

# STATES OF JERSEY

## OFFICIAL REPORT

THURSDAY, 10th JUNE 2021

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[9:33]

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

**PUBLIC BUSINESS - resumption**

**1. States Members' Remuneration (P.40/2021) - resumption**

**The Deputy Bailiff:**

I remind Members that we will adjourn today at 12.15 as after that there is a service to celebrate the life and service of the Duke of Edinburgh. We now return to the proposition and the next Member listed to speak was Senator Vallois.

**Senator T.A. Vallois:**

May I withdraw my request to speak please?

**The Deputy Bailiff:**

Yes, of course.

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

This is a really interesting proposition and I have been through it a number of times. It is quite detailed. It is a difficult one and I think it is a difficult one for a lot of us because I will state at the beginning, and this may be a surprise, although the Chief Minister is not here today, that I do think the Chief Minister should be paid more because of the complexity and importance of the role. There is another issue that I have always thought of, is that the Chief Minister is going into meetings with our C.E.O. (chief executive officer), the chief civil servant; the important words being "civil" and "servant". The wage of the Chief Minister is probably a third, a quarter or one-fifth of that officer. I think it is a very unequal relationship, particularly when wealth and money is so revered in our society at the moment. We do seem to make heroes of those who make money above those who provide services sometimes. So it is a very strange setup that we have. Having said that, I will oppose differential pay. I do not think we should be having differential pay at this stage in the history of this Assembly. I will explain why for a number of reasons. First, it is very difficult with the individual politics that we have, in terms of the way that selections are made in ministerial posts. I do not think it is a really clear process. In particular, Assistant Ministers. There is no election for Assistant Ministers. There is no, if you like, job description. There is no real explanation of how they are being accountable for performing the role that they have. One could say that is true for all States Members. I come from a profession where everything you did was scrutinised daily and at any point a member of a management team could walk into your classroom and make a snap judgment on your performance on that day. Be it good, bad or indifferent. That level of scrutiny is happening throughout our public service. We are, effectively, public servants. We do not do that. If we are going to introduce differential pay it needs to be very clearly identified as to what it is for. I chair a Scrutiny Panel and I can say it is a lot of extra work. There is a huge amount to be taken on. As much as anything because you are working with a range of people. That is the good thing about Scrutiny. You work across the Assembly. I have said this a number of times that I think it is very healthy to work with people who are very different politically from you. I think probably someone who is most different to me is the Deputy of St. Peter, and I think we work very well together on the Education Scrutiny Panel and it was really educational for both of us. I think that is a very healthy thing. But as a chair of a Scrutiny Panel you do not have any sort of criteria for what to expect from Members. You are relying on them as individuals to say that they will turn up for meetings prepared, et cetera, and I think if you were to introduce additional pay for being on that Scrutiny Panel you would also have to introduce some sort of criteria for saying: "If you do not turn up for this number of meetings or do this level of preparation then I am afraid you have not earned your extra payment." That is going to be very, very difficult to do because people are very busy. It is sometimes very

difficult to get a meeting together with everyone at the same time, particularly when there is so much going on. I do not think at this stage it will work. One of the things I would say that we do need to do in this staging of the development of the Assembly, is that we need to have constituency officers that are staffed for Deputies. Now that we have Deputies in larger districts there needs to be a central place where every member of that constituency knows they can access their Deputy or staff to help them. I know we have the Parishes to do that but the Parishes do different things at times. Constables do do different things. They are dealing with all sorts of things which, as a Deputy, I do not really want to do deal with, like gun licences and so on. I have had an interesting conversation with someone this morning about that. There is a difference there and I get that. But the support that we provide as Deputies in our constituencies or our districts, which is often unseen by the nature of the job itself because it is private, because it is personal and because often it is confidential, is something that the public do not see. With constituency officers that are staffed, it supports us being able to do our job properly and it raises a level of expectation that you, as a States Member, are performing a particular role. I think that can only be healthy for us. It may also, for myself, give me some structure to the job itself, meeting people in cafés and running constituency drop-ins in a café because the owner has been kind enough to give me access is not the most professional way to go about doing my job.

[9:45]

I mention this because I think it is important that as you develop that then we can look at whether or not roles should be paid differently because we have a much clearer view of what those roles are. Are Assistant Ministers and Ministers doing so much more than Scrutiny Chairs, members of Scrutiny, a number of different Scrutiny Panels, Deputies in different districts, for example. That analysis we have no information for that at the moment. Therefore, any differential pay will be very difficult to define. So I cannot support it. Other than that, and the rest of the proposition, which is quite long, I think an independent reviewer determination is a good idea. There is always a definition of independence that we need to look at. There is independent and there is independent, if you see what I mean. But it is important to have that criteria that we are all aware of as to how we are going to decide on the level of pay. Establishing against an index is important. If we are going to establish States Member pay against R.P.I. (retail price index) and have that increase each year then we certainly cannot be saying to our nurses and our teachers and our public sector workers that we are not going to do that for them. So let us be careful what we say here and let us stick to the actual process itself. There is one other point I want to make, I just need to scroll down. The reviewing of any system needs to be clear and the criteria need to be clear to all States Members, so that we have faith in what is going on. I am not a believer that we should go back to this time where States Members were unpaid. All that does is only attract those who have private wealth to come into this Assembly. That is not good for this Island. This Assembly - we have to hold our hands up to this - is not truly reflective of the demographic of our Island and a truly democratic Assembly should have voices from every demographic in our Island, and we do not. We are not going to attract people if there is not a living standard that can be reached for being here. I go back to my point about the constituency office and resources for us to perform our role. With that comes an expectation that you will perform that role. I have no problem with that whatsoever. It is a level of professionalism that needs to go to that role. What I would conclude with is that I do not believe differential pay is a good idea and I would urge Members to vote against that part of this proposition. I have no problem with the other parts of that. I think there needs to be an understanding that Scrutiny is a very difficult job and we all have our roles to play in Scrutiny Panels. Sometimes it is difficult because people cannot fulfil those because of the demands made and we have to look at those demands to enable people to do their job and look after people as well so they are performing the best they can. I welcome the majority of this proposition.

### **1.1.1 Deputy J.A. Martin of St. Helier:**

I did think we were in danger of ending this debate too soon yesterday because I was on the subcommittee of P.P.C. (Privileges and Procedures Committee), and again I do not want to get into the rights and wrongs, but if you read the paragraph under the last board's recommendations about the Chief Minister being paid more, and the head of the Scrutiny Liaison Committee being paid more, we put in a paragraph that basically today we would like it to be the last time States Members sit around any forum and discuss pay. I have been there when we set the pay. Like Deputy Ward said, we were paid 4 times a year, it was a big expense amount, little pay, but we have moved on. I thought yesterday we could be in danger of people ... I think we also discussed this around the subcommittee that anybody, because of the way we are, can bring something back to the Assembly absolutely understanding. But what I would say, I think along the lines when we have differential pay, and I think recording my last vote was definitely against. But I just wanted to say we will be tying the hands, and Deputy Ward made some excellent points about what we do need, but then again if we want a new board or person or body to look at the whole of what we do, the whole level of what we get paid, our remuneration, whatever it is, today if we do not lift Standing Order 44 we are saying you can look at everything but. I just think that "but" is bigger than differential pay because you will be giving ... how do you add up if someone says: "Well I do think those officers that is needed." That has to be part of your support, everything. So that is all I wanted to point out. Hopefully this will be the last debate. I will vote this time so the board can look at everything. There are arguments ... I have done every side of the Assembly, and I do not think Senator Vallois was in when we did committees, but I have done Scrutiny, P.P.C., P.A.C. (Public Accounts Committee), different subcommittees, Assistant Minister and Minister, and I definitely would not say any one is less work. You bring different things to it. But honestly today I would like to give the new people, and hopefully they will do it once, they will do it thoroughly and we will be marked against something going forward and everyone knows what it is. For today I am going to vote for Standing Order 44 but I do wish to really understand that basically, hopefully, this is the last time ... this is your time to speak and vote against differential pay or for people to look at it. I think we get our new board to look at it.

### **1.1.2 Deputy R. Labey of St. Helier:**

I am pleased to follow the speakers this morning and I wanted to speak and refer back to Deputy Higgins' speech of yesterday afternoon because my primary motivation for asking the Assembly to consider allowing differential pay to be considered was because ... I take on board everything that the Constable of St. Martin and Deputy Le Hegarat are saying, but it is fact that nobody works the hours of the Chief Minister and nobody carries the responsibilities of the Chief Minister but the Chief Minister. I think, to put it crudely, what the Chief Minister is on is absolutely ridiculous and harmful for our democracy. That was the primary reason. If we take away that stipulation in law that differential pay is unallowed then this would be the very last conversation we have in the Assembly about our own pay, which I am sure everyone would welcome. But if the Assembly is not ready to go with that or finds it too crude, then we will have to have another conversation at another time. I just wanted to point that out and I am pleased that Deputy Ward picked up on that too. The last 2 States Members remuneration review bodies have both suggested differential pay. We were stuck. We had to come back to the Assembly and have a vote about it, and I thought why do we not get rid of it. In this new process, I also wanted no P.P.C. Chair to ever have to go through what I went through. With 49 people on one side feeling they are undervalued, not being listened to, and a body on the other side who felt that doing what this lot want would infringe their independence. It was impossible to make headway and that is no fault of any of the people who kindly gave their time to sit on the State Members remuneration review bodies and I add my thanks to them all, stretching back years. But I have come to the conclusion that it is an impossible task for the body as was constituted. I did not vote for it last time, I was of the same opinion as Senator Mézec and those who have spoken against differential pay, very much so, and the vote in 2014 was for just the Chief Minister to get differential pay and it lost by one vote. I sort of regretted it ever since when I watched

what Chief Ministers do. That was the motivation for that. I think this proposition springs from the report that I commissioned as P.P.C. Chair and the Greffier was able to find Dr. Hannah White to compile that report. Dr. White was - and she did it very quickly and very reasonably - the perfect appointment for this because she set up I.P.S.A. (Independent Parliamentary Standards Authority), who now decide on M.P.s' (Members of Parliament) pay in Westminster. It has been in place since the general election in May 2010 and followed on from all the expenses scandal. Now they have set up this body and I thought we want something like that. We do not have to have it as big as that, it can be done short and sharp in each session. I think if Members had spoken to Dr. White, as I had the pleasure of doing - I know she did speak to a few - you would be reassured that somebody like that could do the job going forward or maybe sitting with others, if that is what the Assembly feels. But the other thing about this is that whoever is hired independently to do this work in a short, sharp, efficient fashion, can be set parameters by the Assembly through P.P.C. and Members will have the opportunity - if they want to input into the process - individually if they wish to do that to do that. I know that those people have felt a greater understanding of what we do should it be taken into account when pay was being set. I am pleased that in general this has been well-received. I really want to thank the subcommittee, the Constable of St. Ouen and Deputy Ash, Senator Pallett, the Deputy of St. Martin, Deputy Judy Martin, the Deputy of Grouville. We had 3 meetings of about one hour each and we thought we should put what Dr. White came up with to the Assembly. Not try to start talking about what levels of pay, et cetera, but we should put it to the Assembly and the idea that we take away the restriction on differential pay, just so that we never have to do this again. But if that is too strong for Members they do not have to vote for it today. But this will be a huge step forward. Much more efficient and I think much better. I just do not want any other P.P.C. Chair to have to go through what I did.

### **1.1.3 Deputy M. Tadier of St. Brelade:**

We know that the P.P.C. Chair and the previous ones work incredibly hard and, in some ways, you could argue also that they should be paid more for the work that they do. I am going to come back to that point on differential pay later because I think it is a nuanced argument but it is ultimately one that I do not support for various reasons, certainly not the current precarious position or uncertain position. I suppose let us say that now, just to contextualise the whole of the rest of the proposition, is that we do stand at a very interesting juncture at the moment, not only, as it has been said already, are we coming out of the pandemic, although in fact we are going through a pandemic really and it is just changing. That has been cataclysmic and shaken the way that we deal with societal issues as well as political issues. It will continue to do so. Alongside of course the ongoing climate emergency. But we also stand at a crossroads where at the next election for the very first time we are going to have party politics. It may not be all encompassing but it is certainly going to be the case that there will be a number of political parties and they will do what political parties do, which is to run candidates on slates across the Island in various numbers and they will hope to try and get as many of their party candidates elected as possible with a view to forming the next Government or leading the next Government if they cannot get an absolutely majority. Of course there will still be independent Members, and I suspect the independent Members will be very successful if they have worked hard during the past 4 years and if their policies still chime with the electorate.

[10:00]

But that is the backdrop which we are running into. In fact we are not talking about ourselves today, which is why I do not mind. I do not have the same discomfort that others might do about debating this because we are not talking about our pay. We are talking about some future States Members and some future politicians pay after the next election. I hope that a lot of people in this Assembly will not be re-elected necessarily, and I do not mean that in any kind of personal way because I think we need a change in Government. With all that in mind, let us go through the proposition. I think part 1 is uncontroversial. I think it seeks to stop these kind of debates happening again. I suppose that

part 2 is a corollary to that. That the proposition to alter levels of States Members pay should not be permitted. I did have some initial alarm bells about this just I guess for 2 reasons. The first is that I was of the understanding that, at least in the purest sense, the States should be able to debate any matter that they wanted and it was the right of any Member to bring any such matter to the Assembly. I know that is qualified of course because Standing Orders do not permit for certain things to be debated, but that is usually if they have been debated before; for example, most things can be debated. I suppose the concern is maybe theoretical but how often does the theoretical at some point down the line become reality. Imagine you had a scenario where the States had been taken over and we had differential pay and States Members had decided to effectively give themselves inordinate pay increases through an independent body, which was effectively full of their mates who were giving very large sums of money to Ministers, and we also realise that the system had unintended consequences because the parties that got elected were not necessarily moving forward the best people for the job, there were a lot of political machinations going on and one Member of the States who had been elected on an anti-inflation, anti-corruption platform - and this is all hypothetical incidentally - said to constituents: "I am going to go in there and I am going to make sure that States Members get paid a realistic amount, not these silly sums that they are getting paid today" in this Utopian future. That Member of the States would not be allowed to debate that point because there would be something in the law which stopped them from doing it. You could argue there would be other ways of raising that issue. They could raise it directly with the board or they could raise questions, et cetera. I think that is right. I think that on balance it is probably right that we pass (b)(ii) but it does not necessarily mean that all arguments about States Members pay will be put to bed. Of course it does not deal with the issue of whether or not a petition would be allowed. Presumably, a petition to ask the States to look at their pay could be submitted and there should be an in-committee debate that follows from that if it reached 5,000 signatures. If we did not allow that debate it could be seen to stifle democracy. So of course there could easily be a way for a States debate to happen, although it would not be by a proposition for States Members pay being submitted. I mean that is a grey area. I just thought I would flag that up. I think it is right that States Members pay should be linked to an index. I have certainly seen how inflation, particularly in property prices, have been rampant but States Member pay, certainly for the first 10 years since 2008, was virtually stagnant, if not actually stagnant. Just by way of example, I remember renting a 2-bedroom flat with 2 bathrooms and parking in the centre of St. Helier in a new build in 2009 for £1,000 a month, and I did not have a car that I needed to use so I rented the space out for about £120 a month. So my rent was effectively £880 a month for a 2-bedroom en suite in the centre of town new build. Nowadays that property would be much nearer £2,000 and probably without parking. So I say that because if there are States Members in the future who need their salary to live on, and they do rent wherever in the Island, we do need to make sure that at least the wages are not atrophied over time. I think that is the intention there. I do not have any concerns with parts (iv) or (v), but I do have a comment to make on part (v) and this is where there could be a tension between part (v) and part (vii), which is to do with differential pay. The words that stood out for me in part (v)(2) are that: "The level of remuneration should be sufficient to ensure that Members of the States can enjoy a reasonable standard of living as the result of their position." Okay, that is really interesting because what is a reasonable standard of living in Jersey? Now let us remember this is an issue here because we are applying double standards. We are saying if you are a States Member in the future you should have a reasonable standard of living as a direct result of your remuneration but we do not apply that to other people in our society. We are saying it is okay for people to not have the living wage. There are Members of this Assembly who have voted consistently against the living wage. I suspect that there are Members of the Assembly who would abolish the minimum wage if they were being true to their ideologies, yet they are going to turn around and vote today for this part of the proposition, which in reality will not only ensure that States Members in the future have a living wage but it will be something far in excess of the living wage. I think that double standard needs to be highlighted and it will be and should be picked up on by the public who are listening. I would challenge all of

those Members who have consistently voted against the living wage to also vote against this living wage for States Members because they clearly do not think there is any issue in Jersey and that the issues facing many of our constituents should presumably therefore also be faced by States Members. I will leave that idea out there. I do not have any problem voting for it because I consistently voted to increase the standard of living for many of our most struggling in this community. Part 3 is really interesting, is it not? (v)(3) it says: "Remuneration should be set at a level to attract people from all walks of life to serve the Island effectively as a States Member, mindful of the financial constraints under which the States operate." I think this really hits the nub is that what is being a politician about. Wherever you end up, if you are elected in the Assembly, whether it is as a Back-Bencher, as a Minister, or as a committee president, you are effectively ... the draw for politics should be one of public service. Those who were with me on the Senatorial campaign in 2008 might remember there was a question in St. Ouen from a parishioner there doing the 12 rounds, as many of us at that time in the Assembly did. I know Deputy Higgins did and Deputy Maçon, there were others. I think Deputy Southern. Sorry, if I have missed anyone. There will be the usual establishment crowd as well. The question was: would you do this job if you were not paid for it? The *sous-tendre* of that question was clearly that States Members should not be paid because it was much better in the good old days when States Members were not paid and they made much better decisions. My answer was yes, I would have done this job because I am passionate about politics, I am passionate about ideas, philosophy and making the Island a better place and as good a place as it can be. But I would really struggle to do that. I probably would not be able to give you my full attention and my full mind and my full heart because I would be distracted by having to make a living in another area. So I think the balance has to be struck. To be honest, by and large the balance is already struck. I think it does need to be index-linked but I think that States Members are probably paid about the right amount. I say that because certainly, as long as it is index-linked, I think it is important that States Members do not get so much that they become detached from reality and that they do not get so little that they do not want to go into the job in the first place. But we are seeing something over and above that at the moment. There is this massive move, concerted effort through the misuse of the media or the use of the media from certain vested interest groups in the Island, could be the Chamber of Commerce, it could be the Institute of Directors, which is not a party, but it is encouraging people to come forward for election and it is putting people in contact with former Ministers. We do not know which former Ministers they are putting them in contact to, to make sure that they get a better class of States Member. Read between the lines, that means that we want our own class interests to be elected in the States Assembly. But at the moment none of us are willing to leave our cosy jobs that maybe pay 6 figures a year to come and do a job where we are going to get publicly scrutinised because unfortunately we are more interested in making money than we are in public service. That is a view. I am not saying that everybody in that industry would necessarily be in that position. But what we do know at the moment is that States Members, whoever they are, and would-be States Members are probably not doing it for the money. They are doing it for some notion of public service and of course there might be an ambition there but I think that is relevant in the job. I think that brings me conveniently to point (vii) and with that in mind about what is the optimum and fair amount of money to pay States Members should we then have a system where we pay certain positions more than others? In some ways I can see the attractiveness of removing Article (vii) but let us not be naïve about this. I think Deputy Martin, I can see the tension that she feels in regard to this Article. It is because she knows, and I think we all know, that if we vote for Article (vii) today ... we will call it Article (vii), this is giving the green light to differential pay and this is saying: "Go ahead and introduce some form of differential pay." We do not know what that will be and so I think we have a clear choice in this. If you support and want differential pay, if you want certain Members of this Assembly to be paid more, possibly significantly more, and probably for other Members to be paid significantly less than they are currently getting in the future then you can vote for this. But first of all there is not the level of detail. Secondly, I think it sets a dangerous precedent, bearing in mind what we have said about party politics. I have heard those argue they would support this if there was

a party political system in place but they could not support it now because you have no idea ... there is no democratic mandate for the person who ends up as Chief Minister. Is that the end of time, Sir?

**The Deputy Bailiff:**

That is the end of the time, Deputy, yes. It is your time.

**Deputy M. Tadier:**

I will leave it there. I will just say then that I do not support that. I think it is a dangerous precedent.

**1.1.4 Deputy J.H. Young of St. Brelade:**

When I first read this proposition I thought okay, it is reform for those who are going to carry on. I shall not be in the States Assembly in the future when I turn my time. Not because I do not enjoy it, not because I do not think I have a useful contribution to make, but frankly through age. I feel at my age I should need to hand over to younger Members and also reflecting one's talents do perhaps wane a bit in later life. But nonetheless I think I am motivated by the views of Members today. We have here a situation that faces ... we are going to have a very new structure of the States with the changes that P.P.C. have made and we have put into law. I do think that is going to see some changes in the way the Assembly does work and Members within it. Also I think we have got this group, which I am very hopeful will bring fruit, which is a subcommittee of P.P.C., being led by Senator Vallois, about the way our ministerial government system works. I certainly think there are lots of things that I am looking forward to being able to hopefully give my views there because I think there are lots of things that will change, that will change some of the dynamics therefore. Yes, we have, if you like, we have taken the very fixed view about equality. All those things said I buy into.

[10:15]

I really do understand and share what are really valuable ideals being voiced. That is really right. But what we have got here is ... what we need to do is to look for things, principles of fairness and the need to avoid patronage and to achieve an equitable arrangement that people are happy with. Then to avoid corruption. I think there are some things that need to be flagged up in the proposals here. I am cautious about the idea of having a single person being given, if you like, absolute sole authority under this proposition to decide on what the structure of pay should be. That would be, and the proposal says, the review would happen by that person every time there is a new States term. So each time there is an election and then there is a new body of Members, then there would be that process and then some indexing. Presumably, the indexing would work during the intervening years. That is a single person. Of course in my experience, in all sorts of walks of life, there is rarely an occasion when a single person is the best way of arriving at a decision. Rarely. Members will know my own concerns about that with planning decisions and why I am proposing changes to planning law to amend that. Of course when our judges sit in the court they either sit with a superior number or an inferior number of others. I think going back to my memory, in committees in my view decisions were always improved with the input and listening to other people's views and there were inbuilt safeguards in that. So a single person I worry about. I was listening to the debate there, I was drawing a parallel with ... I am not any great mind. I am a public sector person. I am public service through and through but of course I have spent a number of years working in the private sector for 7 years, in financial services and legal services. I am aware that obviously pay in those areas, executive pays, is quite a controversial and difficult area. It is just as contentious in the private sector at that level as it is in the public sector. The way they resolve it, they have these things called remuneration committees. The element that I see missing here is not just in terms of the judgment being made by a single person, although it does talk about a body. So that is very ambiguous what we got there. I think Deputy Johnson raised that quite rightly. But I think that needs to be ... the element that is missing is that following the parallel with the private sector of the senior executive pay, the remuneration committees are accountable to their shareholders. We see in the loads of debates in the



top level where shareholders revolt and they deal with and they bring into line excessive pay. Of course they do not bring it fully into line, we all know that, because there are massive, ridiculous imbalances between the sort of obscene levels of payment we see at the very top level of private sector and those levels. It is not across the board but there are real differences there between that and the major roles in the public sector. But of course the principle is, is for people give a life of public service. I suppose you only have to look at the U.K. (United Kingdom) Prime Minister's salary to ... I am no fan of that but nonetheless you have to look at the role. Applying it to Jersey, this issue of the shareholder, who are the shareholders of that? It is the public. So I do not see, and I was looking throughout this proposition trying to find where the safeguard is. I cannot see one. I was thinking it cannot be a political safeguard because that would undermine the entire purpose of the proposition is to take politics out of this very difficult contentious subject, which matters to the public. The only thought I could come up with is it might be an alternative of having a safeguard where the Comptroller and Auditor General would be required to produce some kind of certificate or some kind of comment on the work on the recommendations that are done each time. But in some way which could perhaps be a safeguard built into the rules we got. One last comment on obviously the difficult issue of differential pay. I really struggle with this and I think the most powerful argument I have heard in this meeting so far, or this Assembly discussion so far, is the Chief Minister. I mean this may be a personal thing, I did not really think of that, but the onerous nature of that role where you are accountable 24/7, and the whole Island expects you to be able to take responsibility and sort anything out is astonishing. I think should we close our minds because by voting against this point (vii) one would be closing our mind entirely to any variation there. I think since we are producing a new system, is it wise to close our mind to that? I do not think it is. I think it should remain open and I do not agree with Deputy Tadier that if you have an open mind you necessarily predetermine that there will be differential pay. It is not being predetermined. It means that your mind is not closed to the possibility that there could be some way of accommodating those excess situations that occur. Having said that, I buy absolutely into all that was said about the workloads of Scrutiny and Scrutiny members; I have done that myself. I absolutely buy in 100 per cent in the role of Back Bench. During my time in office, which I once served as a Back-Bench Member and Scrutiny Panel chair and now I serve as a Minister, they are all full-time. They are full-time roles. But it is just different. You end up doing different work. I absolutely buy into what Deputy Ward said. There is a complete imbalance of resource available to Back-Bench Members to do Scrutiny work, to do constituency work. Particularly I know, and I felt this myself and Members will know, is that when you take on a ministerial role, in my position, because I am a single constituency member, it does affect my ability to do constituency work, which has been diminished. I am so grateful for other Members who have helped me out by taking on that. Of course that is what I used to when I was a Back-Bench Member. I used to end up doing so many planning cases all over the Island and I was content to do that because I know that other Members who are in other roles do not have that capacity because of the onerous nature of their role. There is no question. Every role in the States, whatever it is, it is full-time. I absolutely buy into this but it still does not mean that I think that a future arrangement should close its mind. So I will not be standing again, as I said. I am hopeful Members will find those comments useful and I wish the chairman of P.P.C. in the future, whoever they are, that this new arrangement should produce a result that people can be content with in the future.

**The Deputy Bailiff:**

There is a question for the Attorney General.

**Deputy M. Tadier:**

I wanted to ask whether or not the repeal of Article 44 would allow for the body to recommend that leaders of political parties be paid more because I know their position does not come automatically from being in the States? Is that something they could look at to pay political party leaders extra money?

**Mr. M. Jowitt, H.M. Solicitor General:**

It is the Solicitor General. The answer to that is simply by repealing Article 44 you would simply remove the legal prohibition that exists at the moment on variants in remuneration for Members. If you wish to have a party political system in which those holding high office in the party would be remunerated other than by donations from party members then you would need to legislate for that by adding something into the States of Jersey Law or some other law to give effect to that suggestion.

**Deputy M. Tadier:**

I presume that would have to happen for any kind of increase in pay for any Member, whatever the reason was for it, and if that is the case is it something that the States could then vote against? For example, if the remuneration body said we think the Chief Minister and all political party leaders should be paid more could the States then not enforce that, not adopt that, and if they could not adopt it does that not kind of undermine the independence of the board because we would be debating our own pay effectively?

**The Solicitor General:**

It depends what system is created. If a law is enacted which gives States Members the final say on what the remuneration should be then it would be within the power of the Assembly to either agree or disagree with any particular award. The other way of dealing with it would be a purely political one where by agreement changes in remuneration were dealt with through a proposition and Members would have the chance to vote on whether they agreed with certain pay awards. That would not be binding, political consequences would flow if the will of the Assembly was then ignored. It just depends on what system the States decided to go for.

**Deputy M. Tadier:**

Sorry, this is hopefully the last point, but I thought that propositions to debate States Members pay were not allowed so I do not know how, if this was adopted in its entirety, you could then have a proposition lodged that debated our own levels of pay. Did that come through, Sir?

**The Deputy Bailiff:**

Yes, it did. Mr. Solicitor, have you got any response to that?

**The Solicitor General:**

I was not sure whether that was a question or an observation that was being made. I am not aware and maybe you, Sir, as Presiding Officer are, whether there is a prohibition on propositions to discuss remuneration. I cannot, I think, help the Deputy any more than I have already tried to. Which is to say that it depends on what system the States decides to adopt. Either a statutory system, in which the States will have a say, or some other system. I am not sure I can really assist much further than that.

**The Deputy Bailiff:**

Yes, Deputy, this of course is a proposition with a view to legislation being drafted. It is setting out in general terms the Assembly's view as to the form in which the legislation will take. The legislation itself will be debated again of course in due course.

**Deputy M. Tadier:**

It is just part (b)(ii) says: "Propositions to alter the level of remuneration for States Members should not be permitted" so I do not see how we would get a second chance to debate ... I mean that is what the Solicitor General suggested is that we could obey any changes to our pay that were being proposed by the board but of course if we adopt part (b)(ii) then we cannot debate that and they just have to come into force presumably without a debate.

### **The Deputy Bailiff:**

This is an in principle decision and there will be a debate on the legislation and any Standing Orders in due course.

[10:30]

### **Deputy M. Tadier:**

Thank you.

### **1.1.5 Connétable A. Jehan of St. John:**

I hope Members will indulge me. While some will have discussed Members' pay more times than they care to remember this is my first debate on the subject. What upsets Jersey residents? Well, many things. But I dare say politicians pay is on many people's lists with many different views. Some will say we are paid too much. Some, we are paid too little to attract good candidates. Lots of people say, and I am sure you will have all heard this, he or she would not earn that kind of money in any other job with others claiming that we are only in it for the money. As we know, and as was clearly conveyed yesterday, being a politician is not easy. The hours are long, the pressure is constant yet you get stuck and you can be fired every 4 years. Or in my case, I have a 14-month contract. There are easier ways to make money so why do we stand for election. Is it just about public service? Is it the buzz? The power? Are some Members simply addicted to the role? People have made reference to other jurisdictions. Maybe instead of debating Members' pay we should be debating the length of time a person can spend in office; 8 years, 12 years? Before I upset my colleagues perhaps I will leave that for another day. We heard from the Deputy Chief Minister earlier in the debate that nowhere else is pay the same. I do not think that is correct. M.E.P.s (Member of the European Parliament), for example, all receive the same pay. We must also remember that we are not employees. We are all office holders. The Constable of St. Martin gave what I thought was a compelling speech yesterday. I apologise now for my lack of colour today. There goes my bonus. Instead of talking about bonuses for politicians perhaps our time would be better spent debating incentives for how our civil service should receive their rewards. Should their salaries be based on a more commercial footing with lower-basic pay but the ability to earn more should they exceed targets? In my view, the public ultimately decide if Members get a bonus when they go to the ballot box and decide to re-elect Members or not. Whether they terminate their contracts. This is generally based on the perceived performance and not necessarily the effort put in by a Member. If people do not enter politics for money I am fully aware that the lack of money certainly puts people off. As Senator Mézec said yesterday, and others have said today, it is a full-time job. Personally I lost count of the amount of times I was asked to put my name forward for election. I have waited for years to be in a financial position to be able to stand and represent the people in this Assembly. When faced with the decision of doing something you really want to do or providing for your family I am sure the vast majority would always put their family commitments first. So if we get paid more, or less, would that make a difference? What the public are really interested in is not how much we are paid; no. What really matters is how we perform. Do we deliver what is needed? There has been some good work done in recent years and is continuing to be done about diversification in this Assembly. Are we doing enough to attract leaders, people with real experience? Would more pay attract those kind of people or would quicker decision-making be better? Perhaps rather than fewer Members we should have had more Members sharing the workload and, therefore, reducing the time commitment, allowing some to have other interests, as everyone having payment makes being a States Member a full-time job, leading to lengthy debates rather than sharp decisions. Perhaps the terms of reference should extend to training. What level of investment is there in Members' continued professional development? I will be voting against repealing Article 44. I made a submission many years ago, I think around 2006, to the body that was looking at States pay at the time. Back then, I wrote in favour of all Members being paid the same. I had similar concerns back then to those expressed earlier in

this debate. I have not changed my view. In the report, it recommends that the Chief Minister is paid £15,000 more. Why not £30,000 or £5,000? The same with Ministers, the recommendation is to pay £7,500 more. Why not £10,000 or £5,000? What about others? The Chief Minister has a deputy. Is that role not worth more? He also has Assistants, 3 I think. Is their work not valued? As for the Ministers, are they all worth the same value? I am talking about the roles and not the individuals. They all do important work, but we have Ministers who are on the Emergencies Council and some not. Then we have Ministers who are on the competent Ministers group, and others not. What value is put on these groups? What about their Assistants? Those who are Assistant to do this, Assistant to do that, and in some cases Assistant to the other, do they get an increment? Does the Assistant Minister for this, that and the other get 3 increments? If Ministers do not want to do the role for the same salary as other Members, my advice is quite simple: do not allow your name to go forward for such roles. I hope the chair will address some of the concerns about pay differentials when she sums up. In my experience as both a negotiator for employees and negotiating on behalf of the employer, once you have pay differentials the people at the bottom work hard to close the gap and the people who are at the top want to keep widening the gap. I am sure some Members will be familiar with the various models on job evaluations, including pay. There used to be a saying among staff and trade unions: make hay while the sun shines, and I am sure that is still true today. Linking pay to an index is a good idea as long as it is observed and consistent. Surely this Assembly could link the current pay to an index. We do it for pensioners and it features heavily in pay negotiations, so that should be easy. Like Deputy Young, I do prefer an independent body rather than an individual, but one of my concerns with the proposal is that each new P.P.C. will have its own review and rather than this Assembly it will be the P.P.C. of the day that will dictate matters to the independent body, rather than it remaining independent continuously. What is certainly important for me is that we do need to pay Members so that no one is disbarred from standing. We should never forget the position where people like the late Norman Le Brocq could not stand. We do not need an Assembly full of wealthy people or people like me who have retired. We need an Assembly that is representative and delivers for the Island. As I said at the start, this is my first speech on the subject and Members will be pleased to know that I certainly hope it will be my last on the matter.

**The Deputy Bailiff:**

Does any other Member wish to speak on this proposition? If no other Member wishes to speak, I call upon Deputy Alves to reply.

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

I would like to thank all Members for their contributions today and yesterday. I think there have been a lot of interesting points raised and suggestions made, so thank you again. I am going to start by addressing the concern regarding whether I would expect there to be a sole reviewer or a body. Now, this has been mentioned quite a few times yesterday and today. The proposition does allow for both. I cannot speak on behalf of the committee but personally I would expect there to be more than one person. I would like to see a body ideally as I feel it is important to have more than one person looking at things. I imagine it will probably be a consultancy firm, but it could be a consortium of individuals. I would like to thank Deputy Young for raising some interesting points around safeguarding. I think the safeguard will be the statutory regime and the appointments process, but I recognise the Deputy's worries and this could be dealt with in law drafting. A possible solution could be a caveat to review the recommendations before they are implemented, for example, and P.P.C. will consider this further. It is also important to note that whoever will be commissioned by P.P.C. a proper procurement process will be followed and they will have to be approved by the P.P.C. of the time. This proposition is to authorise the drawing up of a law so a lot of the detail will be in the law, including ... I am hearing that there is an echo.

**The Deputy Bailiff:**

Yes, there is a little echo. We could hear 95 per cent of what you were saying. I do not know if you can remedy it.

**Deputy C.S. Alves:**

I will try not to speak so loud. Is that better?

**The Deputy Bailiff:**

We cannot tell yet. You have to say more to us.

**Deputy C.S. Alves:**

Okay. So, this proposition is to authorise the drawing up of a law, so a lot of the detail will be in the law, including how the reviewer is appointed to ensure independence. Is that better, Sir?

**The Deputy Bailiff:**

Yes.

**Deputy C.S. Alves:**

Thank you. The Constable of St. Brelade posed the question yesterday on how does P.P.C. intend to take on board public perception of States Members' activities and the expectation of what they may be paid. I am sure the Constable is aware that there is a body of work currently being undertaken by P.P.C. and the Greffe to promote and raise awareness of what Members do. I believe some Members have been asked to be filmed during their day-to-day duties and the Greffe's digital and public engagement team will be putting all of this together to then put out to the public. There is also work going on with the Political Engagement and Education Subcommittee that I also chair to look at implementing a fully resourced and consistent education programme into schools. We are currently at the stage of looking to trial something in a local secondary school. There is also the work going on from the Diversity Forum to encourage and promote a diverse range of candidates to consider standing, and events will be hosted where potential candidates can ask questions and gain information on what Members do. I also hope that if this proposition is adopted this new reviewer system will interact more with States Members in order to gain a good understanding of what we do and that they will be empowered to communicate this to the public, as this is an area that some Members touched on yesterday that was lacking. There is a requirement under part (vi) of this proposition for reviewers to consult with States Members. Also further to Deputy Young's contribution, I would also like to take this opportunity to encourage Members to contribute to the work of the Democratic Accountability and Governance Subcommittee, which is led by Senator Vallois. I would like to urge Members to submit their views as there has been a severe lack of submissions from current Members. The subcommittee will be presenting current themes in a Teams meeting soon, and also carrying out workshops on specific areas. With regard to collecting views of the public and the expectation of what Members may be paid, I believe the previous States Members remuneration review body conducted some market research and focus groups, so I would expect that the new reviewers would look to undertake similar work. They will have a budget to conduct this research, as did the previous body. Differential pay: it was really good to hear a range of views about this and the possible issues around it, like blackmail, for example. Deputy Tadier's comments that an e-petition on Members' pay which reaches the 500-signatures mark could be debated is correct. Members would have to agree to debate it, and that would be an in-committee debate with no proposition attached to it. So there would not be a real outcome from that. Personally, I see Senator Farnham's point that no other organisation pays all their employees the same, but I also agree with the points that Deputy Higgins has raised, among others, around the volume of constituency work some Members have and the lack of administrative support for Back-Benchers in comparison with Ministers, although this is improving through the Greffier's Department, and I am grateful for this, as I am sure other Members are too. Again, I cannot comment for the committee as a whole but my personal view is that I am not completely against differential pay. I do think there is merit to giving the Chief Minister an

additional allowance, but it is very difficult to quantify other Members' workloads. I do not feel it would be right to merely be dependent on whether they have decided to be a chair of a committee or a panel, for example. I think Deputy Ward made this point quite well when he spoke about attendance and being active in participation. I see there is a point of clarification, Sir. I am happy to pause there.

**The Deputy Bailiff:**

Thank you very much. Deputy Gardiner?

[10:45]

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

I would like to check with the chair. If we will keep Article 44, would it be a possibility to review differential pay to the Chief Minister?

**Deputy C.S. Alves:**

Thank you, Deputy Gardiner, for that. I do have that; I am going to address that in the next part of my speech, so I will cover it there. If there is anything that I have not covered, then please do feel free to interrupt me again. On the differential pay, personally I will not be supporting it, but I think the point that Deputy Gardiner has just raised there ... and I will touch on it later on. I just wanted to address a point that Deputy Morel raised regarding automatically adopting the reviewer's recommendations without the facility for them to provide us with an explanation. An explanation of where all the recommendations put forward have come from will be covered in a supporting report from the reviewers, so the requirement for the review to produce a report with a rationale for recommendations will be included in the law drafting instructions. So, Deputy Morel also mentioned whether part (iv) would fall away, and this is in reference to the different levels of pay for different roles if the Assembly voted against Article 44. I also thank the Deputy of St. Mary for emailing me his thoughts overnight on this. Part (iv) would still be valid because the reviewers can still recommend it, but it would be left for the States to debate on whether to implement it or not. So on the point that Deputy Gardiner has just raised there, because Members have expressed different options with regard to differential pay, by having this included in part (iv) it leaves the facility for reviewers to look into it, which I think is important based on the various suggestions Members have made in their speeches, but it cannot automatically be implemented if the Assembly votes against Article 44 as that would not have the Assembly mandate. I hope I have addressed all of the common themes that came up during this debate. I would like to thank Members again for their contributions. I maintain the proposition and call for the appel with a separate vote on part (b)(vii).

**The Deputy Bailiff:**

Thank you, Deputy. In terms of the vote on the proposition, would it be convenient to you if Members first voted on (a) to (b)(vi) inclusive, then on (b)(vii), which deals with Article 44, and then finally on the remainder of the proposition, that is (b)(viii), (ix) and (x) and (c)? Are you content with that?

**Deputy C.S. Alves:**

Yes, I am happy with that, Sir. Thank you.

**Senator L.J. Farnham:**

Sir, may I ask a question? Sorry, I could not raise my hand. I have lost the button. I wonder if it might be feasible to take the vote on (b)(vii) first because if, for example, the States agreed not to allow a differential in pay to be allowed, that might impact on the way Members want to vote on the main proposition.

**The Deputy Bailiff:**

Well, that would be dealt with in the fact that you are voting on (c) at the end, which is the request on P.P.C. to bring forward changes.

**Senator L.J. Farnham:**

Understood, thank you.

**The Deputy Bailiff:**

Yes, thank you. So, in a moment the Greffier will put a vote in the chat channel. That vote is now open and Members are voting on (a), (b)(i) to (b)(vi) inclusive. It is on paper the first page of the proposition. The vote is now open. If all Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. The first part of the proposition has been adopted unanimously.

| <b>POUR: 44</b>            |  | <b>CONTRE: 0</b> |  | <b>ABSTAIN: 0</b> |
|----------------------------|--|------------------|--|-------------------|
| Senator L.J. Farnham       |  |                  |  |                   |
| Senator S.C Ferguson       |  |                  |  |                   |
| Senator T.A. Vallois       |  |                  |  |                   |
| Senator K.L. Moore         |  |                  |  |                   |
| Senator S.W. Pallett       |  |                  |  |                   |
| Senator S.Y. Mézec         |  |                  |  |                   |
| Connétable of St. Helier   |  |                  |  |                   |
| Connétable of St. Lawrence |  |                  |  |                   |
| Connétable of St. Saviour  |  |                  |  |                   |
| Connétable of St. Brelade  |  |                  |  |                   |
| Connétable of Grouville    |  |                  |  |                   |
| Connétable of Trinity      |  |                  |  |                   |
| Connétable of St. Peter    |  |                  |  |                   |
| Connétable of St. Mary     |  |                  |  |                   |
| Connétable of St. Ouen     |  |                  |  |                   |
| Connétable of St. Martin   |  |                  |  |                   |
| Connétable of St. John     |  |                  |  |                   |
| Deputy J.A. Martin (H)     |  |                  |  |                   |
| Deputy G.P. Southern (H)   |  |                  |  |                   |
| Deputy of Grouville        |  |                  |  |                   |
| Deputy K.C. Lewis (S)      |  |                  |  |                   |
| Deputy M. Tadier (B)       |  |                  |  |                   |
| Deputy M.R. Higgins (H)    |  |                  |  |                   |
| Deputy J.M. Maçon (S)      |  |                  |  |                   |
| Deputy S.J. Pinel (C)      |  |                  |  |                   |
| Deputy of St. Martin       |  |                  |  |                   |
| Deputy of St. Ouen         |  |                  |  |                   |
| Deputy L.M.C. Doublet (S)  |  |                  |  |                   |
| Deputy R. Labey (H)        |  |                  |  |                   |
| Deputy of St. Mary         |  |                  |  |                   |
| Deputy G.J. Truscott (B)   |  |                  |  |                   |
| Deputy J.H. Young (B)      |  |                  |  |                   |

|                            |  |  |  |  |
|----------------------------|--|--|--|--|
| Deputy L.B.E. Ash (C)      |  |  |  |  |
| Deputy K.F. Morel (L)      |  |  |  |  |
| Deputy G.C.U. Guida (L)    |  |  |  |  |
| Deputy of St. Peter        |  |  |  |  |
| Deputy of Trinity          |  |  |  |  |
| Deputy of St. John         |  |  |  |  |
| Deputy M.R. Le Hegarat (H) |  |  |  |  |
| Deputy S.M. Ahier (H)      |  |  |  |  |
| Deputy R.J. Ward (H)       |  |  |  |  |
| Deputy C.S. Alves (H)      |  |  |  |  |
| Deputy K.G. Pamplin (S)    |  |  |  |  |
| Deputy I. Gardiner (H)     |  |  |  |  |

The next vote will be on paragraph (b)(vii) of the proposition, which deals with Article 44 and whether or not that should be repealed to permit the independent reviewer to consider the option of introducing different levels of pay for different roles.

**Deputy R.J. Ward:**

Sir, may I just confirm something?

**The Deputy Bailiff:**

Yes.

**Deputy R.J. Ward:**

So voting against this means that it is effectively voting against differential pay? I just want to confirm because of the wording.

**The Deputy Bailiff:**

Yes, so if you are voting pour, then you will be voting for the in-principle abolition of Article 44. There is a question from Deputy Gardiner.

**Deputy I. Gardiner:**

Again, I would like clarification because I am a bit confused to even follow the previous. A vote against, does it mean that review for differential pay will not take place and it cannot be brought back to the Assembly?

**The Deputy Bailiff:**

No, it does not mean that. You have heard from Deputy Alves that the proposal - and, of course, this is only a proposition, it is not legislation - is that the independent reviewer may consider different levels of pay for different roles. That will have no effect while Article 44 remains in place.

**Deputy I. Gardiner:**

Okay, thank you.

**The Deputy Bailiff:**

So votes pour (b)(vii) are in favour of the repeal of the Article, which requires all States Members to be paid the same amount. Votes contre are against repeal of that provision. I now invite the Greffier to put a vote in the link, which he has done. I ask Members to cast their votes accordingly. I ask the



Greffier, if all Members have had the opportunity of casting their votes, to close the voting. So that part of the proposition has been rejected.

| <b>POUR: 18</b>           |  | <b>CONTRE: 25</b>          |  | <b>ABSTAIN: 0</b> |
|---------------------------|--|----------------------------|--|-------------------|
| Senator L.J. Farnham      |  | Senator S.C Ferguson       |  |                   |
| Connétable of St. Helier  |  | Senator T.A. Vallois       |  |                   |
| Connétable of St. Saviour |  | Senator K.L. Moore         |  |                   |
| Connétable of Grouville   |  | Senator S.W. Pallett       |  |                   |
| Connétable of Trinity     |  | Senator S.Y. Mézec         |  |                   |
| Connétable of St. Peter   |  | Connétable of St. Lawrence |  |                   |
| Connétable of St. Mary    |  | Connétable of St. Brelade  |  |                   |
| Deputy J.A. Martin (H)    |  | Connétable of St. Ouen     |  |                   |
| Deputy K.C. Lewis (S)     |  | Connétable of St. Martin   |  |                   |
| Deputy J.M. Maçon (S)     |  | Connétable of St. John     |  |                   |
| Deputy R. Labey (H)       |  | Deputy of Grouville        |  |                   |
| Deputy J.H. Young (B)     |  | Deputy M. Tadier (B)       |  |                   |
| Deputy L.B.E. Ash (C)     |  | Deputy M.R. Higgins (H)    |  |                   |
| Deputy G.C.U. Guida (L)   |  | Deputy S.J. Pinel (C)      |  |                   |
| Deputy of St. Peter       |  | Deputy of St. Martin       |  |                   |
| Deputy of Trinity         |  | Deputy of St. Ouen         |  |                   |
| Deputy of St. John        |  | Deputy L.M.C. Doublet (S)  |  |                   |
| Deputy I. Gardiner (H)    |  | Deputy of St. Mary         |  |                   |
|                           |  | Deputy G.J. Truscott (B)   |  |                   |
|                           |  | Deputy K.F. Morel (L)      |  |                   |
|                           |  | Deputy M.R. Le Hegarat (H) |  |                   |
|                           |  | Deputy S.M. Ahier (H)      |  |                   |
|                           |  | Deputy R.J. Ward (H)       |  |                   |
|                           |  | Deputy C.S. Alves (H)      |  |                   |
|                           |  | Deputy K.G. Pamplin (S)    |  |                   |

### **The Greffier of the States:**

Those who voted pour were: the Constable of Grouville, Senator Farnham, Deputy Lewis, Deputy Ash, Deputy Young, Deputy Martin, Constable of St. Helier, Deputy Guida, Deputy Labey, Deputy of St. Peter, Deputy of Trinity, Constable of St. Peter, Deputy of St. John, Deputy Gardiner, and in the chat I also saw Deputy Maçon, the Constable of St. Mary, Constable of Trinity and the Constable of St. Saviour. Those who voted contre were: Deputy Ahier, Deputy Alves, Deputy of St. Martin, Senator Vallois, Constable of St. John, Deputy Ward, Deputy of Grouville, Deputy Tadier, Deputy Higgins, Senator Pallett, Senator Ferguson, Constable of St. Martin, Deputy of St. Mary, Deputy Morel, Deputy Le Hegarat, Senator Moore, Deputy Pamplin, Deputy of St. Ouen, Constable of St. Lawrence, Constable of St. Brelade, Deputy Truscott, Constable of St. Ouen, Senator Mézec, Deputy Pinel and Deputy Doublet.

### **The Deputy Bailiff:**

We now come to the third and final vote on the balance of the proposition, from (b)(viii) to (c) inclusive. I invite the Greffier to place a link in the chat. He has done so and I ask Members to cast

their votes. If all Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. The third part of the proposition has been adopted.

| <b>POUR: 41</b>            | <b>CONTRE: 2</b>          | <b>ABSTAIN: 1</b>         |
|----------------------------|---------------------------|---------------------------|
| Senator S.C Ferguson       | Senator L.J. Farnham      | Deputy L.M.C. Doublet (S) |
| Senator T.A. Vallois       | Connétable of St. Saviour |                           |
| Senator K.L. Moore         |                           |                           |
| Senator S.W. Pallett       |                           |                           |
| Senator S.Y. Mézec         |                           |                           |
| Connétable of St. Helier   |                           |                           |
| Connétable of St. Lawrence |                           |                           |
| Connétable of St. Brelade  |                           |                           |
| Connétable of Grouville    |                           |                           |
| Connétable of Trinity      |                           |                           |
| Connétable of St. Peter    |                           |                           |
| Connétable of St. Mary     |                           |                           |
| Connétable of St. Ouen     |                           |                           |
| Connétable of St. Martin   |                           |                           |
| Connétable of St. John     |                           |                           |
| Deputy J.A. Martin (H)     |                           |                           |
| Deputy G.P. Southern (H)   |                           |                           |
| Deputy of Grouville        |                           |                           |
| Deputy K.C. Lewis (S)      |                           |                           |
| Deputy M. Tadier (B)       |                           |                           |
| Deputy M.R. Higgins (H)    |                           |                           |
| Deputy J.M. Maçon (S)      |                           |                           |
| Deputy S.J. Pinel (C)      |                           |                           |
| Deputy of St. Martin       |                           |                           |
| Deputy of St. Ouen         |                           |                           |
| Deputy R. Labey (H)        |                           |                           |
| Deputy of St. Mary         |                           |                           |
| Deputy G.J. Truscott (B)   |                           |                           |
| Deputy J.H. Young (B)      |                           |                           |
| Deputy L.B.E. Ash (C)      |                           |                           |
| Deputy K.F. Morel (L)      |                           |                           |
| Deputy G.C.U. Guida (L)    |                           |                           |
| Deputy of St. Peter        |                           |                           |
| Deputy of Trinity          |                           |                           |
| Deputy of St. John         |                           |                           |
| Deputy M.R. Le Hegarat (H) |                           |                           |
| Deputy S.M. Ahier (H)      |                           |                           |
| Deputy R.J. Ward (H)       |                           |                           |

|                         |  |  |  |  |
|-------------------------|--|--|--|--|
| Deputy C.S. Alves (H)   |  |  |  |  |
| Deputy K.G. Pamplin (S) |  |  |  |  |
| Deputy I. Gardiner (H)  |  |  |  |  |

**The Greffier of the States:**

The votes contre were Senator Farnham and the Constable of St. Saviour and the abstention was Deputy Doublet.

**The Deputy Bailiff:**

Accordingly, the proposition has been adopted, with the exception of (b)(vii).

**ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS**

**The Deputy Bailiff:**

That concludes the Public Business for this meeting and I invite the chair of P.P.C. to propose the arrangement of public business for future meetings.

**2. Deputy C.S. Alves (Chair, Privileges and Procedures Committee):**

There have been a number of changes to the arrangement of public business since the Consolidated Order Paper was published, with an additional 9 items being lodged. All of these items have been listed for the meeting of 20th July 2021. Looking at the next meeting, there are a number of items down for discussion. A lot of this is legislation so I would expect a meeting on Thursday may be needed as well. I have been informed by a few Members that they will be proposing a reducing in lodging time and I believe the Minister for the Environment has also informed me that he wishes to propose an in-committee debate on the report of the citizens assembly. So, with that, I propose the arrangement of public business as shown on the consolidated paper with the changes that have been identified.

**The Deputy Bailiff:**

Thank you. A number of Members wish to speak. Deputy Guida, you did wish to speak, although you have gone from my chat.

**2.1 Deputy G.C. Guida of St. Lawrence:**

Yes, I would like to request from P.P.C. that we bring forward P.55, which is the appointment of a member of the Jersey Police Complaints Authority. This would normally have been scheduled for 20th July and I would like to bring it to the next sitting. These are voluntary positions and over the holiday period the Police Complaints Authority, of course, will lose some of their members. It is primordial that they have as many as possible available to receive complaints from the public during the holidays.

[11:00]

**2.2 Deputy J.H. Young:**

As the chairman of P.P.C. says, I ask the Assembly, please, to approve an in-committee debate on the report of the citizens assembly on achieving carbon neutrality. I would like that debate to be held on 20th July. We need to plan for it now. Just to highlight to the Assembly, of course, the commitment to having an in-committee debate was, in fact, an explicit requirement of P.127/2019 in the appendix to that report, so that is why I am pleased to formally make the request to include that within the agenda for the 20th July Assembly.

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

Apologies, Sir, this might be a ring-binder moment, but the Greffier read out my vote for the last vote as abstain and I had intended to vote pour. I am not sure if it was an error on the computer or an error on my part, but if I could just record my intention there for the record, please.

**The Deputy Bailiff:**

Yes, for the record that will be recorded but I am afraid to say your vote will remain as an abstention, but that is recorded for the record.

**2.3 Connétable M.K. Jackson of St. Brelade:**

It was really just to clarify a point that was made with regard to drawing in P.39 for scrutiny. I think we mentioned yesterday 4th October. Of course, it is the sitting commencing on 5th October. It is just to clarify that point.

**The Deputy Bailiff:**

Thank you very much. Deputy Alves, do you want to respond to what Deputy Guida and Deputy Young have said about P.55 and the in-committee debate?

**Deputy C.S. Alves:**

Sorry, Sir, I think you missed out the Constable of St. Ouen. He said he wanted to speak earlier.

**2.4 Connétable R.A. Buchanan of St. Ouen:**

Yes, I am speaking in my capacity as Assistant Minister for External Relations. My Minister has asked me to ask the Assembly's indulgence that on 29th June we take Draft Taxation (Partnerships - Economic Substance) as the first item of Public Business. The reason for this is that we are required to notify the E.U. (European Union) whether this has been successful or otherwise by 30th June. I ask the Assembly's indulgence to be able to do this as the first item.

**The Deputy Bailiff:**

So you want to take P.47 first?

**The Connétable of St. Ouen:**

Yes, that is correct, Sir.

**The Deputy Bailiff:**

That is your proposal. Yes, all right.

**Deputy C.S. Alves:**

I am happy to proceed with those things, unless ... I do not see that any Member is against it, so ...

**The Deputy Bailiff:**

So are you going to propose Public Business on the footing that P.47 is taken first on 29th June, P.55 is brought forward to 29th June, and there is an in-committee debate on 20th July as mentioned by Deputy Young?

**Deputy C.S. Alves:**

Yes, Sir. I believe Deputy Ward has just said that he would like to speak on that.

**The Deputy Bailiff:**

Yes, of course, Deputy Ward.

**Deputy R.J. Ward:**

Sorry, Sir, it was a couple of things, so if you want to deal with that first. It was some slightly separate things.

**The Deputy Bailiff:**

Can we go back to Public Business then, Deputy Alves?

**Deputy C.S. Alves:**

Yes, Sir. So, with that, I propose the arrangement for public business. Thank you.

**The Deputy Bailiff:**

Yes. I think I need to hear from Deputy Ward now because once we have dealt with Public Business that is the end of the meeting.

**2.5 Deputy R.J. Ward:**

It was 2 things. One is just I can see certain arrangements that need to be firmed up. The in-committee debate, will we be allocating a particular time or afternoon or session? Because they can be very messy if they go over time. I am just thinking about that arrangement. We may not know now but I wonder if we could be let known in advance. The second thing is as well that given what was just said regarding - actually, it is linked to that - the taxation and the need to cover that piece of legislation on the 29th, I am conscious, I think we all are, that there may be ministerial positions that may be debated around that time. I do not know but, if so, that could take a lot of the 29th after questioning. I wonder whether it might be something that needs to be considered. It may help the chair of P.P.C., who I think has a very difficult decision to make here, if the Chief Minister or the Government decided on when those would be happening, because it may mean starting in the afternoon beforehand for that taxation to go through on that day. It just occurred to me that that could be a ... I think the technical phrase is a spanner in the works.

**The Deputy Bailiff:**

Well, the elections for any new ministerial positions will take place before Public Business in the usual way.

**Deputy R.J. Ward:**

Exactly, Sir, and they could perhaps take a long time. I do not know, it was just a suggestion. The Greffier is shaking his head at me, so I will take his knowledge beyond mine.

**The Deputy Bailiff:**

Yes, the Greffier is confident we can dispose of those matters within time, but if there is any particular emergency, then we can consider that on the day. In terms of the in-committee debate, the duration of that debate is a matter for the Presiding Officer. Normally, at least a half a day is allowed, but you are right, people need to know where they stand well before the time and I am sure that will be catered for. Deputy Tadier, you wanted to say something?

**2.6 Deputy M. Tadier:**

Yes, it is to ask about P.55. Have we decided to bring that forward and at what point do we decide whether that gets taken early or just listed?

**The Deputy Bailiff:**

That has been proposed by Deputy Alves and I am going to ask someone to second it in a minute and then if anyone wants to speak against bringing it forward, then they may do so. Deputy Young, anything you want ...

**2.7 Deputy J.H. Young:**

Yes, I did want to just respond to Deputy Ward if I may about the preparation for the in-committee debate. You have obviously covered, Sir, the discussion about the consideration of the time of the debate. Obviously, it is your domain, Sir. I wanted to assure Deputy Ward that it is intended to

produce some kind of structured discussion document, which will be published before the in-committee debate. Obviously, we already have the full report of the citizens assembly in R.95/2021. This will be to facilitate that discussion and the content of that, my intention is to discuss that and agree that with the Council of Ministers at its next meeting, as was exactly agreed in the process that the States approved would be followed.

**The Deputy Bailiff:**

Thank you, Deputy Young. So is Public Business as proposed by the chairman of P.P.C. seconded? **[Seconded]** Does anyone wish to speak on the business as proposed? Are Members content to proceed with Public Business ... Deputy Tadier, you wish to speak.

**Deputy M. Tadier:**

What I was getting at with my question is that is it being proposed that we move ... it is being proposed with P.55 being moved, is that right?

**The Deputy Bailiff:**

That is correct, yes.

**2.8 Deputy M. Tadier:**

Yes. I do not have a problem with it being moved, but I do not think this is right to do that. I think we should have a separate decision on whether or not to ... as a rule I think we should have separate decisions on whether we shorten the lodging periods or list something on an Order Paper before it can be listed because we are just eroding the lodging periods by doing this. I think that is a separate matter to discuss. I am really uncomfortable about this. There may be good reasons but the test remains that the public interest must be proven before we reduce lodging periods.

**The Deputy Bailiff:**

Yes, there will be ...

**Deputy C.S. Alves:**

Can I ... sorry.

**The Deputy Bailiff:**

Can I just finish what I was saying? There will be a separate vote on the lodging period. Merely because it is being brought forward to be listed for debate does not mean the lodging period has been reduced. There will be a separate vote on that in due course.

**Deputy M. Tadier:**

I get that, but I still think the point stands that in order to move it on to the Order Paper there is a presumption that it can be taken, and I think that needs to happen separately as well.

**The Deputy Bailiff:**

Sorry, I missed your last point, Deputy Tadier.

**Deputy M. Tadier:**

I just think that these are separate issues. We decide whether or not to put this on the Order Paper, then we decide whether or not to take business as scheduled. I do not think we should do it all together, that is what I am saying.

**The Deputy Bailiff:**

No, the business is being proposed in the way that it has been proposed by the chair of P.P.C. It is in order for her to propose it in the form she has proposed it and Members must vote on that. Does

any other Member wish to speak on this before it is either put to the vote or agreed on, as it were, a standing vote? Thank you. I think in the circumstances Public Business has been ... Deputy Guida.

## 2.9 Deputy G.C. Guida:

Yes, sorry, if public interest needs to be discussed on the taking of P.55 earlier, it is quite simple. Again, because of the holidays and the few people that constitute this voluntary organisation, there might be a time where there are no people available to take public complaints about the police. So I am in the hands of the Assembly, but bringing this forward by 3 weeks would allow us to have an additional member in the authority who would be available during the summer.

## The Deputy Bailiff:

Thank you. Public Business has been proposed for the next meeting. I now propose to invite the Greffier to put a link in the chat as to whether or not Public Business as proposed should proceed on 29th June. There is a link in the chat. I invite Members to cast their votes on the proposition made by the chair of P.P.C. If all Members have had the opportunity of voting, I ask the Greffier to close the voting. The proposal for Public Business for the next meeting has been approved.

| <b>POUR: 40</b>            |  | <b>CONTRE: 1</b>     |  | <b>ABSTAIN: 0</b> |
|----------------------------|--|----------------------|--|-------------------|
| Senator L.J. Farnham       |  | Deputy M. Tadier (B) |  |                   |
| Senator S.C Ferguson       |  |                      |  |                   |
| Senator T.A. Vallois       |  |                      |  |                   |
| Senator K.L. Moore         |  |                      |  |                   |
| Senator S.W. Pallett       |  |                      |  |                   |
| Senator S.Y. Mézec         |  |                      |  |                   |
| Connétable of St. Helier   |  |                      |  |                   |
| Connétable of St. Lawrence |  |                      |  |                   |
| Connétable of St. Saviour  |  |                      |  |                   |
| Connétable of St. Brelade  |  |                      |  |                   |
| Connétable of Grouville    |  |                      |  |                   |
| Connétable of Trinity      |  |                      |  |                   |
| Connétable of St. Mary     |  |                      |  |                   |
| Connétable of St. Ouen     |  |                      |  |                   |
| Connétable of St. Martin   |  |                      |  |                   |
| Connétable of St. John     |  |                      |  |                   |
| Deputy J.A. Martin (H)     |  |                      |  |                   |
| Deputy of Grouville        |  |                      |  |                   |
| Deputy K.C. Lewis (S)      |  |                      |  |                   |
| Deputy M.R. Higgins (H)    |  |                      |  |                   |
| Deputy J.M. Maçon (S)      |  |                      |  |                   |
| Deputy S.J. Pinel (C)      |  |                      |  |                   |
| Deputy of St. Martin       |  |                      |  |                   |
| Deputy of St. Ouen         |  |                      |  |                   |
| Deputy L.M.C. Doublet (S)  |  |                      |  |                   |
| Deputy R. Labey (H)        |  |                      |  |                   |
| Deputy of St. Mary         |  |                      |  |                   |
| Deputy G.J. Truscott (B)   |  |                      |  |                   |

|                            |  |  |  |
|----------------------------|--|--|--|
| Deputy J.H. Young (B)      |  |  |  |
| Deputy K.F. Morel (L)      |  |  |  |
| Deputy G.C.U. Guida (L)    |  |  |  |
| Deputy of St. Peter        |  |  |  |
| Deputy of Trinity          |  |  |  |
| Deputy of St. John         |  |  |  |
| Deputy M.R. Le Hegarat (H) |  |  |  |
| Deputy S.M. Ahier (H)      |  |  |  |
| Deputy R.J. Ward (H)       |  |  |  |
| Deputy C.S. Alves (H)      |  |  |  |
| Deputy K.G. Pamplin (S)    |  |  |  |
| Deputy I. Gardiner (H)     |  |  |  |

Accordingly, I close the meeting and the States is adjourned until 29th June.

**ADJOURNMENT**

[11:12]