**Deputy K.L. Moore (The Chief Minister):**

As a matter of course, I always seek to ensure that I act in accordance with the Code of Conduct and my officials similarly would advise me if they felt that I was going to take any action which might be in breach of that code. In making my comments on the Les Sablons application and its decision, I do not consider that I have breached the Code of Conduct and Practice and I did not receive advice to the contrary.

**2.8.1 Deputy S.Y. Mézec:**

We heard from the Minister for the Environment previously explain his full support for the process that was adopted by the Assistant Minister for the Environment in reaching her decision and expressed in very strong terms his full confidence in the Assistant Minister and that process. Does the Chief Minister share the views of the Minister for the Environment?

**Deputy K.L. Moore:**

I think it is quite clear that I was disappointed by that decision. As the leader of this Government, my job is to ensure that the team that operates within Government, because we are a team, that the team takes decisions and uses its judgment that share the priorities of the entire Government. At the beginning of this process, we went through a process of agreeing our priorities for this Government. They are very clear, they could not be clearer. We have repeated our relentless focus. We have taken decisions and actions that deliver upon those priorities and at the very centre of which is housing. I cannot make it clearer that housing is at the root of so many issues and it is to the public's wish and expectation of this Government that we will take decisions that deliver housing, that deliver supply, that deliver a greater level of owner occupation for Islanders. That is what Islanders expect from us, that is our commitment to Islanders, and as the leader of this Government it is my job to ensure that the team takes decisions that deliver on those priorities.

[10:45]

**2.8.2 Deputy R.J. Ward:**

I thank the Chief Minister for that answer. Would the Chief Minister like to show the same level of commitment that the Minister for the Environment did to the Assistant Minister who was given the duty of making this decision publicly?

**Deputy K.L. Moore:**

I am grateful to the Deputy for the thoughtful question. Of course, we all recognise that taking a difficult decision is a burden. We recognise and respect that but as the leader of the Government, it is my job to ensure that those decisions are taken in pursuit of the priorities of my Government.

**2.8.3 Deputy R.J. Ward:**

I do not quite know how to follow that one up because that was a wonderfully political answer. I would say to the Chief Minister, well done because ... let me ask again: will the Chief Minister commit, in the same way that the Minister for the Environment has, to supporting the Assistant Minister who is left with a difficult job, regardless of the outcome, and confirm that the Chief Minister believes that the process was valid, undertaken effectively with all the words that were used by her Minister for the Environment?

**Deputy K.L. Moore:**

The Minister for the Environment very helpfully set out and reminded Members of the current position of this application. Therefore, I think, that we just have to remind ourselves and reflect on the very clear answer that he gave about the live nature of that. I am not going to talk about the process that has led to this decision.

**2.8.4 Deputy G.P. Southern:**

The Chief Minister talked about priorities and shared priorities but surely not at any cost. Is it not the case that the Chief Minister did not, in fact, seek any advice over this issue?

**Deputy K.L. Moore:**

I am slightly perplexed by the question. I think that there were 2 there. I will speak first, I think, to the first part of question, which was ... and I would like to answer that question in the round in terms of decisions being taken, of course, not at any cost, and that is where judgment comes in of course. But it is our strategy, clearly held and clearly identified as the priorities of the Government, to particularly focus on the 7 elements that were set out in our common strategic priorities and, in particular, our 3 areas of relentless focus, which are housing, the cost of living, and recruitment and retention.

**Deputy G.P. Southern:**

The second part of the question, Sir?

**The Deputy Bailiff:**

Yes, so you were asked about whether or not you took advice. It was put to you that you did not take any advice. That was the second part of the question, was it not?

**Deputy K.L. Moore:**

I did receive advice and I discussed my comments prior to releasing them.

**2.8.5 Deputy P.M. Bailhache of St. Clement:**

Would the Chief Minister agree that whatever the disappointments that might have been felt and whatever the policies and priorities of the Government might be, the independence and integrity of our planning appeal system is of vital importance and should not be undermined?

**Deputy K.L. Moore:**

We have a process, that process needs to be seen to be operating and I absolutely respect that. However, I do believe that ... and we can relate this to the code of conduct if we so wish, which reminds us of the Nolan principles. One of those Nolan principles is leadership and I think that I am perfectly within my rights to express an opinion - simply an opinion - as we look forward to what is

going to happen next when we consider a decision that has been made. The public look to their leaders often for their views on many matters, and this is simply one of those. We also have to show leadership in terms of how we are going to deliver on our priorities into the future.

#### **2.8.6 Deputy P.M. Bailhache:**

I did not ask the Chief Minister whether she should show leadership. She is perfectly entitled to do that. I asked her whether she agreed that the independence and integrity of the planning appeal system should not be undermined.

#### **Deputy K.L. Moore:**

I believe that I had referred to that part of the question and I respect the process. That was my answer previously and that remains my answer. I do not believe that my comments undermine that in any way. It was a matter of looking forwards and not backwards.

#### **2.8.7 Deputy S.Y. Mézec:**

I think I will be sending some of those answers to the chair of P.P.C. to help inform her training schedule. Can the Chief Minister explain - and I think this can be done with a yes or no - whether she agrees or not with the comments of her Minister for the Environment, which were to express his full confidence, not only in the process but in the conduct of the Assistant Minister. He has been very clear about his position. Will she be clear about hers and say whether it is aligned or not aligned with her Minister for the Environment?

#### **Deputy K.L. Moore:**

I do believe I have already answered those questions.

### **2.9 Deputy R.J. Ward of the Minister for Housing and Communities regarding support for private tenants in damaged homes (OQ.219/2023)**

Will the Minister advise what financial and other support is available, if any, to private tenants should their homes be damaged and become uninhabitable or partially inhabitable?

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

I thank the Deputy for his question. The Residential Tenancy (Jersey) Law has provision in place to cover the sort of scenario, in the event of a residential unit becoming uninhabitable then the tenant is not required to pay rent or another amount payable under the agreement at any time when the unit is uninhabitable. Members will perhaps know already that the Council of Ministers paid for temporary hotel accommodation for displaced residents affected by the recent storm. Any further financial support will be on a case-by-case basis. As always, the Housing Advice Service is ready to support tenants with their housing needs. Indeed, they have been working hard with other teams across government to support the displaced residents at this time. I would just like to show my bit of appreciation to both the Connétable of St. Clement and Deputy Barbara Ward who have been actively assisting their particularly hard-struck residents.

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

I just wanted some reassurance for private tenants ... there are a number of tenants who have been affected by this, particularly in the private sector, who effectively will not have extra money to deal with these situations. Can I ask the Minister, what will you be doing to ensure that the tenancy agreements and those issues of loss of rent because it is uninhabitable are adhered to and there will not simply be any evictions, for example, because it is more convenient to do that? That is a worst-case scenario, but if we plan for the worse then we know how to deal with the best. What is in place that the Minister has put there to ensure safety of these tenants and that they can be supported in that way.

**Deputy D. Warr:**

I thank the Deputy for his further question. What we are currently doing is we are, as I said already, dealing on a case-by-case basis and we are asking tenants - that includes landlords as well and private owners as well - to contact the Housing Advice Service. I come back to the point of this is a case-by-case basis because there is nothing set in law, apart from the one thing I have mentioned in the residential tenancy agreement. It is actually about treating people as human beings, which I am a great advocate of. I think in answer to the question, the support through our Housing Advice Service done on a case-by-case basis. Our intention is to make sure that we have as much protection in place as possible. We are aware that there is inconsistency in the support being given, in terms of where the trusts sit against Andium Homes, but, as I say, we are learning from this experience. The other thing I would also add is that as we have the Residential Tenancy Law out for discussion coming up next year, we will be using what we are experiencing at this moment in time to help inform how our new Residential Tenancy (Jersey) Law looks like in 2024.

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

I was made aware of some St. Clement residents in an Andium property who have been forced to squeeze in with parents during this difficult time. Could he outline to Members what the approach from Andium is, as the States central housing provider, what their approach is to those displaced tenants?

**Deputy D. Warr:**

I thank the Constable for his question. Andium Homes endeavour to rehouse. At this moment in time, I know they are struggling with the amount of additional accommodation available to rehouse individuals. Therefore, they are using hotel accommodation as a plan B. Where they can house people appropriately, they will. That is an ongoing process for them to be dealing with. But I am very reassured that Andium take huge care in how their tenants are dealt with.

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

Does the Minister have a timeline on the reconstruction of the St. Clement properties yet?

**Deputy D. Warr:**

No, I do not at the moment.

**2.9.4 Deputy S.Y. Mézec:**

The Minister referred to the part of the Residential Tenancy (Jersey) Law, which allows tenants to withhold rent if their property becomes uninhabitable. The storm occurred on the 2nd day of the month, the day after most tenants will have already paid their rent for the month. Are they entitled to a refund?

**Deputy D. Warr:**

I thank the Deputy for his question and I will go back and ask that question. I do not know personally myself, so I will happily come back to you with an answer later on.

**2.9.5 Deputy S.Y. Mézec:**

In the absence of that knowledge then, will the Minister confirm that every private tenant who finds themselves in a situation where they are financially destitute because they are living pay check to pay check because of the extortionate cost of rent in the Island, that he and his Government colleagues will step in to make the financial arrangements available to those people so that they are not made destitute until their homes become habitable again?

**Deputy D. Warr:**

I thank the Deputy for his question. Absolutely, we are adamant that no one would be made homeless in this process. So that is an absolute objective of my Government. As I said before, this is done on a case-by-case basis. One thing that we just have to be very aware of is that there are rules around insurance. Individuals do need to make sure that they are properly insured. I just need to remind people of that because I think there is a sense that Government is the backstop in all of this. So I just want to point that out. But in terms of actually assisting people who are in very desperate situations, it is absolutely the intention of this Government to support them.

**2.9.6 Deputy R.J. Ward:**

I am just pleased to hear the Minister say that he is an advocate of treating people like human beings. Slightly Partridge-esque there. Can I ask the Minister whether he believes that because this case by case, this should actually be part of the law? This level of protection should be built into a law and, if so, will he be bringing that forward and supporting that if it does come forward?

**Deputy D. Warr:**

I thank the Deputy for his question. The problem with laws is they have to be standardised and they cannot be for every single case. What we have to recognise is we build the best possible laws out and then when circumstances change, and we are faced with situations like the storm, we react accordingly and, as I said, treat people as individuals rather than under a law where it is a generic response.

**2.9.7 Deputy R.J. Ward:**

So is that a no, can I just check, to my question, which was quite clear I thought? I think chair of P.P.C. would like an answer to that question.

**Deputy D. Warr:**

I made the point is that laws are very standard responses and have to be by nature, so I think that is just the law. That is how laws work, as far as I understand. So I am not quite sure what you want me to say. Do we adjust laws to ... sorry, if you could clarify your question, Deputy Ward.

**Deputy R.J. Ward:**

Absolutely. Does the Minister believe that a protection for people if their home becomes uninhabitable in these circumstance should be in law: yes or no?

**Deputy D. Warr:**

I think what we will do is we will put ... sorry, I think we will put that in consideration of the new Residential Tenancy Law. I think that is probably the best response I can give.

**Deputy R.J. Ward:**

Is that a no, then?

**The Deputy Bailiff:**

I think you have had a reply from the Minister.

**2.10 Deputy L.V. Feltham of the Chief Minister regarding conflicts of interest (OQ.221/2023)**

Will the Chief Minister advise how conflicts of interest are acknowledged and managed when Ministers are discussing policies and making decisions?

**Deputy K.L. Moore (The Chief Minister):**

Ministers and Assistant Ministers are personally responsible for their conduct and are expected to make declarations at the earliest opportunity. They do so at meetings of the Council of Ministers or



in other forums where discussing policies. They may also seek advice from officials or from myself. As addressed in Written Question 54 - apologies, Sir, the print is rather small - the treatment of such a declaration depends on its nature, with the course of action either being for the Minister to remove themselves from the meeting or, having made the declaration, to remain in the meeting.

[11:00]

**2.10.1 Deputy L.V. Feltham:**

Can the Chief Minister confirm whether any Ministers have sought such advice within the past year and, if so, have they removed themselves from decision-making processes and also conversations related to policy decisions?

**Deputy K.L. Moore:**

As I outlined in my earlier answer, declarations of interest and questions about conflict arise relatively frequently. Those are logged in the relevant minutes of meetings and people take decisions and actions that are relevant to the circumstances, whether that may be to withdraw for some discussions or whether that is just to simply declare the interest and to remain in the meeting. But that is very much a case-by-case decision.

**Deputy L.V. Feltham:**

Sorry, Sir, I do not think I got an answer because I asked whether Ministers had withdrawn from conversations in the past year.

**The Deputy Bailiff:**

Well, I think the Chief Minister said it happened relatively frequently, so I think the question was answered.

**2.10.2 Deputy R.J. Ward:**

Does the Chief Minister advise her Ministers, as the leader of the Council of Ministers, should she believe that there is a financial conflict, for example, in any proposition that is coming forward to the Assembly? There may be in the future a concern over any profits that are made from the reallocation of monies, for example.

**Deputy K.L. Moore:**

It would certainly be my hope that no Minister was going to benefit from profits as a result of any decisions that are made by the Government. As I think I said earlier, we regularly discuss any concerns about conflict, seek advice from officials and we deal with each matter on a case-by-case basis.

**2.10.3 Deputy R.J. Ward:**

The Chief Minister said that it is a hope. We all have hopes, but are there any situations whereby the Chief Minister ... what is the responsibility later on should one of these conflicts of interest prove to be that way? Would the Chief Minister have expected to have seen this or would the Chief Minister simply say: "It is up to the Minister themselves and, therefore, it is nothing to do with me"? Because that to me does not strike me as transparent in terms of the leadership of the Council of Ministers.

**Deputy K.L. Moore:**

I somewhat take issue with the transparency point. As I have laid out, those conflicts are declared and it is the responsibility of a Minister to do so at their earliest opportunity. However, if subsequently it is found that there is something that has not been declared, then of course through seeking advice and considering the circumstances of that, then action would need to be taken.

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

Given the Chief Minister has confirmed that it is up to the Ministers to identify themselves when they have conflicts or potential conflicts or perhaps even perceived conflicts that they should be declaring and acting upon, has the Government provided training and information to Ministers to enable them to adequately make those decisions so that we can be assured that conflicts of interest are, indeed, being managed appropriately?

#### **Deputy K.L. Moore:**

In the early stages of the Government when we agreed our code of conduct, et cetera, there have been sessions that referred to conflicts of interest. That was raised at an early stage and it continues, as I have already stated, to remain a live point of discussion as we continue.

#### **2.11 Deputy M.B. Andrews of the Minister for Treasury and Resources regarding regulatory technology tax incentives (OQ.213/2023)**

Will the Minister advise whether it is intended that the regulatory technology tax incentives will generate more investment in technology, given that such firms are regulated by the Jersey Financial Services Commission under the Zero/Ten regime and subject to low levels of tax on profits?

#### **Deputy I.J. Gorst (The Minister for Treasury and Resources):**

The answer to the question is yes. The goal is to spur investment in new technology within the financial services sector, which is the bedrock of our economy and public finances. Indeed, the benefit, which provides 15 pence of tax relief for every pound of spending, requires such investment to qualify. The incentive is targeted at 10 per cent companies within the Zero/Ten regime precisely because they are the main group of companies paying tax in Jersey. Efforts to stimulate innovation using tax levers must be targeted here as most companies on our Island do not pay corporate income tax.

#### **2.11.1 Deputy M.B. Andrews:**

As Jersey has a low level of taxation, surely the reinvested profits that are generated could provide investment in technology without the Government providing a 150 per cent investment incentive.

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

We know across our community finding appropriate skilled employees is challenging. We know in Financial Services that the burden of regulation and bureaucracy has increased, rightly, over the last number of decades and they find sourcing compliance individuals and all of the bureaucracy required with on-boarding challenging. This is a way of us supporting that industry to be fit for the future, making it more productive. It aligns entirely with what the Minister for Sustainable Economic Development has outlined in his future economy plan. We could just sit back and say, well, okay, we will just leave them to it. This is an added incentive on a pilot basis and we are already seeing the benefit of simply the announcement whereby firms are looking differently at their spend profile when they have choice of perhaps 100 jurisdictions.

#### **2.11.2 Deputy S.Y. Mézec:**

He referred to this as a pilot. How will he be assessing the impacts of this seeing as they do not seem to do any assessments of the benefits of tax allowances and reliefs?

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

Nothing that I have said this morning has said that the department does no assessment of any tax allowances or benefits. That is simply a point of view that the Deputy has put into his question. I was quite clear in answering his colleague's question earlier that this is a pilot programme so that I can do a post-implementation review, as we are and will be doing with - I am changing subjects now

- the rent-a-room allowance. We have not yet had a full year's worth of tax forms in to be able to look at that, but that is exactly why this is a pilot programme so that we can.

**2.11.3 Deputy L.V. Feltham:**

Just following on from my colleague's question and the Minister's answer, what baseline data does the Minister have so that when he comes to the end of his pilot project he will be able to assess the effectiveness or not of this particular pilot?

**Deputy I.J. Gorst:**

We have consulted already heavily with Jersey Finance Limited, with the Fiscal Strategy Group, with Digital Jersey and J.F.S.C. (Jersey Financial Services Commission). We will be able to see what investment has taken place in RegTech that was not taking place previously but is taking place during this pilot period.

**2.11.4 Deputy L.V. Feltham:**

Related to that, can the Minister assure us that a risk assessment has been undertaken and that has included the risks of potentially ... he mentioned companies potentially choosing jurisdictions and us over that, but is there a risk that companies currently in Jersey could utilise this particular tax efficiency to channel all of their RegTech spending from perhaps their global enterprise via the Island and do some kind of avoidance of paying tax?

**Deputy I.J. Gorst:**

No, there is not that risk.

**2.12 Deputy B.B. de S.DV.M. Porée of the Minister for Justice and Home Affairs regarding vetting of companies employing individuals from Africa (OQ.216/2023)**

Will the Minister advise what processes exist, if any, for the vetting of companies facilitating the employment of individuals from Africa and the other countries in Jersey and what safeguards exist to protect these individuals from exploitation?

**Deputy H. Miles of St. Brelade (The Minister for Justice and Home Affairs):**

I thank the Deputy for the question. I am very proud that the majority of workers from overseas consider Jersey to be a safe place where their rights are secured and they are free from exploitation. Nevertheless, we have not been complacent and this Council of Ministers made this an early priority for improvements. The Population and Skills Ministerial Group was established back in September 2022 and has already been addressing many of the points raised in the recent Scrutiny Panel report. This has included the establishment of a new Employee Standards Oversight Group, which comprises representatives of the key industries, statutory agencies and the Jersey Advisory and Conciliation Service. The oversight group has been encouraging good employers to root out poor practices in their industries. It has also co-developed and distributed a new simple leaflet on employment rights, immigration rights and access to healthcare, which has been translated into several languages. Any on-Island employment agencies operating in Jersey have to apply for and obtain an annual employment agency registration under Employment Agencies (Registration) (Jersey) Law of 1969, which includes a code of conduct order before any business licence will be issued. This is administered through C.L.S. (Customer and Local Services) Business Hub under the remit of Social Security. We expect employers to employ those who have been ethically recruited, whether recruiting through an agency or directly, to ensure that there is a robust and tested recruitment process to ensure that only genuine employees are fairly recruited and that appropriate vetting has taken place. Lastly, I would like to thank Deputy Porée and the Scrutiny Panel for the work on this area, and I can confirm that we will be providing a full response to all of the findings and recommendations very shortly.

**2.12.1 Deputy B.B. de S.DV.M. Porée:**

I do thank the Minister for her thorough reply. The question itself was more directed to individual businesses having direct access to government bodies in different countries without being vetted by the Government. I do feel that is something that really needs to be taken as a priority in order to strengthen the work permit policy to protect the vulnerability of these workers who come to Jersey bypassing the Government or any sort of vetting process to the employment companies.

**Deputy H. Miles:**

I just wonder if the Deputy could just reiterate the question. I understand what she has stated but I am not clear what the question is.

**The Deputy Bailiff:**

Yes, what is your question, Deputy Porée?

**Deputy B.B. de S.DV.M. Porée:**

The question was that if the Minister considered this particular issue to be a priority, when the Minister is to look at the processes to strengthen the work permit policy, this particular area.

**Deputy H. Miles:**

I thank for the Deputy for that clarification. Yes, it is an area we are concerned about, how people are recruited who come to work in Jersey, but we have very limited ability as a Government to influence the policy and practices in those agencies that are operating off-Island. To reiterate, all our on-Island employment agencies are compelled to undertake ethical recruitment by law, but we do not have the same measures in place in the countries of origin of some of those work permit workers.

**2.12.2 Deputy R.J. Ward:**

One of the safeguards that I would be very interested to hear about is in the fees that are paid for visas and so on, because I believe that they come through the U.K. Can I ask the Minister whether there is any protection for workers as to where those fees are directed, whether it is the employers who take on these fees, which can be very high, or whether they can be passed on to employees, thus at times trapping that employee in a quite significant debt to the employer, which is a very worrying situation.

**Deputy H. Miles:**

The position as it stands is it is a contract between the employee and the employer as to what is paid, so that is in terms of visa costs, work permit costs and travel.

[11:15]

Indeed, this has been covered in the leaflet that has been produced known as *Your rights as an employee working in Jersey*. It states it is up to you to agree with your employer about the costs of travel to and from Jersey and you should agree this in writing with your potential employer before you book tickets or travel to Jersey.

**2.12.3 Deputy R.J. Ward:**

In terms of the cost of visas, then, we could be in a situation where workers coming to Jersey could owe the cost of a visa and travel, have signed a contract to do that, and then be in a real significant issue. Can the Minister confirm that that could happen?

**Deputy H. Miles:**

Yes, I can confirm that that could happen. At the moment, we have a variety of practices. Some employers pay the entire cost of the visa, the work permit and the travel, and some do not. It is

certainly an area that the Scrutiny Panel raised and it is something that we will be making our comments on that recommendation in due course.

**2.12.4 Deputy B.B. de S.DV.M. Porée:**

Would the Minister consider moving forward as an improvement to the work permit policy to provide recruitment based in the Island, a local recruitment company, rather than different agencies going out and seeking those employers?

**Deputy H. Miles:**

That is an interesting question and it is most definitely something that we will be considering. As the Deputy will know, in the U.K. you have something called the gangmasters and labour association. Employers have to be a member of that association in order to obtain work permits. Clearly, we do not have a similar organisation in Jersey, but ethical recruitment is a concern to our department and it most definitely is something that we will be considering.

**The Deputy Bailiff:**

That brings that period of oral questions to an end. We will now receive a statement from the Chief Minister.

**STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY**

**3. The Chief Minister will make a statement regarding Jersey's response to Storm Ciarán**

**3.1 Deputy K.L. Moore (The Chief Minister):**

Storm Ciarán has been the most significant and disruptive weather-related event that Jersey has experienced since the Great Storm of 1987. Comparisons are perhaps futile, but speaking to Islanders who have experienced both events I sense that last week's storm was at least as ferocious and damaging as 1987 and probably more so. Indeed, it was confirmed yesterday that parts of the east of the Island experienced a T6 level tornado, which is the strongest ever to have hit the Channel Islands and the strongest to have hit the British Isles since 1954. My heart goes out, as I know is the case for all Members, to those Islanders and their families who have been impacted by the effects of the storm, who have been forced to leave their homes and who are now having to undertake major repairs to their properties. It is everyone's worst nightmare seeing their home ruined, possessions lost or damaged and having to face the challenge of rebuilding. I am not ashamed to say that last Wednesday night and Thursday morning were frightening. I certainly did not sleep and I doubt that many Islanders did either. I expect that we were all constantly getting up to check that everything was still in place. As the night went on, we were also concerned not only for ourselves but for family, friends, neighbours as well. It was a night of great anxiety and, of course, for many Islanders everything regrettably did not stay in place. Thursday morning revealed that damage and destruction for most of us, but dozens of Islanders had to leave their homes in the middle of the storm itself. I went to the Radisson Hotel on Friday evening and again yesterday and met a number of people who were being temporarily accommodated there. Their stories are sobering. Many of them were understandably in shock, but in true Jersey spirit they were facing up to the challenge of rebuilding, being supported by our teams in Customer and Local Services, and they are determined not to be beaten. Their message was clear. As a community, we will rebuild. I know this is a message that we all support. We have shown this resolve in our actions since Thursday; friends, family and volunteers coming together to support the clear-up and help those who need our assistance. I want to thank all Islanders in our Parish administrations, led by their Constables, our colleagues in government departments, in local businesses, community groups, charities and individuals who have worked so hard since Thursday, throughout the weekend and into the week clearing up the damage, helping to get the Island moving again and beginning the rebuild. We have made significant progress on the clear-up and in a short

period that is a big achievement, particularly given the conditions that prevailed over the weekend. Once again, in adversity, we have seen the very best of the Island. As the Bailiff said on Friday, we can be proud of our Island. I recognise that in many cases the effects of the hurricane-force winds will outlast a few days of clearing up. In addition to damaged properties we have seen extensive damage to local sports facilities, schools and our natural environment with, I expect, thousands of trees lost. I doubt that there are many Islanders who have not been impacted in at least some way and the commitment to rebuilding will need to last beyond the past few days and into the coming few weeks and months. It will be a long-term job. There was one big difference between last week and the events of 1987. This time we knew that the storm was coming and we were prepared for it, as prepared for it as it was possible to be. For that we, of course, owe our thanks to the Jersey Met Office. They saw the storm coming many days in advance and the notice they gave allowed authorities to provide adequate warning to Islanders and for us all to make the necessary preparations. This undoubtedly helped to prevent a terrible event from being even worse. While, of course, we suffered injuries to some Islanders and displacement of a great many others, we thankfully managed to come through without any fatalities. That certainly was not a given when we entered into last Wednesday, but it is something for which we can be hugely thankful. Our gratitude must also extend to the States of Jersey Police, the Honorary Police, the Fire and Rescue Service, the ambulance and health services **[Approbation]** and our infrastructure and environmental teams, emergency planning team, and colleagues across the civil service who played such an important role in preparing for the storm and seeing us through the challenges of Wednesday night and Thursday morning and then into the recovery period that we are now in. Once again, in conditions which most of us would and, indeed, were told to avoid, our dedicated staff headed directly into danger in order to help others. We owe them a debt of gratitude. The response to 4 major incidents in 11 months shows that we have a team that is amazing in a crisis. I also wish to give what is perhaps a well-overdue note of thanks to our communication team. The communications before, during and after the storm were regular, comprehensive and easy to understand. Our primary job has been to communicate advice and to inform Islanders, but we have also had to accommodate numerous requests from the national media. The comms team have managed all this work with great professionalism. I hope Members will join me in offering gratitude for a job well done. **[Approbation]** My final note of thanks goes to the community itself for listening to the advice and adhering to what was asked of us by the emergency services. Being asked to stay at home is not easy and, of course, it brings back awful memories, but the space and time this allowed was crucial to the response and the recovery effort. As a democratic Island, we govern and police by consent. The existence and practice of this consent in a time of need again shows what a mature and responsible community we are fortunate to live in. As the police chief said at the weekend in an interview, Islanders have shown remarkable resilience. Questions will now turn to the ongoing support for those who have been affected. At the peak of this response, 180 Islanders were being supported by the Government at a hotel. As of today that number has reduced to 50. This has included providing support to Islanders who are particularly vulnerable and I again thank our staff at C.L.S. for working throughout the weekend to provide assistance. Andium Homes are giving all necessary assistance to their displaced tenants, assisted where necessary by the relevant support and safeguarding teams in Customer and Local Services. Many other Islanders, including those who were initially being helped by Government, are now being supported through their home insurance policies to secure alternative accommodation and to fund repair work. A Bailiff's fund was launched yesterday and will be administered by the Jersey Community Foundation, which is providing further support to those who have been displaced or require support following the storm. In terms of damage to publicly-owned property and assets which we have all seen, Islanders will be kept updated as to when these areas can reopen and be used again. Our infrastructure teams have cleared roads on the same basis that they would do in an event of snowfall, ensuring that our main arterial routes are opened up first. They have been greatly supported by Parish teams clearing smaller roads but Islanders should travel with caution even when roads are now passable. There is still a lot of debris on the side of roads which make them more hazardous

than usual. Islanders will also, of course, be keeping a close eye on the coming weather. It was a blustery weekend and the weather remains unsettled for the coming week. Fortunately, we are not forecast to experience anything like the severity of Storm Ciarán but, of course, we all need to be cautious as there is an increased likelihood of structures and trees being more unstable than usual. I will be pleased to take questions from Members but, in closing, I offer once again my thanks to everyone involved in keeping us safe during this period and to the community for their fantastic response. Thank you. **[Approbation]**

**The Deputy Bailiff:**

Thank you, Chief Minister. We now move to 15 minutes of questions and the first question is from Deputy Mézec.

**3.1.1 Deputy S.Y. Mézec:**

Can I thank the Chief Minister for her statement and wholeheartedly align myself with her comments of thanks towards the workers and volunteers alike who have done such an incredible job at keeping us safe in the last few days? As we look across the Island and see the devastation that has been visited upon it, not just to homes but also to our natural environment, and in particular I am thinking of the loss of so many trees which I can never remember not being there and think of how long it will take to grow those back, could the Chief Minister indicate whether any thought has been given to any kind of recovery programme for Jersey's natural environment and, in particular, the huge loss of trees that we have seen in those days?

**Deputy K.L. Moore:**

I thank the Deputy for his comments and the very pertinent question. Of course, this experience has made us all realise the important impact on our landscape and the great appreciation that we all have for trees. Naturally, in the first days following the storm the focus has been on protecting Islanders, maintaining stability of property and ensuring that Islanders can access the roads and move around the Island safely. But, of course, our thoughts have gone to trees and the impact on the environment and I am aware that there are groups who will form and coalesce in this area to support what will be an extensive replanting effort. I am talking about Trees for Life, the National Trust, and I believe the Crown estate will I expect work together to ensure that that happens. This is one area where sadly some level of opportunity can be found in this difficult time.

**3.1.2 Deputy S.Y. Mézec:**

I thank the Chief Minister for that answer, and can I ask her if she can endeavour to update us as soon as is possible when there is a clearer plan for that recovery effort for our natural environment, and perhaps also inform us of any work that is being done to assess the impact on Jersey's wildlife that would have been suffered from that as well. Of course we share the Island with many species that will have had their habitats destroyed in many of those trees, and red squirrels in particular - something we are lucky to have in Jersey. So would she endeavour to update the States as soon as possible in more detail when that recovery plan is available?

**Deputy K.L. Moore:**

I would of course be content to do that, working with the Minister for the Environment.

[11:30]

**3.1.3 Deputy S.G. Luce:**

I would like to align myself with the Chief Minister's statement of thanks. My question is this: as the weeks pass and the vast majority of us return to some sort of normality, those who have damaged properties or even have lost their homes will face the reality of trying to rebuild. One of the first things they will have to do is to have contact with the Planning Department. Would the Chief

Minister give the Assembly an assurance that she will speak with the Minister for the Environment to see what can be done to fast track the system as much as possible so that these Islanders are not faced with lengthy delays to get on and repair their property? Will she also investigate the possibility of some sort of financial assistance so that those who are struggling already with the cost of rebuilding can see that they will not have an additional cost of a vast, expensive application with the Planning Department?

**Deputy K.L. Moore:**

The Environment Department issued some guidelines yesterday on this very point, and I was very pleased to see them do that with a commitment to assisting Islanders in fast tracking those decisions wherever possible, because of course we recognise the difficulty and the immense rebuilding effort. As to the financial assistance, I will certainly have that conversation with the team and communicate that clearly.

**3.1.4 Deputy C.D. Curtis of St. Helier Central:**

While acknowledging the excellent efforts so far by so many to put things right, could the Chief Minister confirm whether there is a medium to long-term recovery plan in place, for instance starting with an overall impact assessment and a check that all gas, electric and water infrastructure is in place?

**Deputy K.L. Moore:**

The Recovery Co-ordination Group will meet for the first time today, having stood down the Strategic Co-ordination Group that met 7 times since the event began, and so we now begin that process of recovery. Members will be briefed at the end of this sitting, if they are able to stay, by the team leaders, and I am sure they will address a more detailed approach as to how they are going to run the recovery project from hereon in.

**3.1.5 Connétable K.C. Lewis of St. Saviour:**

I would echo all remarks regarding all the clear up and the assistance given. I would like to thank my own team in St. Saviour, many of which worked through the night. I was out myself with a chainsaw, and I am realising even today I am not 25 anymore as my bones are telling me. Of course I echo everything. We have a long way to go regarding clearing and reconstruction, but I quite remember in 1973 there was a nationwide campaign of “Plant a tree in ’73” so perhaps we can “Plant a lot more in ’24”.

**The Deputy Bailiff:**

A question at the end?

**The Connétable of St. Saviour:**

Does the Chief Minister not agree? **[Laughter]**

**The Deputy Bailiff:**

Do you agree with that, Chief Minister?

**Deputy K.L. Moore:**

I am grateful to the Connétable for his considerable efforts over the past days. I hope his aching bones improve, like many others I am sure who are feeling in a similar physical state today. There is already a canopy project underway to commemorate Her Late Majesty the Queen, and this effort now of replanting will of course add to that process and it will certainly be the aim of planting a very high number of trees in the coming year.



### **3.1.6 Connétable D. Johnson of St. Mary:**

At the danger of fanning the rules of repetition, I again align myself with the comments made by the Chief Minister and I give my own thanks to all concerned. In particular I would like to single out the Honorary Police, not only in my own Parish of St. Mary but others too [**Approbation**], who despite the efforts in communication were effectively marooned and had to organise things off their own bat, and I am sure we are all grateful for their efforts. Picking up on the question raised by Deputy Mézec as to trees; is the Minister in a position to advise whether funding will be available to those agencies to assist residents in replanting?

### **Deputy K.L. Moore:**

I thank the Constable for the question. In terms of funding that is of course a matter that has yet to be considered but I think the Constable is quite right in raising that, and I will ask those who are co-ordinating the efforts to consider what funds they have available in the first instance and then we can have a discussion about what can be made available if any additional monies are required from the public purse that we have access to.

### **3.1.7 The Connétable of St. Martin:**

I am going to repeat what a lot of other people have said and I would like to align myself with the Chief Minister's statement and Deputy Luce's comments and requests for help with Islanders who have lost their homes. We have had a lot of people in St. Martin who have lost homes; some are at the Radisson but a lot are with family members. I cannot thank the team in St. Martin enough, especially my Chef de Police and one young bâtonnier who slept the night at the public hall to ensure that anyone who was displaced would be able to get in, and we did have a displaced family there. As a Constable of a rural Parish I would also like to add thanks to the farmers who came out in absolutely dreadful conditions [**Approbation**] with their tractors and all their earthmoving equipment to clear trees and roads and they have been left out - inadvertently because there are so many people to thank. They have been absolutely indispensable, and I have spoken to numerous farmers over the weekend since the storm and, as guardians of the countryside, I know a lot of them are already thinking about replanting the trees. My question would be: would the Chief Minister agree to adding the farmers to her list of people to thank.

### **Deputy K.L. Moore:**

I thank the Constable. She is quite right on 2 points; firstly to ensure that we add our thanks to the farmers and their teams who have worked hard to protect and repair our countryside after this event, and also to those people who she rightly pointed out are providing accommodation to their friends, family and loved ones while they are unable to stay in their own homes. This has been a real example of our community's resilience, its strength, and the absolute will to work together in support of each other, and it is a wonderful thing to see in the face of adversity.

### **3.1.8 Deputy P.M. Bailhache:**

May I, on behalf of the Jersey Liberal Conservatives, join with others in welcoming that statement from the Chief Minister, and tell her that I visited yesterday a farm in Grouville and St. Saviour which had been shockingly damaged in terms of tree life by the tornado which tracked its way across that part of the Island. The Constable of St. Martin is quite right that farmers have used their expertise and their equipment to help but to a certain extent much heavier equipment is required to remove some of the effects of the tornado, and I wonder whether the Chief Minister might undertake to see whether the Government is able to help individuals in a particularly difficult situation in that respect.

**Deputy K.L. Moore:**

I thank the Deputy for raising this particular situation and of course if he could pass on further details we could perhaps ask the Recovery Co-ordination Group what support may be able to be provided to assist them if none has been forthcoming so far.

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

I am grateful and supportive of the Chief Minister's statement. During the course of Sunday I had some 112 volunteers in the Parish armed with brushes and shovels helping to clear up, and one comment that came from several was what was going to happen with the Government's proposed tree strategy in light of what had just happened. So my question to the Chief Minister is will the proposed tree strategy be reviewed?

**Deputy K.L. Moore:**

I thank the Constable for the question. As he will appreciate, our focus has been somewhat on dealing with the event at hand but, as he will be aware, the debate on that work has been deferred and I will ensure that that conversation is had. Of course we would welcome the thoughts of other Members as we consider that process.

**3.1.10 Deputy M.R. Scott:**

While I very much applaud the efforts of all the authorities, both in responding to this event and in the clean-up, and I am aware that there are offices of Infrastructure in the Parish looking at matters such as trees that might potentially fall; I am aware of at least one instance where there is a tree on land in respect of which the ownership is not particularly clear. It is not clear whether it is Parish or private property and yet there are nearby residents who are concerned about that particular tree. The question that I am asking is to what extent might the Chief Minister anticipate that there might be assistance in identifying responsibility rather than there potentially being a passing of the buck between Government and property owners and Parishes and property owners?

**Deputy K.L. Moore:**

I think in the first instance it is important to say that private property owners have responsibilities and hopefully they have insurance and are able to take actions. But of course sometimes there is a lack of clarity and I think the Minister for Housing and Communities certainly identified that when looking at empty homes and finding strategies to deal with that issue. So working with the Parishes and the Infrastructure Department, I am sure there will be a process of identifying what those parcels of land are and perhaps through the Judicial Greffe I believe that would be the right place for any land ownership documents. There will have to be a process of identifying that and resolving any difficulties.

**The Deputy Bailiff:**

The allocated 15 minutes has come to an end. There is the power, if the Assembly wishes, to extend question time for another 15 minutes. There are 2 Members who wish to speak, the Connétables of Trinity and Grouville. Is it proposed that the time be extended?

**Deputy S.Y. Mézec:**

Sir, can I make that proposition?

**The Deputy Bailiff:**

Seconded? [**Seconded**] Does any Member wish to speak on the proposition? Are Members content to extend the time for questions to the Chief Minister? Thank you, the time is extended.

### **3.1.11 Connétable P.B. Le Sueur of Trinity:**

Just briefly to obviously add my support to the comments that have already been made, and pay tribute to the staff, honorary services in my Parish and the community. But I would just like to touch on the question of whether there is some funding available to cope with some of the heavy lifting that is going to be required, and remind Members, we do have a rainy day fund and my question to the Chief Minister is: what does constitute a rainy day if it is not the hurricane and Storm Ciarán?

### **Deputy K.L. Moore:**

I thank the Constable for making that point. Of course we are still in the process of quantifying the level of damage, and I am grateful to the Bailiff for beginning his fund, and that of course will be there to decide how best to distribute monies that are raised because many people in our community have come forward already, wanting to contribute, to support each other, to support members of our community. Then once that has been dealt with, if there are outstanding items, then those difficult questions will have to be asked in the coming weeks.

### **3.1.12 Connétable M. Labey of Grouville:**

I too would like to echo all my fellow Connétables and congratulate all our voluntary services and echo the words of the Chief Minister. My Chef de Police and his right-hand man, if you like, Mr. Harry Meecham, spent 25 hours co-ordinating our efforts in the Parish without a break because the Parish Hall was out. It is a building site and it had to be closed, and we have not received power back until yesterday afternoon. So they co-ordinated our efforts completely for those 4 days and I congratulate them publicly.

[11:45]

But I would like to ask the Chief Minister; she must insist that the Comms Unit purveys a message to the public and continue that message throughout the coming months and throughout the stormy winter that there are thousands of branches hanging down from trees all over the Island and they must be surveyed and removed because any storm could bring them down. I was with one of those teams myself on Thursday and Friday clearing trees. Sadly a lot of *quercus robur*, English Oak, came down in the storm. Very sad indeed. But those branches could provide a great deal of injury to a lot of people, walkers, cyclists, et cetera, so the Comms Unit must keep emphasising to be careful when walking in stormy weather that those branches could provide a great deal of danger for our Islanders.

### **Deputy K.L. Moore:**

I think the Constable of Grouville has made that point very clearly and very well, and that is one of the reasons why Islanders were asked to think very carefully about their journeys in the early days after the hurricane. We will certainly continue to remind people. Of course landowners who, as time has passed and they are able to prioritise that initial amount of branches that have been moved out of the way quickly with haste to make roads accessible, now becomes the time where they may be able to move those further off the roads and to ensure that everybody is kept safe.

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

Just quickly, I had to step outside and I heard the issue of funding being raised. A month or 2 back the States rejected a call for the establishment of a local disasters fund. I know hindsight is a great thing but given the ambiguity about usage of current government money will the Chief Minister perhaps undertake to revisit that with the Council of Ministers lest we have another event or disaster? If we do then we have some funding in place that will provide assurance and reassurance to people impacted.

**Deputy K.L. Moore:**

I thank the Deputy. Those issues were debated very well and clearly in his Assembly. It gave its view at the time. This of course is another terrible incident but we can manage, we will manage, and I do not feel that we need to revisit that debate just yet.

**The Deputy Bailiff:**

Thank you, Chief Minister. We now move on to the first period of questions to Ministers without notice and the first Minister to respond to those questions is the Minister for Infrastructure, and the first question is from Deputy Scott.

**QUESTIONS - resumption**

**4. Questions to Ministers without notice - The Minister for Infrastructure**

**4.1 Deputy M.R. Scott:**

Will the Minister explain to what extent he has developed plans regarding the disposal of hazardous waste from Gas Place and the waterfront and when we might see sight of them?

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

Since the Planning Committee passed the retrospective application for the works that have been undertaken at La Collette at the beginning of September I have had meetings with our Property Holdings Department at Infrastructure and with Jersey Development Company because we are going to combine our efforts to try and estimate the amount of hazardous waste that there is and try and find ways of minimising it and finding out whether we can recycle some of it in order to make sure that that minimisation is done to the fullest extent. Once those quantities have been ascertained we are then going to have a look at the various plans that are in place and see whether some of the designs might be changeable to reduce that further. Once that is done it is our intention to present our findings to the Planning Committee so that they can see the work that has been done in order to maximise the potential that the 4.5 metres that we have applied for in extra storage space will be properly utilised.

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

I am repeatedly asked by Islanders when Fort Regent can be used once again for sport, for concerts, and for indoor and outdoor play. Please can the Minister give us an update on the survey of Fort Regent roof and say when we can use this previously wonderful space again?

**Deputy T. Binet:**

This is a bit of a difficult one. I think the answer to the overall question is when, and that is going to be some considerable time. It is bound to be a number of years, simply because the fabric of the building is something in the order of 50 years old; it is extremely worn. The glazed area is very tired and the actual sheeting itself is an unusual one in terms of the dome and the side pieces, and it is probably going to need quite a bit of work. There is a large amount of asbestos in the building, the wiring and the plumbing is inadequate; all of that needs to be changed. While we are waiting for the second part of the condition report we are undertaking some investigations with J.D.C. (Jersey Development Company) about the future use of the Fort, and they will be utilising some of the staff at the Infrastructure Department. We are hoping to come up with some plans that define the forward use. But in the meantime the main thing is to get the building wind and watertight and set fair for the next 40, 50 years of use.

**4.2.1 Deputy A. Howell:**

It is just that I think Islanders would like to have a good indoor space for their families to go to when it is inclement weather, and is used to provide such a good place and I would just urge the Minister to make this one of his priorities please.

**Deputy T. Binet:**

That is a statement rather than a question but I am very happy to say that we are working on it. Unfortunately, certain things cannot be fast-tracked. If we are waiting for condition surveys to be finalised we have to wait for them and we have the job of implementing once they have been received.

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

In the last period of questions without notice to this Minister I asked the question about the flowerbeds on Victoria Avenue and he indicated that he would deal with it quickly. Given the circumstances of late, obviously the staff that are involved in those sort of things are occupied elsewhere. Would he commit to making plans to enhance the visual aspect of those beds for next season when the tourist season commences so that it can give the sort of impression that most Islanders would like to see?

**Deputy T. Binet:**

I have to concede that those particular beds and several others around the Island have got into a state of disrepair this year. There were various reasons for that, which included being short staffed, but I can assure the Constable that measures have been put in place to ensure that we have got the right contractors and the right in-house staff where appropriate to do those jobs, and I am very much looking forward to seeing those areas of the Island looking much tidier in 2024.

**4.4 Deputy L.M.C. Doublet of St. Saviour:**

I am very grateful to the Minister for the assistance that he has given with the schools and other education facilities. Could he also reassure the Assembly and Islanders that children's play facilities will also be given high priority once the really essential repairs have been done, because children do of course have a right to access those play facilities.

**Deputy T. Binet:**

Yes, I am certainly happy to give that commitment so far as that we have the funding available. I think it has probably been recognised in the last 12 months that a lot of children's play facilities are not up to standard. So it has been recognised and going forward, as I say, we have got budgetary constraints but the problem is recognised and we will be doing what we can to resolve that problem.

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

Is the Minister able to give a list of which parks and playgrounds are currently open or not open and safe or not safe? If he cannot give that list verbally could he please circulate it for the information of States Members and Islanders so that parents know where it is safe to take their children to play at the moment?

**Deputy T. Binet:**

As expected, I do not have that list with me but I know that the team back at Broad Street are listening and they will get that done as soon as possible.

**4.5 The Connétable of St. Helier:**

Would the Minister accept my thanks to him and his team for developing a solution to accessing Overdale as part of the new hospital scheme, which does not involve a super highway - as we call it - as proposed by the previous Government, threatening not only private homes but trees, the Jersey Bowling Club, and the quality of life of the people who live on Westmount Road. Will he indicate when a final version of that transport solution will be made public?

**Deputy T. Binet:**

I certainly will accept that message of thanks and I will invite anybody else in the Assembly who feels like doing the same thing during the course of these questions to do likewise. I am so excited about that I have forgotten the second part of the question. When will I be in a position to make plain

what has happened? Well, we are still in discussion with the ambulance service to try and finalise things to make sure that everybody is happy. I think we are pretty much there but as soon as that is done, as soon as those discussions have been finalised and agreed, then we will be in a position to do so. I cannot give a firm date on that.

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

The Parish of St. Helier expended considerable effort and also money in combatting the compulsory purchase order that the previous Government thought fit to bring to secure the acquisition of Parish land. When does the Minister feel that those compulsory purchase orders can be lifted? I understand they are not likely to be implemented but until they are torn up I think some parishioners will be concerned.

#### **Deputy T. Binet:**

The sad fact is that that will probably be later next year once we have got plans drawn up, submitted and passed for the new hospital. It is my understanding that everything has to stay in place from the old permission until such time as we have got firm commitment from the Assembly. So it will probably be once we have had the Assembly debate before the summer break, and at that point, if everything goes well and we have got the commitment to go forward, we will be in a position to rescind those orders.

#### **The Deputy Bailiff:**

Are there any more questions for this Minister? In that case we will move on to the second period of questions for the Minister for International Development. Any questions for this Minister?

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

#### **5.1 Deputy B. Ward:**

Can the Minister update the Assembly on Jersey's response to the escalation of violence in Palestine?

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

May I first say how appalled we are, Jersey Overseas Aid and in the Island, to witness the tragic loss of life in Israel and Palestine, and we continue to monitor the situation very closely as humanitarian needs in the region were significant even before the recent escalation of violence. Most recently Jersey's response has been a rapid and urgent increase to the needs and we have allocated £200,000 to the U.N.O.C.H.A. (United Nations Office for the Co-ordination of Humanitarian Affairs) Palestine Humanitarian Fund, which is a U.N. country-based pooled fund. Jersey funds will go towards addressing priority needs including food, water, medicine and shelter.

#### **5.2 Deputy M.R. Scott:**

With respect to the funding in respect of Palestine, I am sure States Members are aware of the difficulties in helping people in the Gaza area given the Israeli action that has taken place, and the problems in terms of there being a formal ceasefire, but also the moves to have a pause in hostilities. I am asking the Minister for International Development, in order to ensure that aid can go into the area is she perhaps liaising with the Minister for External Relations to support this move?

#### **Deputy C.F. Labey:**

I have been liaising with the Minister for External Relations. Obviously our roles are very different here; my main focus is to get aid into Palestine where there is the need. That is my focus; it clearly is not the Minister ... well it is the Minister for External Relations' interest, but we have been liaising, for example, about writing the unity statement to show a coming together of our community.

[12:00]

### **5.2.1 Deputy M.R. Scott:**

The actual question was in relation to the problems with the delivery of aid, given the continuation of hostilities and, therefore, whether the Minister might consider more of an interaction with the Minister for External Relations to see whether there can be any support of a cessation in hostility to enable aid to be delivered.

### **Deputy C.F. Labey:**

We have certainly discussed a ceasefire; I think everybody wants to see a ceasefire, but for now I think the best we can hope for is a pause so we can get humanitarian aid in. We have obviously been liaising with the N.G.O. (non-governmental organisation) that we have chosen to deliver, which is U.N.O.C.H.A., we have been dealing with the country-based pool funds since 2016 and we feel that is the most effective way of delivering our aid.

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

I missed Deputy Scott's supplementary - I hope I am not going to repeat it - but can the Minister give assurances to the Assembly that assistance provided by the J.O.A. (Jersey Overseas Aid) will get to the civilians in need in occupied Palestinian territory?

### **Deputy C.F. Labey:**

That is a good question and there is no such thing as 100 per cent risk-free humanitarian relief. We have to acknowledge that it is an incredibly complex and challenging environment in which to work and that the emergency aid is delivered in, and none more challenging situations than in Gaza. It has got to be acknowledged that many aid workers have also died in this recent conflict. Our responsibility, as I have said, is to work through our partners who have the strictest and tightest risk mitigation measures in place, and they operate in line with the humanitarian principles of humanity, impartiality, neutrality and independence. Those are the values that Jersey Overseas Aid follow very closely.

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

Shocking and tragic as the recent events are in the Middle East we are, of course, also aware that the war in Ukraine continues and indiscriminate shelling of civilian areas is still happening as the country moves into winter. Could the Minister update us as to how the Jersey Overseas Aid is supporting Ukraine as the war there continues?

### **Deputy C.F. Labey:**

Jersey has given so far - Jersey Overseas Aid and the people of Jersey through the Bailiff's Fund - £3.4 million to Ukraine. Jersey Overseas Aid through its emergency relief funding has this year given £124,000, so we continue to monitor, we continue to work with agencies on the ground. We are following our minesweeping techniques mainly to teach women in minesweeping, and the incubator kits that we continue to supply in the Ukraine.

### **The Connétable of St. Helier:**

I just wanted to ask if the Minister would convey to all the team at Jersey Overseas Aid the thanks of the Assembly for all the work they are doing.

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

Getting back to the hostilities in the Gaza Strip. The Minister has told us that she is working through partners, United Nations partners, but can she confirm whether the partners have delivered any of this aid that we are contributing to into these areas?

**Deputy C.F. Labey:**

As I said, we have donated to the U.N.O.C.H.A. pooled funding. Being a relatively small donor we feel it is the most effective way of getting aid through. We have given the aid to them, they have warehouses there and we are waiting for access to be negotiated so we can get the aid in. So we do receive reports back and we will be receiving reports back when the funding has been delivered but at the moment the vital element, as I have said, is to get access so that humanitarian aid can actually be delivered.

**5.6 Deputy A. Howell:**

On a slightly different note, I see that the Jersey Overseas Aid are advertising a community work project this evening and I wondered if you could please update the Assembly on what will be happening.

**Deputy C.F. Labey:**

Thank you, that is a nice question. Yes, we have the launch of our 2024 community work projects next year. We are putting 4 projects on, which is the most we have ever done. We are sending teams of volunteers to Rwanda, Malawi, Nepal and Kenya to build a sand dam. If any States Members would like to come along I would encourage them. I would also very much encourage them to take part in one of these because they are lifechanging experiences.

**5.7 Deputy S.Y. Mézec:**

In answer to an earlier question, the Minister said words to the effect that everybody wants a ceasefire but the best we can hope for are pauses, which is not true because there are some international players in this scenario who actively oppose the policy of a ceasefire because they consciously think it is the wrong thing to do, not because they think it is an unrealistic thing to achieve. One of the bodies that disagrees with that position is of course the U.N. itself, which is overtly calling for a ceasefire. So could I ask the Minister for International Development whether she agrees with the U.N.?

**Deputy C.F. Labey:**

I would like to see a ceasefire, certainly. I think most people would. But the reality of the situation is that we are not a sovereign state, we follow the U.K. foreign policy and neither are we privy to the U.K. intelligence on this. Again, I would very much like to see a ceasefire, I would like to see an end to these troubles, but I think the most we can hope for at this point in time, and the most urgent thing is - like the European Parliament have recognised whereby 500 out of the 545 M.E.P.s (Member of the European Parliament) supported a resolution to condemn Hamas, to release the hostages and support a humanitarian pause.

**5.8 Deputy S.G. Luce:**

Over the weekend I have received reports, like the regular updates I get about families in Romania, and it is quite clear that while the main city may give the appearance of doing good things and buildings being built and roads being resurfaced, but out in the countryside conditions are awful for normal families, without running water in many cases, toilets, and general things that we just take for granted. I know a lot of people in the Island support families in Romania and charities that go to Romania. Can the Minister update us as to whether Overseas Aid has done any work with Romania in the last few years?

**Deputy C.F. Labey:**

No, it has not. We have no reason to give emergency aid there and Romania is not one of our focus countries where we provide sustainable development, so the answer is no. That is not to say a local charity that operates in the Island cannot apply for match funding or something of that nature in order to support particular communities.



## **The Deputy Bailiff:**

Thank you, Minister. If there are no further questions for this Minister then we will move on to questions for the Chief Minister. You have inherited some extra minutes as well, Chief Minister. It must be your birthday. Questions for the Chief Minister.

## **6. Questions to Ministers without notice - The Chief Minister**

### **6.1 Deputy S.Y. Mézec:**

The Chief Minister has previously released a file note from a meeting from 23rd March of this year in which it was noted that the Minister for Infrastructure had said that he does not have confidence in leadership. Has she won it since then?

### **Deputy K.L. Moore (The Chief Minister):**

Well, I would have expected that if that was a question that the Deputy wanted to ask the Minister for Infrastructure he might have taken the opportunity earlier when it was available to him. I would certainly hope so, and of course we continue to work together as a team delivering on our priorities, and I think the work of the Infrastructure team over the particular last few days shows how focused and dedicated they are - all under his leadership - to delivering public services.

#### **6.1.1 Deputy S.Y. Mézec:**

Is there not a real crisis in confidence in one another among the Members of the Council of Ministers when in response to that question the Chief Minister cannot definitely say that she believes she has the confidence of a Minister who previously said he did not have confidence in her, and when previously asked if she has confidence in the Assistant Minister for the Environment she refuses to give a clear answer?

### **Deputy K.L. Moore:**

I reiterate my earlier point that that is a matter for Ministers themselves and we work together as a team. This is a cohesive team that has identified its priorities and we work towards them together.

### **6.2 Deputy M. Scott:**

Could the Minister please - as chair of the S.E.B. (States Employment Board), that I understood had a presentation on the matter - say what the strategic workforce plan is?

### **Deputy K.L. Moore:**

The S.E.B. is going to receive a briefing on the strategic workforce plan at its next meeting.

#### **6.2.1 Deputy M. Scott:**

Does she have any idea what it is?

### **Deputy K.L. Moore:**

I appreciate that this might sound a little like question tennis but the purpose of the briefing would be to provide us with that information. I have not yet received the papers in advance of that briefing.

### **6.3 Deputy A. Howell:**

The Government Plan requests £387,000 to fund the salary costs of existing policy staff within the strategic health, policy and governance team. Are any of these posts liable to remuneration of over £100,000 and, if so, has there been S.E.B. approval for these posts?

**Deputy K.L. Moore:**

That is a very detailed question and I am afraid I simply do not have that detail to hand, but of course I will endeavour to find that information and share it with the Deputy. What I can say is that the States Employment Board takes very seriously its role in receiving P.59 requests, which is for any role to be advertised that is over the salary band of £100,000. We look at those requests in great detail, question those people bringing each request to us, and there is a robust process in place.

**6.3.1 Deputy A. Howell:**

So as there are 3.5 people who are to be paid out of this sum, please can I request that the Chief Minister, as chair of the S.E.B., undertakes this and comes back with an answer?

**Deputy K.L. Moore:**

Of course.

[12:15]

**PUBLIC BUSINESS**

**7. Reduction in Lodging Periods**

**The Deputy Bailiff:**

Any more questions for the Chief Minister? In that case that brings this period of questions to an end. Nothing under J. We now move on to Public Business. Before we start Public Business a decision needs to be made about whether to reduce the minimum lodging period in respect of several matters listed on the Order Paper. The first one we will come to is in relation to P.74, Increase in Revenue Expenditure for Agriculture and Fisheries, and that is an amendment brought by the Minister for Economic Development, Tourism, Sport and Culture, who has indicated his wish to propose that the minimum lodging period for his amendment - the second amendment - be reduced. Before I ask you, Deputy Alex Curtis, about this matter ... no, I cannot. Perhaps Deputy Luce, I can ask you about the amendment in question.

**7.1 Deputy S.G. Luce:**

It is my intention when we get to P.74 to withdraw my second amendment, so the amendment to the amendment will then fall away and will not require a request for a shortened lodging period.

**The Deputy Bailiff:**

I am grateful for that. Then we have the amendment brought by Deputy Farnham, who is also not here. But, Deputy Southern, you are here and the final reduction of lodging period matter relates to your proposition, Healthcare Expenditure Projections, and do you wish to make the proposition under Standing Order 26(7) the lodging period be reduced to allow this matter to be debated at this sitting?

**Deputy G.P. Southern:**

I do indeed, Sir. Would you like me to make the case?

**The Deputy Bailiff:**

Yes, please.

**7.2 Deputy G.P. Southern:**

When my breathing gets in control, having just raced up the stairs. Almost essential, as soon as I could, I recognised that what was being presented to us was a chunk of £287 million as allocated to Health when it is supposed to be linked to the Ministerial objectives, which are explained at length and break down into much smaller units in what is being proposed. I do not believe we, as a body,

can just take £287 million and say: “Right, we have looked at that, we have examined it, it matches with the objectives of the Minister in that where there is a priority on doing X there is funding to do X. But if we cannot even look at that sort of level of what is the funding, what is the commitment, what is the priority, then we are not doing anything at all. We are just taking things as they come: “£287 million, just leave it alone, I am sure you are doing the right thing, I am sure you have got it balanced out.” What can we do with that? We cannot do anything with it. As a body we are negating our responsibility if we let that go through as £287 million: “Yes, okay, just go and play with that.” It is almost half uppity if we let that through in one lump. I do not see how it is a responsible act of this body to do if it cannot get hold of some of those breakdown figures and check whether they match intention and delivery of funding. Without that we are doing nothing. We may as well sit here on our hands on our bottoms and say: “Get on with it.” I think that is wrong for us to be doing. It has been done in the past that some sort of breakdown has occurred in the funding figures so that Members - including Scrutiny, but Members in particular - can examine it and look and say: “Yes, that seems appropriate that you spend more there because it is one of your aims and it is a legitimate thing and you justify it.” Without a justification I think we are wasting our time, and I think it is absolutely essential we lift the lodging period in order that we, as a body, can discuss rationally some bits of the funding allocation and see whether they match or do not match with the intentions. It is fundamental to what we are attempting to do and, as I keep saying, £300 million in one lump sum is neither here or there. We should not be doing that unless we can get some breakdown. That is the case for lifting the lodging period, in order that we can do some decent work on analysing what is happening.

**The Deputy Bailiff:**

Is the proposition seconded? **[Seconded]** Does any Member wish to speak on this proposition? To remind Members, this is not the merits of the proposition; this is whether or not the lodging period should be reduced in the public interest to allow this matter to be debated at this sitting.

**7.2.1 Deputy T.A. Coles:**

I thought I would just stand to say why it is important that this particular proposition is allowed to be brought forward to be debated today is because there needs to be time for both the Minister to produce the document in time for the vote on the Government Plan, but also time for Members to be able to digest that information within the Government Plan. If this is not decided today then there would be serious concerns from myself as to whether or not I would be able to support the Government Plan document as a whole because there would be a large chunk of funding which is properly analysed. Therefore, Members, I suggest that we bring this proposition forward today so that we can debate whether this information is required or not.

**7.2.2 Deputy M.R. Scott:**

When I first read this proposition I thought: “Is this not what Scrutiny will find out?” Then I thought, well, hang on, I know that as Chair of the Economic and International Affairs Panel that when we reviewed the Government Plan last year - and indeed we have got a similar situation with this Government Plan - that we had business plans that I was saying: “I do not think there is that much that really cannot be disclosed to the public hearing yet the Scrutiny Panel is seeing them, no other Member is seeing them.” If we want to kind of argue against this funding, if we want to say this is not in accordance with government policy or it is not really value for money, no Member can see this. So I do think that this proposition has got legs.

**The Deputy Bailiff:**

Does any other Member wish to speak on this proposition, which is simply to decide whether or not the lodging period should be reduced?

### **7.2.3 Deputy K. Wilson of St. Clement:**

I would recommend to the Assembly that the Deputy's proposal be rejected. As Members will have seen, I recently circulated a comments paper presented to Members on Friday and I can strongly recommend that there is quite a lot of content and detail in that to absorb. We have provided financial information in the comments paper in response to part (a) of the Deputy's proposition and we have explained why we cannot support this. As such, it is no surprise that we do not, as a Council, support a reduced lodging period in this instance.

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

I would just make a point that this is about reducing the lodging period and it seems to have merged into just a simple objection of the proposition. I am not a great fan of reducing lodging periods unless there is a very specific reason and it is time dependent, and it has to be time dependent. I am going through Standing Orders here and I am going to raise that in something else that is going to come up, but this is something that arose specifically from a question in the last Assembly, it was put together at speed, and as soon as we debate it and if it is passed it gives the Minister an opportunity to produce the data that will be needed for the Government Plan. I do agree with something that Deputy Scott said regards business cases and Scrutiny. We hold Scrutiny processes up to a validity by seeing business cases and then not commenting on them because they are confidential, and we treat it as such. Indeed, in the panel we have had discussions about what we can and cannot say because we are keeping that confidence. So subsequently if there is data there through this proposition it will mean that there will be data in the public domain on which we can make a decision on in the Government Plan. I think there is a risk - and I would really like the Government to think about this - to the Government Plan if data is not clear as to how it is going to be used. People might say: "I am sorry but I cannot agree that sort of spend without knowing how." Those risks need to be assessed. Even if something comes back and this is passed and ... something has to be put together. There has got to be a plan for spending somewhere along the line and the sooner that we deal with that the better, so by reducing the lodging period now ... and what I will say, that we are likely to move a really big item on - this is just a purely practical thing - we are likely to move a really big item on to the next sitting, and perhaps other things as well, I do not know, and we will therefore be moving everything to the next sitting where we could be dealing with something now which, if passed, gives more time and is more practicable. That is the only use of reducing a lodging period. That is why it is in Standing Orders. It has been misused and I have said a number of times ... and I must point out, the Deputy does not have the backing support, even though we get great support from the Greffier and those officers, but there is not an equality of arms there in terms of the number of people there are to support us. So bringing this forward so quickly is a really good thing. I would ask, please forget what you think of an individual; think about whether this is the right process to say: "We want to talk about it now so it gives more time and we can move forward. We will have the debate on whether you agree with the proposition or not later." That is what this is about and we really need to think about what we are debating at this moment in time.

### **7.2.5 Deputy K.L. Moore:**

I would just ask Members to reject this raising of the lodging period. It seems that the Deputy refers in his report to the Scrutiny process; that process is underway, the Minister has explained this position. Therefore, coming to this Assembly in short order with this question simply seems to be a poor use of the time of this Assembly, and I would urge Members to engage properly in the Scrutiny process of the Government Plan and reject this early lodging.

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

I may have been absent from the Assembly for a while but I am not sure that my absence has led to me misunderstanding the purpose of a Government Plan, even though since I was last here there is a new Public Finance Law. In considering whether or not to accept a reduced lodging period I am

looking at the proposition and hearing the arguments of the Council of Ministers, colleagues which I support. The additional issue is; is it not the case - this is kind of a point of order or a question to you, Sir, because I am not clear as to the validity of the underlying principles of what is being asked by the Deputy. He wants to know the facts but the facts under the law, a bill of supply - which is what a Government Plan is about - allocate an amount of money to a Minister which can be used and subsequently put into different departments as the need arises or as facts emerge. I say that because there are facts emerging that I know that the Minister for Health and Social Services, the Minister for Treasury and Resources, the Chief Minister and other Ministers have seized upon and it seems to me to be firstly potentially unreasonable to ask for this debate to be happening today when I have seen the written comment, but secondly the extant decision is a budgetary allocation to a Minister that can make allocations within heads of expenditure as they wish on the advice of an accountable officer. So I am concerned generally that we are entering into a situation, we are having a debate about agriculture later, we are having a Government Plan debate, but we are having pre-Government Plan debates, and this one is effectively in a sense interesting and informative but can be changed anyway based upon what the Minister is doing as the facts emerge from her turnaround team. It just seems to me unreasonable to try and eke out what are emerging situations and emerging budgetary issues, and the heads of expenditure that have been provided to Scrutiny are a moving piece of territory because the Minister for Health and Social Services is reorganising the Health Department and so a head of expenditure can be moved anyway. So I do not understand why there is the breakdown necessary in order to inform ... everybody knows that health needs a big budget and they are going to spend it wisely and they are putting the controls in place to do so. I am not sure this improves matters or improves the democratic process. I am just trying to get your guidance as to what the factual position is.

[12:30]

**The Deputy Bailiff:**

Well, Deputy, the proposition has been ruled in order and whether or not the proposition is adopted in due course is a matter for the Assembly and not for me. Does any other Member wish to speak on the proposition in relation to reduction of the lodging period? I call upon Deputy Southern to reply.

**7.2.7 Deputy G.P. Southern:**

With that it occurs to me that we should not be sanctioning a £300 million spend on trust. At least some of that - some of that - must be subject to analysis and before 2024 because we are now setting up budgets for 2024 and 2025 and beyond, and the ability to test some of those spends I think must lie with this body. The only thing I would add to what has been said, which is just basically: "Please do not do this" from the Ministers is, is it possible to take this *en bloc* because I think there is a quite significant difference between part (a) and part (b)?

**The Deputy Bailiff:**

That is a matter for the debate if we reach it. We are only concerned now about reduction of the lodging period. Whether we can take matters *en bloc* or not is a matter for when we come to the debate itself, which we may not come to at all.

**Deputy G.P. Southern:**

So I maintain my proposition.

**The Deputy Bailiff:**

Is the appel called for?

**Deputy G.P. Southern:**

Yes, please.

### **The Deputy Bailiff:**

The appel has been called for. Members are invited to return to their seats and the proposition is as to whether or not this proposition of Deputy Southern's should be debated at this sitting of the Assembly. I invite the Greffier to open the voting. If all Members have had the chance of casting their votes, then I invite the Greffier to close the voting. I can announce that the proposition has been narrowly rejected: 22 votes pour; 24 votes contre.

<b>POUR: 22</b>		<b>CONTRE: 24</b>		<b>ABSTAIN: 0</b>
Connétable of St. Lawrence		Connétable of St. Helier		
Connétable of St. Brelade		Connétable of St. Clement		
Connétable of Trinity		Connétable of Grouville		
Connétable of St. Peter		Deputy C.F. Labey		
Connétable of St. Martin		Deputy S.G. Luce		
Connétable of St. John		Deputy L.M.C. Doublet		
Connétable of St. Ouen		Deputy S.M. Ahier		
Connétable of St. Mary		Deputy I. Gardiner		
Connétable of St. Saviour		Deputy I.J. Gorst		
Deputy G.P. Southern		Deputy K.L. Moore		
Deputy M.R. Le Hegarat		Deputy P.F.C. Ozouf		
Deputy R.J. Ward		Deputy Sir P.M. Bailhache		
Deputy C.S. Alves		Deputy D.J. Warr		
Deputy L.J. Farnham		Deputy H.M. Miles		
Deputy S.Y. Mézec		Deputy J. Renouf		
Deputy T.A. Coles		Deputy R.E. Binet		
Deputy B.B. de S.V.M. Porée		Deputy H.L. Jeune		
Deputy M.R. Scott		Deputy M.E. Millar		
Deputy C.D. Curtis		Deputy T.J.A. Binet		
Deputy L.V. Feltham		Deputy M.R. Ferey		
Deputy A. Howell		Deputy A.F. Curtis		
Deputy B. Ward		Deputy K.M. Wilson		
		Deputy L.K.F. Stephenson		
		Deputy M.B. Andrews		

### **The Greffier of the States:**

Those voting contre: the Connétables of St. Helier, St. Clement and Grouville, Deputies Labey, Luce, Doublet, Ahier, Gardiner, Gorst, Moore, Ozouf, Bailhache, Moore, Miles, Renouf, Rose Binet, Jeune, Millar, Tom Binet, Ferey, Alex Curtis, Wilson, Stephenson and Andrews.

### **The Deputy Bailiff:**

The next matter to consider is the amendment brought by Deputy Farnham in respect of P.76, Reform of the composition of the States Assembly. The Deputy has given notice of intention to propose, in

accordance with Standing Order 26, that the minimum lodging period for his amendment be reduced so it can be debated at this meeting.

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

I crave Members' indulgence. This is a late amendment largely because I decided on Tuesday to bring an amendment after speaking to Members about the debate on the composition of the States Assembly, which I know we have endured a number of debates on this, but I would remind Members that it is an important and serious issue. The debate is scheduled for today, so whether the Members allow the amendment or not, we are still going to have a debate on the issue. Tuesday morning, a normal busy morning, and then I have to say we got, as a family, wrapped up in preparing for the storm; we live in the wilds of St. Ouen. I am afraid I spent Tuesday evening and most of Wednesday lashing down things and working to prepare for that. That is a fact. I had hoped to get it in Wednesday evening but of course I was not able to, after the event, lodge it until Friday morning for which I apologise. I hope Members will accept that and allow this important amendment to be taken today.

#### **The Deputy Bailiff:**

Thank you, Deputy. Is the proposition seconded? [**Seconded**]

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

May I raise a point regards Standing Orders at this point?

#### **The Deputy Bailiff:**

Yes.

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

Standing Order 26(8) says: "The States may also reduce a minimum lodging period in the case of a proposition to amend another proposition if they are of the opinion that, if adopted, the amendment would not make any significant change." I would ask this to be ruled out of order because it makes a very significant change to the original amendment because the original amendment gives an entire role of P.P.C. to decide on what we come back with. This is a significant change ...

#### **The Deputy Bailiff:**

But this application is made under 26(7), not 26(8).

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

26(8).

#### **The Deputy Bailiff:**

But this proposition, as I understand it, is made under 26(7), not 26(8): "The States may reduce a minimum lodging period for a proposition if they are of the opinion that it is in the public interest to do so." Deputy Farnham is not making, as I understand it, his proposition under the alternative 26(8) which gives the States a different power to reduce the minimum lodging period. I think he is running, as people normally do, under 26(7). It is simply a question of the public interest which is the matter for the Assembly to determine.

### **7.3.1 Deputy M.R. Scott:**

I support the proposition to bring this forward. In response to Deputy Ward's concerns, in fact when I looked at the proposition I very much ... and bearing in mind the basis on which I am asking Members to consider my proposition because I really am not attempting to just go over the old ground that was gone over in the debate of Deputy Gorst's proposition at the beginning of the year. I have very much come from the perspective of value for money, having looked at what is kind of happening

in terms of the development of the current arrangements. I can also, and I am very much prepared to, explain in my speeches why Deputy Farnham's proposition, although I will not be automatically accepting it, has got an approach to it that may in fact be ... I could in some ways present to Members as another way of dealing with value for money.

### **7.3.2 Deputy S.Y. Mézec:**

If there is one thing that is not value for money it is the amount of time we spend in this Assembly talking about ourselves and going around in circles on these debates. The Standing Order that is being used to ask for this to have a reduced lodging period is, as you say, the one on the public interest, and I fail to see how this amendment can be said to be in the public interest when there was ample time to get in an amendment based on the Deputy's preference for reforming the composition of this Assembly. In fact, this proposition was delayed once so he had even more time than he otherwise would have for that. If the amendment is not allowed to be debated, or not accepted, the wording of the original proposition still allows what is in his amendment to happen anyway if P.P.C. go ahead and do the work on it. I do not believe there is any public interest case for the lodging period to be reduced.

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

Deputy Mézec has expressed probably more eloquently than I would the exact same points that I would make. I do think that Deputy Farnham has a long history of interest in this subject. It cannot have escaped his notice that this proposition had been lodged some time ago and there was indeed plenty of opportunity for an amendment to be lodged to this effect or indeed any other effect. While I am very sorry to hear about the storm damage in his area, I think the opportunity did exist well before then. I would also agree with Deputy Mézec that any options, including the one proposed by Deputy Farnham, would be available to consider for P.P.C. so there is nothing lost by not having this particular debate now.

### **The Deputy Bailiff:**

Does any other Member wish to speak? If not, I call upon Deputy Farnham to reply.

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

I thank Members for speaking. I can understand of course the objections raised but I would maintain that this is an important and serious issue. The makeup, the composition of this Assembly is always in the public interest, as I said. Deputy Renouf is correct, I do, as many of us, have a long interest in doing what we feel is right to create the best representation for Islanders in this Assembly. As I have said, I was originally satisfied with Deputy Scott's original proposition because it allowed ample flexibility. As Deputy Mézec said, potentially yes, the amendment that I am proposing could be accommodated should the Assembly accept Deputy Scott's proposition, but having spoken to a number of Members over the last weekend, as Members will know, as we get closer to debates then they become more topical, a number of Members had said they would prefer to know what they are voting for. They wanted some certainty, some decisiveness, some certainty around what the Assembly could look like. Taken also into account is that if Deputy Scott's proposition is accepted then there is also an awful lot of work that is going to be required by P.P.C., and P.P.C. do not have a consensus on this, this Assembly do not have a consensus on this, so unless we decide something, the detail on something, I fear we could be debating this for a long time to come and that is the rationale for my bringing that amendment. I do apologise again for the delay; I had hoped to get it on Tuesday but with the weather I could not get it in until Friday morning, and I hope Members will accept that. I maintain in the strongest possible terms what could be more in the public interest than their representation in this Assembly. I think it is a worthwhile amendment for a worthwhile debate. Thank you.



**The Deputy Bailiff:**

Is the appel called for?

**Deputy L.J. Farnham:**

Yes, please.

**The Deputy Bailiff:**

The appel has been called for, I invite Members to return to their seats. We are now voting on whether or not to reduce the lodging period in relation to Deputy Farnham's amendment. I invite the Greffier to open the voting. If all Members have had the chance to cast their votes, I ask the Greffier to close the voting. The proposition has been again narrowly defeated: 21 votes pour; 24 votes contre, and one abstention.

<b>POUR: 21</b>		<b>CONTRE: 24</b>		<b>ABSTAIN: 1</b>
Connétable of St. Lawrence		Connétable of St. Helier		Constable of St Martin
Connétable of St. Brelade		Connétable of Trinity		
Connétable of St. Peter		Connétable of St. John		
Connétable of St. Clement		Connétable of Grouville		
Connétable of St. Ouen		Deputy G.P. Southern		
Connétable of St. Mary		Deputy L.M.C. Doublet		
Connétable of St. Saviour		Deputy S.M. Ahier		
Deputy C.F. Labey		Deputy R.J. Ward		
Deputy S.G. Luce		Deputy C.S. Alves		
Deputy M.R. Le Hegarat		Deputy I. Gardiner (H)		
Deputy I.J. Gorst		Deputy K.L. Moore		
Deputy L.J. Farnham		Deputy S.Y. Mézec		
Deputy P.F.C. Ozouf		Deputy T.A. Coles		
Deputy Sir P.M. Bailhache		Deputy B.B. de S.V.M. Porée		
Deputy H.M. Miles		Deputy D.J. Warr		
Deputy M.R. Scott		Deputy J. Renouf		
Deputy M.E. Millar		Deputy C.D. Curtis		
Deputy A. Howell		Deputy L.V. Feltham		
Deputy T.J.A. Binet		Deputy R.E. Binet		
Deputy M.R. Ferey		Deputy H.L. Jeune		
Deputy B. Ward		Deputy A.F. Curtis		
		Deputy K.M. Wilson		
		Deputy L.K.F. Stephenson		
		Deputy M.B. Andrews		

**The Greffier of the States:**

Those voting contre: the Connétables of St. Helier, Trinity, St. John and Grouville, Deputies Southern, Doublet, Ahier, Rob Ward, Alves, Gardiner, Moore, Mézec, Coles, Porée, Warr, Renouf, Catherine Curtis, Feltham, Rose Binet, Jeune, Alex Curtis, Wilson, Stephenson and Andrews.

**LUNCHEON ADJOURNMENT PROPOSED**

**The Deputy Bailiff:**

Are Members content to adjourn now? Yes, the Assembly is adjourned until 2.15 p.m.

[12:43]

**LUNCHEON ADJOURNMENT**

[14:16]

**The Deputy Bailiff:**

Deputy Scott.

**Deputy M.R. Scott:**

In light of the decision regarding Deputy Farnham's proposition, I have decided to defer my proposition.

**The Deputy Bailiff:**

Thank you very much. Until when?

**Deputy M.R. Scott:**

Until the next sitting. It also gives me the opportunity to circulate financial information which perhaps is easier to do so in writing to the Members. I am also in 2 minds whether to accept the amendment or not when I do bring it.

**The Deputy Bailiff:**

Thank you very much. Before we commence the next item of public business, and I invite the Greffier in a moment to read the citation, I think, Deputy Renouf, you have something to say about the Draft Public Health and Safety (Rented Dwellings) (Licensing) (Jersey) Regulations.

**Deputy J. Renouf:**

Members will be aware that Deputy Luce circulated an email regarding the amendments that had been proposed to this, pointing out that there are some procedural difficulties with making them all work together. These have proved to be quite significant difficulties and the fear is that if we proceed with the debate as it is that it will be essentially pretty chaotic. So the feeling I have, and Deputy Luce has already indicated, is that we should defer this debate to allow time for those amendments to be amended if necessary, to be thought through, and a proper order found for them so that they do not end up being in conflict with each other. It is not an ideal situation, I fully accept that, it is not a situation that any of us would have wanted to find ourselves in here, but I think it is a pragmatic response and I appreciate the generous acknowledgment from Deputy Luce that the problems arose with some of his amendments. In that spirit of compromise and goodwill, I would like very much therefore to propose a deferment to the next sitting.

**The Deputy Bailiff:**

Is that seconded? **[Seconded]** Does any Member wish to speak on the proposal that this matter be deferred until the next sitting?

**Deputy S.G. Luce:**

I will speak very briefly. As Members will know, my Scrutiny Panel have lodged 9 amendments for the Second Reading and, as the Minister has already said, it was only when we came to agree the running order of these amendments that we came up against the consequential issues that transpired. The Minister is absolutely right, we want to pass good laws and if we move ahead today we will not be doing that, so I would ask the Assembly to support the Minister.

**The Deputy Bailiff:**

Does any other Member wish to speak on this proposed deferment? Those in favour of deferring, please kindly show. Thank you very much. The debate is deferred until the next sitting.

**8. Draft Sea Fisheries (Vessel Monitoring Systems) (Amendment) (Jersey) Regulations 202-(P.68/2023)****The Deputy Bailiff:**

The next item is the Draft Sea Fisheries (Vessel Monitoring Systems) (Amendment) (Jersey) Regulations lodged by the Minister for the Environment. The main respondent is the chair of the Environment, Housing and Infrastructure Scrutiny Panel, and I ask the Greffier to read the citation.

**The Greffier of the States:**

Draft Sea Fisheries (Vessel Monitoring Systems) (Amendment) (Jersey) Regulations 202-. The States make these Regulations under Articles 2 and 29 of the Sea Fisheries (Jersey) Law 1994.

**8.1 Deputy J. Renouf (The Minister for the Environment):**

Members will be aware of the complicated negotiations that have been undertaken over the past few years, firstly to conclude and then implement the fisheries aspects of the Trade and Co-operation Agreement that came into force following the U.K.'s departure from the E.U. I am pleased to say that the vast majority of that work is now behind us and we can move forward in managing our marine resources in a sustainable way. The amendment to regulations that I am bringing to the Assembly today represents a small but important piece of the management jigsaw. The monitoring of fishing activities at sea has always been a part of fisheries management and plays an important part in enforcement and the management of stocks. Historically this was done using telescopes and binoculars, then by paper records and on-board inspectors. Nowadays technology makes the remote monitoring of vessels a possibility. The main purpose of these draft amendments before you today is to ensure that all commercial fishing vessels, whether British or E.U. or Jersey, are required to install and use equipment capable of reporting that vessel's position at sea. This type of monitoring is not new. Larger vessels over 12 metres in length, both British and E.U., are already required by regulation to have this type of monitoring equipment installed on their vessels. The requirements are set out in the Sea Fisheries (Vessel Monitoring Systems) (Jersey) Regulations 2014, the same regulation I am proposing to amend today. Vessels under 12 metres are currently not required to have or use such equipment, although it should be noted that since 2022 French vessels of all sizes are required to do so but under French, not Jersey, legislation. This amendment will bring forward the same requirements in Jersey legislation and allow for enforcement by our Marine Resources Department when a vessel is operating in Jersey waters. The amendment will therefore be a new requirement for Jersey under 12 metre vessels. As I have said, this Assembly has already agreed to the principle of monitoring in the 2014 Regulations but I believe it is nonetheless important to set out the need for such monitoring. Commercial fishing is a restricted activity and it is necessary to ensure that only vessels with correct licences and permits are fishing in Jersey waters. This amendment will allow marine resources officers to monitor vessel activity in Jersey waters and take necessary enforcement action when needed. Monitoring is also required to check the time spent at sea fishing

in Jersey waters and to check that vessels are not fishing in areas where they are not permitted. For example, since the T.C.A. (Trade and Co-operation Agreement), certain E.U. vessels are restricted in the number of days they can fish in Jersey waters while others cannot operate within defined zones or at certain times of year. This amendment will allow monitoring to be undertaken remotely and in real time, acting as a disincentive to vessels thinking about breaking rules while also greatly assisting with Jersey's monitoring and enforcement. It will also allow for the cross-checking of position with other data, such as log book declarations, something that is currently difficult to do. At this point it may help if I provide some context as to why I am bringing forward these regulations now. The original decision to go down the route of mandatory tracking originated within the Granville Bay Agreement and discussions with France about making tracking obligatory within the shared waters. This was agreed in outline but then Brexit intervened. France went on to pass the necessary laws and we are attempting to do so now. In terms of the bigger picture, however, these regulations should be seen in the context of the move by western countries to move all fishing vessels on to mandatory tracking. Wales did this in February 2022 and England has been doing it in stages with completion expected next year. On 20th October this year the E.U. announced mandatory tracking for all its fishing vessels to be established and monitored by member states. We are therefore ensuring that our fishery regulations are in line with and at least as good as those from other European countries but especially those with whom we have fisheries management agreements. Tied in with the above is the need to be able to demonstrate what we are compliant with, what is known as I.U.U. (Illegal, Unreported and Unregulated) rules, that is rules on illegal, unreported and unregulated fishing. A demonstration of I.U.U. compliance plays a significant part in our ability to export to the E.U. and other countries. It is also required to maintain or draw in certain international management frameworks such as I.C.C.A.T. (International Commission for the Conservation of Atlantic Tunas) which relates to the potential blue fin tuna fishing. The ability to track vessels is also a major plus as it means we can trace fish and shellfish from the sea bed to the point of sale or export. This last point opens up the door to further eco-labelling opportunities as traceability is becoming a key requirement for fisheries wishing to be classed as sustainable, so there are good external reasons for this move. We are ensuring that we have a modern, fit-for-purpose fishery that can offer traceability assurances that will doubtless become mandatory within a short time. Ultimately, this amendment is a significant step forward to enable informed and intelligence-led decision-making on local and regional management measures and policies. Another key question in Members' minds will be what is the impact on the fishing fleet. This is clearly important and, as I have already said, larger vessels above 12 metres, both E.U. and British, already carry this equipment and have done so for some time, so they will experience no change. E.U. vessels, in our case French vessels under 12 metres, are already required to carry this equipment under their own legislation. For Jersey fishing vessels under 12 metres there will be a change. The proposed amendments will require a vessel to have on board and use vessel monitoring equipment. The system for Jersey vessels is referred to as I.V.M.S. (inshore vessel monitoring system). It is a local or short-range system that takes advantage of mobile phone networks as opposed to satellite V.M.S. which gives worldwide coverage but is more expensive to buy, fit and operate and not necessary in our waters. It should be noted that this new requirement will theoretically apply to all British-registered fishing boats under 12 metres while in Jersey waters, although in practice it is unlikely to be very effective because there are currently no fishing boats registered in other British registries which are licensed to fish in Jersey waters. Nevertheless, any British fishing boat, even if not licensed to fish in Jersey waters, would be required to have monitoring equipment on board and operational while transiting Jersey's waters. The I.V.M.S. equipment is easy to use, can report more frequently, and is cheaper to operate than satellite monitoring equipment. The I.V.M.S. equipment will be supplied by the Marine Resources Department to Jersey fishing boat owners and fitted at no cost to the fishers. Operational and maintenance costs will also be covered for a period of 2 years. The Jersey fishing fleet is made up mostly of boats which are less than 12 metres in length and so most Jersey fishermen are going to be affected by the proposal. Marine Resources has already been in discussion with Jersey fishermen

and industry has been notified about the proposal, and the industry understands the benefits from such monitoring and generally support the measure. I think it is probably true to say they are not thrilled but recognise that it is inevitable and therefore should be taken on board. It is also the case that most boats have already been fitted. At this point it is worth mentioning who has access to the information of a vessel's location. As some Members will know, there are systems, namely A.I.S. (automatic identification system), that makes a vessel's position publicly available for all to see. The system we are talking about here, I.V.M.S., is not publicly available and can only be seen by those in Government with the clearance and authorisation to do so, namely, marine resources' officers. It is also worth mentioning therefore that all requirements under data protection legislation have been complied with, with respect to the I.V.M.S. system, and the data generated. May I take this opportunity to thank the Environment, Housing and Infrastructure Scrutiny Panel for taking the time to consider the amendment and, in summary, I hope Members will agree that this amendment, if approved, will implement an important measure to further support the management of marine resources in Jersey's waters. I and the department have sought to minimise the impact, both operational and financial, to the industry and I urge Members to vote for the proposition.

**The Deputy Bailiff:**

Are the principles seconded? [**Seconded**] Does any Member wish to speak on the principles?

[14:30]

**8.1.1 Deputy S.G. Luce:**

Just to say that my Scrutiny Panel took a briefing from officers on this issue and that we are fully supportive of the Minister's intentions. This is a good management tool and will serve the industry well into the future.

**8.1.2 Deputy M.R. Scott:**

I am very grateful to the Minister for the explanation for the regulations. I just wondered if in his summing up he could just expand a little bit on the business about the fishermen not being thrilled, other than perhaps the kind of "big brother" concerns that might generally be in place, whether there was any other reason.

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

Could the Minister in his summing up please let Members know how many Jersey fishing vessels have broken the rules and have been prosecuted in the last few years?

**The Deputy Bailiff:**

I call upon the Minister to reply.

**8.1.4 Deputy J. Renouf:**

The points that have been raised, I think it is fair to say that fishermen are independent folk and possibly would prefer not to be tracked; however, it has been a feature of the larger boats for a long time and all French fishing boats are compliant now and U.K. boats are following suit in sharp order. I think it is generally accepted that that is the case and that it is therefore best to accept something rather than fight against something that is almost inevitable. It is worth pointing out that there are about 20, I think, vessels that have not yet responded to queries about the fitting of this equipment, and strenuous efforts have been made over a 2-year period now to contact them. Some are thought to be boats that are sitting in fields and not being used; some may be people who do not want to have these fitted. The purpose of these regulations is to make sure that they are fitted in cases of all boats that are active. In response to Constable Jackson's question, I am afraid I do not have data. It is slightly I think off-topic about the extent to which Jersey fishing boats have been prosecuted in the past. I do not have that data to hand; I would be happy to answer a written or oral question to that

effect but I think the purpose here, this is not about punishment, this is about good practice going forward. As I have said before in the context of the replacement vessels programme, we are in a unique situation, and a uniquely positive situation, in the sense that we do have better control over our waters now than we have had in generations. This is an important tool recognised globally. We have done everything that we can to make it easy for fishers to fit the equipment, to operate it, and so I think that really there is not much reason now why we would not want to push ahead and make it mandatory. So I would finish with that and call for the appel, I think.

**The Deputy Bailiff:**

The appel has been called for. Members are invited to return to their seats and I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The principles have been adopted unanimously: 40 votes pour.

<b>POUR: 40</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 0</b>
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy C.F. Labey				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner (H)				
Deputy I.J. Gorst				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				

Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

**The Deputy Bailiff:**

Deputy Luce, I need to ask you under Standing Orders if your panel wish to scrutinise this matter.

**Deputy S.G. Luce (Chair, Environment, Housing and Infrastructure Scrutiny Panel):**

We do not, thank you.

**The Deputy Bailiff:**

Minister, how do you propose the regulations in Second Reading?

**8.2 Deputy J. Renouf:**

I would propose *en bloc*.

**The Deputy Bailiff:**

Are the regulations seconded? **[Seconded]** Does any Member wish to speak on the regulations in Second Reading? All those in favour of adopting the regulations in Second Reading, please kindly show. Thank you very much. The regulations are adopted in Second Reading. Minister, how do you propose to deal with the regulations in Third Reading; do you propose them?

**8.3 Deputy J. Renouf:**

I maintain the proposition.

**The Deputy Bailiff:**

Are the regulations seconded in Third Reading? **[Seconded]** Does any Member wish to speak on the regulations as adopted in Second Reading? Yes, Deputy Ward.

**8.3.1 Deputy R.J. Ward:**

Just one small thing, the Minister talked about the devices being fitted by government and supported for 2 years. I just want to confirm that there is some evidence that the devices last longer than 2 years so that we do not have a situation where fishers are reliant upon these devices but after 2 years they become a very expensive thing to repair. It is a minor detail, I could have picked it up in the regulations, but I think Third Reading is the right place.

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

May I just say from the External Relations point of view, may I just put on record the appreciation to the Minister for his continued work in ensuring that our relations with France, which I know I was not here for the remarks he made, but our relations with France are being kept in such good order by such a responsible attitude of which these regulations are absolutely a part of that to ensure that we can continue to enjoy a local fishing industry but also in harmony with our French counterparts and French fishers in our waters. This brings equilibrium and I am grateful for the Minister for his work.

#### **The Deputy Bailiff:**

I call upon the Minister to reply.

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

Yes, I might just provide a little bit more information to Members. The system that we are using is a mobile phone-based system; it is very, very simple. The U.K.'s preferred system was, the units cost over £1,000 each. We found and sourced units which cost £60 each and we understand that several other jurisdictions are now looking at the option that we have adopted as a better solution, so it is better value for money. I said that we would pay for 2 years; Members may be worried that after that the cost will rocket. The current cost of operating these units is £5 a month, so it is not a significant or expected to be a significant burden. I can also say that of the licensed vessels, as I said, about 80 per cent have had or are scheduled to have the units fitted. Five are going to get an exemption. There is a clause which we did not discuss, but there is an exemption clause in the regulations which allows for boats which, for example, are unable to fit the equipment, that is principally if they do not have a power supply. So a very small boat which does not have a power supply will be exempt; we think there are 5 of them, so not many will come under that exemption. Yes, I think the direct question in terms of operating costs and breaking down, the equipment breaking down, I think the fact that the units cost £60 each would suggest that repair costs are unlikely to be great and if they were then they could be simply replaced. So with that I would call for the vote. I do not mind how it is done; you can choose.

#### **The Deputy Bailiff:**

Those in favour, kindly show. The regulations are adopted in Third Reading.

## **9. Increase in revenue expenditure for agriculture and fisheries (P.74/2023) - as amended (P.74/2023 Amd.(3))**

#### **The Deputy Bailiff:**

The next item is Increase in revenue expenditure for agriculture and fisheries, P.74, lodged by Deputy Luce. The main respondent is the Minister for Economic Development, Tourism, Sport and Culture. Deputy Luce, there are now 2 amendments: one lodged by you and one from the Council of Ministers, do you accept those amendments?

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

I do. As I said this morning, obviously I have my first amendment; the second one I lodged I have withdrawn now. Consequently, the amendment to that amendment falls away and I am accepting the Council of Ministers' third amendment.

#### **The Deputy Bailiff:**

Are Members content for the proposition to be read as amended?

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

Can I just check when declarations of interest should be made?



**The Deputy Bailiff:**

After the proposition has been read.

**The Greffier of the States:**

The States are asked to decide whether they are of opinion (a) to request the Council of Ministers to take the necessary steps to ensure States revenue expenditure directly on agriculture and fisheries, via the Rural and Marine Support Schemes, rises to at least £6.7 million in 2024 and increases in line with R.P.I.X. (retail price index excluding mortgage interest payments) for each remaining year of the Government Plan with compensating measures to offset the additional cost, and to lodge an amendment to the Government Plan 2024-2027 to achieve the realisation of this target. (b) to request the Council of Ministers to bring forward proposals to provide for the recapitalisation of the Agriculture Loans Fund in 2024, to a level sufficient to enable meaningful capital investment in the industry and not less than £10 million, including a transfer from the Strategic Reserve if there are insufficient funds in the Consolidated Fund.

**The Deputy Bailiff:**

Now, Deputy Ozouf, you quite rightly raised the question of declarations of interest under Standing Order 106, and Members must now declare an interest, clearly stating the nature of that interest if relevant to this proposition.

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

So thereby hangs the issue. My declaration of interests records properly, together with my 2 sisters, a substantial block of land in St. Saviour. It has not been updated because of the death of our uncle but the declaration of interest is large but it is not that large. But it is of course the case that the well-known passage of any government spending in terms of subsidies gets capitalised in asset prices and rentals, so it is an interest that is hopefully not going to be that way but can be. I just wanted to make it absolutely clear that I have an interest in land, and I am sure that other Members with perhaps other business interests as well within the supply chain of agricultural matters, it is a relevant issue but it is held by a class of people. Just as the States has often talked about being landlords in terms of residential landlords, here we have non-residential agricultural land owners which should be declared, and openly, and I believe that it has been made and I wish to express the hope that it does not get capitalised in land values but there is the risk that it does.

**Deputy K.L. Moore:**

Likewise, 3 of the fields that are identified in my declaration of interest receive rent from agricultural land.

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

I own a quarter of a farm property at St. Peter. None of the land is let and I gain no income from it but I just wanted to make sure that people were aware that I do own a quarter of a property, although I have no financial gain from it.

**The Connétable of Grouville:**

I also need to make a declaration that I have land in the Parish of Grouville which I rent to a farm.

**Deputy A. Curtis:**

I am currently in the process of buying 7 vergées of land and I intend to be farming that as a smallholder in the 2024 season.

**The Connétable of St. Mary:**

I have one field in St. Mary which I rent, and I thank the Assembly for reminding him that he owes for that rental.

**Deputy A. Howell:**

I, like Deputy Le Hegarat, own half of a farm with some land.

**Deputy M.R. Ferey of St. Saviour:**

Yes, I own 2 plots of land in the Parish of Trinity, although they are not currently rented out.

**Deputy S.G. Luce:**

I think it is right that I declare, as it is on my declaration on the States website, I am in receipt of a regular repayment on a loan from an aquaculture company.

**Deputy T. Binet:**

I wonder if it might not have been easier to ask anybody who does not have an interest to declare that. It would have been a lot simpler.

**The Deputy Bailiff:**

Well it is not the way it works, unfortunately, but carry on.

**Deputy T. Binet:**

In conjunction with Deputy Rose Binet, we rent land to agriculturalists, some warehousing, a small amount of staff accommodation and we have a business that supplies a certain amount of equipment and machinery, though in relation to that business it is relatively *de minimis*.

**The Deputy Bailiff:**

That is Deputy Tom and Deputy Rose Binet.

**Deputy E. Millar:**

I also own a very small field in Trinity which is occupied by a local farming family with horses. It is not income-producing, and I do not expect it to be, but I will make the declaration anyway.

**Deputy C.F. Labey:**

I have a reversionary interest in some land in Grouville. I receive no income from it; that goes to a usufructuary owner.

[14:45]

**The Deputy Bailiff:**

Well this is not an interest shared with a small number of other people which would disqualify Members from voting. Accordingly, those who have declared an interest can vote in this proposition.

**9.1 Deputy S.G. Luce:**

When I campaigned to become a politician back in 2011 I used a 2-word slogan and those 2 words were “Working Together”. Before talking about how our agriculture and fisheries industry have been working with Government, I want to beg the indulgence of the Assembly to speak very briefly about the camaraderie and community spirit and the working together displayed by all Islanders in the last few days. I have spoken to hundreds of my parishioners over the weekend and those, like myself, who lost power and water for a day or so do not dwell on their challenges, they want to see what they can do to help others, even those parishioners of mine who have only had their power put on in the last few hours are grateful. They are grateful for all the help and assistance they have received because we are all aware of others who are far worse off than us, and we all want to do what we can to help. I am not going to single out anyone but the emergency services, Honorary Police, utility companies, States departments, private companies, farmers, charities, health groups, Parishes, Parish families and individuals, they have all been working together across our whole Island and displayed

some fantastic camaraderie and it is truly humbling. I would just like to say thank you to all of them for all the work they have done over the last few days. But working together is also something that this proposition has benefited from, and over the last few weeks the farming and fishing communities have come together with Government to work out how we can move forward in this matter. I want to express my sincere thanks to both sides for finding the compromise that we have before us in this debate today. I thought long and hard about how to start the wording on this debate and the opening lines and I stood back and looked at the title and I was spectacularly uninspired, really. I read the first paragraph and thought some will see this as scaremongering and we have heard all this before. But I want to say to Members right at the outset, this is serious stuff - really serious - and if we do not act today then the Island as we know it is going to change, and it is not going to change for the better and it is going to change really quickly. Our trees and hedges may have taken a huge backwards step in the last week but we can, and I hope we will, replant and rebuild, but our wider countryside will not improve and our farming and fishing businesses will not have a future unless we take some action this afternoon. So right at the beginning of this debate I want Members to focus on and to think about derelict glasshouses, the blight of our wonderful countryside and the proverbial blot on our landscape. That is what you get when you stop investing and stop supporting and that is what is going to happen to our countryside because we can see through those derelict glasshouses what happens when a growing industry falls into decline. Do we want our fields and farms to look like those greenhouses in the future? Unfortunately, successive States Assemblies over the last 25 years have presided over a reduction in the numbers of those working in the fields and on the sea and in the growing and fishing industries because of lack of support and we cannot carry on like this. It has to be us, this Assembly, that breaks that mould and goes back to giving our countryside and our environment the support it deserves. The other thing I want to say at the outset is that everybody in here will know a farmer or a fisherman, someone who works on the land or milks cows or who derives a living from the sea or the seashore, and I want to say to Members to take 2 or 3 steps back from those personal links. I want them to see the whole picture, our countryside, our sea and our beaches, our biodiversity and I want them to suspend themselves 20,000 feet over our Island and look down because this debate is not about giving more money to individual businesses, this is about our countryside and our waters, it is about the whole picture and not about individuals. This is about finding a way to keep agriculture and fisheries in business because without commercially profitable businesses, our seas and waters, our countryside will resemble like something we have never seen before; a real mess. So where do I start? How do I come to be here today? I am here today because I was asked by members of the whole farming community and fishermen to a meeting and, as an ex-member of the agricultural industry and the aquaculture industry on the Island, I knew things were not good but I had never appreciated quite how bad it had become. We will know, because some of us will have seen it in the media recently, our leading, our largest potato-growing company is potentially in the throes of a takeover. That company has not made any money for the last few years; that is a company that has shown more initiative when it comes to productivity than any other. I spent some time with some of our leading dairy farmers recently as well. When I am speaking to those who are managing business and are over the age of 70 or where the people running those businesses know that they cannot find enough profit to employ a manager, or they know that if a tenant comes to take over their farm, that tenant will not be able to make enough money to pay rent or to buy the cows or to buy the machinery, we know that things are serious. We also know that if we lose another herd out of our Jersey Island herd that the amount of milk going into the dairy will drop to a disastrous amount. This proposition seeks to commit the States to providing guaranteed - and it is the guaranteed bit that is so important - guaranteed financial support for both our waters and our countryside in the years to come because without this commitment we will surely be looking at a different future, one potentially without those commercial farmers or fishers. It may have been said before but farming and fishing, Jersey's oldest industries, are on a proverbial knife edge because in the last 20 years alone we have seen arable farm numbers decrease from over 200 to barely double figures. The herd numbers of our Jersey cows, which were around 1,000 in 1954, have now fallen

from 198 in 1982 to a level of only 12. The total number of boats in our fishing fleet reduced from 328 in 1996 - 1996, not that long ago - to 114 in 2021, down more than two-thirds, and those fishermen continue to leave our industry. If these trends continue, then the export and local markets will very likely collapse due to lack of viable supply and those farmers and fishers who are left will have even less of a future. When I was farming I always believed that, when it was introduced, the Common Agricultural Policy, the European Union, was just unsustainable. The levels of money handed out to create the likes of butter mountains and wine lakes across Europe were massive. There were times when the very many millions of pounds and euros put into schemes to help farmers seemed absolutely limitless and national economy struggled to keep up with the endless financial demands from Brussels to support European agriculture but somehow the C.A.P. (Common Agricultural Policy) has endured and in 2023 it is active as ever. The monies being given to support farmers across Europe are increasing again. Not only are the E.U. schemes ongoing but this year each individual country will add further cash to support their own farmers so the level of subsidised competition for our Jersey farmers has never been greater. Jersey, by comparison, has never kept up with the E.U. and other jurisdictions when it comes to support. Last year our own financial support amounted to only £2.4 million or one-quarter of 1 per cent of government revenue expenditure. Back in 1973 the States were allocating £500,000 to agriculture on an annual basis, and that might not sound like a great amount, but back then it was 4.6 per cent of a £10.5 million budget. In 1983 it was 5.2 per cent. In 1993 it was still 4.5 per cent or some £7.7 million and even in the early 2000s we were still allocating 2.5 per cent, which amounted to over £10 million; that is in the early 2000s. What I am proposing with this proposition is to commit to a mere £6.7 million by comparison with an annual increase linked to R.P.I.X.. If one wants to look at how other jurisdictions support their industries per head of capita, then let us consider this fact: last year we spent £32 per head on agriculture and fisheries in Jersey, U.K. spent £55, that is 71 per cent more than us and the E.U. £118, nearly 4 times as much. Is it any surprise that our farmers and fishers cannot compete? To make matters worse, and as I have just said, the levels of support for our competitors is said to increase yet further with those E.U. grants being added to it at national level with new schemes. It is now the norm to farm and fish with the help of government grants and with subsidies. Without the right level of support our own farmers and fishermen are just not competing on a level playing field and this has to be addressed quickly. Indeed, if it is not addressed now they will not be able to compete ever again. The lack of direct support is just one reason. Other reasons include the cost of diesel, and I accept the prices are nearly 50 per cent higher than they were this time in 2020 and I accept that diesel affects other sectors, and it does. But who else has to also bear the cost of fertilizer, up 285 per cent, nearly treble, in the last 2 years? Plastics are immediately affected by that and also the main contributor, and one of the main reasons I am here today, the cost of increasing wages and very specifically the minimum wage. In the year to June 2022 the average earnings of workers in agriculture went up 21.1 per cent. Across all sectors in Jersey that number was only 6.2 per cent, and in the public sector 3.1 per cent. In the last 12 months to this June, those average earnings in agriculture have gone up again, this time by 19.8 per cent at a time when earnings across the private sector only averaged 7.8 per cent. These massive increases have mainly been because of the increase in the minimum wage agreed in this States Assembly. The last 2 years have seen wage increases for agriculture, each of which are greater than any other sector in the last 20 years. Last year the cost of wages and salaries through an official 4-farm sample - and this is a sample taken by government officers over 4 farms who submitted their figures - but their costs and salaries over the last year were 42 per cent of their total costs. These levels of wage increase are unsustainable and unless we act quickly farmers will not be able to survive the wage costs escalating yet further, as we are proposing to do. It is next year's proposals which are having an even more worrying effect. It is not another big step, it is another massive leap. I do not want Members to get the wrong impression. I am not saying this is the wrong thing to do and it is right that we chase the living wage so that everybody is paid properly. But if we accept it, the cost on the farmers next year alone from this proposed increase will be £1.7 million, £1.7 million, about half of the total industry support in 2024; half the support

wiped out by a single minimum wage increase. We know that the cost to the public purse in moving to that living wage is neutral but it is certainly not neutral if you are a farmer or a fisher, especially in farming, where the vast majority of your staff are at or close to the minimum wage. The projected increase in costs of wages, Social Security and salaries from 2021 to 2025 for those 4 sample farms mentioned, those farms will be losing about £1.5 million every year by 2025, they will be losing about that amount of money.

[15:00]

Farmers can break even for a few years and still survive but what they cannot do is lose money at these rates year on year. Those are not my figures, those are figures produced by government officers in the Department of the Economy. Some Members may say that just throwing money at this problem will not work. However, I have to say to Members there are 2 sides to every coin and farmers contribute far more to the economy than we might think. Those 4 farms, again official figures, last year contributed £1.2 million in social security payments. They added a further £1.1 million to the economy with I.T.I.S. (income tax instalment scheme) payments. Finally, they indirectly paid over £850,000 to the Exchequer in the tax on rent that they paid to landlords. The total input to States coffers from those 4 farms, £3.28 million. When you consider that between them they only received £580,000 in support over the year, then you start to realise that farming contributes far, far more than you might think. The results of losing those 4 units would be a loss to the Treasury of over £2.5 million annually. I repeat again, these are not figures I have made up, they are figures produced by our own Economic Department. But of course it is not just the quantifiable financial amounts that makes the real difference to our beautiful Island. The vast majority of our hedges are cut twice a year by the farming industry, the cost is hundreds of thousands of pounds annually. But it is the unquantifiable contributions that farmers make that sets our Island apart from just about everywhere else. What price can we put on beauty? What is the real value of our brown cows in green fields? How many people come to our Island every year because of our countryside and our views? Then add the publicity to the Island from our 2 main agricultural exports, the Jersey Royal and the genuinely world-famous Jersey cow. Our cattle alone have done more for our Island than anything or anyone else. Notwithstanding the Jersey cow population around the globe over the last century, they are now making a real difference to the quality of people's lives in Africa, and I make no bones about publicising this because I think it is fantastic. The D. for D. (Dairy for Development) initiative has since 2017 directly helped over 12,000 farmers in Rwanda; in Malawi a combination of the R.J.A and H.S. (Royal Jersey Agricultural and Horticultural Society) and Jersey's Overseas Aid have trained another 10,000; in Ethiopia and Zambia another 7,000 people. This initiative has moved the percentage of these African farmers who earn over 1 dollar a day from 20 per cent to nearly 90 per cent. In Africa right now we are making a real difference to people's lives, while here in Jersey our own dairy farmers are struggling to see how they can do much more than break even or where the future of their industry lies. Yes, I appreciate that the standards of living in those 2 comparators are very, very different but I say to Members let us look after our own dairy industry, just as we are helping to support those people overseas. I want to talk very briefly about fishing, the most dangerous and demanding of our local industries. Our fleet is also suffering from the same pressure of wages, fuel prices and market challenges. Since Brexit it has been increasingly difficult to export to the European Union. Fuel prices and wage levels have been the overriding concern. On many days in recent years it has been cheaper to leave fishing boats tied up in the harbour than start the engines and go to sea. The size of our local fleet continues to decrease, specifically due to those reasons and the total number of days at sea for our fleet is down 20 per cent in the last 12 years. But more worrying is the reduction in those fishers using lobster pots, a fall in the number of pots being hauled, a reduction of over 25 per cent down since 2017 alone. Our fishing industry is having to put greater and greater effort into catching less and less product and it is unsustainable. Additionally, there are even further pressures coming over the horizon for our local fleet; climate change is driving some of our traditional species, brown crab in particular, from our ever-warming waters and at the same time

we have other species, spider crab and octopus, to name 2, literally invading our waters and reducing lobster and other stocks. However, and far more importantly, the heavy restrictions potentially going to be placed on our industry by the new marine spatial plan and subsequent marine-protected areas may have a massive negative effect on fishing income in the short term. Only by increasing support on an annual basis and ongoing basis can we help our fishers through these difficult years to come. How that money is allocated will need to be agreed but what is absolutely sure is the fact that without additional support our fishing fleet will continue to decline. But this is not just about throwing money at a problem, this is far more than a problem. This is about the survival of farming and fishing in Jersey but, to be honest, it is not just one-way financial assistance. When asked, the public of Jersey have used these words to describe our Island countryside, again, official figures that these are the words they used most often; beautiful, green, green lanes, accessible and unspoilt. They also said that farming and fishing needs our support. In return for supporting our traditional industries we get hugely reduced food miles. We get increased food security and I would like Members to think hard about that one, given the weather and also the challenges of importing product from some of our traditional places. We here in Jersey have available to us a wide range of genuine Jersey products in our local shops; crab, lobster, oysters, mussels, royals, milk and all our other locally-produced dairy products and vegetables. We enjoy a beautiful countryside, we receive direct economic returns to the Exchequer. Farming and fishing contribute hugely towards our Island culture, our heritage and our sense of place. We benefit from, by the countryside and the seashore, increased well-being of Island residents and visitors. We get so much more for our money than simple grant funding and support. I very much hope not that some in this Assembly may say that we cannot afford to support this proposition but I say to those Members we cannot afford not to support it. Farming and fishing, our countryside, our waters, our whole environment needs our help and it needs it today. I make the proposition.

**The Deputy Bailiff:**

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

**Deputy L.J. Farnham:**

Sir, I was not in the Assembly, but I would just like to make a declaration of interest as an owner of agricultural land in St. Ouen. None of it is currently rented, so if anyone is interested perhaps they could give me a buzz.

**The Deputy Bailiff:**

Thank you, Deputy Farnham. Does any Member wish to speak on the proposition?

**9.1.1 Deputy A. Curtis:**

I am speaking, as well, as rapporteur for the Minister for Economic Development, Tourism, Sport and Culture, who cannot be here as he is on an A.P.F. (Assemblée Parlementaire de la Francophonie) event. I would like to start by apologising to the Assembly for the point just at the beginning of public business for not being here when you called about the minimum lodging period. I would also like to re-declare my interest as someone who is currently buying land, looking to farm it, so I definitely see a declaration needed to be made. Agriculture has been under pressure and I think all Members in the Assembly recognise this. Changing growing dynamics, heavily subsidised food import and large-scale producers of covered crops being challenged by the mainland, not to mention planning for succession and fluctuating costs well above inflation, has hit the industry hard. I am sure Members will understand that challenge and the scale of it from what Deputy Luce shared in his opening proposition and his report. The Minister and I thank Deputy Luce for accepting the Council of Ministers' amendment. This, as Members will know, came as a result of productive conversations between Ministers, the Deputy and the industry and I think reaches a good position in which the

industry, if adopted, can grow from. The amendment, now part of the proposition as read, addressed 2 elements. Firstly, it removed a tie of 1 per cent of funding, notwithstanding the challenges of tying any government funding to government expenditure, that the Minister for Treasury and Resources may wish to touch on, the allocation proposes a minimum of £6.7 million and suggests tying this with R.P.I.X. There is no perfect measure as to how to project the onward forecasting of the support that the industry will need and the R.P.I.X. is not the perfect measure, nor would the minimum wage be. There are both procedural challenges with that; the risk of influencing the Employment Forum's decision-making and the feeling that we would be holding down the minimum wage so as not to increase support. But it must be recognised that the challenges facing the industry often go far beyond R.P.I.X. and sometimes fluctuate out of line with other pressures. Fuel, feed and fertilizer have hit the industry incredibly hard over the past few years and that impact has been a magnitude greater than R.P.I.X. It is for us, as a Government, and for the Assembly to keep a finger on the pulse as to what challenges emerge and what challenges the industry faces. It is important that we support this industry, as long as it is prudent and well-directed. It is important for us to thank the Rural Marine Economy team. Their work on the economic framework for the rural environment provides us with a clear and productive mechanism for providing support and planning for the future. Through this different farming activities are awarding the farmer with different forms of credits, that can be anything from hedgerow management to the management of livestock, all the way through to being organic or L.E.A.F. (Linking Environment and Farming) accredited. This means that when we are directing taxpayers' money to the industry, taxpayers, as we have heard, see the benefit that the rural economy brings, both for the food that we eat and for the landscape it looks after. This is not about just financial aid, this is about political will. I was at the S.C.O.O.P. (The Sustainable Co-operative) A.G.M. (annual general meeting) 2 weeks back and there was fervent energy in the room about a changing tide about agriculture in Jersey. We are not purely looking at commodity food or export markets and we hear greater excitement about food systems, our resilience on Island and public health. These are all things we need to invest in, and agriculture and fisheries is one area we need to do that. I would like to take off the rapporteur hat of the Minister and wear one and lead in some personal experiences, if I may though. If the Government wishes to put money in the direction of agriculture, whether that be through arable, livestock or marine, we need to address some of the structural challenges that prevent one of most important elements of this industry and that is of succession. For every farmer or farming family that leaves the industry, how are we creating the conditions for new entrants, often members who will be first generations? I do speak, having declared it, as someone who for a number of years has just tried to do that. At times I have felt dismissed or treated as naïve but I do want to recognise the wide-ranging support and excitement from many, in industry and out, that there could be people who want to invest in the countryside. What, in my view, is stopping the Island from turning a corner and growing agriculture, especially for the local market, is the support for new entrants and where they will farm. If you ask a new farmer or someone studying abroad who has gone off to hone their trade in agronomy perhaps, where they would like to farm, many people would like to return to Jersey. If you ask them: "Which building are you going to do it from?" that is where their mouth stops? If they have not inherited a farm, if they do not work on someone else's farm they may have no opportunity. Our Island Plan asks farmers, new and old, to ensure we use existing land and building stock. It makes it incredibly hard to approve new buildings. The Planning Committee recently were shown a site by some fantastic organic farmers up in Trinity with a recommendation from the department to not allow them a site for them to perform their organic activities with horses and preparing of grain. The committee, that I did not sit on that day for that applicant, overturned that, recognising the impact.

[15:15]

But the scrutiny was on. Why were other buildings not considered, why were other sites not considered? The reality is there were very few left and those that were, were not open to them. We make it incredibly hard for new buildings but we make it, arguably, far too easy to lose the existing

assets we have. If I recall correctly it was the former chair of the Jersey Milk Marketing Board last year who raised this at the farming conference. I should say, finally, that Members might be confused about this form of debate. The debate asks for the Council of Ministers to prepare an amendment to its Government Plan. The reality is this is not the correct place to be having this debate. Members who wish to propose financial changes to government finances should bring their own amendment to the Government Plan. This places the Council of Ministers in a practically impossible position. I suggest this may be an area that P.P.C. look into in future in Standing Orders around the lodging of amendments with regard to Government Plan finances. But notwithstanding this, on this occasion I am able to support the industry and through this proposition.

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

Just a few words about this. I think we all want to preserve what is best about Jersey and our traditional industries, such as farming and fishing, are central to what Jersey is, what it means to us. Supporting farming and fishing will improve our food security and that is something that is growing in importance, what with the problems of climate change and increasing international instability. With more financial support our farmers can afford to pay their staff a reasonable wage, can focus on improving their product and can look after the countryside. I am sure we would all like good food, fields and trees and improve biodiversity; for this end we must support our farmers.

### **9.1.3 The Connétable of St. John:**

I would like to congratulate the Deputy for the work he has done on this proposition and also for having such a good campaign slogan in 2011, “Working Together”. I have also been very impressed by the constructive manner in which all parties have worked together to reach an agreement. I would pay tribute to all sides, including the officers, officers who have worked tirelessly to provide data so we can make an informed decision. Only last week we discussed the lack of support given to the industry during COVID, this despite increased costs. Colleagues were surprised at that but, sadly, it is a fact. We gave more support to a rugby team than we did to our agricultural industry; something I am ashamed of. We have seen some frightening statistics in the letter that we received from the Royal Jersey Agricultural and Horticultural Society and the Jersey Milk Marketing Board, and repeated by the proposer about the small size of active herds we now have on the Island. My family would have been one of the 373 with a small herd before 1973 and, like so many local families, not one of my family entered the industry. I am impressed with the work of some of our young local farmers who have engaged on social media. In fact 2 that I can think of are grandchildren of the farmers who were neighbours of ours in St. Saviour some 50 years ago. They are to be encouraged in their work and the communication that they are doing, as we need to encourage more people to join both our growing and dairy industries. Food security just mentioned by the previous speaker is a genuine issue, also mentioned by the proposer, not just for Jersey but we have seen the recent events in Eastern Europe had an impact on global availability of wheat, for example. Only last week we saw the reaction of some Members of this community when they feared a boat would not come in. Those who watch what is happening in the rural economy will have seen the real progress made in terms of productivity, be that in dairy or in growing, many manual processes having been automated. I believe that the industry has also made great steps in terms of its employees, both in terms of pay and accommodation. Farming is a very different industry to the 1970s. The standards that the businesses have to achieve these days are unrecognisable; quality assurance, the environment, health and safety, to mention a few, are all needed to be able to sell their goods locally, nationally and internationally. My colleague, the Constable of St. Martin, paid tribute to the farming community during questions this morning for their efforts in recent days; something I am sure we all echo. I urge all Members to support the proposition as amended. Let us demonstrate to existing farmers, and probably more importantly to youngsters, that this industry and fishing is valued by the States in our community.



#### **9.1.4 The Connétable of Grouville:**

Deputy Luce I must also congratulate for bringing this proposition to the States. I support him wholeheartedly in this proposition. I would just like to add again after my colleague from St. John just said about food security and tell you a little tale. I was very wrong when I went to the Ministry to talk to Deputy Morel about the food security we have here in Jersey, which I am very concerned about. I told him that it would take 2 days for our shelves to empty in our supermarkets; how very wrong I was. They were empty the day before the storm and guess what was still on the shelves at a very well-known supermarket in Rue des Pres, St. Saviour. What was still on those shelves, ladies and gentlemen, was our milk; that is something to be proud of because we were still feeding our population at that moment in time. That is what I am talking about. Food security, it is vital and we need to support this industry and this proposition.

#### **9.1.5 Deputy M.R. Scott:**

I have to express support for this proposition and yet a certain ambivalence, and I will explain why. First of all, yes, the farming industry is important to the Island. There is an existential crisis and I very much applaud Deputy Luce, not just for the work that he has done on this proposition but also for his incredible knowledge in this area. If any of us have been a member of the Economics and International Affairs Panel, he chaired it, because he has so much knowledge in this area. I believe that Deputy Curtis has made some good points. There is absolutely no doubt that there needs to be effective support given for farmers. But at the same time where I have certain doubts - I will go through this - but let us go for the reasons to support it. The existential crisis, all those things that Deputy Luce said, apply. If we appreciate the countryside, we appreciate the roles of farmers as custodians of the countryside, then we have every reason to give this support before we see this slipping away. Our work in Africa is truly to be applauded, although I have to admit I am an inveterate scrutineer. I have asked some very searching questions on this, even in this, because I know how the industry struggled for support and I am always looking, all right, okay, are people trying to divert funds that way? Not that it should not have the support but it is not really being properly addressed in the way that I believe many of us would like to see. I do not like when people are just kind of talking about all these wealthy farmers and all this sort of thing, when in fact when you look at the produce you are working off very low margins, people generally will not pay a lot for food, they do not want to pay a lot for food. I do find it a bit frustrating about the way that these subsidies have ended up going towards ... more and more being sucked up into the increases in the minimum wage when there was not even at one point a contemporary increase of the accommodation allowance, just meaning that farmers had to pick up more. I do feel that there needs to be a bit more thought given towards that accommodation credit rather than this money just perhaps being diverted straight into the ... in one way rather than in another; that is a different story, I guess. I do believe, and one of the reasons why I really felt like supporting this proposition from the start, were the merits of the fixed percentage because we have one for arts and culture. My source of thinking there - excuse my cynicism - is that when Government seems to be diverting money in areas that we may say are not such a great cause which are not so cost-effective, at least if you have a fixed percentage you can ensure that money goes there. But this actual proposition has not really been scrutinised in great depth and neither, to some extent, perhaps as the rural economy scheme. I do believe that there is more work to be done. My concerns there in terms of perhaps how the money is distributed, perhaps just the whole sum of the actual basis in which the subsidies are given out, the possible folly and the competing with jurisdictions that have so much more to give farmers in any event and in terms of the economies of scale. But also recent questions I have asked about the subsidy scheme, and I mean people have been talking about food security. I asked the question: could it be used to, say, subsidise the growth of medicinal cannabis as a speculative investment? The response I got from the Minister was: "At the moment the amounts are too small for anybody to do that." That did not give me much comfort. The support of fishing, I mean we beefed up, we bumped up the support that was given there but it was not all distributed. There is still some work to be done in terms of the

giving of that support. I will support this proposition but I think there is a job for Scrutiny and I think that an overall concern that I have, as I keep standing up in this States Assembly, is that as we keep approving more and more things for good causes, as we see more money slipping away through our fingers, in fact I am perhaps referring back to a point made by Deputy Andrews, without thinking, have we addressed perhaps an element of the dysfunction here? Are we really ensuring that money does not get wasted on the way? I believe there could be working this all through, putting in amended detail, amendments, there is not really the time for that but there is some more work to be done. To some extent people look to the Economics and International Affairs Panel to do it, all 2 of us, while you carry on looking at other areas that may be of interest to you; well we will do our best.

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

I rise with some trepidation, being a Deputy of St. Saviour, where I know that there are a number of farmers in the gallery in St. Saviour, and St. Saviour is of course the dominant Parish, I think, for cattle. I applaud too Deputy Luce's initiatives, and he is bringing and shining a light on the clear reality of what is called an existential crisis in agriculture. It is, however, not simply sufficient to really delve into the detail of this, except that there is detail. The agricultural industry is not a single industry, it has different externalities and different factors which affect each one of them. In trying to summarise what the position I think is, and I will come to the actual meaning of the debate and what this actual debate will mean and how we vote on it in the second part of my remarks, but I call to mind the great, late Colin Powell who in 1971 did an economic survey of Jersey when agriculture was certainly the dominant industry but then a rising tourism industry. His recent book published - I commend it to Members if they have not read it, if they have not got a copy - the book that he sadly did not finish before he passed away but was finished and is now published, and Mr. Powell in 1971 in the economic survey pretty well forecast what the economic situation was. He was not a prophet but he was pretty jolly well right in predicting what would happen in our various sectors. In his book when he reflects on that past it is worth us reminding ourselves of what he thought.

[15:30]

Because he says - and I will just quote 2 paragraphs from his book - it says: "Over the centuries Jersey has enjoyed the fruits of a variety of industries, in large measure all of the industries were the product of a combination of circumstances presented to the Island over which the Island itself had limited direct influence." At the same time Jersey has shown a keen ability to adapt and change and that basically explains the background of what we did in Jersey as we look back. This debate and my sadness, I suppose, in one area is the fact that we are looking back and not maybe forward enough. Because looking back we can see dominant industries in Jersey, of knitting, cider export, agriculture in all of its facets, tourism and finance. Mr. Powell explains in his book what the reality of it for each of the industries that we have seen come and go, there was a change in trading climate over which the Island had little, if any, influence. In large measure, however, the Island has enjoyed good fortune that one industry declined but another opportunity often presents itself. He goes on to explain why you should seize opportunities in the future. It says: "Arguments for government protection of industries that have little relevance in circumstances." I would suggest that economists, such as Mr. Powell, would be of the view that, effectively, subsidising a dying industry is not what we should be doing. I say that not to any way condemn our much-valued agricultural industry to the past because I think the word that I detested most from the last Government was the fact that they called it a legacy industry. It is not a legacy industry. It is only a legacy industry if you keep it in the past and you carry on subsidising it. If I may take one issue with Deputy Luce when he talks about glasshouses. I was part of the Finance and Economics Committee who made the difficult decision to withdraw subsidies for indoor glasshouse production because it was never going to be viable. It was an export that could never survive because we lost our ability to have zero tariffs of export of tomatoes. It was problematic in the 1970s with the oil crisis and then it became completely unviable. Today if we had not made that decision we would be facing an annual bill probably of £2 million or £3 million a year

just to subsidise, effectively, to make Jersey indoor tomatoes competitive to the export markets to the U.K. of tomatoes. The problem is what we have done with the glasshouses, which is nothing. Part of the decision to withdraw the subsidy, give farmers 3-year subsidies upfront, tell them we are withdrawing it, they were supposed to repurpose their glasshouses. Those are the glasshouses which were supposed to be repurposed and some of them have, they are garden centres, they are great locations, there are great things happening on some, others have been redeveloped for housing and others are laying derelict and some got subsidies for the 3-year roll up and others did not, which is another problem. I am afraid to Deputy Luce, I say you cannot simply carry on subsidising something which is uneconomical, and that is the export industry. Our dairy industry is not an export industry, it is a domestic industry. I am afraid to say that I also take issue ... I celebrate, I have been part of it since the start, the fantastic issue of the Jersey cow in Africa but that has got nothing to do with today's debate. The dairy industry today is only more productive and profitable because this Assembly allowed the importation of bull semen from Jersey breeds outside of the Island. It only exists because we did a reverse thing because the production of a cow in Canada or Australia or New Zealand was much more advanced than our closed herd in Jersey and it has got a future and we should support it. The Jersey Royal industry is the thing that troubles me. It is an export, okay, we all enjoy talking about it and we all enjoy eating it on our plates but it is an export. If it cannot stand on its own 2 feet without subsidy being an export, then one really has to question whether or not it has got a future. In terms of the fishing industry, I completely agree with Deputy Luce, we can open markets, we have got a fantastic range of shellfish. As the Minister in the previous proposition said about licensing of vessels, we have got a whole opportunity to basically open markets for what is a demanded product because the French love our crustaceans and our other produce from the sea and fish quite a lot of it and move it straight in without all the post-Brexit problems that we have got. There we have an industry that Government can help and assist open markets that are good and profitable without subsidising them. Government support is about making access to markets open and making that work. It is not about providing subsidies that are going to prop up industries of yesterday. It is really hard to say it, people do not like change, they like looking back at the past and saying we want a great past. As Colin Powell said: "A distinction to draw between the past and the present involves industries which the Island depended on in past centuries is in large measure a single product and changes." He says it in his book: "If you carry on pretending that the world has not changed, that those externalities have not changed, you are going to create, effectively, an economy that is basically beleaguered, being unable to change and adapt and innovate." That is what we have done and what we have proven. Can I just check the time limit, Sir? It is 15, yes.

**The Deputy Bailiff:**

It is, yes.

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

I thought it was 10, my memory is obviously failing me. What I would like to hear from Deputy Luce, and I must say I am troubled by the fact that I have not been part of the Ministerial Government Plan discussions, and this is the first I have heard of it by the Economic Development Department that they have got a problem with agriculture. Because we have been through a very difficult Government Plan process, we have had questions in question time earlier. We know that there has been a right battle between Ministers to, effectively, cut the cake that is available because we have available money and it needs to be allocated towards priorities. I must say I was not there at the table at the time but where was the Minister for Economic Development, Tourism, Sport and Culture or his Assistant Minister advancing the case for this scale of money? It was £11 million and now we are going to go and compromise it with £6 million. I almost cannot believe the fact that we are having a debate. One minute it is £11 million, next minute it is £6 million and we have got Deputy Luce telling us today that it is today that we need to make a decision, as if it is a guarantee for the future. I do not need to ask a ruling from the Chair, Sir; this is a request to the Council of Ministers to include

£6 million for a budget that is only one year. It is about as useful as a chocolate teapot in terms of its certainty. It is not certain. If it makes Members feel better that they have all stood up and said: “We support agriculture, we want more money” they are kidding themselves. There is no guarantee. As the remarks of Deputy Curtis in his concluding paragraphs was accurate, is that I think he conceded that this was the wrong debate today. The only way that this Assembly can make an allocation of money with certainty, because the last Government did away with a 3-year plan and it is only one year at a time, there is no certainty outside of one year in terms of spending; none. I lament that change and I advance the view that we should go back to multiyear guaranteed spending. There can be no guarantee to the farmers listening on the radio, to the fishers, to the dairy farmers that there is going to be certainty because this debate is just a debate with no consequence, other than a request to come back to the real debate in the Government Plan in December for an allocation. I am really troubled with the fact that we are having a pre-Government Plan debate which is going to tie the hands of the Council of Ministers. This really, I must say to the Deputy, should be an amendment to the Government Plan because nobody can guarantee anything under the Public Finances Law any future expenditure; it is not possible. It is one year at a time. I am the Minister for Treasury and Resources who brought the multiyear, at least 3 years was better than one and everybody celebrated it, we now know not of that. To suggest that this debate is the day that matters for agriculture, I am afraid it does not because what the Council of Ministers is now faced with and I am not sure, having only arrived back in partial office last week, that the Council is absolutely in favour of what the unintended consequence of this is because our Minister for Treasury and Resources has told us that with the Consolidated Fund available cash and the money having already been allocated, the only way that this is going to be able to be funded next year is a pro rata cut of all Ministerial departments. We have got the chair of the Health Scrutiny Panel and other member of Reform advancing questions that maybe there is not enough money for health. Are they going to take a cut from farmers, is Home Affairs, is Social Security, the big spenders? I have not heard agreement around the Council of Ministers’ table that they are. I know External Relations did not get everything it needs and if we want to open markets and help fishermen, I am afraid we need to invest in our French relations, which is what we are doing. This is really difficult because this debate is one of those that is an emotional one that gives the impression of support but is lacking in detail, is lacking in evidence. The evidence that is being provided is the wrong evidence by suggesting that we match farming subsidies from the places that get it wrong, which Europe has got it wrong; the U.K. might be getting better. I must say I have been very impressed by the officer within the Economic Development Department, and I will not name him but he knows who he is because he did at least assuage my concerns that if money is allocated ... if it is allocated it is going to be along the lines of what should be allocation. Yes, I agree completely, we have got the Howard Davis Farm. It was left to the people of Jersey for the advancement of agriculture. I do not see much advancing in agriculture at the Howard Davis Farm these days though, today it looked very unagricultural the last time I went there. If you are serious about providing a future for agriculture we have to invest in a viable future. We have to be realistic about what we can do, what we can do to help farmers. We need a separate strategy for the dairy industry because that is domestic production and I agree that we need to do more, that the arguments have changed, we can do more domestic production. There is a food miles issue, growing more food for locals, we have seen that over the last few days; that is absolutely right. The issue for fishing, yes, we can open markets, hopefully we can get a Granville S.I.V.E.P. (Veterinary and Phytosanitary Border Inspection Office), so we can get sanitary inspections so our fishers can get their merchandise into French ports. But I am afraid to say that I am very concerned that this debate is not the debate which Deputy Luce is advancing, which is the one day with a solution.

### **9.1.7 The Connétable of St. Saviour:**

I will be brief. In the last Government I was involved in food security, as was Deputy Luce. Some of the paperwork I read on that was quite frightening. The supermarkets brought in something they

thought was a brilliant idea - and it is as long as it works - called just-in-time. You do not need the big refrigerated warehouses, it comes straight off the boat, straight to the supermarket and away we go. But, unfortunately, we found out with the inclement weather that does not always work. As has been touched on by the Constable of St. John, the world is in a pretty bad way and things could get worse very, very quickly; I hope I am wrong. But if things do go south we are going to need every farmer and every fisherman we can. If you think during the Occupation there was, I think, just over 20,000 residents left on the Island and at the height probably about 30,000 occupying forces and the really healthy farming community we had at the time just could not supply enough and obviously the Island was saved by the SS Vega. But we now have double that population - I think we are about 107,000 residents - so we have really got to pull out all the stops and make sure we do have food security and support our farmers as best we can. We have lost far too many farmers and farming communities in the last few decades.

[15:45]

I think in St. Saviour now, I will be corrected if I am wrong, we have, I think, 3 dairy farms and certainly would not want to lose any more. We really have to look after our farmers. Deputy Luce said his slogan was all work together, and the last few days have shown that, that the whole farming community and everyone and non-farmers all mucked in together to get the trees moved and all the routes open to keep the Island moving. I will not labour the point but I will be fully supporting this proposition.

#### **9.1.8 Deputy S.Y. Mézec:**

I do think that Deputy Ozouf was a bit harsh on Deputy Luce for the process that he has adopted in pursuing this. With this proposition, which appears he has worked with the Government to refine the wording on it to get it to a position where it is acceptable to the majority of us, is seeking an indication for what the States wants to see and give mandate to the Government to then pursue an amendment to their own Government Plan, which we will come to later. If we are satisfied with the detail, as it is proposed by the Government, we can nod it through and if we are not totally satisfied we have another opportunity to tweak it in the wider context of that debate. I do not necessarily think there is anything drastically wrong with that process. I will not speak for too long on this but I wanted of course to put firmly on the record Reform Jersey's absolute support for this proposition. As Deputy Catherine Curtis stated before about how this is completely in line with our values, not just on preserving Jersey's countryside and supporting that important part of our economy, but also the things that make it nice to live in Jersey. Part of what is so special about our culture and our way of life and everything that goes with that, with food security that other Members, I think, have put better than I could. We were very grateful to, on more than one occasion, meet with representatives from the Jersey Farmers Union and them help us understand the issues underpinning this and some of the difficulties that they have faced, in particular the 2 big ones that we discussed were support for new farmers entering the market. That is something that Members have raised and it is good that that is firmly on the agenda to make sure the next generation of farmers will get support and be able to continue that important part of Island life and our economy. But also the difficulties that they have faced with the ever-increasing minimum wage, that is an issue that for almost 10 years now we have firmly pushed on to bring Jersey's minimum wage to the living wage on the basis of our principle that everybody who does a decent day's work ought to get a decent day's pay for it. Though we recognise that some industries will struggle with that, we prefer a solution to that which is based on a more generous subsidy model, rather than not having a higher minimum wage, which has implications for other parts of the economy too where that would not be justified. Now to see that the conversation on that has moved on and this Assembly, I suspect later on this afternoon, will adopt a proposition that puts that firmly on the agenda and sets us up for what will hopefully be a good moment in the Government Plan where there is a substantial increase in the funding that we give to those parts of our economy, that will be moving that conversation forward helping them cope with

the increases in the minimum wage and hoping to set them up for future developments as well. We are firmly in support of this proposition and hope that the rest of the Assembly will support it as well.

#### **9.1.9 Deputy T. Binet:**

I think I am going to have to apologise to Members of the Assembly and my former colleagues up in the balcony. I had written a short speech which I am happy to throw away and have to speak from notes and off the top of my head, mainly as a result of the comments made by Deputy Ozouf. In Deputy Ozouf we have a highly educated man who gives us the perspective from Broad Street, and I am going to treat the Assembly to the thoughts of a non-educated man who spent most of his time plodding around in fields. But I do carry with me a little bit of experience from the industry and I can help to inform Deputy Ozouf a little bit more about the tomato industry. As I recall, we had a very good, very productive tomato industry but it was all centred on one main U.K. retailer. In their wisdom they decided to move those sales over to Spain, which that was really the collapsing factor for the industry. But it has to be said that 12 months later they come back to ask if the industry could start again because they could not get the quality of produce that they expected to get but by that time it was too late. I think if people are going to talk about the industry and make comments, as the Deputy has done, then there is a requirement to be accurate. It is strange, Deputy Ozouf, it is a shame he is not here to hear this but he was part of a Government for a very long time, and if we go back 15 years the Jersey Royal industry was exceptionally efficient and I have to say extremely profitable. But I do recall Deputy Ozouf saying that he and his colleagues have decided to licence a competitor to come in because the Island needed competition and competition we had. Because it was one of the biggest companies in the U.K., it invested against the local company, the resulting consequences were that we went from being highly profitable to both sides getting involved in a bloodbath, a multimillion-pound bloodbath because the new entrant could not make a success of demolishing the incumbent; that business went round offering huge sums of money to the retailers in order to buy that business. The consequences were, in my view, near fatal. We may be in a position where everything may end up in the hands of one operator; that would need to be very, very carefully licensed. But there is an opportunity for the industry to become profitable again and I think that is an important point for people to bear in mind. It might also be worth considering that we draw tens of thousands of product that get put on to our supermarket shelves for us to eat. We are drawing from the global supply chain and I think it is quite important that we contribute something to it. I have not checked the figures but I believe we are probably still exporting something in the region of 20,000 tonnes of very good quality produce, hundreds of thousands of litres of milk products and all of those are premium quality and likewise with seafood and shellfish. We supply a lot to the local market and we export some across Europe. These are all important things and you also have to bear in mind from an economic point of view that 20,000 tonnes of produce on a boat going back to the U.K. saves a number of millions of pounds that would be added on to the products coming in to get the balance of payments right for their ferry company. Before we take too much notice of Deputy Ozouf, we need to bear those things in mind as well. As it happens, my speech was basically repeating what Deputy Luce and Deputy Curtis have had to say. I hope I have said enough to encourage people to support the proposition.

#### **9.1.10 Deputy A. Howell:**

I urge everyone to support this proposition. It is really important to have locally grown fresh, nourishing food, including vegetables, fruit, meat, potatoes, fish and milk. We need to support our farmers and fishers. My only regret is that we are only asking for £6.7 million because I do not think that is enough. I think our milk producers and our farmers and our fishers are really struggling at the moment and I urge you definitely to support this. But I think it is a great shame that we were not able to tie the Government in because if we do not have food we could all die. If everything closed down and we do not have any food to bring in, we are in a mess. I suggest that we support Deputy Luce.

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

It is very interesting, is it not, what people's different perceptions are of what we do or do not support? I come from a farming background and everybody knows that. I have seen various things change over the years quite significantly. I do not know, because my father is no longer with us, but I certainly remember him saying that when Jersey was discussing whether we did or did not go into the E.U. of course when the U.K. did and we chose not to. I think he probably perceived that as an error because we could then never compete with what they were providing across Europe. I do not know if my facts are true or false, but this is my perception that the U.K. joined the E.U. and the E.U. became bigger and bigger. At that same time we lost a lot of our agricultural exports, at the same time, as I would suggest, we also started to see a decline in our tourist industry. They may not be linked but, in my perception, they probably are. The thing is if we leave things to go south, so to speak, where will we end up? Okay, we have a very good finance industry, but will we always have a good finance industry? There is nothing to say that we will. The interesting part as well is, because I am old enough and have done a lot of jobs, I have also worked at the Department of Agriculture in my very distant past. Part of that role was on the Loans Committee. I used to assist the manager of the Loans Committee. They had a system whereby if people needed help and assistance they came to the committee and things were looked at in relation to financial loans. Those loans were given over a period of time and paid back. That was the point that was raised by Deputy Alex Curtis about new people coming into the industry. We do have to be minded of do we want to lose everything that we have about the Island or do we want to do something constructive in order to move forward? Also, as I said, there are a lot of qualifications needed for this industry. They have to go online for everything, they have to do all sorts of things, and they have to belong to the Red Tractor. There are all these different things and all these different obligations, which all cost money. As Deputy Binet rightly said about imports in and imports out, and I would also ask the question: when we are importing food, what are we importing? Are we importing things that we grow locally? One would question why we are doing that. Why are we bringing in food that we have locally? There is always going to be a balance with that. The one thing I was going to mention, and this is a total off the mark ballpark comment, we as a Government approved hot meals for children in schools. I would like to ask the question: where are the fruit, vegetables and meat coming from for these new school meals? Should we not be considering how we can secure that money that we have said is going to go to that particular thing to use what we have locally? Therefore, we are keeping local money within the economy. I am sure we have not even bothered. We all seem to want to have everything cheaper. What we should be doing is financing things properly towards the agriculture, farming and fishery industries in order that we can keep things more on-Island and make them more cost-effective for people to be able to buy them. From my perspective, I will support this. Yes, I do have a history in the farming community, but I do also think that we do have to recognise that it is not only this week's storm, it was the storms of 1987, the huge amounts of snow that end up drifting everywhere, who clears all those roads? I think you will find most of it is in the community, and that is farmers.

### **9.1.12 The Connétable of Trinity:**

I will not repeat what other Members have said, but we can all pick up the direction of travel with this debate. It is important that we do get behind our farming community and this proposition that Deputy Luce has brought today. I am hoping that the right result will ensue. When we leave here today, we do not want to think: "Well, that is a good job done" and pat ourselves on the back. We need to think that this is the start of a journey. A start of a journey which is going to see our agricultural and fishery industries reinvigorated. People, and young people particularly, want to follow into this industry. Without those generations coming along and continuing the good work that has been done keeping our countryside green, providing food for the table, that we are all going to be in a bit of a mess. This started out as a debate to provide 1 per cent support of agricultural and fishery. It has been whittled down a bit, by negotiation, and that is to be applauded, but not to think the job is done.

[16:00]

We can spend 1 per cent of what we do regenerate on our art and culture, but when push comes to shove we can survive without art and culture, but try surviving without food on the table. That is where we need to be heading. Please support this, get behind the proposition, and send a loud clear message to the Council of Ministers that we want to start on that journey to reinvigorate these industries with as much support as they need for future generations.

**9.1.13 Deputy J. Renouf:**

I could not resist standing to respond in a way to the Constable's comments, because the job is indeed not yet done. This is, in many ways, an easy proposition for Members to support. I cannot detect anyone in the Assembly who would not want to support the farming and fishing community. I certainly do. It is a particular passion of mine to support sustainable farming and fishing. I recognise the contribution of the entire farming community to the Island on multiple levels. The other reason why it is not yet done is because we have voted on the sum of money, but we have not said where it is coming from. It is easy to have a spending decision when the money has been offered but not yet found. I do not offer that as a reason to vote against this, I will support it, but I will urge Members to remember this situation when we are discussing the Government Plan. Decisions will have to be made. Deputy Luce may not find quite as much support if he were to be bringing a proposition here to cut £3 million or £4 million off the front line services or the education budget or the care budgets. These are difficult decisions that we will have to make in the future in order to support this. As I say, the job has begun here. It is an important job. We do need to support the farming and fishing community, but it is not a free hit. There has to be a reckoning. We will have to find this money. That is worth everyone remembering when we come to those more knotty debates around the Government Plan and we try and find where that money is going to come from.

**9.1.14 Deputy R.J. Ward:**

It is good to hear people talking about sustainability into the future of an industry that is so important, about food security, as we have all noticed when we have been to the shops recently and many, many times before. A couple of things I will mention, Deputy Ozouf summed up wonderfully why we are where we are. He talked about the poor decisions, he may well have been involved in many of them, made by successive Governments, as to not invest and to not look forward and look long-term about an industry on a small Island that creates food that hopefully will be for a small Island. Instead to create large industries and competition that simply cannot be competed with, because there is not that support from our Government, because there is a fear of Government support for an industry on this Island. There has been for a long time. As we bow down to the altar of free market economics, you will lose out if you are a small industry competing against a much larger one with more subsidies, as has been explained today. There is a simple solution. There are false dichotomies. The reason I want to speak is there are false choices being offered to us here. We support an industry that is really important for this Island, about food sustainability, we talk about education, about training people into careers on the Island, into farming, into these purposeful future points that we want for this Island, so that we can feed ourselves, cut down our air miles, change our carbon footprint, et cetera, all the things that we talk about so often. What we are given is a choice: if you want to do that, you may have to cut education or health. They are false choices. The real choice is to have a fair taxation system. We do not have that. For many years we have moved the tax burden from corporate industry, from those with the most wealthy, to the low and middle-income earners on this Island. You cannot have that form of tax system, low taxation for the wealthiest and largest companies, and sustain things the way we want to. Yet again, we come to that problem again in this Assembly. There is where your issue is. We can afford to keep this industry going because we need to, because it is a good industry for this Island, for diversity, so we are not reliant upon one industry, like finance, for ever. That does not make sense to simply put all of our eggs in one basket. In order to do that, the reality we have to face up to is the inequity of our tax system and the tax breaks for the wealthiest while the



lower and middle-income earners in this Island are struggling to survive. I want to make that point so we can move on from this false argument that we keep hearing in this Assembly.

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

When I was towards the latter years of being at school I wanted to be a farmer. I went to classes at the Howard Davis Farm with the late Dennis Shaw, who some will I am sure remember, and got qualifications. I fully empathise with the plight that the agricultural industry finds itself in and am supportive of the Deputy's proposals. Having been drawn to more maritime things, I find myself wanting to focus a little on the fisheries industry, which I have to say is at the moment in a parlous state. We heard earlier on about the reducing numbers in our fleet. Also, as in farming, we have to understand why that is. The reason is obviously because people are not coming in to either industry because they cannot make enough money to live out of it. There is a basic necessity of a certain amount to be able to live and that has to be achieved. Without financial support, people are going to continue to leave the industry. There are other factors which keep creeping in. We have various propositions coming from the Minister for the Environment, which is, in the short term, going to make it even more difficult for the fishing industry to survive. One fisherman, a week ago, told me the fishing industry is completely wrecked. They were not exactly the words he used, but words to that effect. We do need to focus hard on giving support, not only broadly across the piece as we are talking at the moment, but thinking ahead, focusing ahead on the young people of the Island, some who are not academic, but who lay well with jobs in either agriculture or fisheries. We need to continue to create these jobs, so that we can provide employment for the future. It is not just about throwing money at the industries. There are a lot of consequential effects for which we will reap the benefit in further years.

#### **9.1.16 Connétable R. Honeycombe of St. Ouen:**

I would like to congratulate Deputy Luce on the presentation of this proposition and the depth of the information that he has given us. It shows how bad the situation is as far as farmers are concerned. For years people have said that the Government have not supported farming, they have not supported tourism, and poured everything into finance. The tourist industry have been able to diversify, sell off land, build flats and have done very well out of it. It has not really affected them to any great extent. Where are we going to go with farming? We have to support the farmers. Yesterday I was at one of the largest vegetable farms looking at some storm damage and I was amazed when she was telling me that they are getting less money for their produce this year from the supermarkets locally than they were last. She said we are not taking a wage and we are not giving up, but they have 8 full-time members of staff and are absolutely struggling. We have to support it. It is a result of previous Governments not supporting the farming industry. We have to do something about it and the sooner the better. I wholeheartedly support the proposition.

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

I was going to focus my few words on the technicalities. It will not surprise you that the Deputy is an old hand and knows how to play the system. He is, of course, to some extent doing that admirably well today by asking for an amendment to the Government Plan in advance of the Government Plan and then asking Ministers to go away and answer his question. That is allowed within Standing Orders and your office will have agreed that this proposal is within Standing Orders. What that does is present a problem, ultimately, for Ministers. The allocation in the Government Plan has been presented to the Assembly. Members will see from those allocations that the budget is finely balanced: that is income and expenditure. That is what we would expect. What that means in practice is that after this vote today Ministers will need to go away, and it will largely fall to all Ministers in the Council of Ministers, but led by the Treasury and the Chief Minister, to find methodologies of funding this proposal. It is fair to say, from my perspective, that the funding for the revenue element will not be straightforward, but if we take it on a yearly basis there might be things that we can do in

2024, but this is a proposal that requires funding going forward. Revenue, ongoing expenditure is always more difficult to find than short-term capital expenditure. Maybe that is why we got a sense of that from some Ministers today. There was quite a robust discussion around the Council of Ministers table, who have their own priorities, and would not want to see their budgets reduced in any way to provide this funding. However, there are no easy decisions and findings in Treasury. There is no easy way of balancing the public bucks when we have a set amount of forecast income. We always hope that income is greater than forecast, but we are criticised if it is. So be it, that is always a better position to be in because it means that we can deal with short-term issues through carry-forward processes or allocations post the year end. We cannot bank on that and we cannot project our spending based on optimistic income forecasts. This Assembly rightly has to balance the bucks, which is done through the Government Plan process. I, of course, like the Minister for Sustainable Economic Development, recognise the need for capital investment to allow for intergenerational passing of agricultural properties to allow for new entrants into agriculture. There are a number in this Assembly that might be the first of the generations that are not in agriculture in their families, and we see there and we understand our own choices about why the family farm was not carried on. At the end of the day, agriculture needs to be sustainable. That is not just sustainable from an environmental perspective, maybe this is where I plough a lonely furrow, as it were, although I have never done that in my life, that there is nothing wrong with wanting agriculture to be profitable. In fact, that should be our aim in improving the support packages. We should be supporting farmers to be profitable and increasing supply and increasing yield. I agree with Deputy Tom Binet in that regard. That is what our aim should be, as well as delivering environment benefit.

[16:15]

If it is not that, we are saying that our countryside has no future really in properly producing food and being efficient in the way that it is delivered. We are saying that it is cast in aspic and that we are unconcerned about verges at the side of fields and whether we have a pond or 2 and whether we are improving facilities for wildlife. While all of these things can be good in their own right, it is some of these bureaucratic burdens that have led to agriculture being less financially viable. There has to be a balance there, in my view. I say to Members, no doubt it will be hard to find this money. However, Members, I sense, will be asking Ministers to come back and find this money. I have been criticised by my Scrutiny Panel because the Fiscal Policy Panel said that there should not be, in their words, any speculative savings in a Government Plan. Currently the Government Plan for next year has a £10 million value-for-money target in it. We know the work that Health is doing to deliver £25 million over 3 years. I must say to the Assembly that I am pleased to see Reform supporting this proposition today. I will take no criticism from them when they criticise me if I have to, in the December debate, to some extent put speculative savings in the proposal, because time is short and it is difficult realistically to have fully worked-up schemes of how we are going to provide this money. We will do what we can. I will do that with my fellow Ministers, some of whom I know feel very strongly about where this money might be found from. I see them all looking at me now saying: "Not out of my budget, Minister." However, the hard reality is that there will need to be savings delivered across departments to provide this additional money. That is why I also am grateful for the work that Deputy Luce and the farmers and their representative bodies have done with the Minister for Sustainable Economic Development in finding an approach that can be delivered and can support this continuing transition. I say continuing, because there are lots of farmers out there already using modern methods, using technology and doing their bit to be more profitable. We can continue to support this transition, so that we do not view agriculture just as some sort of cast in aspic protectors of the countryside, but we see it as alive, as vibrant, as producing food, of playing our part domestically and globally into the supply chain as well. One of my favourite times of year is waking up on a cold January morning and seeing the fields outside the windows being ploughed and seeing the potatoes then in due course being put in. It is never the other way round, you will not be surprised to know, I am up and then farmers come along. It is always that I hear the tractors and the farmers

at work in advance of getting up. We need to find that balance. That industry itself, we know, faces challenges around disease and around the use of chemicals that it uses. When we come to that capital amount in the Council of Ministers' amendment we have to be clear that it may be we need to transfer money from the Strategic Reserve. We cannot just hope that underspends in the capital programme will mean that we can allocate money into the agricultural loans pot. That will have knock-on effects to other capital projects and we know historically the States has not always been very good in investing in its properties. I support the Council of Ministers' amendment to the Deputy's proposal. I agree to go away and undertake the necessary work and become more unpopular with my Ministerial colleagues. It will not be straightforward. It may not be a plan that is totally thought out and with every i dotted and t crossed, but we will do our best. I hope that at that point, Members will be understanding of why that is what we lodge. I was also grateful for Deputy Ward's intervention in this debate. He was quite clear that in his view of the world, increasing tax is an appropriate thing to do to increase government expenditure. We may see in that Government Plan debate proposals there to increase tax to allow for increased government expenditure. It will not surprise you, Sir, or Members of the Assembly, nor those in the gallery, that I will not be supporting that. I do not support that approach. We should live within our means. The low tax model that we have has served all sectors of our economy well in the past and can continue to do so into the future. I will be supporting this proposal.

**9.1.18 Deputy L.J. Farnham:**

It is always the case that when we are looking for additional money it is difficult. The Minister for Treasury and Resources, who I fully support, is very good at wringing his hands and struggling to come up with the money. However, the Government can come up with money for Ministerial projects and, of course, not forgetting the cost of cancelling so many important projects and delaying so many important projects, has put new costs on taxpayers and Islanders of not tens, but hundreds of millions of pounds, when you look at hospitals and health facilities and Fort Regent and other vitally important projects and infrastructure improvements that had been lined up by previous Governments that have been cancelled. I wish sometimes the Minister for Treasury and Resources would be as prudent when it comes to looking at the figures of the cost of cancelling things as to the excellent work he does and has done in the past in balancing the books. Against that backdrop and in the context of that, what we are looking at now is not a lot of money. We have to continue to work harder on prioritising areas of expenditure. I know, having worked in the Government from 2011 to 2022, that all Ministers and Assistant Ministers want to do the very best with their own portfolios. There are, dare I say it, pet projects that get over the line that perhaps are not as worthy of the prioritisation as something like further investment in agriculture. I have to hold my hand up, I was the Minister responsible for the sector, along with Deputy Morel and others for some period of time. I regret that we did not achieve greater financing for the sector at the time, but we were working in a different political backdrop at the time. Over the course of the last Government, I will say that we did achieve gradual, albeit small, increases in support for the farming sector. In 2022 we delivered the economic frameworks for the rural and marine environment. I believe that should give Members confidence, because they have provided a foundation for ensuring that the taxpayers' money we are going to put into these sectors will be well spent, with the emphasis on incentivising positive and continuous and secure change for the future. They set out these frameworks and they set out policies for the management of the Jersey countryside that embrace the responsibility and the care of our resources. All stakeholders work alongside Government to support the wider strategic needs of the Island and, in particular, with regard to the production and supply of food, water, water security, the economy and the quality of our natural environment. We must not forget the work the farming community does on that sector, which we all generally take for granted. In the recent bad weather, Members will not be surprised to know that the farmers in many cases were first out on the front line clearing up for us. Farming and food production remain an essential element of Island life. In recent years it has been subject to increasing social and economic challenges. Business profitability is low

in this sector, we know that. A significant restructuring that has had to take place has reduced the diversity of farming activity, both in terms of products and in numbers and types of producers. That does pose a real threat to the future. Government will need to work closely with the farming community and indeed all stakeholders involved in the rural and marine sectors over the coming years to ensure that the current fragile - and I use the word “fragile” because it is fragile - economic, shall we call them, ecosystems that exist are revitalised and the sectors are able to attain goals of long-term environment, social and economic sustainability. These are industries that have been with us for centuries and generations. They are part of our DNA. I am surprised to hear some Members talk about the unviability of certain sectors. Some sectors might have become unviable because our exporters, our farmers and exporters are having to compete against heavily subsidised markets and they have been for many years. We have seen improvements to the social policies of our Island, but that has led to large increases in minimum wage, which we all support, but we have failed to provide the businesses that work in these sectors with the support that we have promised them in the past. I fully support this. It has been a long time in coming. I am pretty sure there is going to be strong support from the Assembly today and I would urge Members to do that. When we look at the value of these sectors to not just our economy but to Island life and as the insurance policy for maintaining our countryside and protecting and hopefully improving and evolving food security for us, let us take a medium to long-term view and start reversing the fortunes. Let us make these businesses less fragile. Let us give them some hope and support for the future. I am pleased to support this.

**9.1.19 Deputy I. Gardiner:**

I will be quick. I agree with all Members that spoke until now, because I do believe that these sectors are facing long-term challenges. For a long time these sectors were not supported enough. Now they need substantial support to be able to continue and produce and be with us. Where is my major problem, and I would like to say it here? First of all, I would welcome P.P.C. to look into the Standing Orders. Each industry is currently experiencing difficulties. All industries, even the finance industry, raised concerns. If we have a process of the Government Plan, the amendment needs to be brought into the Government Plan and not brought back. It has happened. It is here. I understand why. I understand that we have the support of the proposition. I would need to work with my colleague, the Minister for Treasury and Resources, on finding the balance. Personally, I made it very clear, most of my budget is front line staff.

[16:30]

I cannot see how I can say I have extra £500 million, whatever is required. It is important, but the children are important too. We agreed and I made the plans and now I do not feel that I can find somewhere to cut. I will be supporting this proposition because it is important. We need to work together and we need to find the balance. We might need to work together with the industry to make sure that we know the expected outcomes through the cost-benefit analysis. The amendment will come to the Government Plan and I hope we can work our magic without cutting education for children and young people or the skills budget, because this is where I personally struggle. I congratulate the Deputy. He brought the amendment, he knows that this industry needs support and let us see what we will work out.

**9.1.20 Deputy K.L. Moore:**

I am pleased to follow the Minister for Children and Education, who has quite correctly outlined the difficulties of finding this additional money, particularly outside of the Government Plan process, which is where we would ordinarily debate such important matters. This has been a very positive debate in the main. I would like to congratulate Deputy Luce on his opening speech. He talked about working together. We have just heard from Deputy Gardiner that she too hopes that not only all States Members, but the industry also, will work together with us as we find a way forward to overcome these challenges of finding the right resources for the right places. This will be a journey.

In his opening speech, Deputy Luce talked about glasshouses. I could not agree more with the Deputy and the comment that he made. I, for many years, have campaigned to find a way forward for those derelict glasshouses that I agree are a blot on our landscape. One of our major concerns last week when we knew the storm was coming was the huge risk of flying glass that would potentially be a hazard to anybody who might have been venturing out in the vicinity of those glasshouses. I can say that the much-awaited supplementary planning guidance on offering a future to those derelict sites is imminent. I look forward greatly to that being published. Glasshouses, of course, are one of the transition points of our centuries old agricultural tradition. Another, I might suggest, are apple crushers. I have a beautiful apple crusher in the centre of my garden. There is one, of course, on King Street. Around the Island are monuments to part of our history and our tradition of farming and how it has changed and evolved over the years. The Island was, of course, as we all know, covered in apple trees before it was covered in plastic protecting our potato crop. Everything is part of an evolution. That is nature. That is life. We see that this is a financial contribution to supporting our much-loved industry to transition on to the next phase. There has been much talk about the sustainable approach that is needed. We are all aligned on that. It is now simply a matter for us to do, as Deputy Luce has asked, to work together and to find a great and bright future for what is, we hope, an increasing community in our agricultural industry and one that certainly I will support.

#### **9.1.21 Deputy M.B. Andrews:**

It is rather disappointing, having seen consecutive Governments neglect our agriculture and our fisheries sector. Here we are in this position where Deputy Luce has been forced to bring a proposition before the Assembly to provide sufficient funding for those sectors. We need to look at how the Government manages its own finances. It has to be said, it does not do a very good job. What we do see is a continued level of growth bids being brought forward year upon year. We see headcount increase. We see non-payroll expenditure expenses also increase. However, the essential services, that part of our economy, are the ones who are in the minority, and their voice has not been heard for consecutive terms by our politicians who have served in office. Something ought to be done and it ought to be done in the right way. There are several questions that I have, in terms of when we are allocating funds to different firms in those sectors, we need to make sure that the monies are being prioritised and used prudently. What we do not want to be doing is stemming innovation, for instance, where we see subsidies being granted to businesses and the innovation that could potentially be present is maybe then discouraged, because the subsidies allow businesses to continue. I would probably say to Ministers, it is important that we do see innovation and we are more creative moving forward with those sectors. It is essential that we are minimising government expenditure, but also in minimising government expenditure we have to prioritise and reappraise how we can best use money. Money should be increased in these areas moving forward. There is an intergenerational problem with both of those sectors. As people retire there are not many people to replace them. Potentially that is due to the lack of financial support, so a lack of subsidies. There should be a long-term project that is in place to enable new firms to enter markets in those sectors. What we want to be doing is enhancing those sectors to allow them to grow, to also allow more food produce to be on sale for Jersey consumers. It will also be a good opportunity to enhance our export services industry too and to diversify our export services industries as well. There is always going to be room and a good opportunity to do that. Having listened to several Members, it is of course something of a concern in terms of where we are going to find such monies. We have £48 million in growth bids being proposed. Part of that growth bid or the aggregate level of growth bids that we see, is going on employing more public sector workers and also increasing non-payroll expenditure. It seems to me to be imprudent, because it is implicitly worded, to say everything is in the Government Plan. I would like to see a breakdown of what exactly is comprised within that £48 million. As it happens, Deputy Luce has been forced to come forward with a proposition before us, when potentially it could have been the Council of Ministers who could have been increasing funding for those sectors originally in the Government Plan itself.

### **The Deputy Bailiff:**

Thank you, Deputy. Does any other Member wish to speak on this proposition? I call upon Deputy Luce to reply.

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

It has been a good debate and I would like to thank everybody who has taken part. It has been quite clear to anybody listening that this has achieved some cross-party support, the likes of which we do not see in this Assembly very often. I would start off by thanking Deputy Curtis for putting over the Government position and also to the other Ministers who contributed. I am immediately taken to the comments of the Chief Minister, who spoke about her apple crusher and the cider industry of the past. I say to Members, do you know the value of the U.K. cider industry last year? £3.4 billion. There is an opportunity. There is the innovation that Deputy Alex Curtis was talking about. We can grow anything in Jersey. The problem we have is growing it profitably. The glasshouse industry that we spoke about, we are world-leaders in hydroponics. We can do these things. That innovation can come from the support we are seeking this afternoon. I say to Deputy Alex Curtis, yes, we will keep our finger on the pulse of these future challenges. We may need to move again. Deputy Howell was asking about even more money. Maybe that might be necessary. We will look at the way we pay for the credits. We can change the way we administer that. We do need new entrants. However, I need to stress to Members today, we need to continue with our largescale commercial farms and our largescale commercial units if we are to continue running these largescale industries. An agriculture loan scheme is vital. Its guaranteed future support is vital. I take the point about bringing this debate into a Government Plan, but I considered that carefully. In my view, I thought it was far too important to be lost inside those debates that we will have when we talk about the Government Plan later. Deputy Ozouf is looking at me quizzically. I have to say, I was disappointed with his contribution this afternoon because I felt he missed the point of much of my speech and the evidence that I gave and I produced about the other jurisdictions that our farmers compete against. If we withdraw our support while our competitors receive massive grants and loans, it makes us completely uncompetitive. I would remind him, in the E.U. last year, every person contributed 4 times more than Jersey folk to agriculture. Look what happened to derelict glass; we mentioned it. When you withdraw support that is what happens. Do we want to compete or not? If the answer is we do not want to compete, let us go home, close the door tonight and close the industry. What I am trying to say is if we are advocating a zero-support future, by the time we realise that is wrong it will be too late. The industry will be gone and it will not come back. I say to the Deputy, he has got it wrong. I was disappointed the debate took that turn. I did not think it was necessary. This proposition has been arrived at with working together with both sides in good faith. I do not agree with Deputy Ozouf particularly. I am glad that the Minister for Treasury and Resources reiterated that this is about moving forward and coming up with monies in future years. I am not going to reiterate the benefits of the industry to the Island or the returns to the Treasury, but I would say this, for every £100 lost in rental income, if every vergée on this Island reduced in rental value by £100, that is £20 less to go into the Minister for Treasury and Resources' coffers. It is also £80 less to go into the local economy. Most rental income on this Island would, I venture to suggest, be classed as disposable income. It would cease to circulate if it was not there. The Minister for Treasury and Resources said it is going to be hard to find this money. He knows what it feels like to be a farmer. I am not going to go on again about the poor farms that the government officers have sampled and the £3.28 million a year they put into the economy while only taking out £580,000. For every £1 spent, the Minister for Treasury and Resources is getting £6 back. That is a reasonable return on his investment. Those 4 units, if they disappeared because we do not support them, will be a £2.5 million annual loss to the Treasury. Deputy Binet mentioned harbour dues. He is quite right, every export tonne that goes out of this Island should, in theory, result in a cheaper tonnage rate for those importing. Every tonne of potatoes that leaves the Island should reduce the costs of our imports.

[16:45]

On social media and other places, we hear every year complaints: “We do not want any more big tractors in our lanes and on our roads driving far too fast.” “We do not want any more nasty smells from dairy farms.” “We do not even want any mud on our roads.” To those people who would say that, I say this: “Be careful what you wish for.” No longer food on shelves. No milk, butter or dairy products when the boats do not sail. No hedges cut. No honesty boxes in the countryside for your fresh veg. No fish vans scattered around the Island at weekends. If we do not support our arable farmers, there will be no vegetable production in Jersey in 2 years’ time. If we do not support our dairy industry then very soon there will be no brown cows in green fields or milk on shelves. If we do not support fishing and agriculture industries there will be no local crab or lobster or fish or oysters in our shops and restaurants. Our beautiful Island will look a mess and just like those greenhouses I spoke of at the beginning of the debate, the whole countryside will look not dissimilar. It will not be an attractive place for visiting tourists and walkers will not want to come here. That would bring less demand for seats on planes and less demand for boat travel, so less flights and reduced connectivity. Reduced demand for restaurants and hotels, so less demand all round. Less suppliers. Yet higher prices. Less demand. Less visitors. Even less flights and then challenges for the finance industry because of connectivity. Less people wanting to come here. The wheel starts going backwards and it does not stop. I do not want to go there. I do not want to be part of that. I want to be proud of our Island. I want to be celebrating our environment. I want to support our farmers and fishermen. I would like to accept, and I hope the Assembly will accept, that they need our help today. Deputy Renouf said the job is not yet done. He is right. The Constable of Trinity said we need to start that journey. I would like Members to start that journey with me by voting in favour of this proposition. I call for the appel, please, Sir.

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

Sir, can I ask for a point of clarification?

**The Deputy Bailiff:**

Are you prepared to give way for a point of clarification?

**Deputy S.G. Luce:**

No, Sir, I am not.

**The Deputy Bailiff:**

No. The appel has been called for. Members are asked to return to their seats. I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The proposition has been adopted: 43 votes pour, no votes contre and one abstention.

<b>POUR: 43</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 1</b>
Connétable of St. Helier				Deputy P.F.C. Ozouf
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				

Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy S.G. Luce				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner (H)				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				



**The Greffier of the States:**

Deputy Ozouf abstained.

**10. Draft Income Support (Amendment No. 23) (Jersey) Regulations 202- (P.77/2023)**

**The Deputy Bailiff:**

The next item of public business is the Draft Income Support (Amendment No. 23) (Jersey) Regulations lodged by the Minister for Social Security. The main respondent is the chair of the Health and Social Security Scrutiny Panel. I ask the Greffier to read the citation.

**The Greffier of the States:**

Draft Income Support (Amendment No. 23) (Jersey) Regulations 202-. The States make these Regulations under Articles 5 and 18 of the Income Support (Jersey) Law 2007.

**The Deputy Bailiff:**

Minister, do you wish to propose the principles?

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

I am very pleased to be bringing these Income Support Regulations to the Assembly for debate today. Subject to Members agreement, the impact of these regulations will be that income support component rates will be just under 20 per cent higher at the beginning of 2024 compared to the rates enforced when this Government took office in September 2022. Ministers took immediate action last year to support Islanders facing large increases in living costs, mostly driven by factors well outside the control of Jersey or even the U.K. Government. This was followed up in January 2023 with significant increases in income support rates and additional income tax allowances. Today, I am bringing forward Income Support Regulations which will give all income support claimants an increase in benefit levels in January 2024. It is reassuring to see that inflationary pressures are starting to ease, but all R.P.I. (retail price index) indicators still remain well above the levels that we have been used to over the last decade or so. Jersey's low-income retail price index tracks typical expenditure of low-income families. The quarterly value of this index peaked in March 2023 at 8.6 per cent. It fell in June to 6.4 per cent and again in September to 5.8 per cent. However, given the rapid rise in prices that we have seen over the last year, I am proposing an increase for January 2024 linked to that maximum value of 8.6 per cent, ensuring that low-income families continue to be protected against rising prices. The estimated cost of the extra support is £7.9 million and this is allowed for in the 2024 Government Plan. I propose the principles.

**The Deputy Bailiff:**

Thank you, Minister. Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles? Those in favour of adopting the principles, kindly show. Thank you very much, the principles are adopted. Minister, how do you propose the regulations in Second Reading?

**Deputy E. Millar:**

*En bloc*, please, Sir.

**The Deputy Bailiff:**

Do you wish to address the regulations or merely propose them?

**Deputy E. Millar:**

No, Sir, I just propose the regulations.

**The Deputy Bailiff:**

Are the regulations seconded? **[Seconded]** Does any Member wish to speak on the regulations? Those Members in favour of adopting the regulations in Second Reading, kindly show. Thank you very much. The regulations are adopted in Second Reading. Minister, do you wish to propose the matter in Third Reading?

**Deputy E. Millar:**

Yes, Sir. Can I call for the appel?

**The Deputy Bailiff:**

When it has been seconded and when we have finished the extensive debate on the Third Reading. **[Laughter]** Is the matter seconded? **[Seconded]** Does any Member wish to speak in Third Reading? The appel is being called for?

**Deputy E. Millar:**

Yes, please, Sir. Thank you.

**The Deputy Bailiff:**

I invite Members to return to their seats. I invite the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce that the regulations have been adopted unanimously: 43 votes pour and no votes contre.

<b>POUR: 43</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 0</b>
Connétable of St. Helier				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy L.M.C. Doublet				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner (H)				
Deputy I.J. Gorst				

Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

That concludes the Public Business for this meeting. I invite the chair of P.P.C., who is attending now remotely, to propose the arrangement of Public Business for future meetings.

## **ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS**

**Connétable K. Shenton-Stone of St. Martin (Chair, Privileges and Procedures Committee)**

My vice-chair of P.P.C., Deputy Le Hegarat, will be presenting.

**The Deputy Bailiff:**

Yes, Deputy Le Hegarat.

**11. Deputy M.R. Le Hegarat (Vice-Chair, Privileges and Procedures Committee - rapporteur):**

We have a fairly tight schedule with 9 already listed items. We, of course, now have an extra 4 that we pushed back from today. One of those has 10 amendments. I would advise Members that we will be here, I would suggest, for the days that are allocated. Therefore, anticipate we could be here until Friday. I therefore propose the business.

**The Deputy Bailiff:**

Yes, thank you. The business is proposed. Is that seconded? **[Seconded]** Does any Member wish to speak on the proposal for P.P.C. for public business for the meeting commencing on 28th November? No? Are Members now content to adjourn until that date? In that case, the States stands adjourned until 28th November.

**ADJOURNMENT**

[16:55]