

STATES OF JERSEY

OFFICIAL REPORT

WEDNESDAY, 20th MAY 2020

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[09:31]

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

PUBLIC BUSINESS - resumption

1. COVID-19 Elimination Strategy (P.61/2020): second Amendment (P.61/2020. Amd.(2)) - resumption

The Bailiff:

Welcome to the virtual sitting this morning. There being no other matters we carry on with Deputy Perchard's Proposition and the Chief Minister's Amendment No. 2 to that. I have next listed to speak the Deputy of Grouville.

1.1 Deputy C.F. Labey of Grouville:

I only intend speaking once in this debate so I hope I can encapsulate my thoughts on both the Amendment as well as the main Proposition here. I understand that Deputy Perchard in bringing this issue to the Assembly is trying to stimulate discussion on the strategy employed and offer an alternative strategy, which also enables all States Members and indeed members of the public to get a better insight into the thinking behind the decisions made so far. I can appreciate that Government might not have been the best at communicating the thinking behind the adopted approach and, indeed, while I am a Member of the Council of Ministers I am not a Member of the Emergencies Council nor the competent authorities and because the issues are moving so quickly where decisions are needed day and night, the opportunities to convey the full reasoning behind the recommendations and decisions have been extremely time-pressured. However, I had wished Deputy Perchard had gone for an in-committee debate, in the first instance anyway, so that a better understanding of the implications of adopting the strategy she proposes could be known. She asks for that analysis and details of the consequences in her report and Proposition but asks the States Members to adopt the elimination strategy today. She has made it clear that she wants the Assembly to choose a strategy: control or elimination. She wants that decision today and that is her perfect right. On 12th May when we moved the control strategy into phase 3 this might have happened too quickly for some. I understand that it took some people unawares and has caused unease. Equally I know of some who wept with relief at being able to visit their family again. This moving phase might have given rise to an assumption that we will now be swiftly moving into phase 2 and our borders will suddenly become open. To be clear, I do not believe any Member of C.O.M. (Council of Ministers) believes in unrestricted borders. We certainly maintain a 14-day quarantine for anyone arriving and changes to this situation may not be considered for many months, but when it is it will be considered in the full knowledge of the prevailing circumstances at the time. Deputy Gardiner and others surrounding this debate seem to imagine we are following herd immunity and are playing Russian roulette with the lives of Islanders. She suggested in her speech yesterday that Government are succumbing to those that shout the loudest, to get back to business as usual. I suggest to her that the opposite is true. We have adopted a controlled approach which puts the vulnerable at the very heart of our considerations. This Proposition, however, requires a continuation, indeed a more severe lockdown to be imposed on our community. I ask then what? When we lockdown for longer indefinitely, in apparent elimination, then what? Lockdown with no exit plan other than waiting for immunisation. No build-up of our immunity, no consideration to the impact to our economy with decreasing resources to educate our isolated children. When the second wave hits and there is still no vaccine, then what? By adopting a controlled balance and sustainable approach, I believe it gives a fair consideration to all of the lives and aspects of our community. Deputy Gardiner is a Member of the Community Support Taskforce, as am I. Probably one of the success stories that has come out of this crisis is the fantastic Jersey community coming together with 3,400 volunteers ready and willing to help their fellow Jersey men and women. Last week she, like me, will have heard of the increased anxiety and

fear this pandemic has created among the 18 to 30 year-olds. I do not just mean the rescinded job offers, the uni students with careers on hold, the isolated single parents, but we also heard of the increase in mental health issues in this cohort with sometimes tragic circumstances. The controlled approach is working, it comes with medical advice and guidelines, it is a measured approach which is balanced, it considers the well-being, safety and sustainability of the whole community.

The Bailiff:

Thank you very much. There is a point of clarification sought of that speech by Deputy Perchard.

Deputy J.H. Perchard of St. Saviour:

Thank you to the Minister, that was explicitly clear and very helpful. The only thing I wanted to clarify was something that she alluded to that I had said, when I talked about an elimination strategy in my speech yesterday I absolutely had not advocated an intense period of lockdown and I absolutely had not stated it in the wording of the Proposition. It is so important that Members understand that an elimination strategy does not necessitate an intense period of lockdown.

The Bailiff:

Thank you, Deputy, that is a reasonable point of clarification.

[09:45]

The Deputy of Grouville:

Could I just challenge that? I was not alluding to the Deputy's speech.

The Bailiff:

Yes, Deputy, absolutely I was about to come to you and ask if you wanted to reply.

The Deputy of Grouville:

Yes, I was not alluding to Deputy Perchard's speech, it was Deputy Gardiner suggested that in her speech yesterday.

The Bailiff:

Thank you very much. The Deputy of St. Martin.

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

I am just going to say a few words and reserve myself for the main debate. I just want to thank a few people, if I may. The first is Deputy Perchard for bringing this to the Assembly. This is a subject which has desperately needed discussion for many, many weeks now. Second, I just want to thank all those people who are working on the front line during this crisis. Not just the doctors, nurses, cleaners, porters and care home workers but those working in shops and providing public services, they all had to carry on providing those services for us all during this immensely difficult time. Third, I just want to say a big thank you to the public of the Island who are the reason that we are here flattening the curve today, because it is really their actions not Government's that have got us to this point. The public, we need to remember, were locking down well before they were told to. We are where we are in spite of Government and not because of them. Why do I say that? I say that because, in my view, at no time did we really know what the actual policy was. We have been told, some time ago now I admit, but we were told very clearly it was herd immunity, now we are being told it is not. So which is it? I am looking for the Chief Minister to give me these answers when he sums up in this Amendment. What is the current policy? Where is the current policy written down? How are decisions made? Under what policy are choices being taken? We are here today choosing between the Chief Minister and Deputy Perchard and I accept that certainly, as she has just mentioned, her

Proposition can be viewed as quite extreme, but at least she has written it down and it is clear, even if it will need some definite changes if it was to be adopted, which is unfortunately looking quite unlikely. But, equally, the watering down by the Chief Minister does not fill me with confidence. I still do not see any written policy from him and I will not be supporting him in this Amendment. Thank you.

The Bailiff:

Does any other Member wish to speak on this Amendment? The Connétable of St. Saviour.

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

Just a couple of things. Firstly, may I apologise to you, Sir, for speaking over you yesterday. It was very wrong of me and very disrespectful and I do apologise.

The Bailiff:

Thank you, Connétable.

The Connétable of St. Saviour:

I am a little bit confused as to why we need to open the borders. Open the shops, I do not have a problem with that, I think it is absolutely fantastic and we can try to get back to normal living on this Island. We have all been locked up together so we are all theoretically in the same boat. I cannot see why we would need to open the borders to all and sundry to come in when we feel safe. The only thing I can think of is money. Right at this moment we do not need too much money because we need our lives to be secure. There is a country music song that says: “You never see a hearse with a roof rack” and I think we need to think very, very carefully about our lives and not a monetary value. As I say, everybody is in the same boat. Guernsey has not opened their borders, England has and we seem to follow whatever England does like lemmings. Guernsey has not, Wales has not, Scotland has not and some of Ireland has not. What I would like is some sort of normality with all the shops open, absolutely fabulous. I have not seen my great-grandchildren since March. I see my grandchildren and I see my children at the bottom of the drive, they come and we chat and they make sure that Granny is okay but I want to be able to mix with my family and I just have a feeling that if we open the borders, come autumn we are going to be in dire trouble. At Christmas, if you think it is so bad now with the lockdown, just think what Christmas is going to be like when the weather is really depressing and we cannot get together for Christmas. I cannot support my Deputy. She has done a fantastic job bringing this forward and it really has been a fabulous discussion but I cannot even support opening the borders. I am disappointed with all of this but I think it is wonderful that we are open to our Islanders who have all been in the same boat.

1.1.3 Deputy R. Labey of St. Helier:

It has been a very interesting debate and I have been ticking off the issues that have popped up that I was going to mention and do not need to repeat. I have not heard mention so far of care homes. There were 6 more cases of coronavirus recently confirmed at the weekend in Jersey bringing the total number to 303 in the Island. The new cases were all linked to hospital or care home settings and none have been connected to community transmission. They were not a result, we can deduce, of the easing of lockdown and the next stage of the exit strategy. Community transmission seems to be very close to zero. There is one line only in the report to the Proposition referring to the care homes which, to paraphrase, says that after another period of intense lockdown care homes will become safer places to reside in or visit. We hope so but I do not see the correlation between what this Proposition is asking for and the care homes suddenly become safer places to reside in or live as if by magic. The whole care home situation throughout the world, and indeed in Jersey, is one of the scandals, if you like, one of the disasters of this pandemic and it is very important that we keep that

at the forefront of our minds. I guess it is testing, testing, testing that will help. Look, I cannot complain about the lockdown period myself, I am lucky where I live. Few of us, I think, can complain if we live in 2, 3, 4, 5 bedroom houses with gardens, but a lot of my constituents live in bedsits or one beds and that lockdown experience for them is a very, very different prospect altogether. I do not understand how, as things are going so positively at the moment, that imposing more intense lockdown on some people who are suffering greatly through it because of their circumstances, I just think that is not fair. Of course the New Zealand model is attractive, looking at it in hindsight, but Jacinda Ardern she locked down New Zealand on March 18th, we are now at May 20th, I think that ship has sailed.

The Bailiff:

Deputy Perchard, you are raising a point of order?

Deputy J. H. Perchard:

Yes, thank you. I would like to raise a point of order under Standing Order 104, paragraph 2, I think it is part C but I cannot quite remember, I do feel that these continued references to something that is not in my Proposition is imputing my motive and I think it is ...

The Bailiff:

I am sorry, could you repeat what you are saying?

Deputy J.H. Perchard:

Yes, sorry. I believe that the constant references to intense periods of lockdown, which is not mentioned in the wording of my main Proposition is imputing my motive and I think it is starting to become very distracting from the main debate.

The Bailiff:

I am not sure what point of order that is, Deputy, but a reference to intensive lockdown that is one of those things that is simply being discussed, it seems to be before the Assembly, but in any event I cannot think it imputes anything to your motives and I do not think that is point of order for me to deal with.

Deputy J.H. Perchard:

May I explain why I think it does impute my motive?

The Bailiff:

Yes.

Deputy J.H. Perchard:

Thank you, Sir. I think it imputes my motive because it suggests that I am in favour of restricting the free movement of people further, which is not my motive at all.

The Bailiff:

Very well, well that is a point of clarification I suppose from your original speech and I can permit it on that basis. Deputy Martin, did you seek a point of clarification from the previous speaker?

Deputy J.A. Martin of St. Helier:

Yes, I am quite happy for the Deputy to feel affronted but unless I have got ...

The Bailiff:

No, I am sorry, you asked for a point of clarification, Deputy Martin, that must be from the speech I think of Deputy Labey in the circumstances.

Deputy J.A. Martin:

Well, then it is a point of order, Sir, because on bullet point 4 on Deputy Perchard's Proposition: "Intense physical distances that may include various severities of lockdown." The Deputy seems to get the hump ...

The Bailiff:

I am sorry, can I ask what point of order? What decision are you asking the Chair to make?

Deputy J.A. Martin:

Well, okay, sorry, I have not had a speech but I have managed to have a point of not clarification on bullet point 4, so the Deputy does ... the previous speaker spoke about intense lockdown because it is in the Deputy Proposition at bullet point 4.

The Bailiff:

I am sorry, that is not a point of order, Deputy. You have not had a speech yet, as far as I am aware, you would have been able to speak but that is not a point of order, I am afraid.

Deputy J.A. Martin:

Okay, sorry.

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

Thank you. Yes, to the Constable of St. Saviour, my Constable, it was my understanding that the current Government strategy opening up the ports and airports was the very last step in the Chief Minister's strategy. I am sure he will correct me when he sums up if that is not the case. I think worrying about the impact and issues around opening up the borders, bar obviously emergency and compassionate stuff that we have at the moment, that is not going something for quite some time. I was going to speak on this point for Deputy Pamplin's Proposition but for some of us I think for our mental health aspect, getting off this Island is quite important but that is all I wanted to say on that. With regards to this Amendment and Deputy Perchard's main Proposition, I am getting slightly confused in what she is proposing and while she is saying: "Oh, you know, it is not in the Proposition" quite clearly in her report when it comes to the conclusion it says: "Islanders would be better served by a short period of intense lockdown while we achieve elimination, followed by a longer period of relatively free internal movement." So it is quite clear from her report, and I think this is where the confusion is coming from, that it seems that is what she is aiming for and that is what I am given to understand. I think in the past we have said: "Do you agree to the Proposition?" but we have also have debates recently where the report is absolutely paramount to understanding an issue. That is where I think the Council of Ministers, in responding to this Proposition, have taken it from and that is my understanding of it. I think when we are comparing and contrasting about what is going on, I would just like to agree with all the others Members who have thanked our medical staff for all their advice that they have given to us. It is interesting, the *J.E.P. (Jersey Evening Post)* did a comparison today, and I do not know if Members have seen that graphic yet, but if you compare ourselves to the Isle of Man and Guernsey, we are very much on a par in kind of whatever we are doing. So whatever strategy each Island is individually following, they more or less seem to be resulting in the same kind of results. I am not convinced at the moment that to deviate from the Council of Ministers' strategy, backed up by the medical and scientific evidence of our public sector employees, as to why we should change that strategy. I was interested when Deputy Perchard spoke, she also said if we adopt this Amendment from the Council of Ministers it radically changes her Proposition or something along

those lines. I cannot remember the exact wording but it seems to me that at this moment in time the evidence provided from a 3-page, 4-page report in order to completely change the Government strategy to something, which in my view, would be much more severe at the moment is not merited and therefore I will be supporting the Council of Ministers' Amendment. I am not taking a 3-line whip here, when I first saw the Proposition I was very keen on maybe supporting Deputy Perchard's Proposition because I did have that question of if we could just have stricter lockdown for a couple of more weeks and then we knock it on the head, is that not better? But it is clear from the advice from the clinicians that really that is not something that they would support and they have far more knowledge on this matter than I really think anyone in this Assembly.

[10:00]

I am more minded to side with them. I appreciate all they have said it is a balance of risk. So it is a balance of the other aspects, not just COVID-19, but the other aspects of mental health and domestic violence and all the other aspects, thinking about people's well-being but also perhaps their financial well-being. Senator Ferguson made that really good point in her speech when she spoke about if you are living on the breadline ... despite everything we have put in place to support people as much as possible, but if you are living in some really precarious situations that has to be considered as well. Sorry, I think I have rambled a little bit too much there. At the moment I will be supporting the Council of Ministers' Proposition and I reserve my place on what I am going to do on the entirety of the Proposition when we get there. Thank you.

The Bailiff:

Thank you very much, Deputy. Can I say this before we continue, Members may recall that I issued a memorandum on 15th January explaining the process for debate and some issues that arise in debate when the Assembly is sitting. Because I have been mindful of the difficulty that Members are experiencing in dealing with participation in the Assembly in a virtual sense, the inability to clarify between them by dint of easy contact or by seeing the way in which things are meant or expressed or the ability to, in a sense, influence the speaker by a facial expression so the speaker can take it into account, those kinds of things, I have been as flexible as I felt I could be in connection with interruptions. I must remind Members that points of order are solely reserved for matters of procedure on which the Presiding Officer needs to make a decision. Clearly they do not apply in any other circumstances in accordance with Standing Orders. Secondly, points of clarification are to be used sparingly and points of clarification can only be made if the speaker agrees to give way to permit them to be made. They are not a right that obtains at the end of a speech, they merely occur at the end of a speech out of convenience but they could interrupt a speech going along and the Member speaking could refuse to give way for a point of clarification. That must be the same at the end of the speech. What I will do in future when a Member finishes speaking and someone has indicated a desire for a point of clarification, I will ask the Member if that Member gives way and if the Member does not give way there is no basis within Standing Orders for either offering clarification or seeking clarification. I will uphold that from now on because it seems to me that we are running the risk, quite unintentionally on the part of any Members, I am sure, of people being able to effectively have a number of supplemental mini points along the way and that is not the purpose of debate in the Assembly, I am afraid in these circumstances. So I propose to deal with that in that way going forward. Thank you very much. Deputy Wickenden.

1.1.5 Deputy S.M. Wickenden of St. Helier:

There seems to be some confusion on what is trying to be achieved across all of this. A lot of the speakers that have spoken against the Council of Ministers' Amendment here have started with: "The Government have done a really good up until now." It is kind of like the way that you say anything you say before saying the word "but" does not count. If the Government have done such a good job

up until the present point, why do we suddenly need this change of direction in such a way. You would only really do an extreme change of direction if it was not working. We can see that the advice that we have had and the way that Islanders have listened and paid attention has worked very much in our favour. I am very proud of the Islanders of Jersey and how everyone has worked together to make sure that we have not flooded our health system, that we have socially distanced. It has been absolutely amazing to see. In the main Proposition at the beginning it was mentioned that any strategy going forward, even an elimination strategy, should of course follow medical advice but my question would be whose? Because our medical advice from the Council of Ministers right now says that an elimination strategy is not the way forward at the moment. Deputy Perchard spoke yesterday of speaking to medical professionals and G.P.s (general practitioners) who have told her that their medical advice is that we should go for an elimination strategy. There is always going to be 2 different sides of opinion. I am very lucky, in my family I have 2 extremely qualified molecular biologists, doctorates in molecular biology in my immediate family who have been working in the science industry and labs, for over 25 years running labs. My sister, being one of them, is a Jersey girl and they both agree that we going in the right direction. I spoke to them about the elimination strategy and the answer was it is very difficult because it is already in the Island and once it is already in the Island it is a contact based spread virus. Unless we were thinking of doing things like quarantining all goods coming into the Island for 2 to 3 weeks, and that is our perishables and other things, it would be very difficult to make sure that this contact-based virus does not spread back into the Island even if we did create elimination. There would be much tighter controls to try and keep it out of the Island because of the nature of the way that the virus is spread. My sister believes that we are learning more and more about this virus every day. There is a very interesting paper going around the medical and scientific community right now about how and why the virus has less effect on children than it does on the elderly. Now, this Proposition in its main ... I was a bit upset that this was not an in-committee debate because the best way to create debate within our rules and regulations and our Standing Orders, is an in-committee debate. At least with an in-committee debate you can speak multiple times, there would be no need for points of clarification or points of order, you could ask and challenge Ministers on other aspects of why we are going down this different route. I do believe the Deputy was asked about an in-committee debate but decided to go for a full Proposition with a vote on the end of it, which is absolutely her right. I would like to know whose medical advice should we be following. I think that if we are doing a great job up until now, let us carry on because the Islanders are enjoying a bit more freedom right now and we are monitoring it. Having a strict strategy as well does not allow for the movement. Two months ago ... so many things have changed since we got our first case in Jersey and we have had to almost daily look at it, look at the statistics, get advice, see what we are going to do, it is a constantly moving target with this because of the nature of this pandemic. To come along and say: "Right, you have had your go, it has been good and it has worked but I now want my go" does not seem like the right way to go. To do an elimination strategy in this way would have to create some severe lockdowns because of the very nature of the way that this virus is spread and how long it lasts on surfaces. I would implore people to support the Council of Ministers in our Amendment because a lot of the things that we are looking to do are already in place and it is the right way to go. We cannot compare ourselves to an Island such as New Zealand in such a way as well because of the nature of the fact that they are self-sustainable, where Jersey has not got that level of self-sustainability. I am going to support, of course, the Council of Ministers but I do implore others to support it too. Thank you.

1.1.6 Deputy L.M.C. Doublet of St. Saviour

I think it has been an interesting debate and at times what has interested me has been the levels at which people are pitching their speeches, because it was quite clear to me from the moment that I read the Proposition and the accompanying report that the intention behind this Proposition was to have a very high-level discussion, a strategic level discussion. Deputy Perchard has tried to keep the

discussion on course by raising points of order but it is quite frustrating that people are moving away from the nature intended behind the Propositions, which is that very high-level idea. Another thing that has disappointed me is I can see the strategy that has been devised overnight by the Government and it seems like the strategy is to make Deputy Perchard look like she is proposing something that is dangerous and extreme and I think the previous speaker used the term “extreme change of direction”. I do not know if you have met Deputy Perchard but in my experience she is balanced and very wise and always well informed in the things that she brings to the Assembly. Perhaps she, in her report accompanying the Proposition, may have advocated or spoken about a period of intense lockdown but the report is not what we will be approving. You, Sir, remind us of this at times, it is the wording of the Proposition itself is what Ministers are in fact held to. I do not see this as a black and white situation, although it has been forced into a black and white situation by this Amendment that we are discussing now. This Amendment, I think, just takes us back to what is already happening whereas Deputy Perchard, I think, rather than being black and white ... Deputy Perchard’s Proposition, when we come to that, is almost the middle ground, it is the grey area and a combination of what Ministers are already doing plus Deputy Perchard’s ideas that she has sourced from reputable places. What I see in the Deputy’s Proposition is some diversity of thinking style and this Amendment would just eradicate that additional thinking style that the Deputy has brought. What she has done is she has tweaked what is happening. I do agree with the previous speaker to some extent in that I do think the Government are doing a fairly good job but they are not doing a perfect job because they are human beings making decisions at very short notice and in very difficult circumstances. No, they are not doing a perfect job. There is always something that can be improved. The diversity of thinking that Deputy Perchard brings to the table today with this Proposition is really important. I do not know if anybody has any clarity at the moment around what our governance structures are, is it the Emergencies Council making all decisions or are the Council of Ministers ... do they still have power of veto over the Emergencies Council? I do not have clarity on that but looking at the membership of the Emergencies Council it does concern me that the thinking may be fairly homogenous. This Amendment just pulls us back to that thinking without any of the building on what we have already got that Deputy Perchard brings us. I think what Deputy Perchard would give us if we passed the full Proposition unamended is a high-level target to aim for that I agree with in the main. It is a medically defined term “elimination” and I think she has explained it really well and she had explained and suggested ways in which we could achieve that target. I think it is doable for Jersey and I would like to aim for that. I do not want to approve this Amendment because it just takes us back to what we would have anyway. Yes, it is pretty good, it think we have been fairly successful, the Government have been fairly successful, but it can be better. I do urge Members not to vote for the Amendment and to please support Deputy Perchard because I think Islanders, if they could choose ideally what we would be aiming for, of course want us to eliminate this virus.

[10:15]

So I think reject this Proposition and give us a chance to talk about Deputy Perchard’s ideas in full and to see if there are ways that we can work towards elimination.

1.1.7 Deputy M. Tadier of St. Brelade:

The main reason I am speaking is because I have been getting increasingly frustrated and I think I have been sensing the frustration of Deputy Perchard and others. Irrespective of how one wants to vote on this Amendment of the Council of Ministers or on the actual Proposition I think something classic is happening that often happens in the Assembly, and it is probably because the opposition to the Proposition, the main Proposition in general, is that they are not secure enough in their own arguments to be able to put valid and well-structured and clear criticisms, which is a shame because we have seen some good examples of constructive intervention opposing Deputy Perchard’s desired route. So I am not going to criticise her position; it is a valid one. It is also one that many members

of the public, rightly or wrongly, are espousing and I will try to explain my thoughts on this and what has brought me around to the eventual position that I find myself in. What we have heard essentially is an argument that Government has been doing the right thing up until now and the consequence of that is that we have a very low amount of cases of COVID-19 in Jersey. What some people in Government are saying is that, because Government has been doing the right thing up until now, it must be the case that whatever Government chooses to do in the future, in its strategy, will also be the right thing. That of course is a logical fallacy. We have heard it at quite a high level saying that why would we change tack now when we have been doing the right thing and it has got us the results that we want? It has also been said correctly that the reason that we have been successful is because in large part, and of course tribute has to be paid to the front line staff in all their guises, but it is also because the public do what they are told by and large. The thing is the Government was changing tack so we went from a position where we had a strategy that was working and this is how it looks on the surface to a lot of my constituents, a lot of the people who would have emailed us, and again I am not saying that the conclusion is right. But they have looked at this and said: "Okay, hang on a minute, the Government is saying we have very low cases; that our strategy has been working, but the Government has just changed its strategy. They have basically said you can now go out for 6 hours instead of 2 and you can meet with 5 people instead of just people within your own household." That is, it would seem on the surface, a completely different tangent, which is unproven, and we still do not know what the consequences of that new tack of Government and the latest medical advice, which we know can differ of course, it is like legal opinions, if you ask different medical practitioners what they think it will change. It is not uninfluenced by political considerations either and I think that was said by Deputy Young yesterday. Political considerations have to be taken into account because of course they influence the overall harm and the value that we put on different types of harm. So the Government has changed tack and Deputy Perchard and others are saying: "Hang on a minute, you have to justify to us why you have changed tack." The Government has done that in a roundabout way: they have talked about general harms; they have talked about the mental health issues; the fact that many people in the Island will be suffering disproportionately more than they might have even if some of them had caught COVID-19 by the fact that they are stuck in small places and that they cannot see their loved ones. The reference to care homes that Deputy Labey raised sums up very much the dichotomy of the issue because care homes suffer either way, care homes have been locked down, and I use the term generally because I agree with the Chief Minister, we have not really seen a proper lockdown in Jersey. Residents in care homes in particular have got the double jeopardy of knowing that they are not seeing their loved ones and these are people who probably do not see many people anyway, they are suffering from loneliness and a combination of complex challenges health-wise at the best of times and so when they get that twice-weekly or once-weekly visit from their friend or their relative that really means the world to them; that keeps them going, and in some cases that keeps them alive I think. So we have that situation where now for 2 or 3 months they have not been able to see anyone in the normal circumstance. They might have got somebody on a small computer screen or phone screen and they might have recently started seeing people through glass. That simply is not the same. But if we get this wrong we also know that those in the care homes who we have not been able to see, those in the vulnerable categories wherever they are, because it is not just the elderly of course, there are young people with critical conditions that need 24/7 care. If we get it wrong for them, they are also going to be the ones that are worst affected and that is what we have to balance up. That is why we needed a sensitive debate yesterday and today and the point is the public will follow the rules and I know it is really difficult, as soon as you say you can meet up with 5 people, people will start doing it; it is really difficult to keep the distance of 2 metres. I defy anyone to go to a barbecue with some long-lost friends that you have not seen for 2 or 3 months and you of course would not hug them but you are probably going to stand quite close to them, unconsciously you will do it, when you are speaking to them because it is not normal to stand at one end of the garden and shout to your best friend from the other end of the garden, not to

mention the fact that a lot of people do not have big gardens, if they have gardens at all. You take a walk along the waterfront from St. Helier to St. Aubin and it is easy to judge these people and say why are they not keeping 2 metres apart, well they might be, some of them might be of the same household, but of course, if you do not have a car and you only have shanks' pony or a bicycle to cycle from St. Helier to St. Aubin, you are going to come into contact with the other people who also live in town or live St. Aubin or somewhere along the way and they are going to have to bump into each other. They do not all have the luxury of walking along cliff paths and going out in their yachts to the Ecréhous or to the Minquiers. I am not disparaging that; it is great that we have all this beautiful wildlife and people can get out, but they have to get out to those places. So this is a balanced argument and if you told the public that they had to stand on one leg and jump around Jersey in order to protect themselves from COVID-19, you know what, some of the people ... a lot of people would do it, irrespective of whether it made any difference to contracting or to the spread of the disease. So the opposition has overplayed their hand when they have said it is not possible to eliminate. Clearly it is possible to eliminate; we have almost done it. We can eliminate it locally, always bearing in mind the fact that there might be a freak case that occurs from somewhere, but what we are saying and what I have come around to the position of thinking, after some very nuanced and honest debate with colleagues, is that on the balance of things it is not realistic because the harms there are too great: the fact that we will not see loved ones; the fact that there will be the mental health issues; the fact that there will be the domestic violence that goes on in the background; and the lower-level stuff, which is perhaps not measured and imperceptible. All of these things need to be taken into account in the round. But I congratulate Deputy Perchard because I think she has already effected the change. The Council of Ministers did risk going off on a tangent where they were perhaps too complacent and with this Proposition it has given the ability for those 2 disparate views that certainly exist in the public to come together and then say: "Maybe there is a more moderate way, we still need to be cautious, we cannot open up too quickly." I would fully expect ... just lastly, I know I have gone on a little bit but I have held back during this debate, for me it is not about the economic benefit, the 2 do to a certain extent go hand in hand because there is a mental health and a health benefit to getting people back to some level of normality, although we can never go back to normal of course, we need to look at some kind of new deal and a new way of restructuring our community in the future. But I want to see Jersey, if it is not going to open up the borders, and I think there is a big risk in doing that, we certainly need to make sure that people can enjoy our Island and maintain low levels of infection because I certainly want to see people being able to use the holiday lets at Jersey Heritage so that at least they can have some kind of staycation on the Island; that they can help the local economy in that way and enjoy our beautiful Island for the summer months and coming into winter. I know that is what we all want, whether we favour an elimination strategy or whether we do not. The work that has been done already by having this debate, and it was right to have a proper debate with a proper vote at the end, has been done largely already and even though I am not supporting Deputy Perchard necessarily and I will be supporting this Amendment, I am not one of those who will partake in the patronising of the Deputy or saying that she should not have brought the Proposition because it has served its function already and that is where I will leave it.

1.1.8 Connétable C.H. Taylor of St. John:

I would like to start by thanking and congratulating Dr. Muscat and the medical advisers to the Emergency Council, the Emergency Council and the Chief Minister and all the front line staff and everyone who has pulled together to create what has been so far, I think, a success for Jersey. Going forward, lockdown has to end at some time and so there is not a change in tack; what there has been is a change in circumstances, infection is low, new cases are low, and therefore there can now be an easing of lockdown. As we move forward, the timing of that easing of lockdown needs to be based on the evidence that is provided and the advice given by the medical profession. It is of course that evidence and that advice that has got us to the stage we are today. I have to say that I in St. John,

and I think a lot of my parishioners, and they have certainly come up and said as much to me, are very lucky. We live in the countryside. In fact one parishioner said to me: "I have rather enjoyed lockdown because the roads are empty, I have been able to walk and enjoy the nice weather we have been having recently. In some ways I wish it could continue. But my heart goes out to those in St. Helier and other parishes where the urban life is very different." Imagine a young family with young children in an apartment 3 or 4 storeys up from the ground in lockdown. The stress on that family is substantial. I was deeply distressed when I heard the Minister for Health and Social Services say that 3 people were admitted to hospital over the weekend due to domestic violence. It is clear that lockdown has and will cause stress within a family. COVID, sadly, is not the only consideration. We need to take all the other issues into account, the isolation, the mental stress, the stress on families, and the inability to run what has been a normal life. People talk about the new normal, whatever that is. We have always had new normals because life has always changed. I, for one, take my hat off to those advisers who have advised the Chief Minister and the Emergency Council and ask that they continue the very good work they are doing and I support the Amendment and congratulate them.

[10:30]

1.1.9 Connétable P.B. Le Sueur of Trinity:

I understand Deputy Perchard's motives in bringing this Proposition and it sounds very attractive on the face of it, but the reality is, by not supporting the Council of Ministers' Amendment and the work that has been done so far, it will be seen as a massive vote of no confidence in all those professionals who have worked so hard, diligently, to keep us all as safe as possible, which is evidenced by the current status of the results. Using the professional medical advice to the best advantage and causing the least overall harm to our well-being, health and ...

The Bailiff:

Connétable, Deputy Perchard has raised a point of order. Deputy Perchard?

Deputy J.H. Perchard:

I am sorry; I have been trying to not to raise points of order or clarification unnecessarily, but I really do feel that was a point of order to be raised under Standing Order 104, paragraph 2, imputing my motive. It is absolutely not a vote of no confidence.

The Bailiff:

I do not think there is any reference to your motive, Deputy, the Connétable of Trinity simply said: "A consequence would be an expression of no confidence." That is not suggesting that was your motive; that was suggesting what, in his political view, the consequences would be and I do not uphold that as an imputation on your motives.

Deputy J.H. Perchard:

I do apologise; I did not hear the phrasing correctly. Apologies for that.

The Bailiff:

No, not at all. Please do carry on, Connétable.

The Connétable of Trinity:

I was nearly finished. I was going to say this so far has caused the least harm to our well-being, mental health, and our economy, in what is an unprecedented situation, so my vote is clearly that we should stick to the knitting and I will be supporting the Council of Ministers' Amendment.

The Bailiff:

Does any other Member wish to speak on the Amendment?

1.1.10 Connétable J. Le Bailly of St. Mary:

Yes, I did ask to speak some time ago.

The Bailiff:

Did you ask for that within the chat, Connétable?

The Connétable of St. Mary:

I did. I typed the message in.

The Bailiff:

Very well, then as you asked some time ago, the Connétable of St. Mary then followed by Senator Gorst.

The Connétable of St. Mary:

Just a couple of words, this pandemic is still an unknown quantity right throughout the world. There will be many different ways in which it is handled, some will work, some will work better than others. People's opinion is always to the forefront but what is it based on? Mostly guesswork and that is unqualified guesswork. We are fortunate in Jersey to have highly qualified medical experts who are also monitoring other jurisdictions constantly. These people are our advisers, the experts, who we have to put our trust in; the same experts who advised the Chief Minister and the Minister for Health and Social Services. I put my faith in all of these people for they have the knowledge to steer us through this anxious time. That advice by the medical profession is constant and it may vary day-to-day, which is something that is closely monitored 24/7 in order to give us the best result. These are the people to be trusting to pull us through this difficult time. Their advice is crucial. We should not be interfering with scientific expertise. I will be voting for the Amendment based on that.

The Bailiff:

Thank you very much, Connétable. I should perhaps point out that we have looked back through and we could not find any request from you in the chat in order to speak. It could be you are therefore participating in the wrong chat from some other time and perhaps we could clarify that. Senator Gorst?

1.1.11 Senator I.J. Gorst:

Perhaps I could apologise to Members that I am, like hundreds of households across the Island, also responsible for home schooling this morning so if I am interrupted please forgive me. Can I start, as many Members have, and I hope this is the case, being grateful to Deputy Perchard for bringing her Proposition. Others have said that they might have preferred an in-committee debate then questions could potentially have been answered more fully by having second speeches, *et cetera*, and others believing that a vote is important at the end of such a debate. I say for my part the important thing is ... and I congratulate her on bringing forward this debate, because a debate about how the Island is handling COVID-19 and the strategy and the actions being taken, for me, gives me great heart. Because Members will be aware that I have, as other Ministers have of course, and as other Back-Benchers have, really struggled with some of the actions that we have had to take and some of the legislation we have asked States Members to put in place to manage this crisis. As Deputy Perchard had also said, for my part, despite what some others have suggested, the Government, and by that I mean it in its very broadest sense, so all of the arms of Government, have handled this crisis well, and I do not mean the political body in that regard, but I mean the entire broad Government, so that is from front line workers to policy officials to those who have continued to collect rubbish, those who have had to serve their fellow Islanders in ways that some others in this Assembly would not be

able to or would not feel able to. I am extremely grateful for the way in which all of those people working across the arms of Government have served their community during this crisis. But of course, as the Deputy of St. Martin has also reminded us, although I would put it in a slightly different way, Islanders themselves have sought to understand the crisis that we are facing and taken appropriate action and physically distanced, largely abided by the lockdown requirements and the hygiene requirements. All of these things together, the medical advice, the actions of the broader body of Government, and Islanders, have meant that we have arrived at what can only be described as a good place in regard to handling the crisis and the flow of the virus and the number of cases across the Island. It is important that we put that on record. Perhaps, as I start to think about the question that Deputy Perchard is seeking that we address, I look back to how did we initially move from the physical distancing requirement, which was in place just over a week, to the lockdown requirement? If we recall those several weeks ago, we know that the Deputy Medical Officer for Health then, because the Medical Officer for Health was herself out of action, felt that there was a delay, and there was a delay, in receiving test results back from the United Kingdom and all those weeks ago of course that was where we were having all of our test results analysed. It was that delay in getting those test results that led the advice to come to the relevant Ministers and the Council of Ministers that we should then go into lockdown. We knew at that point that it was not a straightforward, it was not an easy decision, because of all of the other harms that would arise; that we perceived would arise, and so we have now seen have arisen, for other Islanders. We are grateful and we will come on to an Amendment from Deputy Pamplin about the mental health issues that Islanders are facing and I will be supporting his Amendment. But let us be in no doubt that in supporting his Amendment alone that will not solve the problems because providing sufficient resource and understanding that each mental health issue or each person suffering from mental health issues are individuals and need to be supported in that manner. Because it is fair to say that while some Islanders are crawling the walls in the lockdown that we currently have, other Islanders who might have started like that are now concerned about coming out of lockdown, not because of the virus, but because of what it means for their own individual lives, how are they going to cope with all of the activities that previously we accepted as normal, those of us with families and all that means with young families. We went into this lockdown because of the issue largely with testing and now we know, several weeks down the line when we have increased the number of testing and we have increased the type of testing, so not just the P.C.R. (polymerase chain reaction) but also the serology testing, and we have a better understanding currently of where the virus is in our community and those that have been tested whether they have had it or have it or all of those good things. But because of the actions that have been taken we find ourselves in a situation where there are very low levels of the virus in our community and it is that rightly that Deputy Perchard is asking us, yesterday and today, just to stop and think, does that good management of the virus and the fantastic actions of the majority of Islanders - there will always be a minority who see things differently and we understand that and I believe that the police have handled that appropriately and will continue to do so - mean that we should in effect slightly amend our strategy from the control and moving towards keeping the virus at very low levels or as near to zero as possible, or does it mean that we recategorise it as an elimination strategy. It is quite a difficult question to answer because, throughout this debate, there have been some Members who want a black and white debate about the meaning of those 2 terms from a health protection perspective and then there are others who are rightly saying that is okay, but what do those words mean in plain or common usage in the English language, and they can be 2 different things of course. One of the other issues, which I personally have found difficult to struggle with, and I know that many Islanders have, that in the very-connected world in which we live we can literally read a medical journal or a published medical article from New Zealand as soon as it is published as well as one from the United Kingdom or Canada or America or any European country. We are very connected. The science and the medical advice around the management and the handling of this virus, it is fair to say, and we have to acknowledge, right at the very start was

uncertain and it has continued to be slightly differing advice and slightly differing approaches from the medical officials right across the globe. That has led into, the word is not “confusion”, a difficulty in really understanding what was and what is the best approach at any given time in the spread of this virus.

[10:45]

Members will know, and Deputy Perchard rightly said in either her opening speech or her speech in this Amendment debate, and I cannot recall which it was, but they were both excellent and compelling speeches, but she rightly said she had been contacted by a number of medics making the case for an elimination strategy at this stage. That really plays to the difficulties that we face that there has been different medical advice emanating from all different places, not only across the globe, but also from different medics. I see that my children are escaping from their classroom; I hope they will be behaving well and I will continue speaking. That is one of the reasons that for us in Jersey it has been extremely important to seek the advice of the S.T.A.C. (Scientific and Technical Advisory Committee) and that S.T.A.C. has sought to bring together those different elements of the medical advice, probably in much the same way that medics have written with different views to States Members. I do not think it will surprise any Member of the Assembly to understand, well I certainly would not be surprised, if the S.T.A.C. were unanimous on every recommendation that the Medical Officer for Health then makes to the Minister for Health and Social Services. In a way it does not matter if they are or were unanimous; it is by majority the advice being issued at any given time. I say at any given time because we know that our understanding of coronavirus has really only developed over the last couple of weeks. Viruses of course are not normally, for example, airborne, and yet we are now finding that there could be some particularly small moisture globules that we emit in either sneezing or coughing or speaking that can remain in the air perhaps in a way that we would not normally expect from a virus. The reason I am labouring this point is that I do not think it is quite as black and white perhaps as the proposer of the original Proposition wants us to consider it as today, whether it really is as black and white as we have a control strategy or we have an elimination strategy. One of the reasons I say that is that Senator Moore helpfully reminded Members in an email overnight of the words of the Jersey Medical Officer for Health at a media briefing on Friday when she was questioned by the media. If I paraphrase it, she said that a control and elimination strategy can look quite similar in the way that they are looking quite similar in Jersey, but if we use the word “eliminate”, and I will come on to the lockdown implications, that can be very confusing for Islanders. For one thing, it can indicate to Islanders that the virus has been eliminated and therefore is not present in Jersey, and yet we know that all sorts of our supplies come from other places and therefore at any moment there would be and could be a risk that the virus flares up again because it has been present and therefore is present. So it can give potentially a very false sense of security to Islanders when the reality of the situation is, even at these very low levels that we currently have in our community, Islanders will still need to physically distance and still need to be extremely mindful and employ appropriate sanitary conditions; we know about sneezing into our elbow and washing our hands for 20 seconds and all of those things. The other thing that using the word “elimination” also does, and again the Medical Officer for Health in Jersey said this on Friday, it potentially leaves no flexibility for the S.T.A.C., thereby the medical officials, to advise appropriately Jersey Government into the future. Some of that we have talked about during this debate around does elimination mean severe lockdown or does it not, and this again is where I come back to the mover’s opening speech and speech in this particular debate, it is not a black and white approach I do not believe, nor can we just talk about these things in a theoretical strategic debate. In order to understand strategy we need to understand some of the detailed elements of such a strategy. If we look at elsewhere, we know that it appears, I am trying to be careful not to be absolutely direct, because it appears that for an elimination strategy that does require quite strong lockdown, something that we have been able to avoid in Jersey, and therefore it could mean that by adopting the proposal

unamended it would be sending a message to our medical advisers and to Government that we should move from where we are to a more stringent lockdown. It may not, but it could easily send that message. The Medical Officer for Health on Friday, again paraphrasing, I think she was saying that we should remain and retain that sort of flexibility. That flexibility currently is working for Jersey and I think it is working well for Jersey. We have the stay-at-home provisions, we now have the working provisions, and of course we have the safe exit strategy. I just wanted to pick up on a number of things in the safe exit strategy that Members have been referring to in their speeches today and the 2 main areas that I think they fit into are this issue of borders and the other is the issue of the domestic economy, the size of the domestic economy and whether we can open up our domestic economy and just carry on as normal. So firstly if I go back to the border issue, Members will be aware that the U.K. (United Kingdom) last week announced that it was going to introduce 14-day quarantine and my officials have been speaking to U.K. officials about whether that 14-day quarantine would apply to Jersey residents travelling into the United Kingdom and there was a great deal of uncertainty about that. It was the same uncertainty of course with our fellow Crown Dependencies in Guernsey and the Isle of Man, so there was a great deal of uncertainty about that. We argued and made the case that, because of the common travel area, it would not be appropriate to introduce that 14-day quarantine on to Jersey residents or residents of any of the Crown Dependencies. But we also made it absolutely clear during those conversations that, because of the low levels of the occurrence of the virus in Jersey, in Guernsey, and in the Isle of Man, that we would be maintaining our 14-day quarantine for individuals travelling from the United Kingdom. So you can see that it was quite a difficult argument for my officials and for the Chief Minister and myself to make with U.K. Ministers, but we made it and we were successful and we think it was the right approach. But we are absolutely able, as it is our constitutional right, to introduce and maintain the 14-day quarantine for those travelling into Jersey. Now the border question is a question which will, in the future, need to be addressed, but we do not have an answer to it today during this debate. Nor do I, with the greatest of respect, believe that elimination strategies have an answer to either. So we know that in New Zealand they are fully able to do that because, as the Deputy of St. John very ably reminded us yesterday, they are thousands of miles away, they are hundreds, if not thousands, of miles away from their near neighbour as well, and they are self-sufficient. Jersey is a very different Island and in a very different place to New Zealand. But even this week we hear our good friend and colleague in Guernsey, Deputy St. Pier, saying that they will have to think about how they reopen their borders as well. So either of these strategies do not really answer that question, but if I could just give a little bit of colour to that question, because I think it is appropriate. Borders cannot and will not be opened unless the S.T.A.C. provide the medical say-so or advice that, having gone through or going through the safe exit strategy, it is safe to open those borders. Ministers of course, and officials, have been looking around what would that mean, what does "safe" mean? For my part it means a robust and rigorous testing, and again we heard the Jersey Medical Officer for Health talking about that on Friday; that is P.C.R. testing and that is robust tracing as well. I think, for my part, it should also require some pilot programme. I would not want to just move to reopen the borders because we had tracing and testing in place; it should be piloted and it should be tested so that the S.T.A.C. have some good evidence of how it could work in practice before they were to provide any advice to Ministers. The same with Condor. We saw Condor make an announcement yesterday, that was an announcement that was not pre-authorised by Ministers, saying that they would like to recommence sailings in June. But again that cannot happen until S.T.A.C. have provided the advice that it is safe to do so. It certainly cannot happen because currently our border controls do not allow it to happen. Those who have been down to the harbour know that Elizabeth Marina is closed and it just cannot happen. Perhaps the more pressing issue, which the Minister for Education is rightly considering and rightly seeking S.T.A.C.'s advice and opinion on, is what do we do about schools. That is a decision which will need to be made. I come then to the idea of, with an elimination strategy, we could open up the internal economy and that would be helpful. I have already slightly addressed some of the those

issues regarding that; that all of the advice and all of the reading that we and Members will have done would suggest that even an opening of an internal economy is going to continue to require physical distancing for many months still to come, but we await the medical advice to see what that ultimately is in the coming months. But it is also fair to say that our economy is very much an international economy and an external export-led economy, be that the tourism sector, be that the potato sector, or of course be that the financial services sector.

[11:00]

So a simple domestic economy, I do not think it can be argued, takes us back to being largely as we were before coronavirus and we can all carry on as normal. That is not my understanding of how our economy works. It is not the understanding of the Chief Economic Adviser any economic adviser that I have heard talk about how our economy works. Therefore, all of these issues lead me to believe that the Amendment put forward by the Chief Minister gives the flexibility that the Medical Officer for Health said was important on Friday in her media briefing; it is the approach that is recommended by the S.T.A.C., that is Jersey medical advice, and Members have had the opportunity of questioning Dr. Muscat and Dr. Turnbull on that. But, equally, as Deputy Gardiner said, these are political decisions. The advice is the advice and Members decide then whether, as is always the case, they accept that advice or whether they go against that advice. But I have not heard, seen or read, anything that today would lead me to do anything other than continue to accept that advice and that means that we can keep the virus under control at very low, if not close to zero, if not zero levels, in our community. We can test, we can trace, we can clamp down if there are future outbreaks, but we can also very carefully and very safely move through the safe exit strategy when the S.T.A.C. advises it is safe to do so. So it allows flexibility, it allows the Government to adapt their strategy and their actions as we have been doing throughout the last number of weeks, maintain the good place that we are in, but also be mindful in all of our decisions about all of the ills that a lockdown and a removal of civil liberties causes across any economy, across any community, and continue to work, albeit difficultly, in the best interests of all Islanders. Some Members have said that we cannot say that the Government's response has been perfect, of course it is not perfect and no one would try to suggest it is. As we are now, we look back and we say it has been appropriate, it has been based on the medical advice, and we should continue to move forward in the same way that we have moved over the last several weeks. So, as I started I will finish, I am extremely grateful to Deputy Perchard for bringing this forward. I see it perhaps slightly differently than the way that she has eloquently presented it over the last 2 days and I hope that Members will, having heard all of this debate and considered all of these issues, support the Chief Minister's Amendment and that will strengthen the position of Jersey in the way that we navigate through this terrible, terrible crisis.

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

I will be brief because we have had a large-scale debate on much of what is appropriate. I want to start with some examination of what I call the T word. The T in this case does not mean timely, it does not mean targeted, what it means is trust. The question fundamental, at the heart of what we have been doing for the last 10 weeks, has been a question of trust. Deputy Perchard has brought this Proposition to examine one of the alternatives in the light of what has happened and suggests that there may be a different approach. I do not think in her case this time, while we have had a good debate ... and that is a good tactic first, an approach I have used in the past to get a debate, because I am frustrated that the Assembly does not address or does not seem to consider what I consider to be important as important. So we have had a very good debate on it, I am not sure that she has made the case for what she is apparently proposing and the consequences that are inherent in the approach of elimination as she says it. The trust word comes down to the way in which Ministers have behaved I believe because, like the U.K., they seem to have been caught out in fact and have been playing catch up for the last few months. If your starting position is we have plenty of P.P.E. (personal

protective equipment) and we have plenty of testing materials and the turnaround time is acceptable to the U.K., *et cetera*, and if you start a line of defending what has clearly not been true and yet you stick to a lie that says stick to the line, do not admit anything, everything is fine and hunky-dory, when it clearly patently is not. We were caught without P.P.E., inadequate P.P.E., at the very beginning. We spent £100,000 over the past 5 years compared to, albeit affected by inflation and some profiteering, spending £5 million on P.P.E. now. It just does not bear witness, does it? We have been playing catch up and denying that there has been any problem for weeks now and that is wherein this T word starts to operate, basically in the U.K. and here we have denied there has been any problems and that has led to a lack of trust with anything. So repeating endlessly this is a scientific basis, scientific decisions, when in fact they are clearly political decisions as to what you can do, when, might have been advice, but the responsibility lies with the Ministers. They have in some ways tried to duck that responsibility by relying on so-called science, which is not a uniform and effective one-line answer. So we have fallen down on testing targets, on contact tracking, on P.P.E., *et cetera*. In the absence of that trust, then we have to look for what the end result will be and for once, and I think it is for once, the Ministerial Amendment I believe has improved what Deputy Perchard has brought to the House and what it means is that some of the major decisions ... and they are major now, because the next moves in unlocking our economy and our health is that we look at indoor changes rather than outdoor changes and they require a far more attentive coverage than previously because that is where we risk a second spike and having to go backwards and we want to avoid that at all costs. What it means, the end result of this Proposition as amended, is that when we have a major change in the conditions and the restrictions that we are living under, then they will be shared with, in some way, the Assembly and have to be proven, I believe, acceptable to the Assembly rather than this ministerial line, which says: "We know what we are doing, trust us, we will get on with it." That is why I look forward to, from now on, having some form of accountability, some form of sharing of information, not just with the Emergency Council or the Council of Ministers, but with this Assembly and Members in this Assembly in order that we can try to ensure that the path we take is the correct one.

1.1.13 Senator S.W. Pallett:

I am going to be brief because this debate has gone over a lot of really important areas, which we need to thank Deputy Perchard for, for bringing this Proposition in the first place. I am going to concentrate on a couple of issues that have troubled me. I have been troubled by this particular Amendment and which way to go, as I know some Members know. Everything in life is a risk and what we do as we move forward, as we come out of some of the restrictions, all the decisions we make will have to be risk-assessed and we will have to really weigh up whether we are making the right choices. But I get back to my first concern and my first concern, and I think all of our first concerns, has to be around protecting Islanders. What I do not want to see is us slipping back into a second wave or putting care homes at risk or our elderly at risk, by poorly informed decisions or decisions that we do not understand. I know we all have all sorts of balances to make in regard to other concerns and those have been brought out in many other speeches, but we have to have the protection of Islanders at the forefront of our minds in what we do moving forward. Deputy Perchard, in her introduction, I think complimented the Council of Ministers and the Chief Minister on their approach and gave credit for the approach for the fact that we are in the relatively fortunate position that we are all in and the measures that have been taken. Whether she truly believes that I am not sure, but as much as decisions have been made that have reduced the risk to Islanders, the credit for the position that we are in needs to go to our health professionals, including our mental health professionals, it needs to go to all of the Islanders that have had to endure those restrictions, and the businesses that have suffered in that process. What concerns me around some of the wording within this Amendment is that it is suggesting that this was the intended policy all the way through. The Deputy of St. Martin in his own speech made it clear that he felt herd immunity was the policy we

were taking from day one and that is absolutely the case. I am pleased that we are taking a different approach, health professionals have advised the Chief Minister and Council of Ministers to take a different approach and look towards reducing to the absolute minimum the number of COVID-19 cases in the Island. But I really want the Chief Minister to admit that this is a change of approach that the Government is taking, of which I am part, and we need to own up to that. Because we have put Islanders through a lot over the last 8 to 10 weeks. At times we have done things that have concerned me and, as somebody who is not responsible for Islanders' mental health, we have said things during that period that have put strain on some Islanders' mental health unnecessarily. A couple of things that concerned me at the time were making statements around field hospitals and ethical frameworks without due consideration for what that might mean to people's mental health and especially to those who are elderly and who are most at risk. I had, and I am sure others have had, countless messages and emails from people who did not understand what the ethical framework meant because it was so poorly communicated. I am going to come on to that in a second around communication, but it literally worried the life out of people because they did not understand what it would mean to them.

[11:15]

Looking back at the policy we have taken in regard to herd immunity, if it really was the intention to minimise the number of COVID-19 cases, and we have achieved that and credit goes to where credit is due, then why did we need to go through that process when at the time numbers were decreasing and we could have been at a point where the ethical framework could have been kept quietly in our back pockets. If we needed to bring it out and use it at some stage we could have communicated it at that time, but not at the time we did. I am going to come on to communication because communication is one of the things that worries me most. I am really pleased that there is a line in the Amendment around communication. It says that we will also include a co-ordinated communication strategy. Because, to date, I think the communication between Government and the public, and even internally within States Members, has been woefully inadequate. It has been mentioned by one or 2 and Deputy Southern just mentioned trust. Trust is borne of good communication and good understanding. All the way through this crisis, I have struggled and I am sure others have struggled and other States Members have struggled with lack of communication, lack of good communication from Government. Members such as Deputy Gardiner have pushed and pushed and pushed to be provided with information. That should never have happened. What we should have had is a co-ordinated communication strategy which told us what was going on in good order, in good time, so that we could at least keep in contact with those that were contacting us and tell them what was going on. I am going to read a short excerpt from the formal advice on return to school that the Children's Commissioner sent to all States Members yesterday. I am going to read it with the children's bit in because it is true of adults: "Children have a right to access information from a range of sources. Inadequate information increases the risk of children becoming misinformed and subsequently cause negative health implications. The Government must provide accurate and accessible information regarding COVID-19 for children and their caregivers to provide reassurance around possible risks when returning to school." Now, every time it mentions children there, the same should be applying to adults. The lack of good information has put, I think, Islanders' health at risk and put Islanders' mental health at risk, so I do want to see, as part of agreeing with this Amendment, a co-ordinated community strategy that I can understand and the public can understand. So I would urge the Chief Minister to make sure that it improves. I have to say that I think the communication in the past couple of weeks has been better than it was initially, but nevertheless I think we really do need to ensure that Islanders understand what we are doing because, whether he likes it or not, this is a change of approach. It is a change of approach that I like. It is a change of approach that I think we all support because I think the majority of speeches have been supportive of it, but I think we do need to understand what it is going to mean to Islanders moving forward. I get

back to the first point I made. All the decisions we make need to be around protecting Islanders. Yes, we need to balance the economy. Yes, we need to ensure that people's mental health is looked after, and obviously we have the Amendment coming up shortly to talk about that. But, again, protecting Islanders, making sure that our elderly and vulnerable are protected, has to be at the forefront of what we do moving forward. Now, I would just urge Members to remember that and I would again urge the Chief Minister. The communications have improved. It has to get better. I am afraid my own experience through this in terms of what information I have received from the departments I work for at times has been sketchy and has not really provided me with what I needed in terms of comfort in that we were doing the right thing. So, again, I urge the Chief Minister to ensure that communication improves. I think I will leave it at that for this particular Amendment.

The Bailiff:

Thank you very much, Senator. Deputy Martin.

1.1.14 Deputy J.A. Martin:

I would just like to mention that on the apparently woeful communication that this Government has had - and we have been told we are getting better - well, the early days, we had our first case on 10th March. It was the C.P.A. (Commonwealth Parliamentary Association) annual meeting that day and there was drinks after. The next day everyone went in and they had an 8-hour bus delay. I was ill and I was not there. I had just travelled back from London and I thought: "Well, maybe I have this COVID-19 or corona." But it was interesting the urgency that everyone now thinks the Government did not have they felt many months before, Deputy Southern on the P.P.E., you know, where was all the questions? I am not blaming anybody. Everyone did not see this ball land on New Year's Eve. We all know where we were and that is when the World Health Organization said: "Houston, we have a problem. Do not know what it is but it is a nasty virus in China and it is spreading." So, let us say in those first few weeks ... and all of us were, up at the Fort, given the graphs by Dr. Muscat, and let me thank all the medical people and let me really welcome back Dr. Susan Turnbull. I worked with her for 6 years when I was Assistant Minister for Health, fantastic, and it was unfortunate she was not well herself when this started, but she could not praise enough what has been done. We all saw the graphs. Nobody was kept under a mushroom. We saw how bad it could be. This is where we are. We did not know the speed of what we were trying to do, implementing the lockdown, do we go now, if we go now is it too early? Stopped the flights coming in. We were desperately trying to get university students back, other people who knew and probably - and I am not saying it was a selfish reaction - did not have children, well, young adults needing to get back because they were losing their accommodation over there. There was money, different things, but we wanted to get ... "Close them airports down now." If you cannot all remember that, everybody had an opinion, right or wrong, but in those first 4 weeks the Council, with trying to get as much medical, trying to keep up giving, when we set up, as much information to other States Members to see how bad this could be, could be if we do not do this or we cannot get it under control, and did we do it? We have absolutely got to far beyond where we even saw that could be going, and apparently it is not good enough. I really have to say - I must not obviously quote people wrong - my interpretation of going into an elimination strategy would be to have at least 4 weeks' tight lockdown. I have heard nothing else. I appreciate the Deputy has looked around the world. New Zealand did it. Guernsey on Friday were amazed that they had got to where they are, but they had a tighter lockdown, a lot less people were working or going out, and they also have a smaller population. Look, we can argue about populations and how many of the percentages we can get there. They are talking to Public Health England. They do not even know if there is a definition of elimination. We all know what it means, but will it be 14 days after the last case - they had 7 live cases on Friday - or will it be 28 days? Then, if they have a case, then they cannot be eliminated ... they do not know, but that is enough for Guernsey because Guernsey have done that and they did it on a slightly tighter lockdown. To me,

not the Deputy, I read this one way, and in the last part it gives 2 weeks to C.O.M. to come back with an elimination strategy and what it would mean. Well, I have been wracking my brain. I have been looking around the world, and if it is not a massive tight lockdown ... or if you lock down for longer or you lock down more for less, like we could stop people ... well, where do we decide? Could we shut supermarkets and make people go once a week, food deliveries, or do we say bins do not need to be emptied? Do you need all this that you have in your house? It could be really tight, lockdown, and then it might be a lot shorter, but my personal opinion and talking just to normal people who have basically always just got on with their life and have said: "I do not ever think I ever suffered even depression and I did not really get ..." and it might sound flippant if I am sounding like this, mental health, but: "I am suffering. I am now a bit scared to go out. Somebody knocked on the door the other day. It was just someone wanting to look at something, but I said: 'No, no, you cannot come in'." It could have been done safely, but people now, after these many weeks, are very, very wary and they are scared. But this going out at the weekend, and yes, we had a few idiots who literally had not seen their mates and they absolutely overstepped and they will be dealt with, but we are coming as well ... look at the weather out there. If you think I can lock people down who live in my lodging houses that I represent, like Deputy Russell Labey and Deputy Wickenden and Deputy Southern, you think I can go to them and say: "Better for your health, I am going to lock you in here for 4, could be 6, weeks. You might be able to go out very, very sparingly. I know best, I know best." That is what the Deputy ... and I have to just quote her once, and I am sorry if I am not ... I am going to quote her right. It says on page 5: "Most importantly, this is an ethical issue. The public do not want to keep hearing that more people will die. The Government have to justify the decision not to strive for elimination, given the lives it will certainly save." Now, the Deputy backs that up with no medical. If you have ever been in an abusive relationship and someone locked you up with that person for 4 weeks, oh, my god, the effect on you and your children, you would be running down that street. If you are touching COVID either side of the wall, you have to get away. I asked when Dr. Turnbull came back - I know this Proposition was written very quickly - did the Deputy come and speak to her or Dr. Muscat about, if it was not going to be shut down, what could we do to do elimination. What could we do different that we are not doing today? The Deputy did not take that advantage. I have never taken a Back-Bencher's Proposition because I would never have a Minister stand up in the Assembly and say: "The Deputy did not even come and speak to my officers." I used to go and speak to all the officers. I would get all the information I want and they were always helpful. The Deputy needed some more medical advice on this, not some Dr. Spock from New Zealand. Sorry, I know it is Dr. Baker. So, there we have the elimination. I have given my interpretation, not the Deputy's, because I do not want to put words into her mouth. Then the other thing about this: "Let us eliminate, it will be a good, short elimination, and then everyone can go out and party" Deputy Gardiner is saying we have enough internal economy to keep the Island going. They can all go to the restaurants. They can all stay in hotels for the weekend. Hmm. Deputy Gardiner represents the same people as I do in town and the rest of the Island. Half of them are not even paying rent at the moment, and I here still want to thank landlords who are being, on the majority, really patient. Most of them have a 3-month mortgage holiday and they have had to take it because they have seen their income either halve or disappear where one of them has lost it or the whole family has lost their money. Oh, and they are going to go: "Oh, do not think I will pay my rent. Look, why do we not go and populate the hotels and bars because the economy needs it?" Well, if I was one of those landlords I would have the right hump, but it is not even feasible. People will pay their bills when they get the money. People will not start populating the bars and restaurants to keep the internal economy going. Why would they? It is a very good question and she could have asked that question when we had full employment and everything else and we could have probably given the figure. It is people who ...

The Bailiff:

Deputy, I pause to interrupt you. Deputy Gardiner has asked for a point of clarification. Are you prepared to give way?

Deputy J.A. Martin:

Absolutely, yes, absolutely.

[11:30]

Deputy I. Gardiner of St. Helier:

I just would like to double check. In my speech I asked for the data for the internal economy because I do not know the data. I asked for economic modelling, I never claimed that we can operate on internal economy.

The Bailiff:

Very well, that is a valid point of clarification. Thank you very much, Deputy. Please do continue, Deputy Martin.

Deputy J.A. Martin:

Well, whatever she said, I agree. I am sorry if I misrepresented. I was just telling her what I think people will do when they can go out. They will pay the bills that they have not paid for the last 4 or 5 months and they will not pay them all in one month. The Deputy understands that, of course. She is a very down to earth Deputy and she represents these people. They are not rich people. A lot of them are renting. As I say, a lot of them have lost their money. So, we cannot promise people that and it really does worry me then about our borders. We have 3 flights a week going to Southampton. They are very rigorous who can come over, who can come back and who can get on those flights. It is Islanders that are trapped, really trapped over there. Some are students who have had to be out of their accommodation. They did not come back in the first tranche and they are now stuck. We vet them. They have to go through the ports, fill in forms. They have to have an address to come to and they have to quarantine. The people going the other way are normally, if Southampton can do it, the hospital, going for medical treatment, so we can never shut the border. Because I will tell you, that is when the treatment is worse than the cure. If you cannot get treatment for something else because it is not done on Island, you have no chance. I understand the Deputy thinks that we are nearly there and just a short ... I am putting words in her mouth. No, I say I do not think it will be a short lockdown. I think we have taken the Jersey public as far as the Jersey public have wanted to go. They have been absolutely brilliant. There will be people who in their own minds, because they are shielding and do not have to go out, they probably have been asked, you know, work, because of insurance issues, if they are of working age or if they are older, they can stay in and they can hopefully then see their family. It will not probably be cuddles but it might be hopefully, as the Constable of St. Saviour said, at the end of the garden to start with, but you can see them. So, I am ever so sorry that this has turned into the ... not the high-level debate that Deputy Doublet thought we should be having, but I am very practical when I read a Proposition and I read the emails that I am getting from people who tell me as the Government, copied and pasted from ... it has all been hyped up, but copied and pasted to me 6 or 7 times that my Government is aiming to kill 500 people and do not let that be allowed. Well, I have not given the time of day to reply to them because I have never said my Government wants to kill 500 people and it is very, very upsetting to hear that. So, where we are today is you support the Amendment. I take that the communications are getting better because people are not having to be in meetings until after midnight, weekends. It was a Sunday we had to call in and say we were going into lockdown. Somebody said they read it on the Facebook before they read it from us. Yes, because somebody leaked it. Then the person who saw it on the Facebook leaked it to everyone else. It is what it is. There was rumours going around that we were going to lock down. It went out before we were ready, but it was right. It went out and people got there. So, I just think today the Deputy says

she hopes if we do not support her ... sorry, if she is supported, it does not mean this and it does not mean that, but we will have to come back with a new strategy in 2 weeks to say how we will eliminate COVID from Jersey. As I say, I have to repeat I do not think there are too many ways to skin that cat, I really do not. So this is what we are voting for and I cannot put the people ... I am fine, I can open my balcony, I have a communal area, I have people I can wave and chat to. I cannot lock down the people in the lodging houses, the people who are sharing the toilets, the families who have a couple of rings that they cook on. I cannot lock them down again without complete justification. The Deputy on the radio on Friday, which is the absolute killer for me, said: "Well, I do not know if it will work and if it does not work we will have to come back and think of another thing." I might have paraphrased but that is exactly what she said in those words. So, not even sure it will work so I am not prepared to put my constituents ... I do not live in Guernsey. I have never been voted for in Guernsey. I represent the people of District No. 1 and the rest of the Island of Jersey and I listen to the local medical advice, and it is fantastic. We are where we are. We have not seen, thank God, many, many, many people get that ill and, sadly, very sadly, I do understand if you are a relative or you know those people who died, it is devastating, but I cannot support the Deputy's main Proposition. I am not going for elimination. I am staying where I am with our medical advice because it is the right thing to do for Jersey, where I am an elected politician. I am sorry I am a politician and I have to make political decisions, but that is what it is.

The Bailiff:

Deputy Tadier, did you have a point of clarification and, if so, Deputy Martin, are you prepared to give way?

Deputy J.A. Martin:

I had finished, but if he wants something clarified, if I can answer him, I will.

The Bailiff:

Well, I am asking Deputy Tadier. Oh, I see, you appear to have withdrawn that.

Deputy M. Tadier:

I can ask it, it is just I was not sure if ... it is very ...

The Bailiff:

If I can just explain to Members the approach that I am having. If it is clear to me that the point of clarification should be interjected during the course of the speech and, therefore, potentially interrupt the speaker's flow, then I will normally do so. If it seems to me that it is likely, because the speaker has reached a particular point and appears to be coming to an end, that it can properly be put at the end, then that is the case as well. But technically the speaker has to give way, and if the speaker does not give way, then the point of clarification cannot be raised, even if it comes at the end. So, the first question is, Deputy Martin, do you give way?

Deputy J.A. Martin:

I had finished speaking, Sir, sorry.

The Bailiff:

No, I have just explained the position, Deputy. Even though you have finished, a point of clarification has been ...

Deputy J.A. Martin:

Yes, I would be interested to see. I might be able to get a second speech, might I not?

The Bailiff:

No, please let me speak, if I may.

Deputy J.A. Martin:

Sorry, Sir, it was a joke, sorry. It is up to the Deputy.

The Bailiff:

I understand, but the point is that we are, as a matter of convenience and out of respect to those speaking, seeking if we can only to deal with points of clarification at the end. If, therefore, a point of clarification is sought and in my judgment it is something that can be dealt with at the end for the reasons I have explained, it still requires that the speaker gives way, otherwise there is no basis for the point of clarification to be raised under Standing Orders. So, the first question is even though you had finished speaking, Deputy, do you give way to provide a point of clarification on your speech?

Deputy J.A. Martin:

I do, Sir, yes.

The Bailiff:

You do. Did you wish to ask that point of clarification then, Deputy Tadier?

Deputy M. Tadier:

Thank you, Sir, and I appreciate the clarification on your part. It is helpful. It is simply to ask ... I think in her speech the Deputy said that half of the people in St. Helier are not paying rent, or most of the people. Can she clarify what she meant by that or whether it is just illustrative rather than quoting any facts that she knows in that regard?

The Bailiff:

Thank you, Deputy, that is a valid point of clarification. Deputy Martin, do you wish to give clarification on that?

Deputy J.A. Martin:

I do not think I said St. Helier. If I did, I apologise. I meant the whole Island. We passed something that if they cannot pay rent ... and we know that is working well. We know tenants are talking to landlords because I know that through the Minister for Children and Housing and I know that through Income Support. I thanked the landlords in my speech. I am saying that they are accumulating bills as the way we go. So, sorry if I just said St. Helier, I meant the whole Island because they will not have the money and remember, Deputy, we passed a housing ... we had a housing debate on this that we asked ... yes, I think I have clarified.

The Bailiff:

I think, Deputy, you have clarified what you meant and that is obviously the purpose of the intervention. Thank you very much indeed. Deputy Morel.

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

I would like to thank everyone who has been speaking so far. I have left my speaking until later in the debate because I genuinely entered this debate not knowing which was, in my view, the better way to vote. Before continuing, I would like to echo the Deputy of St. Martin's thanks, gratitude and congratulations to Islanders for having got us so far for it is their appropriate behaviour that has led to this amazing situation, given the circumstances that the Island finds itself in. I would also like to

say to Deputy Doublet that there is no need to be disappointed about a lack of high-level debate because this has been a high-level debate. It has been in the main focused on strategy, but it is always the case that to understand which strategy is the better one to take, you have to understand how that strategy would to some extent be implemented. In this case, understanding the Government's interpretation of Deputy Perchard's Proposition is vital to other Members being able to make a decision as to which way to vote. So, if the Government believes that to implement an elimination strategy it will have to undertake intensive lockdown, regardless of whether or not that term is in the Proposition States Members need to know and understand how the Government would use that as part of their interpretation and that would be a tool used by the Government to implement an elimination strategy. So, such detail is important. What else is important is that we have not sat here discussing the rights and wrongs of that detail, but understanding the Government's perspective is vitally important to non-Executive Members particularly being able to make a decision as to which way to vote on it. To be honest, I have listened intently to every single speech that has been made here and I have been trying to find the point of balance as to know which way to vote. I have heard so many Islanders' serious concerns about the strategies that have been followed, and I think it is extremely important that the Government takes note of speakers who have come before me, that range from Senator Pallett to Deputy Southern to Deputy Tadier, Deputy Ward. All of these people, and the Deputy of St. Martin and others, have raised the point that in our opinion - and this is not imputing motives on Deputy Perchard's perspective, this is my take on why this Proposition has been so necessary and has been brought - or in my opinion there has been a lack of proper transparency and proper communication from the Government throughout this period that has only begun to improve after enormous amounts of pushing and shoving and demanding from non-Executive Members and Members of Scrutiny. So, I think it is incredibly important that the Government takes that on board and understands that Islanders needed this debate because Islanders did not feel - maybe not all of them but plenty of Islanders - they could trust the Government and where the Government strategy was leading. That was partly and, in fact, in the main because they did not understand the Government's strategy. People have talked about the herd immunity strategy that was spoken about way back in March. Since March, Islanders have been asking: "Is this a strategy the Government is undertaking?" and while the Government may say no on the one hand, it would then say things like: "But we must let the virus flow through the Island" on the other hand. Such messages are deeply confusing to Islanders and left many of us with very little faith that the Government was being clear with us and, therefore, it was natural that we questioned the strategy. However, and this is where I echo Deputy Ward's concerns, because of the structural inadequacies of our system of Government at the moment, where a maximum of 21 Members of the Assembly have access to information and the other Members of the Assembly have to fight for access to information, we are left in a situation where even as States Members we are unable to allay the fears of our constituents. That is something that needs to change. It needs to change, I believe, in the way that our system is created. I think we do need to relook at the structure of this system that leaves over half the Assembly in the dark, particularly in such times, and I think we need to look at the way the Government try to take people along and communicate with those people. So, when Senator Pallett was raising those issues of communication and Deputy Southern was raising those issues of communication, they are real and I ask Ministers ... we just heard from one Minister who was suggesting that communication was not such a problem. It is a problem.

[11:45]

The importance here is that communication is about the receiving, not just the sending. What we have been receiving on the other side of this has been confused and has been unclear almost throughout this whole crisis. I have been somebody who has stood up and some people have said I have been criticising the Government. I have been criticising the Government on one issue consistently, and that was communication. So, I really hope that the Government, all Members of

the Council of Ministers, all paid civil servants in senior positions, take away that message that there is a lack of trust because there has been poor communication and we have not, as Islanders, understood what the Government is trying to achieve. Speaking to that lack of trust, there has also been an issue where, as Islanders, we are concerned about being led by the U.K. on matters where the U.K. is not in a better position to understand the Island's situation. That has been compounded by the fact that we have seen the U.K. Government make a hash of their response to this crisis and, as a result, there has been greater harm done in the U.K. Because, following on from that, there has been a lack of clarity about the position with regard to ports and how they will be operated, it took me about 4 emails to get a confirmation that the ports were not closed and had never been ordered closed. The concept that we could end up as an Island in a travel bubble with the U.K. was deeply troubling to Islanders, so to hear finally Senator Gorst explain the situation and some of the negotiations that have been engaged in with the U.K., in which he has sought to protect Jersey's right to manage its own borders, is incredibly important and shows the importance of this debate and how vital it has been to have it. When Islanders are concerned about our relationship with the U.K. in terms of being led by them, we have been told, and I have asked questions about this in the Assembly and in briefings and I have been told: "No, do not worry, yes, we do use the U.K., and that is understandable, for many things, but we take our research from many other places." But then I also look at minutes from the Emergencies Council and see that they say, and this is quoting: "We will rely on the U.K. for our research." Such ambiguities are problematic and they lead to a distrust in the Government strategy. So, in that sense, Deputy Perchard's Proposition has played a vital role in clarifying the Government strategy, and the Government has done that through its Amendment to Deputy Perchard's Proposition. We now finally know that the Government is not or will no longer be trying to take a herd immunity strategy, if indeed it ever was but we are unsure about that, and we know that now the Government will be trying to suppress the infection and keep it at low levels of infection. That gives me great comfort that I finally, after 3 months of this situation, have a handle on the Government's strategy. I mentioned earlier that I wanted to speak late because I really wanted to listen, because I have huge concerns. As some Members have said, it is attractive to talk of the herd immunity strategy. I do apologise, a tractor is about to go past my door and it is going to be rather loud. Apologies if that had problems with the sound quality. So, I have had concerns from the beginning of this crisis about the many welfare issues that lockdown is creating and now we can see through Deputy Pamplin's Amendment and we can see from the announcements made by the Medical Officer of Health that they are being looked at properly, and I am very pleased. I am very worried about the effects of a longer lockdown on schoolchildren, and so to understand, were the elimination strategy Proposition to be adopted unamended, that the Government would impose a longer lockdown is vital to my understanding of which way to vote on this because I do fear for schoolchildren, who have been denied their right to a proper education and to socialising, which is so vital to their development. I am extremely worried about the effects of lockdown on people's livelihoods, and to this I would like to say that we have heard during this debate that it is those who are at the bottom of the income ladder, those who operate in the most insecure of jobs, who are the most disproportionately affected by the lockdowns and by this crisis, and that concerns me hugely. In fact, just this morning, speaking to this, the first communication I had this morning was from a member of the public who operates a retail store in St. Helier. They sent me a message this morning to say that they would be closing their retail store for good because they have not been able to survive this crisis. I know that that retail store employs at least 3 people, so that is 3 families whose livelihoods have just been taken away from them this morning. I also know that on that same street another retail store has closed down, where there were 3 employees as well, so we now have 6 families who have lost their livelihoods. That is just from my knowledge and my understanding. I know that this has been happening to many hundreds of Islanders, many hundreds of families around the Island. So, it becomes very difficult for me to say to the Government ... if the Government's understanding of an elimination strategy is to enforce a greater lockdown, it becomes difficult for me

to move and seek to vote in that direction knowing that a longer lockdown would prevail. While COVID-19 is a serious problem, losing a livelihood for a family, 6 families or hundreds of families is an equally large problem. That loss of livelihood can lead to many other symptoms. It can lead, as we have heard, to increases in violence, domestic violence. It can lead to increases in suicides. It can lead to increases in stress and anxiety, which then can lead to actual physical health systems or mental health problems. So, I do find it becomes very difficult not to look at the Government's Amendment and say now, at last, we know where you are coming from, we know where you will go forward in the future, and you are saying the things that need to be said, which is tight control, keeping the virus at very low levels, importantly - and I believe all Islanders stand for this - maintaining controls at the ports, strict controls that operate in our interests and not the interests of other jurisdictions. Those are extremely important points that have now been made by the Government and we can hold the Government to. So, in that way, I now, having listened hard, believe I will be supporting this Amendment because I think we finally have a Government that knows where it is going and Islanders will know, most importantly, where that Government is going. This was, I am afraid to say, a Government that did approach - and by that I mean not just the politicians - this crisis, I believe, with a ... obviously, I am not in council meetings but, again, one set of minutes says the Island is well prepared for an infectious disease and it has been shown that the Island was not well prepared for an infectious disease. So, I do ask the Government to make sure that it surrounds itself with critical voices and challenging voices as well as voices which tell them the Government is doing well. Because challenge is vital to moving forward in a determined and clear way that leads to success, no matter what the issue and the matter at that time. So, I will leave it at that but, yes, I will be supporting the Chief Minister's Amendment in this case. I think it is a huge improvement on where we were yesterday if this Amendment is accepted, and I hope then we will go on to also accept my own Amendment and Deputy Pamplin's Amendment because with that this Proposition then becomes something very powerful, which will give Islanders much greater hope, a much greater sense of security and will hopefully help Islanders rebuild their trust in Government and its strategies with regard to this COVID-19 crisis.

The Bailiff:

Thank you very much, Deputy. Does any other Member wish to speak on this Amendment? Deputy Higgins.

1.1.16 Deputy M.R. Higgins of St. Helier:

I would like to start by saying I also welcome the debate. In recent times, States Members have had briefings where we could ask questions, but due to time constraints we have not had all of them answered. The public have even less opportunity to ask questions and to understand what is going on, so this debate is welcome, although I would have preferred an in-committee debate, something which I communicated to Deputy Perchard, because again a lot of information could come out, issues could be explored, far more so than rather trying to take one side or the other as to the policy we should be taking. Because there is no one policy that trumps the other. It is a question of we have an evolving crisis and the policies we adopt have to evolve. Now, I fully understand that as the pandemic developed decisions had to be made quickly and, by and large, I support the measures that they have adopted. But I agree with the previous speaker that the lack of information or, in fact, involvement has caused frustration, and I am sure the Chief Minister has even heard that from some of his Ministers who have not been part of the decision-making body. They are not a member of the Emergencies Council and they are hearing things as we do and they feel left out. So, if there is one lesson to be learned from what we are going through, it is that you need to keep people informed and take them with you, although I do not disagree with the measures that you have taken. I believe, by and large, they were right. Now, as far as Deputy Perchard's Proposition is concerned about eliminating the virus, I do not believe that we can eliminate it on our own. It is a pandemic. It is

worldwide. As an Island, we have dealings with people outside the Island and it is possible the virus could enter despite any checks we make of the ports. I have been reading a report this morning about the new outbreak that has occurred in I think north-east China. The doctors there say that they have a new cluster which is different to the outbreak that happened in Wuhan. These cases suggest that the pathogen may be changing in unknown ways and complicating efforts to stamp it out. Now, what they are saying is they are noticing that the incubation period for this new - I say - strain is going beyond the 14 days and that it is very, very hard to identify who has it and to take measures. So, in other words, a lot of the people are showing no symptoms for a much longer period of time, so if you have checks at the border you may not pick up the fact that they are still carrying the disease. So, I think elimination is something we would all desire but with the way that the virus is developing we may not be able to achieve and, therefore, we have to I think do what we have been doing, monitor, adapt, monitor and, if necessary, adapt again. We have to be totally flexible in our approach. But so far as this debate is concerned, I think the lesson more than anything is communication is important and involvement, and I ask the Chief Minister and those who are involved in the decision making to involve not only their fellow Members of the Council of Ministers but also Back-Benchers and we all go forward together and, very importantly, keep the public informed about what is going on. Anyway, I will leave it at that. But I shall just say first of all I shall be supporting the Government's Amendment on this issue.

The Bailiff:

Does any other Member wish to speak on the Amendment? If no other Member wishes to speak, then I call upon the Chief Minister to respond.

1.1.17 Senator J.A.N. Le Fondré:

It has been a very long debate but I think a very useful debate. I know the last time I counted we had had 23 Members and I think that it has gone higher than that, which has been one of the longer debates we have had in recent times. So, before I start formally, I will take a degree of time to try and address a number of the comments that have been made during the course of the debate, which I hope then gives some of the clarity that people are looking for. Can I just thank Members for their contributions on the proposed Amendment in what has been quite a robust and useful discussion of our strategy?

[12:00]

As I said from the outset, we genuinely do welcome the opportunity to have had this debate and to rearticulate the strategic approach we have been taking to manage the impact of COVID-19 in Jersey. I think we really need to reiterate it. Some Members have said it and I said it at the beginning of my speech yesterday. Our strategy is working and that is good news. I agree with Deputy Perchard that should be celebrated. I shall now try and address a number of the comments made by Members. Some of them are in front of me on the screen because they are from yesterday, others are on sheets of paper, so apologies if I am not always looking at the camera when I am addressing points. I think it is worth making the point that I did suggest to Deputy Perchard, as apparently have a couple of other Members, that a better way might have been to have an in-committee debate. Last Friday we were ready to go with that as a proposal in the event she gave the thumbs up to that suggestion, but in the event she decided to proceed with this debate. Equally, I do wish to thank her for her words at the very start of her speech. One issue that arose a couple of times was illustrated by the reference to the words I said on 20th April. At that point in time, there had been a substantial surge of COVID illness with 120 cases in approximately the previous 2 weeks. By comparison, in the last 2 weeks, we have had around 10 cases. So at that point, and based on the advice and information we had at that time, I was preparing Islanders for the prospect of what we thought we might be facing. As I have said a number of times, this has been and continues to be a very fast-moving scenario and things evolve and data gets updated. However, I have also said on a number of occasions that the strategy

was not herd immunity. As I said in my speech, population immunity is simply a biological process that happens naturally over time, sometimes aided by the development of treatments and vaccines. That is also referenced on page 9 of our Amendment. There has been reference to confused policy and that is where I have to disagree. If it was confused, it would not be working. I am also going to reference Members to an interview on the radio last Tuesday, a professor from a U.K. university in molecular and cellular biology, locally connected. He thought we were making the right decisions. He supported the easing of the lockdown and referred to the issues of well-being, which I shall also address later and have been addressed during a lot of this debate. He was impressed by the clarity of what we had just issued, and I emphasise clarity, as opposed to what he cited as confusion in the U.K. I know sometimes we can be rather self-critical and I do hope that the officers who worked on that guidance did hear those remarks about the clarity because it was their work he was referring to. Now, there were some observations around testing and I make the point that in relation to P.C.R. testing, 2 weeks ago we were somewhere around 50 to 70 tests a day and now we are starting to see 150, maybe 200. By the end of the week, this week, always subject to logistics, we are expecting a capacity of 500 a day, around 3,500 on average a week. There is an issue about having enough people coming forward to test, but this is about capacity. As we have already heard, the next stage of the antibody testing is aiming for 8,000 to 10,000 tests starting next weekend. I would hope, therefore, that people acknowledge that we have put a lot of effort into improving the testing regime that we have had, and some of that does take some time. In relation to normal hospital procedures, I agree absolutely with the points that have been made about there being consequences around procedures delayed and the non-COVID impacts on health and well-being arising from a lockdown. This is why Members may have noted a slight decrease in hospital capacity because we are starting to do normal hospital procedures again and hope to ramp that up now we have additional flexibility in how we can provide services. That is a work in progress, but that is improving. We must remember how hard it is for those who are directly affected by the requirement for shielding. It is really difficult and really hard and, in relation to the clarification on shielding, a few days ago I spoke on the change between vulnerable and severely vulnerable. The guidance around severely vulnerable is being looked at, as I said at the time, but that is not yet complete. It is in hand but it does need quite careful reflection for all of the reasons that have been referred to during the debate. Also to confirm our strategy will deal with, shall we say, minor outbreaks, and that is one of the reasons we have significantly increased our resources in contact tracing. I agree absolutely around the issues surrounding mental health and the impacts of the lockdown on Islanders who are finding this a struggle. I too will be supporting Deputy Pamplin with his Amendment. Can I also separately confirm that all significant issues dealt with by the Emergencies Council have also gone to the Council of Ministers? What I am going to do is I am just going to refer to the various notes I have in front of me, just to try and deal with some of the issues that have arisen basically either at the end of yesterday or during the course of today. So, internal economy, Deputy Gardiner has been asking recently about whether the Government has undertaken any analysis on the size of our internal economy, and that is in order to estimate what the economic impact might be of us remaining closed off to the outside world for a potentially prolonged period. Now, we will, of course, try to assist the Deputy as far as we can, but it is important to emphasise that such an approach is not supported by the medical advice and, therefore, does not form part of our strategy. As such, Ministers cannot and do not expect officials to be undertaking as a priority too much work or analysis on something which does not support the development or implementation of the Government's strategic approach, but work is being done to give further data to Ministers and to Members around the economic impact of certain specific scenarios. The Deputy of St. Martin talked about the policy and had it been published. Yes, the policy has been published on a number of occasions, particularly when we went into lockdown, and it has been updated and republished at subsequent significant steps. In relation to care homes, both Deputy Tadier and Deputy Labey are absolutely right in identifying the issues and difficulties around care homes for all the reasons I think we are aware of. But we have always prioritised testing in care homes and have

had stringent infection control measures looking at the whole of care in care homes. We have now considerably expanded on a proactive basis in terms of testing so that we can identify anyone, for example, who is asymptomatic, and also there have been specific measures put in place for quite some time as a result of our enhanced G.P. capacity. Only because it is on the same piece of paper, I think it might be appropriate to mention some of the comments around communications. I think I will deal with it all at the same time. Basically, matters obviously commenced, from our perspective, in those first couple of weeks in March and from a States perspective, over the past 10 weeks we have had 8 Assembly sittings. As an Assembly, we should be congratulated. We have dealt with over 40 pieces of legislation or similar debates. But more importantly perhaps for Members, we have had 10 briefings similar to the one yesterday, which started on 3rd March. So it was on 3rd March, 13th March, 18th March, 27th March, 2nd April, 9th April, 16th April, 30th April, 7th May and 18th May. Those briefings have been with officers present and for Members to question officers directly and freely. We have had since the beginning of March something like over 60 briefings or hearings directly with Scrutiny. Basically, it is 10 weeks yesterday, since Tuesday, 10th March, which was the first positive case, 70 days. In terms of comms, I would suggest that the delay, contain and shield strategy has been in the public forum for a very long time. There have been daily updates to States Members in terms of a digest, some of which stretched from 6 to 9 pages long, about what is happening within the communications area, as I said daily, and also we have been having the statistical analysis daily and, as Members will be aware, as we have been able to improve the capacity in those areas and/or respect privacy, we have enhanced the data that goes to States Members and goes to the public. Just as an indication, obviously the helpline was put in place very early on in this system. I do not know how many calls they have had to date, but it is significant, at least I cannot put my fingers on those numbers immediately. We have had something like 45 press conferences, including video updates, in the last 70 days. The website has had 3.2 million visits at least, sometimes 46,000 on a daily basis. Facebook videos have had 2.2 million views. There have been 4 all-Island letter drops, 10 full pages in the *J.E.P.*, 2 supplements on top of that, as well as radio adverts, including those not in the English language. So, the communications can always be improved, but I hope that gives an indication of the volume of communication that has been going out during the course of this crisis, which to date, as I have said, if you take the starting date as being 10th March with the first positive case, was 10 weeks yesterday and approximately 70 days. In terms of borders, I wish to pick up the point to be made. It has been suggested it is a political decision, not a medical decision, on the decision to open up the borders. I think I would disagree with that because it is a public health crisis and I, therefore, cannot see how it is reasonable to take a decision which would either allow people to move in and out of the Island or prevent them from doing so without reference to medical advice. So it really needs to be restated that the objective of causing the least overall harm applies equally to any decision around the opening of our border. Keeping Jersey closed to the outside world is not an action that is free of harm as well. It is a policy which is also damaging to livelihoods and well-being, so the advice is that we will need to try and find a way of gradually lifting this restriction, but I emphasise when it is safe to do so and in a sustainable way that allows us to continue to contain the virus and keep it at low levels. It is, of course, the medical advice which will ensure we are able to keep the transmission under control and suppressed to mandatory levels as and when we begin to open to the outside world. I am just reaching for some other remarks. What I will just say on this subject of borders, which Deputy Morel seemed to identify and suggest he had only had clarification today I think it was, I will just say I thought I had reasonably clearly explained to Members and I believe to the media on Monday about the positive steps that had been taken around the discussions, negotiations if Members want, with the United Kingdom in respect of how they would treat us, which is obviously to exempt us, but the fact that enabled us, therefore, to keep control on our borders ourselves and on the decisions we make. But I do agree that constructive challenge is absolutely vital in all of these types of scenarios. I would just emphasise again governance structures was raised. The Emergencies Council structure is governed by law, but I would also

suggest or remind Members that was briefed to Members very early days and also publicly, but I am always happy to recirculate that if it is needed. We have not changed our strategy. It is always in accordance with the advice that we follow, but what we do change is the measures that we put in from time to time in accordance with the advice we get and in accordance with the safe exit framework.

[12:15]

In relation to the clarification on tests, anyone who rings the helpline thinking they have COVID-19 are put through to a health professional, who will assess their symptoms. Anyone who is symptomatic is booked for a test. So, basically, if there are any specific cases that individual Members have, please forward them to the Minister for Health and Social Services and we will get that sorted. I am just checking if I have missed any significant notes I have had before I carry on into the rest of my speech.

The Bailiff:

Chief Minister, if I may interrupt you, the Connétable of Grouville seeks a point of clarification.

Senator J.A.N. Le Fondré:

Yes.

The Bailiff:

Are you prepared to give way, Chief Minister? Connétable?

Connétable J.E. Le Maistre of Grouville:

I am just coming. I was just trying to unmute. Just a point of clarification, yes. I am sure originally the strategy was to avoid the spike, flatten the curve and allow the virus to spread throughout up to 70 per cent of the population because that was inevitable. What the Chief Minister is telling us this morning is that now we are trying to keep the number of people who contract the disease as low as possible. When did that policy change and when was it announced?

The Bailiff:

That strikes me as a reasonable point of clarification, Chief Minister. Do you wish to address it?

Senator J.A.N. Le Fondré:

What I will say is the Connétable is 2-thirds right when he said the strategy was ... I cannot remember the correct words he used as I was trying to scribble them down but it was essentially to, I think he said to contain ... I cannot remember the words. He used 2 words and then he said to allow it to go through the entire Island so the strategy has never been around the immunity argument. What we said is that is one of the outcomes that is likely and that can be, as is alluded to in our report to the Proposition, either through naturally occurring biological processes or it can be through vaccination. That is an outcome and not a strategy. The strategy has always been to contain, to delay, to shield, to flatten the curve, if one likes, and that means controlling the rate of transmission through the Island. What has happened is that the strategy has worked so effectively that we have not seen the wave come through and, as I have said I think at the press conference yesterday, in essence, we have flat lined the curve rather than just flattened it, if that helps the clarification.

The Bailiff:

Yes, continue.

Senator J.A.N. Le Fondré:

Now what I do need to just briefly refer to, at the risk of incurring the wrath of Deputy Perchard, is an interpretation that we have applied. It is based on a change in emphasis I think in terms of do we just accept the wording of the Proposition or, as I have understood matters in the more recent years, that one dares to take the report into account? In the position, it quite specifically says in part B, if it is unamended: "It must detail a plan of action that will be implemented with the explicit aim of eliminating the virus in Jersey." Then also importantly, not necessarily more importantly, in the conclusion to the report it specifically states: "Islanders would be better served by a short period of intense lockdown." I believe the Deputy also referred to, and I cannot remember, something like one case in 2,000 I think in her speech. That is why the interpretation has been that the consequence of the Proposition unamended would be to result in an intense period of lockdown and I will deal with that very shortly. Finally, I believe, in terms of Members' comments and to directly answer the query from Senator Ferguson, I signed the Ministerial Decision this morning. I have been waiting for the last couple of days and that is around the group of people to start working on the economic recovery side. They obviously have been working on it but that was to formalise the applicable oversight group. There will also be, what we are calling, an economic council of which the membership is crystallising but will be shortly finalised and then signed off on and that will be quite a wide-ranging membership. To start moving towards the end of my speech, as I have said, the steps we have taken and will take in future, do share some commonality with Deputy Perchard's Proposition. We do want to control and suppress the virus and keep it at the very lowest of levels. But I do need to be really clear, if Members were to reject this Amendment and pass the Proposition as lodged then the Government feels that we will be placed in an impossible position, we would be required to adopt the political direction of this Assembly to eliminate the virus in conflict with the expert medical advice from S.T.A.C. and the Medical Officer for Health. Now this is an unprecedented global medical emergency and we must always rely on expert medical advice in setting our strategy and we must always seek to balance the risks of allowing Islanders greater freedom with a significant risk to Islanders' mental and physical health from ongoing restrictive measures. We must ensure that we are doing the least harm. The cure must not be worse than the illness we are seeking to combat. Finally, I would like to try and end on a positive note. I think this has been a useful debate but, as I close, I would also like to pay tribute to the team I lead. I did see a quote somewhere that a test of leadership is how well one functions in a crisis and I think it would be fair to say that this has been one of the greatest issues we, as Islanders, have had to face for generations. The team has acted urgently when needed. It has prepared ahead when possible in these fast unfolding times. Ministers and officers have met for long hours at short notice and at very unsociable hours. For many people, weekends and public holidays have not existed and I am proud to be associated with that team. Now it is certainly safe to say that I have grown an even thicker hide than I had before, and I have been fairly thick-skinned for quite some time but, in my view, the mark of a credible politician is one who does challenge, and to briefly paraphrase Kipling, does not deal in rumour, nor in lies, nor pointless P.R. (public relations) and probably looks at social media with a degree of professional scepticism. One who can deal with hatred without hating, as the saying goes. One who, I would say like Deputy Perchard, can raise issues without it being personal. One who can listen and assess calmly without panic. I would like to also take the opportunity to thank the senders of those positive messages that I receive. They are very welcome. Contrary to some other external somewhat ill-informed opinion, the position we are in today is because of the team I have led, not in spite of that team. No speech on this matter can ignore the sterling work by all of our front line services and workers and I thank and commend them and Islanders and I also want to pay tribute to the professionalism of the officers who advise us. Many are working huge amounts of hours in meeting the challenges set by this crisis on a daily basis and that includes some who are working remotely, perhaps due to family issues, and some from outside the Island. The hours they have worked are extraordinary and clearly show the commitment they make to this Island and its people and I formally thank all of them for all of their effort. We do challenge, we are human and not everything will be perfect but it is about making

calm, careful, considered moves as we navigate through this crisis. There does remain significant challenges ahead but, to date, we are in a very good position, have done well and that is a tribute to the team I have the honour of leading. On that basis, I do not think there is any need to have any further debate. I am not going to go over any points of clarification. I maintain the Amendment and I call for the *appel*.

The Bailiff:

So, Chief Minister, you are not giving way for any points of clarification?

Senator J.A.N. Le Fondré:

No, Sir.

Senator K.L. Moore:

The Chief Minister has not answered a question that was put to him.

The Bailiff:

I am sorry, Senator. You will obviously vote as you must but the Chief Minister has indicated he will not give way for any points of further clarification and, therefore, no further points of clarification are possible under Standing Orders. Very well, I ask the Greffier to put a link for the vote within the chat box. The link is there. I open the voting and ask Members to vote in the normal way. Very well, if Members have had the opportunity of casting their votes, I ask the Greffier to close the voting.

POUR: 43		CONTRE: 6		ABSTAIN: 0
Senator I.J. Gorst		Senator K.L. Moore		
Senator L.J. Farnham		Connétable of Grouville		
Senator S.C. Ferguson		Deputy of St. Martin		
Senator J.A.N. Le Fondré		Deputy L.M.C. Doublet (S)		
Senator T.A. Vallois		Deputy J.H. Perchard (S)		
Senator S.W. Pallett		Deputy I. Gardiner (H)		
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
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. Ouen				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				

1.2 COVID-19 Elimination Strategy (P.61/2020): first Amendment (P.61/2020. Amd.(1))

The Bailiff:

Thank you very much. Now the next Amendment to be dealt with will be Amendment number 1 brought by Deputy Morel. Deputy, are you still intending to bring your Amendment? The reason I raise that at this point is that the thrust of your Amendment is simply to add on the rapid P.C.R. testing and the Chief Minister's Amendment to that would deal with rigorous testing which has already been adopted by the Assembly in connection with the Amendment just passed. So could I ask, Deputy, are you still wishing - because it may well be that the Amendment just adopted by the Assembly effectively is now an umbrella Amendment which would include your Amendment - that to be debated?

Deputy K.F. Morel:

If you do not mind. If we could continue, I fully support the Government's Amendment to my Amendment and I fully support what they have put into Deputy Perchard's Proposition via their Amendment and the reason I would like to just have the debate, which I imagine would be fast, is just to essentially put it on record the importance of controls at the ports and so that is why I would like to have this spoken about essentially as a separate piece as well. Thank you.

The Bailiff:

Well, Deputy, what I must say to that is that if the purpose of the Amendment is not really addressed to the adoption of the precise words of the Amendment, then it is probably not appropriate to bring it for a collateral purpose which is to emphasise the importance of doing certain things at the port. If your argument, however, is that the testing regime must include P.C.R. testing, well then that is a different matter.

Deputy K.F. Morel:

I believe it should because I believe that P.C.R. testing focuses the Government on testing for the live virus and not, for instance, by simply leaving vigorous testing, they could think that is vigorous serological testing and that would not be appropriate in these situations.

The Bailiff:

Very well. Well, then the next matter to be dealt with is Deputy Morel's Amendment, the first Amendment, and I ask the Greffier to read the Amendment.

The Deputy Greffier of the States:

Page 2, paragraph (b), insert a bullet point after the words "border controls with high-quality quarantine" insert the words ", or rapid P.C.R. (Polymerase Chain Reaction) testing."

The Bailiff:

Excuse me, before I call upon you, Deputy, the question has arisen as to whether this is the Amendment as amended by the Council of Ministers. I do not think, procedurally, it can be. You can indicate you will accept it but the Amendment of the Council of Ministers must still be dealt with as a separate Amendment. I will be asking the Council of Ministers whether or not they will wish to continue with that Amendment when the time comes which is pretty well straight after you have spoken, Deputy, on the basis that the Amendment, as adopted, already deals with rigorous testing which was the alteration being put in by Amendment to your first Amendment. I am not sure that is entirely clear. I hope it is. I now call upon you, Deputy Morel, to propose the Amendment.

[12:30]

1.2.1 Deputy K.F. Morel:

In fact, clarity has been a large part of all the debate we have had so far. I am proposing an Amendment which would ensure that the Government has to implement a level of testing if it were to choose that quarantine was no longer a feasible way forward. This is to address the many concerns I have had from Islanders, except for those who have particular interest in the hospitality industry and that is totally understandable, but every other person I have spoken to wants to see clear and strong control of the ports in Jersey and they believe to a woman and man, that that should include testing at the port if quarantine were ever to be seen as not viable any longer. I am not going to do a long speech but I would like to address the Chief Minister's concern about whether my Amendment is as amended. I absolutely do accept the Government's Amendment. The previous Amendment that we have just voted on does include the Government's Amendment already and so I think the Chief Minister can rest assured that the elements of the Government's Amendment are very much taken into account here and will be a part of my Amendment should it be adopted. I believe that we do need to put in the words about polymerase chain reaction testing because that is at least one form of testing for the live virus and I believe that that does need to be included in order to ensure that the Government understands that testing at the ports has to be about testing for the live virus and not about other forms of testing. Although if my Amendment was adopted, Deputy Perchard's Proposition would read: "and/or polymerase chain reaction testing or other rigorous testing" as the Government would like and so it does not stop the Government using other forms of live virus testing. By including P.C.R. testing, we are clearly giving a direction to the Government that they should be testing for the live virus at the port of entry if they were to choose no longer to keep quarantine as an option. So I think it is very important that we do stipulate that to ensure that it is live virus testing that is being done at the port. Thank you. I maintain the Amendment.

The Bailiff:

Very well. Is the Proposition seconded? [**Seconded**]

Senator J.A.N. Le Fondré:

Just on seconding, may I seek clarification from yourself and it is slightly aligned with what Deputy Perchard has raised? I think we were informed at one point that if our Amendment number 2 was approved, which it has been by the Assembly, Deputy Morel's Amendment would fall away. That was from the Greffier, I believe, so I think what we are just seeking some clarification on is what

does the wording now look like? I am just trying to assess whether we need to go for our Amendment to Deputy Morel's Amendment.

The Bailiff:

Well, my understanding of the position is that your Amendment on which the Assembly has just voted, Chief Minister, stands alone and is there and the Proposition therefore reflects that Amendment. The addition of Deputy Morel's Amendment, he accepting your Amendment, would be to add "and/or" and then the "P.C.R. testing" and then it moves on to your Amendment which was "rigorous testing." So, in other words, I do not think you would need to move your Amendment to this Amendment because those words are already now included in the main Proposition.

Senator J.A.N. Le Fondré:

That does help because I was coming to my understanding of the position. On that basis, Sir, it does not sound like we need to move our Amendment to Deputy Morel's Amendment.

The Bailiff:

Very well. Yes, it has been seconded. There are a few minutes before the normal adjournment. Deputy Higgins, did you indicate a desire to propose the adjournment?

Deputy M.R. Higgins:

Yes. It gives everyone an opportunity to recharge their batteries and read the papers again and come back renewed.

The Bailiff:

Well, the adjournment is proposed. It is a few minutes before the normal time. Deputy Perchard, are you indicating a desire to speak on the Amendment or on the question of an adjournment?

Deputy J.H. Perchard:

The question of the adjournment.

The Bailiff:

Well, I do not want us to waste time on the adjournment by making it the cause of a debate but if you wish to make an observation, yes, Deputy, please do.

Deputy J.H. Perchard:

Obviously, unless Deputy Morel disagrees with me, I feel like it would be beneficial just to deal with this Amendment first before we adjourn as I believe we could do it before lunch is normally convened. I personally would be very willing to do it before or after but I think it would be better to just get it done before, if possible.

The Bailiff:

Well, I see Deputy Morel indicates that he would agree with that. Do you maintain your proposal for the adjournment at this point, Deputy Higgins?

Deputy M.R. Higgins:

Yes, Sir.

The Bailiff:

Very well. I will put it to the vote. A vote *pour* will be a vote for adjournment. Can you put the link in?

Deputy J.A. Martin:

Sir, would we be coming back early or would we still come back at 2.15 p.m. if we adjourn now?

The Bailiff:

At the moment, it is merely that the Deputy has proposed the adjournment now. Right, well, I am afraid now we have a delay in the vote. Clearly, there are different views being expressed but the majority appears on the chat that we keep going. I have to say the entire preponderance would be against that, Deputy Higgins, as I read it on the chat and, accordingly, I will treat that Proposition as defeated even though we are not able to do the formal vote. Does any Member wish to speak on Deputy Morel's Amendment?

Deputy R.J. Ward of St. Helier:

I do apologise, but I have a point of clarification because I am not entirely sure about this in terms of what we are debating.

The Bailiff:

What we are debating, Deputy Ward, is the addition of the words "or rapid P.C.R. (Polymerase Chain Reaction) testing" so it will be the addition of those words after the words "high quality quarantine" which is a matter of Amendment. It would have to then read: "and/or rapid P.C.R. (Polymerase Chain Reaction) or other vigorous testing" which is what is already in the Amendment adopted by the Assembly a few moments ago. So it is simply whether it is essential or desirable, I should say, to add the "P.C.R." So you wish to speak, Deputy Perchard, on the Amendment?

1.2.2 Deputy J.H. Perchard:

Yes, thank you. Just very briefly to say that I am happy with the language of the Amendment and the Chief Minister, I am sure, will correct me if I am wrong, but I believe the Government has said they are happy with it too so I see no reason for us all to accept it and I will be supporting it. Thank you.

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

Yes, just one remark. All I know about P.C.R. testing is that it takes about 2 hours to do a test and it is not something that is very portable. It is something that you do in a laboratory. So if we wanted to test immigrants to the Island or travellers, we would have to take a swab, take it to the laboratory, put it in the chain where the machine can only do a certain number of batches at a time, wait for 2 hours, get a result read and send it back to the airport. If you are hoping to do it for a couple of flights with 100 or 200 passengers each, we are talking about several days of waiting and I am not sure what sort of quarantine we have in mind for visitors to the Island, whether they will just wait on the chairs at the airport until 24 hours later when the test comes back or whether we will put them up in hotels. So it sounds very nice but again, technically, I do not see how this is possible and to impose it into the Island would probably be a problem.

The Bailiff:

Thank you very much, Deputy. The answer I think to the question raised by Deputy Ward in the chat is: "Yes." Does any other Member wish to speak on this Amendment? Deputy Ward.

Deputy R.J. Ward:

So therefore we are saying that we will accept "and/or rapid P.C.R. testing" and so therefore to deal with what Deputy Guida has just said, it could be "or with other controls at the border."

The Bailiff:

If you are seeking a point of clarification, it seems to me that it is only that wording that is consistent with the decision the Assembly has just taken and the one that it is being asked to take now.

Deputy R.J. Ward:

That is all I wanted to know. Yes, it was a point of clarification. Thank you.

The Bailiff:

Thank you. Does any other Member wish to speak on this? Deputy Young.

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

I am going to speak very briefly in support of this Amendment. I think the issues at our borders is pretty well the number one issue in the public's mind and I think it is important that we have explicit robust procedures in place to check people's health conditions out. I am absolutely sure there will be practical issues raised as a result of how this is done. Deputy Guida raised those issues but I do not think that is a reason why we should not adopt this. I think there has clearly been a lot of public debate going on about testing and what is the most accurate or not but one thing I think is already clear to me in reading what I read is that these P.C.R. testings are accepted as being accurate and reliable in whether somebody is infected or not. So I think it is an important Amendment that we should add to the proposal that we have so far.

The Bailiff:

Does any other Member wish to speak on the Amendment? If no other Member wishes to speak, I call on Deputy Morel to respond.

1.2.5 Deputy K.F. Morel:

Thank you to Deputy Guida, Deputy Young and Deputy Ward who spoke there and thank you, Deputy Perchard, as well for your acceptance of my Amendment. I do apologise for the confusion that arose. The situation is such, by accepting this Amendment, the Assembly is not tying the hands of the Government to only do P.C.R. testing if it no longer wanted to do quarantine, for instance, so I hope that satisfies Deputy Guida's concerns. The reason that the Government's hands would not be tied to P.C.R. testing - which I accept would be an inappropriate thing to do - is because the Government's Amendment that we just passed includes the words "or other rigorous testing" and so the Government's hands will not be tied. Should there be a better form of testing for the live virus which, let us say, gives a 10-minute turnaround time for results, then the Government would be absolutely able to use such tests even if they were not P.C.R. tests. The important thing here is that it is a test for the live virus so when people come through the gates, if they are tested, the Island's authorities will be able to see whether they carry the virus in their bodies at the time and that is the intention of this Amendment. I do fully support the Government's Amendments which are incorporated in their Amendment to Deputy Perchard's Amendment. It is also incorporated in their Amendment to mine and I had asked and sent to the Greffe a very similar Amendment to my Amendment before I saw what the Government had lodged. So it is absolutely right that the Government's Amendment is in there.

I just reiterate the Government's hands are not tied as to the types of test but I believe it is important to put this Amendment in because it clearly indicates the need to be testing for the live virus. By referring to "P.C.R. testing", we are referring to the live virus and so the Government's Amendment about other rigorous testing would also be seen within that context of testing for the live virus. So I hope that has done something to suppress the confusion and bring clarity to the subject but I do hope Members can support my Amendment, as I am pleased Deputy Young has said he would, and I propose the Amendment. Thank you.

[12:45]

The Bailiff:

Very well. I ask the Greffier to put a voting link into the chat. It is there. I open the voting and ask Members to vote in the way that has become customary. If Members have had the opportunity of casting their votes I ask the Greffier to close the voting.

POUR: 47		CONTRE: 1		ABSTAIN: 0
Senator I.J. Gorst		Deputy G.C.U. Guida (L)		
Senator L.J. Farnham				
Senator S.C. Ferguson				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
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 S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				

Deputy K.G. Pamplin (S)			
Deputy I. Gardiner (H)			

Is the adjournment proposed?

LUNCHEON ADJOURNMENT PROPOSED

Male Speaker:

Yes, Sir.

The Bailiff:

Very well. The time being as it is, the States stands adjourned until 2.15 p.m.

[12:45]

LUNCHEON ADJOURNMENT

[14:13]

1.3 COVID-19 Elimination Strategy (P.61/2020): third Amendment (P.61/2020. Amd.(3))

The Bailiff:

Very well, we continue with P.61 and we now deal with the third Amendment brought by Deputy Pamplin. I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Page 2, paragraph (b) - After paragraph (b), insert the following new paragraph - “(c) that the strategy must include explicit provision for how, at each stage of the strategy’s implementation, mental health services will be provided and enhanced by the Government of Jersey in order to support Islanders during the COVID-19 pandemic; and”, and re-designate the remaining paragraphs accordingly.

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

I thank everybody and hope everybody is well. As the report stated, in my Amendment to the Proposition it seeks to provide explicit provision for the assessment of and impact on Islanders’ mental health should the States Assembly adopt P.61, as we have been debating and now amended. The intention behind the Amendment is to simply ensure that the impact on Islanders’ mental health is addressed at each stage of any new strategy, whatever the outcome of this debate is, and to allow the mental health services to adopt an even more proactive approach to the support offered. At this point, I would like to make very clear that the staff and all those involved in the Island’s mental health services on this Island have responded to the situation that they have faced and the Island has faced as a whole incredibly well.

[14:15]

They have had to move incredibly fast and deal with a situation that has put pressures and strains on how they deliver their service. Now, as we know, in the world of mental health, it is a very complicated world and we have to be very clear from the offset to remind everybody that there is mental health and there is mental illness, and within both those confines there are different degrees of support and treatment. A big factor as well of course is dementia and Alzheimer’s, which again is part of the service. Again, as they have done so before - and done so especially during this process - they have found new ways of working to ensure that they can care for the people that they care for on our behalf and I pay tribute to them. I am very fortunate and very lucky for the way I go about this job, as I have done over the last 2 years. As everybody knows, one of my main passions and reasons for coming in the Assembly has been mental health. Alongside my Scrutiny colleagues, just

days after being put into position, we set about with our mental health review, which everybody knows about. The relationship and constructive relationship that we forged very early with the Health Department and all those involved has been so productive and so brilliant, because that is how you achieve change, it is how you achieve real change, by constructively working together, where you identify problems, but you also present solutions and help those who are going to deliver and work against those issues constructively. That is what we have been able to do over the last 2 years and that will continue. During this crisis alone, obviously my thoughts straight away turned to the impact that this would have on the mental health service, and again I would like to thank the people that I have been in contact with. They have always listened to me. They always took my calls and responded to emails. That also includes Senator Pallett, of course. Following our review and the acceptance of the Minister for Health and Social Services, he agreed to have one of his Assistant Ministers for Health take on the role of overseeing mental health services. That was Senator Pallett, which we were grateful for and again I am very thankful for him. He will recall himself early March I was touching base with him asking: "What is happening? What is going on?" and that has been productive, as we have seen. But the reality is the service ... and as I quote from our key finding of our review in 2008, key finding 8: "Mental health services have suffered from a lack of investment over a sustained period of time. The improvements required in mental health services are dependent on increased financial investment. Some of these improvements are essential to ensure that the service is able to function properly and that includes recruiting and retaining staff and enhancing the mental health estate." This was accepted. This Assembly also had an in-committee debate, where overwhelmingly colleagues, Members, stood up and expressed their concern. Thankfully - and it is full credit to the Minister for Health and Social Services and his team - they accepted all of this and got to work and have been advancing and moving the service into a place where it should be. But then of course the pandemic happened and a lot of that had to pause in some areas to reconstruct the service to deal with the issues that came about, a highly infectious disease and virus, which means contact with people was going to prove difficult, so services had to be paused. For example, the outpatient service, as we know, the Jersey Talking Therapies, the service which has been under constant review, an excellent intervention and a brilliant step into early prevention and supporting Islanders, but as the evidence was pointing to, as we have spoken many times in this Assembly, it needed a revigoured approach, it needed more support, sustainable, to do the service that it is designed to do and how brilliant it was brought in. However, that outpatient clinic was closed from 23rd March, so suddenly a route in for certain people or people who had been going in on that service found that connectivity was shut; it was closed. On the website, on the Government website, it informs that if you do need support during this time you can contact the Listing Lounge, Mind Jersey or Samaritans. Most of those are charities and provide free services, and again, thank goodness they do, but for somebody on a mental health journey who is having regular contact with a regular support worker, be that a psychologist, to suddenly lose contact with that individual, who you have formed up a period of trust to help you on your mental health journey, to then suddenly start that process again is difficult. It is interesting talking to Islanders who I have spoken to who have been in that position and to their absolute great credit have said: "Do you know what, I understand, because we are in a crisis and there is a situation forming, so I will step back and I will try and manage my own condition." That has to be commended, but as we are hearing and as we are seeing, that is a big ask of Islanders who are on a mental health journey and the great onus and impetus has been back on us to say: "You need to reach out and you need to do all this and with the support of the service" which is adjusting all the time, but that can cause problems down the road. Secondly, of course, as we are hearing all the time, this virus and the measures taken, how we deal with it, are causing long-term effects on people's mental health. We do not need to go around this and I am certainly going to be shortening my speech in a moment, but it is continual and it has been alluded many times in the speeches this morning, every consequence, everybody is living with a new form of anxiety, everybody is concerned about the future. Parents like myself who have got young people: my

example, I have a son who cannot finish his college and does not know what he is going to do with his university placement. We have to manage that. Equally my daughter, she cannot complete her final year of primary school, so the next time she goes to school it will be secondary school, so there is a new form of anxiety growing there. On the children front, as the Children's Commissioner has rightly said, there are a lot of children who go to school and get support with their schoolwork, but equally the counselling and support services that are in place, they are not getting that. So there are many examples why we need to enhance, going forward, the outcomes of this pandemic. In the report, the United Nations and all around the world, people are now saying ... the World Health Organization, professors, clinical advice, even our own experts are saying the same: "Decades of neglect and underinvestment in addressing people's mental health" and I am quoting the U.N. (United Nations) here: "needs have been exposed by COVID-19 pandemic. In a call for ambitious commitments from countries in the way they treat psychological illness and a potential global spike in suicides and drug abuse, we therefore must move forward as one to, wherever we can and however we can, enhance what is in place now, to do more and to go further" because this is something that we all have, as an Island, address as one together going forward. I will talk more in my summing up, but I think I have covered the main thrust of why I brought this Amendment and some other evidence has come my way in the last 24 hours. So before I close and open the debate and hear what Members have to say, I just reiterate the point one more time: this is not a criticism of what has been done. This is a support of what has been done, but we need to put some more in place and think outside the box. The one example I leave is we had this wonderful coming together of our G.P.s and our primary and secondary care. G.P.s were the one who were thrusting this forwards and they said: "Look, we could work together" and what a brilliant concept that has proved, and we will have many conversations as this goes forwards on what that means for the future of healthcare on the Island. We have many professional private counsellors on this Island. We can tap into them, we can reconfigure and create a people's hub of all the charities on the Island. There are many more things that we can do. I just do not want to hear one more story about one more Islander who has sat back on their own. We can do better than that and I know we can. So with that, I stand by the Amendment and I propose it to the Assembly.

The Bailiff:

Thank you, Deputy. Is it seconded? [**Seconded**] Senator Pallett.

1.3.2 Senator S.W. Pallett:

Good afternoon to Members. I think we all know Deputy Pamplin is hugely passionate about this area. I am, and I have been supportive of what he has been trying to do all the way since I first got involved with mental health services and trying to ensure that we move them forward. He knows I am committed to ensuring that we give the best possible service. What disappoints me a little bit - and I hope he understands - is that in terms of the Amendment, there has been absolutely no discussion with myself as the Assistant Minister responsible for mental health or, for that matter, the Associate Medical Director, who is the head of mental health services. The reason I say it is disappointing is that we have tried to take a 100 per cent collaborative approach with the Deputy and in fact the Scrutiny Panel, who we only met last week, and if it was needed, if the Panel or the Deputy felt there was something missing, there was an opportunity last week for us to have gone away and looked at how we can do things better. Just towards the end of the lunch break, I did send a document around, which is the document that has been produced by the Associate Medical Director and his care group. It is a 20-page document. It goes into detail as to what services are being provided at the current time to support those in crisis during COVID-19. I think it is important to point out, as I pointed out in the email to Members, that in item 7 it makes it quite clear that there is a review of mental health provision during the COVID-19 pandemic response. I will read the paragraph, because I think it is important: "All elements of the mental health COVID-19 service response are being

regularly reviewed by the senior leadership team in relation to demand, activity, workforce considerations and feedback.” My apologies, my printer is working and it should not be. That is it, sorry: “This will enable us to provide a flexible and safe service during a time of significant uncertainty. Where there is capacity, consideration will be made to supporting additional or arising issues.” The team, who I know well, and the Associate Medical Director, who I know extremely well, are on a day-to-day basis involved in various group discussions in various parts of Government and key partners around how we can improve the service, where things are potentially causing concern and how they can be improved. It is happening on a day-to-day basis because I know it is, because I have a regular conversation with the Associate Medical Director. Not only that, I have been assured by the Minister and the senior management, and that has been conveyed to the Associate Medical Director, that if there is a resource issue around mental health - and clearly there are issues beginning to arise, there are issues that are, I think both locally and nationally, beginning to show themselves through various areas, drug and alcohol, domestic abuse, in various other areas, young children, the lack of schooling, all those issues - if there is a resource requirement, we will meet those resource requirements because it is absolutely vital that those that are in stress are provided with that support. There are some other issues I am going to bring up, but in essence we are doing everything that is said in this Amendment. It is an easy Amendment to just say yes to, but why are we agreeing to an Amendment for a service that is already taking place? I understand his concerns and he has gone into various concerns that are both historic and current. I absolutely accept the work that was done by the Scrutiny Panel, which he was a member, and which both the Minister and myself have spent the last 3 years addressing.

[14:30]

The Scrutiny Panel have been kept up-to-date, and Deputy Pamplin, in terms of what that means. It is a long journey. The Associate Medical Director made it clear it is a long journey that will take many years and COVID-19 has certainly not helped in that journey, but nevertheless the service, under the Associate Medical Director, has responded in an incredible way during the last 3 months to provide a service for Islanders that meets their needs and responds to those most in need. He talked about investment. The Government Plan is clear on what that investment means. It is investment not only in the infrastructure of mental health services, it is an investment in the staff and resource that we need to improve the service. Nothing has been said to me that says that that funding, that investment, will not be carried ... in fact, I would be amazed if this Government, the Chief Minister, the Council of Ministers and this Assembly did not support 100 per cent the investment within the Government Plan moving forward. In fact, if it did not, I would leave, I would resign, because it is an absolute key element of moving forward. He is right to pick up on some issues around J.T.T. (Jersey Talking Therapies). It is impossible to provide that service in this current crisis. What we have done is put other services in place, as is within the document, to ensure that we can provide Islanders with the support that they need. It has not been easy. We know that, but we have, where possible ... and all I can say is we have done our utmost to ensure that we have contacted everybody that is with J.T.T. to try to find them an alternative, whether it is phone messaging or phone service or audio-visual or that type of service to ensure that they are supported through this. Those in absolute crisis are being dealt with. Of that, I have absolutely no concern about. They are being treated, they are getting the support that they need. What I would say to Members is that I have absolute total trust in the Associate Medical Director. For me, he is at the forefront of mental health services in Jersey and it is for him and his care group to decide what resource they need and what services they need to put in place to ensure that Islanders get the best possible service. By doing this, if we approve this Amendment, we are going to throw in another layer of red tape. I do not mean that in a demeaning way, because I know what the Deputy is trying to achieve here, but another layer of strategic response that for me is currently being done and is unnecessary. The discussion, the talk, the briefings with Scrutiny will continue. There is an opportunity to ensure through that that we are

held to account for the services we provide without putting further undue stress and strain on a service and especially those that are running that service. In saying that, I say the care group, putting any more stress on those individuals, because they are under extreme pressure at the current time, so I would prefer that we did not put them under any more. The Deputy did mention Children's Services. It is not an area that I have responsibility for. That comes under the Minister for Children and Housing, and the Minister for Children and Housing may wish to speak. All I will say is that through the Children and Family Hub I think we are trying to provide the service that children require during this difficult period. I know the Youth Enquiry Service has been given resources to make sure that they can support children through a very difficult time. I think we have already mentioned in the debate today children are having a very difficult time through this period and I think that needs to be recognised and we need to fully ensure that they are picked up. But I would ask Members ... it is easy just to say: "Let us just go ahead and do this" but we are doing this anyhow. Let the Associate Medical Director decide what is the appropriate services to put in, with his hugely experienced care team, without putting further pressure on them. I thank Deputy Pamplin for bringing this Amendment because what it does, whenever we deal with issues like this, it is highlighting concerns and I am sure what I have said is no doubt going to provoke Members into speaking. So if anybody thought this was going to be a short debate, I think they may be in for a shock, but it will provoke Members into speaking about what is a huge issue in this Island, one that I have highlighted and one that Deputy Pamplin has highlighted and one that we need to address in terms of making sure that we treat physical and mental health equally, something that we have not done in the past, but something I think we have been working towards in recent months. We know there are issues with the service. The Scrutiny Panel, I think Members know the amount of work and effort that has gone into improving, for example, Orchard House. Orchard House is not perfect. It cannot be. The building is not really suitable for providing those services, but we have to do the best we can in what we have until we get a new building, a new fit for purpose building, up and running. That needs to happen as quickly as possible and I think we now know what the timeframe would be. So I would ask Members, please do not put any more pressure on our senior staff. They are doing a fantastic job. I have said it before, mental health services has been the forgotten department within Health to some degree. They feel they need support. I try to do that. I think it is for every States Member, for every Islander to get behind them and support them in what is a very difficult time. So I would urge Members, there is no need to pass this Amendment or to take this Amendment forward. We are going to do that work anyhow and there is scrutiny in place to ensure that we provide the best possible service. I will end there, but I thank Members for listening. I am deeply passionate about this area, as Deputy Pamplin is, but I do not feel this is a necessary course of action to take today. Thank you.

1.3.3 Deputy K.F. Morel:

I would like to thank Senator Pallett for his speech, which was most interesting. I would also like to commend Deputy Pamplin for bringing this Amendment. I think it was an important Amendment, which again it would take someone who is passionate about this subject to see the need to put this Amendment in, given the nature of the Proposition. I would also certainly like to thank all the people who work within the mental health services and the work that they have been doing these last few months. I know they are vital and they are much needed at this time and hats off to them. There is no question about Senator Pallett's passion for improving mental health services in Jersey and anything I say - just because I can sometimes be clumsy with my words - should not in any way be taken as a criticism of Senator Pallett's work in that area in any way. But I do find it hard to understand why we should not vote for this Amendment, given that mental health services, as Senator Pallett has just described, have so often been the forgotten aspect of the health service. While Senator Pallett is himself assured of the work of the Associate Director and the staff in ensuring that appropriate mental health services are provided for during this crisis, Senator Pallett is in a uniquely privileged position to see that work and to satisfy himself to that end. However, the rest of the

Assembly is not. The Scrutiny Panel may be. I feel it is extremely important given that, in my view, mental health services are more important now during a crisis when people are being forced to be isolated. I know isolation restrictions have been weakened and loosened, but still there are plenty of people who I know who are isolating themselves out of fear, they are isolating themselves because they perhaps feel ill and are concerned about spreading any illness to other people. At this time, there is no question in my mind that we need excellent mental health services more than we have ever needed them before. People will be losing their jobs. That places strain on families, it creates anxiety and creates new mental health issues for children, for parents and for all people involved in any family going through difficult times. I wish that the Council of Ministers, or particularly the Minister for Health and Social Services in this case and the Assistant Minister for Health, had provided a comments paper to support the suggestion made by Senator Pallett that this is an unnecessary Amendment. To that end as well, I believe that Senator Pallett ... or I wish Senator Pallett had gone further to explain to us why this Amendment, if adopted, would place greater strain on those delivering mental health services because as I read the Amendment - and I have read it and read it and reread it while Senator Pallett was speaking - I do not see how asking the people who are at the head of our mental health service provision in the Island, asking them to ... I am just trying to bring up the appropriate place in my ... it appears I have lost it. But asking them to provide an explicit provision for a mental health strategy in relation to our response to the COVID-19 crisis ... so there we go: "The strategy must include explicit provision for how at each stage of the strategy's implementation mental health services will be provided and enhanced by the Government of Jersey." I just, on the face of it, do not understand how that will place a much greater burden on the Associate Director and his staff and I do wish Senator Pallett had explained to us why that is the case, because it would surely be taking the work that the Associate Director is already doing and just placing that within the strategy as to how the Government is dealing with the crisis. The Amendment itself does not ask the Associate Director or any other staff members to do extra work in that respect, although it does ask for mental health services to be enhanced. I do feel that that is something that can only be agreed with, certainly from my perspective. As the Assistant Minister himself said, it is often the forgotten aspect of health services and so enhancing mental health services at this time, in my view, can only be a good thing as well. I have listened carefully to Senator Pallett. Unfortunately he did not really back up his suggestions or his statement with the evidence that I would need in order to vote against what to me is a much-needed Amendment. I think also Senator Pallett referred often to the Government Plan and of course the Government Plan, as we know and as Ministers have said, is already - excuse the phrase - dead in the water, so it is not really a document we can fall back on for reassurance at this time. In fact, given that the Proposition does ask for enhancing of mental health services, I would suggest that the Government Plan would be the minimum we would expect nowadays, and should this Amendment be passed that we should see more investment made into mental health services given, as I say, that I feel that they now are possibly going to be the most important aspect of our health service going forward in order to ensure that the Island and all Islanders enjoy a strong recovery with minimum harm caused by this awful virus. I shall certainly be supporting the Amendment and I do encourage other Members to do the same.

1.3.4 Deputy J.H. Perchard:

I would like to express my thanks to Deputy Pamplin, whose Amendment asks the Government to include the detail of the mental health provision and enhancement at each stage of the proposed strategy. My reading is that his Amendment ensures that in the forthcoming strategy the detail of how mental health services will be supported and enhanced by Government will be provided. Members, Back-Benchers in particular, do need to see it written down. Senator Pallett has really helpfully outlined all that is already being done and explained that there are robust plans going forward. To my mind, the Amendment simply requires the Government to present this information within the strategy that I hope we will agree to have published at the end of this debate.

[14:45]

I think it is vitally important, given the fact that we have heard from at least 2 Ministers during this debate that within their control approach there does remain the threat of a second wave and, as the Chief Minister confirms, the possible threat of another more severe lockdown should cases become unmanageable. Given the huge range of concerns raised by Ministers during this debate about the negative mental health impacts of any further lockdown and the reference made to domestic abuse and suicidal ideation, I think it is vital that we see the plans and actions being taken to support our most vulnerable Islanders during this time. A control approach may result in higher-risk Islanders being less free to move out of isolation. We must do everything we can to support their well-being over the coming weeks and months. I fully support the principle that this information should be included in the strategy and I ask the Assembly to support the Amendment.

1.3.5 Deputy R. Labey:

I think we all came to this Amendment ready to vote it through and indeed I think the Chief Minister indicated in one of his speeches earlier that he was supporting the Amendment too. Now Senator Pallett has dropped something of a bombshell, albeit with great humility and very gentlemanly-like, but it does change things. We are going to need to look to Deputy Pamplin to help Members out here because we have the 2 champions of mental health in the Assembly during this debate on this Amendment unfortunately at loggerheads and at a difference of opinion in terms of whether the Amendment, as well-meaning as it is, will be counterproductive for those people at the coalface and dealing with this. So I look to what the Council of Ministers' position is on this and look for guidance now. We cannot hear from Senator Pallett again, but I do not think he would voice his concern if it was not real and so I just appeal to Deputy Pamplin to consider what has been said by the Minister. There is certainly no disgrace in withdrawing this if he feels that it would be counterproductive, if the Minister is right. That is all. I am sure I am not alone in now feeling a little bit confused about this one.

1.3.6 Deputy J.M. Maçon:

I would give way to Deputy Pamplin if he just wants to clarify, because as I read his Amendment ... and it is interesting, when we started this debate Deputy Perchard asked for quite a high-level approach to this. When I read his Amendment, I think it can be taken in 2 ways. I appreciate the comment of my Health colleague, Senator Pallett, and I do take that on board. Certainly I know officers throughout this process have been working throughout the weekends, throughout the bank holidays and it is interesting that we are talking about mental health, but we also have to think about the mental health of our staff, which of course is incredibly important when talking about this. But when we start talking about kind of the strategy and what that should look like, whether that is: "The strategy will be we will adopt different rotas in order to support a better rolling out of mental health provision" is Deputy Pamplin going to want every individual rota of staff that is doing that? I do not necessarily think that is what he is looking for, but I would just like some clarity from the Deputy around what level of detail he wants to be produced, because I think there is some high level stuff which would be very easy to be produced in the strategy going forward. I think if he wants some really granular detail, I think perhaps we would be overburdening staff by doing that. I just need some clarity from the Deputy at what level exactly he wants to pitch this Amendment, because yes, it is absolutely important and of course we need to think about how all the various functions work together because it is not going to be just the mental health services that provide support, it is going to be all the other bits that interact with things. For example, if you have got concerns about your financial well-being, if matters are taken and probably supported through Customer and Local Services, then that will have a lesser impact on the health services, so it is often a spider web: when you pull at one string, it of course has an effect elsewhere. I would just like to take a moment to

thank the good work of the Youth Service. They have done a huge amount of working in supporting our young people. They did that before the crisis and they have carried on throughout this crisis and they have been doing some really good work from the feedback that I have been hearing at our various meetings. I just want to put that on record and again extend our thanks to them in particular, as well as everyone else who is working through this. What I would just say again when it comes to the mental health side of things, I think also just to check in to make sure that Members are keeping okay because I know some of my ministerial colleagues are working around the clock. Again, for them, they are not seeing their families and I know one Member has missed an anniversary and the effect that it has on them as a person, because sometimes we forget that when we talk about States Members. Of course we need to remember that they are individuals and they are human beings as well. It is interesting how some of the champions who all talk about mental health ... obviously not the proposer, but sometimes we just need to remember that, what we can do as an Assembly for colleagues when we come to debates, about how we can support their mental health as well, and I think concise speeches are always the best way of doing that. So if the Deputy could just explain exactly the detail he wants when he is summing up, I would very much appreciate that.

1.3.7 Senator T.A. Vallois:

I am hoping everybody can hear me. The reason why I speak is because, quite rightly, Deputy Pamplin has raised in his report, particularly on page 5, the Island's Children's Commissioner has indicated that children will need support on their return to education. I recognise many of the comments that have been made throughout the debate about mental health and the support for students and I would be happy to provide a paper for all Members about what has been happening during this time. I apologise that I have not been able to do it in advance of this debate, but I think it is crucially important. We were talking about communication before, so I apologise that I have not provided all that information previously, but I am happy to provide information of what has been going on in terms of supporting student well-being and staff as well during this period. Of course we need to recognise that this also comes around the confidence and the reassurance and trust that many Islanders will need, particularly about returning to school. What I see in terms of what the Deputy is asking for is what I think is an equivalent to what is a children's impact assessment and of course under the children's impact assessment we have to consider their well-being. We know that there are different levels of mental health and my belief is it would be much more desirable to return in a proactive way, to provide assistance and support at the right time and targeted in the right way so things do not exacerbate to the point in which we cannot return and support those individuals appropriately going forward. But just to give a quick snippet to Members of what is happening as an example during this time, so children have been learning from home. The psychology and well-being services have been supporting over 350 children with anxiety and mental ill health at home through a regular telephone check-in conversation with a nominated officer. For many children this consists of a daily call, but for others with lower levels of anxiety or who have had anxiety in the past but do not have this now, this is a 3-weekly check-in with signposting to resources and services as required. But in addition to this, the team has produced resources for maintaining well-being while learning at home, has extended its regular consultation lines to support both parents and professionals with new referrals and has played a significant role in developing the resources for staff well-being. As Deputy Maçon mentioned, our Youth Service have repurposed themselves, and of course we have the excellent service in what we call Y.E.S. (Youth Enquiry Service). They have been supporting many young people during this time, some of which have been particularly concerned and find it much more difficult to do this via ... whether it is over the phone or online and much preferred in terms of face-to-face counselling, as an example. But they have repurposed their work and they have been supporting in the way they can - within the circumstances we find ourselves in - our young people and children through alternative means and doing a very good job, if I may say. I would just like to praise them on that basis. I would just like to assure Members that we, from an education point of

view, are considering the well-being of children, their families and our staff. It is very much central to our planning in terms of what we are looking and seeking to do in terms of a return to school. It is extensive. There is a lot of work to it and we have to understand it well in order to target the support in the best way appropriate. So I just wanted to try to reassure Members and provide further information and I hope that assists with regard to the debate.

1.3.8 Deputy M. Tadier:

The thing that strikes me here, the question I am asking myself, is why on earth are the Government or the Ministers opposing this very straightforward Proposition? It is still part of the common strategic priorities that the Government and the Ministers have put forward and this Assembly has adopted. The second of the 5 bullet points is to improve Islanders' well-being and mental and physical health. All that Deputy Pamplin is asking for is that the strategy must include explicit provision of when you move from one stage to the next stage of the strategy's implementation, that we have explicit knowledge and a statement about how mental health services will be provided and enhanced by the Government of Jersey to help people in the Island. Now, this should be happening anyway, so when you go from one phase or the other, you would expect the Ministers at Health to sit their officers down and say: "Can you give us an assurance that all of the mental health aspects of the next stage of coming out of lockdown ..." or whatever it is that we are doing: "Can you tell us what that is and how you are going to cope with any demand that is going to increase, for example?" Given the fact that that should be happening anyway, it is not then that much more difficult to ask for that to be provided to the rest of us, for that to be made explicit. So, I do not get why the Council of Ministers is ... are they even opposing it? I do not know, because we have had one Minister saying that we cannot do this, it is too onerous. I do not see how it could be more onerous. As I said, they should be doing it anyway. Deputy Maçon, who is also an Assistant Minister for Health, does not have quite the same position and we had the Chief Minister earlier on saying that he was going to accept this Proposition, this Amendment. So, can the Council of Ministers get themselves in order? Although this is a really important subject, it should be one that we should all be getting behind 100 per cent so that we can decide which direction we are going to take today. Those are my thoughts I am very happy to support the Deputy here, and obviously my normal colleague at E.D. (Economic Development) Senator Pallett. We both know that they are committed to mental health issues, as should we all be, so let us get behind this Amendment.

1.3.9 Deputy G.P. Southern:

I will be speaking briefly in support of this Proposition. It seems to me it almost borders on the line of consent. We heard about the improvements that have been made in the mental health service, and that is well and good, but with retention rates as they have been over the past year, I am not sure that they are still up to scratch in terms of numbers.

[15:00]

What I have heard from one particular constituent of mine is that she was receiving counselling from the service and was, she felt, making progress. She felt very supported, and then when we came to lockdown day all of a sudden that stopped. She said it felt like it was overnight: "I feel abandoned." I was thinking as she talked to me that this was a perfect case for telephone or computer imaging counselling. Certainly in my day 20 years ago when I was counselling, telephone counselling was something that you had to do often because you could not get to meet. I wonder whether that service is being supplied today in a new way, because certainly my constituent said: "I feel abandoned."

The Bailiff:

Does any other Member wish to speak on this Amendment? Connétable of St. Saviour.

1.3.10 The Connétable of St. Saviour:

I am going to vote for this because I think it is absolutely fantastic, but what has disappointed me in a lot of the speeches today is about the children need this, the Children's Commissioner says we should have this. A lot of elderly people are alone. They feel completely forgotten about and in the early times of this pandemic the announcement that possibly if an elderly person went into the hospital and a younger person went in, the older person would not be looked after as well as the younger person has upset quite a few people. Being in the age bracket where I have gone past by sell-by date, if I went into hospital they would look at "75, no" and a younger person would get it. That is not how it should be done and that did worry me a little bit because although I have got a lovely garden and I have got a farm, I am isolated because my family is not with me and I cannot contact them. So I did feel a little bit isolated and I was disappointed. I think a lot of the elderly people who have been contacting me here at the parish hall are disappointed with everything. My Deputy - and he is a fantastic Deputy for St. Saviour - if he could just assure me that the elderly people are going to be considered in this. We have a Children's Commissioner, we have a Senator looking after the children; we have absolutely nothing in place for the elderly people of this Island at this moment in time. A lot of people in nursing homes have not been able to see their families. They are well looked after and they were last in the pecking order when it came to security things. It just seems to me that the elderly people on this Island are just being forgotten about and before I decide how I am going to vote for this I would like Deputy Pamplin to assure me, and really assure me, that the elderly people will be considered. I never signed the document for the Children's Commissioner that we had in the coffee room for the simple reason I was not comfortable. I am here to look after my parishioners not just the children and it is disappointing me just a little bit that the elderly of this Island are not getting a mention but the children are.

1.3.11 Senator J.A.N. Le Fondré:

A very quick point of clarification for myself, just to confirm what I did say in my earlier speech, which has already been referred to, that I will be supporting the Amendment by Deputy Pamplin. It is obviously always a matter in these instances for individual Ministers but we did discuss this at the Council of Ministers, I think yesterday or possibly - apologies, the days are running into one - on Monday, and the view around the table, which I fully concur with, is it was not considered to be a contentious Amendment and, therefore, it was perfectly capable of being supported in the context of the overall Proposition. I hope that clarifies matters for certain Members.

1.3.12 Deputy J.H. Young:

Just briefly. I support what everybody has said. I came to this thinking it was uncontroversial because it is absolutely essential that if this process that we have now put in place was fully comprehensive that the issue of mental health is in there as well. I do not think it favours one age group or not. With my own grandchildren, I know that our children are affected by all sorts of different degrees and, of course, they are going to potentially have a situation where they are going to have to unlearn behaviours when it is freed up and learn it again if it is locked down again. For their young minds, it is difficult and for some of our older people, like myself, who have been locked down for 8 weeks, I am going to need some counselling to get back out and take some risks in walking around. I think there are some real issues here and this is going to go on for a while. So, I plead with Senator Pallett, you are a champion of mental health, and also Deputy Pamplin, and it is really worrying that you are divided on this because we absolutely need you. We need a champion in Scrutiny, we need a champion in the Ministers, and you are the ones to do it. I do not see it as onerous. We just plug into the process. It is not substituting. It should not be a risk, but to have a strategy without the mental health issue there when it has been given worldwide recognition that this issue is going to be very big ... it is already big and it is just below the surface and it is going to become bigger. We need to do it and if that needs more money, we need to provide it, if I could ask

Senator Pallett to rethink his position on it, and I mean that as a friend and a colleague. I have total respect for him.

The Bailiff:

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

1.3.13 Deputy K.G. Pamplin:

I think I should really start with my own Constable to assure her of a couple of things but, firstly, she is nowhere near beyond her sell-by date and I am sure most Members, if we were in our usual place, would be stomping their feet in support of that fact. Her other point is quite valid because she is quite right that some of the most vulnerable people affected by this pandemic are the elderly. We have known this from very early days from the early data coming through. That is why we put measures in place to self-isolate the elderly and to shield them and that is what we will continue to do. But of course, we know with the humble humility that our golden generation do show that they will abide by that and they will say: "I do not want to be a nuisance to anybody." Thank goodness - and I think Deputy Martin mentioned it earlier - for the wonderful work that was put in place with the community support from a central point of view, but equally in our parishes, to go out and about and check on our vulnerable members. In our parish alone - and we pay tribute, as I know a lot of people are, so let us take that time - our parish volunteers in St. Saviour, and I am sure in other parishes, have been checking in with the vulnerable and been feeding into us as Deputies so that we can keep in contact with those elderly people as well, who do not have a huge amount of access to the internet. Some do, some do not. It is absolutely critical that that generation is not forgotten. That brings me to one of the points where we can enhance things. This wonderful pamphlet came out, the *Connect Me* pamphlet, which is fantastic and just so brilliant, with lots of information, like the old telephone directory, if you remember that, kids. On the back page it goes through: "If you need to talk to somebody" and it is brilliant. I was calling out for that from early March, as Senator Pallett knows, and here it is finally. It was received last week. The thing that we campaigned for in mental health is that there is a parity of esteem. What I mean by that is what we have always said, that at each moment in life when we are talking about an issue, physical and mental health are side by side. The thought process of getting out the information was: "We need everybody to physically distance. We need you to not go to the hospital. At the same we are going to send you this right now because the mental health aspects are going to start now." So this has come a bit down the line, and that is not a criticism of the people doing it because they have done it and it is brilliant. It is a cultural thing that we are trying to evolve and change and we are doing that as a society that in future these things will just come out at the same time. That is what my Amendment is saying, that at the point where a decision is made or a strategy change is taken, at the very same point: "Here is the advice for mental health. Here is what we are doing." As Senator Pallett knows, at the very beginning of all this none of us knew what was going on because it was going so fast paced and between us and, as he explained, we have been trying to figure it all out and work it out. But the people who were in crisis, the people who really matter, are obviously in a different place to us, so getting that information simply and quickly is so paramount. That is all I am seeking here, that as we go forward, as others have mentioned, that simple information is expressed. The other part of the Amendment simply put, as other Members have said, is just to enhance the great work that has been going on, and would you not just accept that? The one thing I am hearing more and more, every time during this debate and we are hearing it around the world from everybody, not just our own leaders, is the impact on mental health: "We do this, the impact on mental health." Then we have heard today people say: "Well, because of this, this has happened" and given examples of admissions to hospital or other effects, but that should not be happening. The reason why that is happening is because we have a limited resource that is being controlled in such a way to make sure that our healthcare staff are supported, that people

who need immediate help are supported, but can we do more? Of course we can, we can always do more. All I am saying is that we can enhance it and do more to help more, so we do not lose anybody to this crisis. Nobody wants that. I will just add on one point that I was going to talk about in the debate earlier and I just implore Members on this. It was a code of conduct in the world of media. I was never a trained journalist but I worked in the media to present stories or whatever else I did. One thing that was drilled into me very early days when talking about the difficult subject of suicide is that there is a process when you are talking about that, especially in a public process. We have got to be very careful about talking about it because for anybody listening that could have an effect. The complications behind suicide are vast. It is never one thing that contributes to that individual taking that decision. It is never that straightforward. Yes, there are consequences of this pandemic, which we are all dealing with at different levels. As others have highlighted, we all deal with that in different ways, but there are people out there who will have an historical history of the struggles they are dealing with and it could be one thing or a combination of things. It is never that simple. We should not really start using those things as arguments. Allude to them, but I just implore Members to be careful about that language, especially in that world. It is great, and thanks to Deputy Doublet and the Greffier. Something I have been requesting since I walked into the Assembly is what support is there for us politicians. All of us are making decisions that affect everyday life, from our Chief Minister right through to Back-Benchers who are dealing with members of the public, who come to us for help and support and guidance, sometimes with stories that break your heart and you try to listen and help them as much as you possibly can. Equally, of course, as public people we are, and quite rightly, held to account publicly. Sometimes those lines are crossed. The Chief Minister mentioned earlier about having a thick skin. You can have a thick skin as much as you like but the people next to you in your lives, the ones who love and support you, who witness this, not so much. We have to imagine that we have to look after everybody and also take care of the consequences of what we do and say and stand up to it when we do. We have wonderful support from each other. I have been 2 years doing this job and outside of the debates, which sometimes can get a bit interesting, there is a camaraderie and support there for each other and we do talk. I have appreciated that as well as the grateful help and support and guidance given to us by the Dean, if requested, for a sit-down cup of tea and also yourself, Sir, for help and guidance. But the point is we could do more and that is what we are trying to achieve thanks to the courses we are putting in place, because I want to make sure everybody is okay. We can just do better and I come back to the point of this Amendment. It is simply that whenever the strategy is adopted from the main Proposition of this, and it is the Amendment to this Proposition I am saying, every time it is talked about that the aspect of mental health is there at the front and it is enhanced.

[15:15]

Deputy Maçon, my colleague in St. Saviour, said about needing more detail. That is why I have left it to the experts because that is not for me to do that. I am more than willing to get involved with the process and help connect the charities through and be a conduit but absolutely it has to be provided by the experts and the ones who deliver the service, but there is a way of doing it. We have seen that with the G.P.s coming together with the health service. When we have to work together incredibly fast under a deadline great things happen and we are seeing that happen. There could be ways of doing that but, quite rightly, that has to be led in the strategy put forward by the experts and that is the way it should be. As others, Deputy Morel and Deputy Young, mentioned as well, as we go forward we will be dealing and trying to support, as the service is doing amazingly well and the charities as well, those who they were supporting pre-COVID. Now we are supporting people during COVID and the reality is as we go forward for the next year or so we will be supporting more people. Why would you not want to enhance and just get more to your belt to make sure the increasing avalanche of mental health needs when it comes can be enhanced. That was the purpose of this Amendment. I pay tribute to everybody right now who, for the first time maybe, is dealing with

things like panic attacks and anxiety, people who have thought: “I would never class myself as somebody with a mental health problem” but do not worry, it is okay not to be okay and you can reach out. There are wonderful services available. The last point I would like to make and it elides into what my Constable mentioned about seniors. It is something I feel can be enhanced, it is quite unfortunate and it was something we missed from our Scrutiny briefing last week. It only occurred to me last night. There is no mention of the Alzheimer’s charity, the dementia charity on this Island, who are a specialised service in providing community care, who support our own main service. One of the big issues we know on this Island, and it is going to be for a lot of people for years to come, is we have an elderly population. It is the fastest growing illness that we will have to manage for years and years to come. Maybe it is an oversight, these things happen because we are moving fast, but there is something definitely we can enhance more to involve that specialist charity who, like other charities, want to make sure that they have a place going forward. That is just one example. I could give many but I feel there is going to be more speeches coming as we debate the main debate. I thank everybody for talking and interjecting in this serious situation, but look at the Amendment in isolation with this Proposition; why would you not want to enhance to provide more? Again, it is not a criticism of the Senator and it is not a criticism of the mental health staff. It is there as a simple way to support the great work they are doing and to find new ways and if there is more money that can be provided by the Minister for Treasury and Resources, brilliant. Who would not want that? I stand by and I make the Amendment and I call for the *appel*.

The Bailiff:

The *appel* is called for. I ask the Greffier to put the link into the chat for voting. The link is there. I open the voting and ask Members to vote using the link if at all possible. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting.

POUR: 40		CONTRE: 3		ABSTAIN: 0
Senator I.J. Gorst		Senator S.W. Pallett		
Senator L.J. Farnham		Connétable of St. Clement		
Senator S.C. Ferguson		Connétable of St. Brelade		
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.Y. Mézec				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy 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. Ouen				

Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy of St. Peter				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

Deputy K.G. Pamplin:

May I just make a quick point to say thank you to Members. It is a very sensitive subject, but I also pay tribute to your staff who helped me turn this Amendment around when I lodged it on Friday to make it available to all Members. That is an extraordinary commitment from the Greffier staff. I would like to thank them and pay tribute to everybody working in mental health. Senator Pallett and I will always be aligned. I will always support him and I am very grateful for all that allow me to be part of the productive way going forward. Thank you. Thank you, Members.

1.4 COVID-19 Elimination Strategy (P.61/2020) - as amended

The Bailiff:

We now return to the debate on the main Proposition as amended and I call on any Members who wish to speak.

1.4.1 Senator L.J. Farnham:

During the debate on the Chief Minister’s Amendment a number of Members referred to the possibility or the feasibility of perhaps relying on a local-only economy to extend lockdown measures in the pursuit of the medical elimination of COVID-19 on the Island. I feel that it is important that I respond to those most valid questions and provide some further economic detail. I would like to stress that by providing this information I am not for one minute advocating that we put the economy before the safety of the Islanders, as I am sure that we all understand that a strong and successful economy and the health and well-being of Islanders are intrinsically linked. Approximately 77 per cent of the G.V.A. (gross value added) output of the tourism, hotels, bars and restaurants sector is generated by visitors to the Island. That means only 23 per cent is generated by regular local use. In the short term, the tourism industry will need certainty over when Jersey will begin to allow overseas visitors to return to enable them to plan for the future. The longer the travel restrictions remain the greater the risk to the permanent loss of key tourism assets. Over the medium term, a decision to maintain travel restrictions into the autumn will start to cause significant damage to the largest single driver of Jersey’s economy, the financial services industry and other economic sectors. It is worth mentioning at this point that the aviation sector has been significantly impacted by the COVID-19 outbreak. Passenger traffic across the U.K. and Europe has been down by up to 99 per cent since the start of April as airlines have grounded their fleets. In Jersey, easyJet’s last flight was on 25th March

and the last British Airways flight to the Island was on 30th March. The greatest long-term risk for Jersey is a permanent loss of travel connectivity caused by failure to convince our airline partners to maintain flights here at a time when they are rapidly reviewing their strategic deployment options. This alone is likely to cause structural harm to the economy. Jersey's range of year-round air and sea connectivity is an important selling point, not only for Jersey's financial services industry but for all business sectors and a differentiator from many of our competitors. A permanent loss or significant reduction in transport links would start to reduce the appeal of the Island as a base for creating, expanding and conducting business and would undermine our wider economic ecosystem. A quantitative assessment has not yet been completed by the economic team but it is clear that following a local-only approach to our economy, even for a short period of time, is simply not sustainable and would not support the high level of services and infrastructure that are essential to the lives of Islanders. Yesterday, during questions without notice, specifically in response to a question from Deputy Morrell, I provided the Assembly with some detailed figures about the current economic financial impact related to the lockdown measures currently in place. Lockdown is currently costing Jersey in excess of £100 million of G.V.A. every month. That is almost 30 per cent of the total economy. In reality, those somewhat sizeable figures mean that right now hardworking Jersey people are losing their jobs and their businesses and the worry and hardship and the associated health risks being faced are obvious to us all. However, I know that from the hundreds of emails and conversations I have had and am having because of the safe exit framework that we are deploying, many Islanders' fear and uncertainty is turning into an increased, if still cautious, sense of optimism and confidence in the future. Of course, we all know that COVID-19 is indiscriminate and respects no boundaries or borders and is, therefore, impossible to eradicate in the absence of effective vaccines, but I firmly believe that by continuing with our safe exit strategy, as refined in the Chief Minister's Amendment, agreed by the Assembly earlier today, and by subsequently supporting Deputy Perchard's amended Proposition, we can and will continue to make strong progress together.

1.4.2 The Deputy of St. Martin:

There is some advantages in this remote system and that is that those of us who sit in those difficult-to-see seats from where you sit, Sir, can register their desire to speak a lot more easily. One of the disadvantages, and I have spoken about this before, is that working remotely is just that and that is very remote. It is difficult to meet, difficult to have those off-the-record conversations in the coffee room, in the corridor, and there is no opportunities to bump into people or just pop into the office to speak to other Members or even civil servants. There is no real chance to find out what is going on and get up to speed with what people are thinking, what they are working on in the background and, maybe most importantly, what their opinion is on matters of state. There to me is the whole rub of this Proposition today. In a nutshell, it is the fundamental reason why we are having this debate this afternoon and this morning because it seems to me unless you are part of the very small inner sanctum of senior Ministers and civil servants, that there has been a lack of real information and a lack of consultation, openness and accountability, knowledge, a lack of data certainly and a lack of proper scrutiny. It has been so difficult to find time to scrutinise properly. Consequently, I personally get the feeling that there must be some sort of hidden agenda known only to the privileged few. What else am I to assume when there is no written policy? Back in 2011 I ran my election campaign on the slogan of "working together" and ever since then I have tried to include those 2 words in every important speech I make. Today I am finding that a bit difficult to do and that is the reason, I think, why we are having this debate again because I do not know that we are working together enough. Last week in the States Assembly when I asked why, when the Island Plan and Government Plan both have to come to this Assembly, the policy for easing of lockdown does not come before States Members for at least a discussion. I was told it is because it is an emergency, but surely in an emergency the opposite should apply. In an emergency it is even more important, vital, to have a policy, one that is clear and written down and despite asking very specifically during the debate on

the Chief Minister's Amendment this morning, I did not get an answer. The Chief Minister refused to take points of clarification and I can only, therefore, assume that I am right and that during this emergency the Government do not have a written down plan or policy to follow. In times of emergency, we should open up, we should not close down. I wrote to all States Members back in March I think it was and I said all parts of government are having to cope with enormous workloads and this is not the time to worry about who is a Minister and who is not. We all need to work together as best we can where we can. I believe there should have been some sort of cross-party group making these decisions and we should have been far more open and communicated better, but it seems to me that we have had a very small group and a large number of that small group have been civil servants.

[15:30]

I worry sometimes that we forget that civil servants are there to advise and recommend, and their advice and recommendations are very welcome and very well put together but at the end of the day it is politicians that make decisions and I am not sure that there is enough challenge to some of this advice that is going on. Anyway, the Chief Minister thinks he is right and he is very committed to his policy, not that I know what it is, but he is and I assume continuously surrounded by his group in Broad Street and wherever and has all his emails responded to by others, I presume because he is a very, very busy person and I thank him for that. I cannot begin to understand how he and other Ministers are finding the time to do all this work, but I do wonder sometimes how close he is to public opinion and, for that matter, how close he is to other States Members and Back-Benchers. Who vets what he is told? Who vets which emails he sees? I wonder sometimes if he sees the wide variety of emails that Back-Benchers do or if indeed he sees the emails that Back-Benchers send him. The reason I say all this is that Government recently, and certainly in the last few weeks, have been absolutely reactive and not proactive. Decisions are very often only being examined and scrutinised once they have been taken and that is really disappointing. We do not get, as Back-Benchers, answers until we ask questions. We struggle even then with the answers not being clear or the type of responses we want to hear. Let us be honest, Dr. Muscat is a very good example. Only last week it was pointed out to Government that despite Dr. Muscat being a regular expert spokesman on the virus, we had not seen him for 3 weeks. Yesterday he was back at meetings, and very successfully as well, if I might say. His advice is great to hear, but still it took States Members' pressure - if you believe what I say - to get Dr. Muscat back to tell us what is happening. As I said in the Amendment debate, we need to remember that the public of the Island were doing what we asked them to do long before Government announced any measures and it is the public that got us to where we are. Getting into lockdown was the extremely easy bit and coming out the other side is difficult, more difficult than anyone could ever imagine, and it is a fundamental thing that is really going to be challenging us here in the Assembly. Who would have thought just 3 months ago that we would be here today discussing matters literally of life and death, of individuals' personal freedom to move around and leave their homes, food security, essential transport? We do have to discuss them and I think this is what has been sadly lacking in the last weeks. We must come up with a policy that gets us out of this awful crisis as best we possibly can and to do what we need to work together, and we need to talk about that. I cannot disagree with many of the fundamental parts of Deputy Perchard's Proposition even now it is amended. I am still going to go forward with it, but I do fear that we have had today no real discussion about the economy, we have had no data about the economy, despite asking for that data, and there is desperately little information, to my mind, about planes, boats, transport links. We all know that whether you are on either side of this debate, travel is going to be a massive issue that we have to get over as the public of Jersey start to want to move around and people want to come and see us on the Island, hopefully. Then there is schools and how the children return to education and the list goes on and on and on. There are so many unknowns and so much to do. We all need to work together like we have never worked together before and this amended Proposition is a far, far better way forward than we have had so far and I will be gladly supporting it.

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

One of the first times that I spoke in the Assembly was regarding a Deputy Perchard Proposition around whether or not the chief executives should be given preferential housing rights and I stated then I felt there were much more important issues to be debated. Little did I know 2 years ago how successful she should be in finding such an issue or quite how important it would be. I have not yet decided - and I know it is late in the day - whether to support this or not. As a team player, I do not want to show disunity with the Council of Ministers but I have severe reservations, mainly because in my opinion this should not have been brought because, again in my opinion, it should have been an in-committee debate. I would like to say that Deputy Perchard is certainly one of the, if not the most, open-minded of States Members and it is always difficult to second guess where her vote will lie, which is a great credit to her ability to look into the subject at hand from a neutral perspective and it is perhaps something we could all learn from. Here, though, I am afraid in my view she has made an error of judgment and I will explain why. Clive Woodward, the former English rugby coach, said that he saw his squad in 2 ways; you have energisers and energy drainers. Energisers are those who arrive early at training, they follow instructions, they train eagerly, contribute positive ideas; and then you have the energy drainers, late to training, taking short cuts, bunking off to bars and criticising the management. The idea, he said, was to maximise the energisers and minimise the drainers. The unforeseen outcome of this Proposition is it maximises the energy drainers from the battle with COVID on the Island. I am sure the Deputy did not intend this but it has occurred. As a result of this Proposition, I am sure all Members have found their inboxes full of messages. In some ways it is encouraging to see the number of Islanders that are proficient in copying and pasting but it has also unleashed views that I am sure all right thinking Members will find an insult to their integrity. I am personally fairly angry with them, so I shall attempt to address some of them now. The States wished to ease lockdown so that they can get to use the Nightingale hospital, a quite ludicrous assertion. Indeed, when I gave my agreement for funding for the Nightingale hospital, I stated that while I felt it was 100 per cent correct, it was a strange feeling to agree to spending that sum of money on something I hope we never use, and I am sure Members will share those sentiments. We then had another assertion, that we are easing it in order to infect more people and we are content to see 500 people die, another statement without foundation as every effort has been made to keep fatalities to an absolutely minimum. Then again an old one but recycled, saying: "It is all about the money, that is all the States ever care about", whereas in reality nothing could be further from the truth. Our first thought has been about people's health and then their livelihoods. There has been no effort or money spared in our endeavours to do both. There is another draining point that I must mention and I think this Proposition illustrates it. We are seeing constant comparisons, especially on social media, with Guernsey. Firstly, I find it rather distasteful as, especially when we are looking at fatalities, it is people's lives we are dealing with and not some sort of medical *Muratti*. But in reality both Administrations have followed a fairly similar course and thus far I think a reasonably successful one. However, I will tell you where they have been superior to us and that is in the perceived unity of their States Members who, outwardly at least, have shown a laudable all for one and one for all attitude, which of course has energised their attack on COVID. At this stage I would like to salute the civil servants who have performed wonders in implementing strategies at phenomenal speed while working unrelenting hours, often against a background of sustained pressure and criticism. Now I will look at the Proposition itself. Many commented when COVID arrived that we were facing a war, and indeed I said so myself but I felt that the parallel was Dunkirk where we were in a back-to-the-wall fight and we had to get as many people to safety as possible. This first part has hopefully, and it is early days, been achieved but as Sir Winston Churchill said: "Wars are not won by evacuations. We now have to regroup, rearm and move towards D-day" or, in our case, N-day, normal day. In doing this, we will have to take risks but we have to minimise those as much as possible while acting on the medical advice received. In saying this, I agree with the Deputy on the

necessity of caution in opening our borders and it will indeed be a big call when the situation demands that it may be made. However, with no airlines looking to fly in any time soon, and indeed when they do I think we will be surprised at how empty they are, that decision may be some way off. I would also advise Members that we have to be aware of kneejerk reactions. We saw that right at the beginning of this crisis when the call went out: “Close the borders”, a splendid idea in theory but thousands of Islanders would have been left stranded in the U.K., including schoolchildren, university students, families on skiing trips and retired people enjoying some winter sun. Can you imagine the reaction on the Island if we had taken that action? People would have been furious at loved ones being barred from returning to the Island, and understandably so. Any action we take must be measured. In closing and with so much revolving around medical opinion, I will use a medical analogy. If you tear your Achilles tendon, the medical advice is to rest the leg by using crutches, apply ice, take painkillers, keep the ankle in a walking boot or a cast. Eventually you will have to start walking on it and doing physio, easing yourself back to normality. That would be the advice I would follow, although it has certain risks if you start back too quickly. There is, of course, another method that guarantees and that is to have your leg amputated. You will have no more concerns from the errant tendon. The snag is when you try to get back on your feet again you are likely to fall over.

1.4.4 Deputy J.H. Young:

I was expecting not to make a very long speech but I feel I have to reply to 2 or 3 of the previous speakers. But sticking to the big picture, I think where we have ended up is a much clearer statement of public policy, which is on the record, which is about a plan to control and suppress the virus and to reduce the COVID infection to very low levels. The Proposition does include a commitment ultimately, although obviously it is a long way off, to local eliminations. I think also the Proposition includes explicit commitments on virus testing and on a principle of border controls and now with mental health support and regular updates and engagement of the wider States Assembly. I think that is really a very good position to be in, so I would hope Deputy Ash removes his doubts and comes on board with the Proposition, because I think compared with having, if you like, in the States record a void, it is an infinitely better position. I would like to praise Deputy Perchard for bringing this Proposition in the first place. She has enabled us to arrive at this position and I think it is an act of leadership and bravery. I congratulate us because unfortunately I think I want to associate myself with those Members, including particularly Senator Gorst, who recognise that what she has come forward with helps us immensely but it is not going to please everybody in every word, but nonetheless it is a major thing to do. So I really hope that Members that perhaps had some suggestions of criticism there will rethink that and support her.

[15:45]

I think now from where we are it has been a really good debate because I think we have got all the issues out on the table and what matters now is that we set the way forward and we set the framework for future decisions and actions. There is no question, this subject is likely to dominate our Government and ourselves for a long time and potentially for the whole of this year and maybe longer. There are some huge decisions ahead that have been spoken of, issues of priorities, resourcing and so on. I think it is important that we take stock of things being said in the debate and reflect and take on board some lessons. For me, one of the major issues is this issue of communication and, like Deputy Luce, I struggle with that. That is because I have been self-isolating and I found it very much more difficult to be effective as a States Member working at a distance, including into Council of Ministers meetings. It is really quite difficult to be fully effective and keep up, particularly because in an emergency decisions have to be made so very quickly and officers are working all weekend, all night and so on, and I praise them so much for that. We have been so fortunate with that, but of course that does mean that there is no opportunity for everybody to be able to engage equally to the same level. So I found that. We have had a huge amount of communication from our Government

but I do not think it is a question of the volume. It is a question of the style and the tone, because I think the message really should be it is about Jersey together and Jersey together means, in selling those policies and directions, involvement of all States Members, not just the Government or the Council of Ministers but the public. Engage with them and those jurisdictions that have successfully done that and won the public trust have really taken that kind of style on board. It is not just about the message. The message is important. We have seen in the U.K. the massive political arguments that have taken place on the message and the way people read things. It is about perceptions because I think all of our emotions are really heightened in this. Our emotions are heightened, the public's emotions are heightened, and when that happens I think we are likely sometimes not to react in the best way. So I think we need to resist tendencies to be defensive and accept the fact that people are doing their best. I cannot remember who said it but certainly it was said in the debate that every Member - I think it was probably the Connétable of St. Lawrence - wants the same thing, all of us. Obviously our debate is about how we do that. Of course, one of the worrying things I have had - in recent debates, I spoke yesterday, I have had some robust exchanges - is talk about issues of confidence. I think that is a nonsense. These issues that we are discussing here are about ethics and about issues of conscience. I think that is not appropriate and, therefore, we have to be able to make our judgments as best we can. We all bring our different flavour of our approaches in life to those decisions but based on best information. Here I really praise all of our officers and the health officers, because the level of advice and so on, I think it has to be said, is absolutely brilliant. But I think to some extent our communication failures have not been helped by our legislation framework of emergency laws. When I read it, it clearly reads to me like a wartime thing where really we have got a civic emergency here. I think hopefully at some time we will have a look at that to see what we can do to make it more of a structure of decision-making, the issues that were spoken about yesterday by Deputy Ward about governance. For example, one of the things I would like to see, and I have asked for it, is that the minutes of the Emergency Council be available at some point so we can look back and see what decisions were made and so on. Of course decisions have to be taken quickly and that is an issue. There is no question that that is what needs to happen and I think that is going to continue to happen, but we do need that flow of information, regular updates and reports, which the Proposition that is on the table now gives us. So I think it is another point where we have ended up in a good policy document. Now, a couple of things on the speeches I heard so far. Senator Farnham, I absolutely accept that your prime role is looking after the economy and you have to do that, but I think at the end of the day the States overall have got to decide where the emphasis is. I have been very pleased that, rightly, at the moment we have a health first strategy and I think that is really fundamental. In the past I think we have not given proper attention to primary healthcare. In some respects our record has not been good, but belatedly we have recognised that and been prepared to resource it. Those are fantastic decisions and I am absolutely so pleased with them, but as this carries on I would want to see that be the prime emphasis on health first. Deputy Luce, I can understand the concerns you express and I share the difficulties, as I have said, of keeping fully up to speed and the issues of isolation. I think that probably potentially points to an issue, which is a story for another day, which is really the suitability perhaps of our ministerial system, particularly when there are issues there, dysfunctional issues, issues that come to light. This where I come to Deputy Ash. Deputy Ash spoke that he finds the comparisons with Guernsey offensive. I do not. I worked in the Guernsey civil service structure for 3 years and I know it is different. It is very different to Jersey's but they have definitely ... I agree, I think both Islands have come out very similar and pursued generally the same strategies, with minor differences, but I am really pleased about that. I have seen that our Islands have done well but where they had a different approach is in their communication. I cannot help thinking that Guernsey has a committee system and it has an emergency law that is related to civil emergencies and not wartime. I think, yes, so please, I think we should be open to learn from our fellow jurisdictions and I am sure we are on the detail of these things, but let us please not be derogatory about our neighbours because we have got this journey still to make together. I

accept absolutely what Deputy Ash says about these dreadful things on social media, so he is absolutely right. His sporting analogy is quite a good one, the idea that we have had an injury and we are still injured but we need to plan for recovery and that means taking risks. But they should be measured risks and they need to be taken carefully and steadily and at the right time with advice, and I think that is where we have ended up. I do not sign up to this idea there are negative forces out there, energy drainers. This is a whole public issue and I think we should work together. So I hope that Deputy Ash will come on board, please, and support the amended Proposition and I think this is going to stand us in a really good position as we go through the coming months. Decisions have to be made, but I think there are those major themes and major lessons that we should try and find ways of working closer together, Scrutiny, all States Members and the Council of Ministers. I really do not like having a situation where we are set up, or perceived to be, and pushed into separate camps. That does not help.

1.4.5 Senator S.C. Ferguson:

As one of the few Members who used to serve on committees, the communication was a great deal better than it is today, but that is another story. I was only going to speak once in this debate and I was going to vote against the Proposition. However, given the fact that the Amendments have all been passed and given the overall debate, I shall now be voting for the Proposition. I might add this does not mean that I will stop nagging the Council of Ministers but that I can accept the Proposition since the overall Proposition makes better sense. However, I would remind the Council of Ministers that 100 per cent testing, say 5 times a year, would probably come to about £100 million, rather less than the £100 million G.V.A. per month, as quoted by Senator Farnham, that we are losing. I will also continue to press for the non-political think-tank to advise on recovery and I hope the Council of Ministers will look at these 2 suggestions seriously.

1.4.6 Deputy I. Gardiner:

I will be brief this time. I fought for elimination strategy because I truly believe it is the right way for Jersey to go. However, it is not the opinion of this Assembly. The decision has been made and I will welcome the publication of the COVID-19 strategy in 2 weeks' time if this amended Proposition is adopted. I have 3 points that I would like to raise briefly. The first one is it would be really helpful if evidence-based medical and economic advice was fully shared with Members to understand the decision-making process, for example cost-benefit analysis, the possible social, ethical and financial costs of each measure. I would like to thank Senator Farnham for sharing some financial data during the last 2 days and look forward to further updates. Second, Island travel arrangements was one of the key elements of this debate and here I would like to thank Senator Gorst in his speech today, which really helped me to come down and will reassure the Assembly that it would be a robust process put in place before lifting any travel restrictions. I am also grateful to Deputy Morel who brought our attention to a rigorous type of P.C.R. live virus testing, which hopefully will be put in place as well. I would like to ask the Chief Minister and the Council of Ministers to come before States Members in advance for a discussion, or at least before Scrutiny, that there will be some checks and balances in place for the decisions that will not come before the States Assembly, such as lifting travel restrictions, and that we will have a conversation before the decision is made. The last is I really looking forward to the structures that will bring us much needed stability and better place for all Islanders, for more freedom and, hopefully, without going back to another lockdown. Really deep in my heart, even though that I believe in the elimination strategy, I hope I was wrong. I hope that this strategy that we adopted will be correct and that deep in my heart it will be for the good of Jersey people. I promise I will do all in my power to make this strategy work. I thank Deputy Perchard and all States Members for their contribution for this much-needed debate and I will be supporting amended Proposition.

1.4.7 Deputy R.J. Renouf of St. Ouen:

No written policy, it has been said. I was prompted to speak following the Deputy of St. Martin's speech because I had in front of me all the documentation, quite a few pages that we issued most recently when we came into level 3 of our safe exit framework. Guess what, the first page, numeral 1: "Our public health strategy, the Government of Jersey is pursuing a delay, contain and shield strategy to combat the COVID-19 pandemic." Guess what, just a few lines later there is a nice table and in the left-hand column there are 3 big boxes; one box delay, second box contain, the third box shield.

[16:00]

Our delay, our contain, our shield strategy has been quite clear. Our communications have been clear, I believe, on this. On 29th March we issued to States Members a frequently-asked questions document which explained what the Government intended to do as we came into lockdown, on 30th March we came into lockdown. There were further communications to States Members, to members of the public, to media. We have made some changes to the lockdown right at the beginning of this month. Again, that policy was repeated and it was repeated again when we entered into level 3 and it has been repeated constantly. We have given detailed guidance to members of the public. States Members have always been informed when releases have been issued. Members receive a daily update from the comms team. Government has never before embarked on a communications exercise like this. It has been huge to transmit a public health message to the community. People have been telling us it is clear, people have been telling us that they do not understand. There are difficulties in communication. Not everybody can absorb communications in exactly the same way; it is a task. But for States Members to pretend that they have not had communication with us, with Ministers, not sufficient briefings, not sufficient opportunity to question us, I mean every time we have had a States Assembly meeting there has been an hour or more of questioning, most of it to the Chief Minister or myself. There have been briefings, the Chief Minister has spoken about this already today and I think he gave an excellent summing up on his Amendment, outlining the engagement there has been. It has been suggested that the Chief Minister does not deal with his emails, that he does not see them, that he does not answer them, that others vet them. The Chief Minister, I am told, gets approaching 300 emails a day, is he expected to deal with each one of them? I myself get 100 or more a day, I cannot answer them. Once it was 130, it was a sort of average day; I do not count them every day. But is it unreasonable to have assistance to deal with our emails. If every email that needs a response is dealt with that is a good thing but must it be a Minister who directly responds? We ask people to respond for us. A lot of emails we receive we are copied in on and we trust that others are responding. There have been huge pressures on Ministers in the last 10, 12 weeks. We are incredibly grateful for the support that we have received from public service officials, who themselves have been put under tremendous pressure and are working weekends, bank holidays, long into the night to assist us to safeguard public health. We have tried to engage, we needed to engage with the public, with the media, with States Members, all of which quite properly put us under pressure, demand answers, require to know what to do because it is a public health emergency. We have attended so many meetings, necessary meetings, briefings, finding out what options we have, what plans can be put in place and I just want to thank those who have supported us from cleaners and porters in the hospital, the high-level executives working in Government, everybody has come behind us, has wanted to support in this public health emergency and safeguard Islanders. But I do wish there was a little bit more understanding from some States Members. If they are troubled, please contact us directly, as some do. I hope those who have contacted me directly have felt that they have received the best response I can give. I cannot always give a fulsome response because we are facing always a fast-changing situation. Sometimes there is not crystal-clear clarity because we cannot give it because things are changing so quickly. It is a flow, it is a policy that is evolving, programmes are

changing and are developing. That is why it is difficult to communicate and difficult always to have a message which is repeated because the message sometimes needs to change. In that once we were in a position where we did not have the test kits that we wanted but then we do have the test kits that we want and then we are doing different testing. All that needs to be explained and the reasons why; we are developing and evolving our response. But it was also said that we are separated from public opinion, we are not close to it. Do Members really think that we do not receive the same views that other Members receive? We absolutely do. We get flooded with emails that tell us one spectrum of opinion and the next email that comes in will be from the other end of that spectrum. I will always try to reply or I will discuss with those who are ready to assist me how to reply on my behalf. I hope I will always try and reply to emails. I have a terror of overlooking a reply because I want to engage. My terror arises from the fact that the emails come in thick and fast and I might have missed one or that I need to get information before I can give a meaningful reply. By the time I have got that information, will I remember where that email is and where it has gone? I apologise to States Members and to members of the public if I have not replied to you but, please, if I have not please remind me and I will try and do so.

The Bailiff:

Deputy, there is a point of clarification if you are prepared to give way.

The Deputy of St. Ouen:

Yes, Sir, I will.

Deputy K.G. Pamplin:

I thank the Minister for giving way. It was just I wanted a point of clarification from the Minister when he was quoting a policy, was he quoting the safe exit plan, which, I believe, was very different to the point I think he was referring to when the Assembly were seeking a wide pandemic plan for a COVID response? Equally, the second point of clarification is when he said we could contact the Minister, it was explained to States Members we were not to contact Ministers but to email a co-ordinated email address. Sorry there are 2 points but the first ...

The Bailiff:

Those are 2 points of clarification you are seeking, yes. The Deputy of St. Ouen.

The Deputy of St. Ouen:

Yes, the document I am looking at at the moment is headed: "Public Health Policy, Framework for Safe Exit from the COVID-19 Pandemic. Number 1. Our public health strategy." Our public health strategy is repeated in the document's framework for safe exit. But I have also got here the stay-at-home instruction, again headed Public Health Policy; that is the detail underneath the policy. That policy just shows that policy is repeated in various communications. As to the suggestion that Members have been told not to contact Ministers, I am always very happy to speak to Members. Many Members have contacted me and I will never tell them if they wish to contact me to go away. I am pleased always to engage with Members. But I was addressing a point about being absent from public opinion and my fear of not replying to emails. I remember when I was a Scrutiny Chair I was sometimes surprised to hear from people who would write in to Scrutiny to say that the Ministers have not replied to my letter or my email. I thought surely a Minister should not overlook questions or enquiries from members of the public but now I have learnt that others reply on behalf of Ministers and we get excellent support. Departmental officers will provide members of the public with a reply but sometimes that is not good enough and members of the public will insist on a response from a Minister. We need to try and understand the reasons why and we do try and assist them. But, again, I apologise if Members feel they have not had sufficient communication. We must just take that on

board and try in times of emergency, under great pressure in a fast-changing situation, to always try and engage in a proper manner. But I also do get upset, and I am sorry if I am sounding upset, when we are told we must roll out this, that or other officer. I was in a press conference just the other day, we were dictated to by the press as to who should be there giving the press conference, which officer should be present. Now it seems Back-Benchers are detailing the same, dictating who Government should put forward to explain its policy. I take responsibility for the Government's Health and Social Services policy and I would choose who I put forward to assist me in that. But we are putting forward, as Members will have seen, the Medical Officer of Health, the Medical Director and our consultant in communicable diseases are the most regular persons who are being put forward. If I may move on to address the Proposition that we have before us, the amended Proposition and I value now this opportunity just to take stock. We have had a good debate, we have understood where people are coming from. We have understood some fears and this allows us, will give us, will mandate us to update and adapt our strategy to ensure that we are acting in a safe and sustainable way to protect Islanders. Most importantly, directing our thoughts to causing the least overall harm because I am so concerned about the other harms that have begun occurring and are perhaps looming over us like a large wave if we were not able to address them. We are desperately trying to ensure that we can mitigate those harms and at the same time keep people safe from an increased infection rate of COVID. As part of that, I am happy to say that very detailed work is going on with clinicians about how we can open up hospital services once again to normal services, if I might say. But it is difficult because we are still going to have to maintain within the hospital a hot stream, as clinicians call it, that will be exclusively dedicated to COVID, so that anyone suspected or diagnosed with COVID will enter a hot stream. They will have to do so not just because of COVID-related issues but because of an issue unrelated to COVID which they might need emergency treatment for. In a sense, we have got to have 2 separated hospitals able to respond to any sort of emergency that may be presented to us.

[16:15]

It is difficult to organise but it is possible and I am very grateful to clinicians who are working on that, to work out the ways we can do that and to start bringing people in for a routine screening that we need to resume, for the tests that need to be taking place, for treatment that needs to be given and for operations that need to resume and have needed to be delayed; that will be happening shortly. But we will in the next 2 weeks work hard on presenting our updated adapted strategy and trying to explain that. We have not discussed exactly yet how we will publish but I very much hope, and this would align with the Chief Minister's view always about communicating, that we give States Members a briefing on the day we publish, when we have it ready to publish, so that you can come and ask questions of us and examine what we will be saying. Then if this Proposition is adopted, we will also be required to update it whenever it might be altered and, again, I hope that would include good communications around that with States Members, with media, with members of the public. I would urge all Members to support the Proposition as adopted. If I put in a personal plea, always to challenge us, to hold us to account but to support Government in its wider sense. I do not mean just the Ministers because by all means have a go at Ministers and hold us hard to account but support the Government that includes the public officials that I see around me that are really looking so tired and sometimes frazzled but they are working so hard to safeguard Islanders to get this absolutely right, to do the best they can for us all and to support everyone working from those in the hospital, in the emergency services, everyone throughout the public service and in the parishes and indeed this Island community that has swung behind what we want to do, that has wanted to preserve us as the best community in the world, I believe, and we have shown that. We have shown how we are distinct, we are special and we work together. I hope Members will give this amended Proposition their support.

The Bailiff:

Thank you very much, Deputy. The Connétable of Grouville.

1.4.8 The Connétable of Grouville:

I am pleased to follow the Deputy of St. Ouen. I cannot imagine what stress and pressure he and the Chief Minister and other Ministers and indeed anybody at the high level of Government are going through. While I might seem a bit unsupportive today, they most definitely have my sympathy and I am supportive of them. The Deputy did mention communications and indeed this morning the Chief Minister did as well. He told us about how many press conferences he had had and how many press releases and how many briefings. But I was amazed that there has been a major policy change, as far as I can see. Originally back in March, as I said earlier, it was quite clear that, I think it was before the first case appeared, it was realised that if we did nothing the virus could really take hold and within 3 or 4 weeks the Island would be flooded with cases and the hospital and the healthcare services would be overwhelmed. It was explained to us that measures would need to be taken so that we would try and flatten the curve and we had all sorts of graphs about, I think in China the cases were doubling on a daily basis and in the better countries they were doubling every 10 days and that was our target. But at the time it was explained to us that the virus would need to go through the population and it would need to get through about 70 per cent of the population before it would naturally die out. I do not know when that policy changed. We had a briefing last Friday and it was not mentioned that our policy is now that because the measures have been so successful we can minimise the number of cases. That came out, as I understand it, in the press conference on Friday afternoon but it was not an announcement, it was a question from an astute reporter who managed to get that information out. Then the Chief Minister this morning said: “Yes, we have got a new policy.” But there are a lot of questions, what is the new policy? At what level are we hoping to keep the number of cases? What implications has it for how long we remain in stage 3 or go on to stage 2? If a fundamental change in a policy, which appears to me to be quite blatant, is not reported to us in a briefing last Friday, you can see why Back-Benchers are so upset, if you like, that the communication is not of particularly good quality. I am interested to hear what the new policy is, at what level we are hoping to keep the number of cases because that is what the general public want and they certainly think and I think Deputy Ash said that they think that the Government wants the number of cases to go up so that they could fill the hospital or something. But that is not what they think, they think that that is the policy because that was what the policy was originally. Communication not only with States Members but if the new policy is to keep the number of cases to the minimum, it really is quite close to Deputy Perchard’s Proposition. I am much happier now that I know that but I did not know that since Friday afternoon. There is definitely the groundswell of opinion among the public and I know quite a few people in the medical profession who are really concerned about the number of cases getting out of hand. I am pleased that Deputy Perchard has brought forward this Proposition and I shall be supporting it and I urge all other Members to do the same.

The Bailiff:

Thank you, Connétable. Deputy Ward.

1.4.9 Deputy R.J. Ward:

First of all, I said most of the things I wanted to say yesterday in regards the Amendment and I am pleased to support this Amendment. I do so because I think it gives a key realism about actual position in terms of a pandemic amid survivors that we are only just learning more about, so I am pleased to support it. I am also pleased because it talks about realistic things, such as a very low level of infection, about testing in detail, rapid case detection and isolation and contact-tracing, intensive hygiene promotion and we all need to remember to wash our hands and clean our surfaces, *et cetera*, about using the tests that are available and may improve and it gives that flexibility, which is very

important and physical distancing, which is a key. But it also talks about a co-ordinated communication strategy and I take on board what the Ministers have said and I do empathise with the pressure that they are under, of course we do. But some of us or many of us have tried to be constructive in what we are trying to say because there is a simple reason for that. As Back-Benchers we have an inextricable link with our constituents who went out of their houses and voted for us and expect us to be there in order to support them. We are doing that day in, day out over many, many cases and so we need to be clear as to what positions are. I know it is slightly irrelevant now but in normal times Back-Benchers do not even have access to Broad Street and perhaps that is something that will come with the new normal. I am not interested in internal squabbling of the Council of Ministers, I am just interested in decent governance for the Island. I am very pleased to have voted for the mental health services Amendment. I did not speak on it because to me it seemed just obvious. But there are some things we must remember there, we must not start to support it and then cut it short and just as everything that is happening with the reaction to this pandemic, pulling the rug under people in a month or so's time will be even more damaging in the long term, I believe, and so we need to remember that. The key principle of the least overall harm is so important in this because that includes what happens with the new normal, the recovery. Who will be planning that? Who is in that club? Who is going to talk about what we do in the future? Historically, the Government has valued really one sector of our society more than others, which is the wealthiest. But we must not forget the rest when we recover, that those people that have carried this Island throughout this pandemic and through this crisis. In the elements of public service that we now realise, we really do rely on in our society; healthcare workers, carers, teachers, some of them working without P.P.E. and getting on in doing their job and working above and beyond the call in a very different situation. Those shop workers, those who pick our crops for us, those who have helped clean our Island, collected our rubbish so we have not got rubbish piling up, delivering our food and so many more and we must remember those people and we must value them. Perhaps we need to value them next time we discuss pay rises in the Assembly, for example. The new normal must not be built upon sowing the seeds of inequality and the subsequent vulnerability that has been exposed during this virus. I think it was Benjamin Franklin who said: "Out of adversity comes opportunity." This is an opportunity, an opportunity to reset our values with a new approach that is inclusive, open and truly democratic. I hope that with this Proposition and the openness that it suggests, that we will have that more powerful, I would say, democracy and reaction so that we can work on this together. I hope that that includes the plans for the recovery after this pandemic.

The Bailiff:

Thank you, Deputy. Does any other Member wish to speak on the Proposition as amended?

Deputy K.F. Morel:

Yes, please, if I may.

The Bailiff:

Was that you, Deputy Pamplin, or did someone else speak as well? I think that was Deputy Morel, was it not?

Deputy K.G. Pamplin:

Yes, it was.

Deputy K.F. Morel:

It was, Sir, I did not know whether to speak again or not. Deputy Pamplin got in ...

The Bailiff:

I have Deputy Pamplin first, then Deputy Morel. Deputy Pamplin.

1.4.10 Deputy K.G. Pamplin:

As somebody who leads the Health and Social Services Scrutiny Panel in my capacity as Vice-Chair, working alongside my colleagues, this is obviously a situation we have been scrutinising from early doors. In fact I have been scrutinising this since 22nd January and I can say that wholeheartedly because I tweeted as much, so it is in public record and people can now, as they are listening, search it if they wish. This world problem started then, in fact, as we all know, it is starting to be shown that it started a little bit earlier but as the situation developed in January and grew in February, March to the situation we have found ourselves in. Again, as I have said, we have a very constructive and welcome relationship with the Minister for Health and Social Services and the department. Every time we have had public hearings or private briefings or interactions it has always been from a critical-framed point of view to put things towards the department, as we were finding them and trying to help them. This was a subject that I talked about with the Minister for Health and Social Services back in the old days, in the coffee rooms, in the hallways, of situations as I was seeing it. Somebody, I cannot remember who now, said it was not on anybody's radar but a question was asked in the Assembly in February by Deputy Truscott. I know that because I was going to lodge a similar question but he beat me to it and then in March Deputy Gardiner and others and as we went through. This is going to continue because through good scrutiny and being a critical friend, this is what I have learnt in the last 2 years. As the third part of the Assembly it is there to assist and to make things better and I think that is what we all have tried to do, for those of us who are not in the Council of Ministers or nowhere near the top decision-making Emergencies Councils and all the other councils and meetings and people in place there, we try to constructively play our part and that is certainly the position I have played. This job, if I am speaking honestly, has really tested me as somebody in terms of, how can I do this job to the best of my ability? Because being judgmental is something I always talk about, how not to be. I have watched with great interest over the last 2 years how sometimes debates can get personal and people can get dragged in and things can become conflated but that should not be our position.

[16:30]

As I said earlier, I think we all have a very good understanding of working relationship and respect each other. I say that in the spirit of the work that we did then and the work we are doing now and the work that we will do later, so we can all learn from this going forward, which is an element of any situation, there will be lessons to be learned. What has been extraordinary is watching an Island which has had to very quickly make decisions and change at a pace that Jersey traditionally has never really done. We have seen things happen. How long have we been talking for many years on this Island about our Island's health service and then suddenly a pandemic comes along? Then the G.P.s come forward with a plan, they want to work together and then the Government and the G.P.s and everybody involved finally figure a way out. Now we have this system in place, which I saw first-hand when I went to the hospital a couple of weeks ago, it is brilliant. It is brilliant. There are other examples I could give. There are so many positives but there are lessons to be learned and my sympathies have been put out all the way through to the way our Government, who themselves were only a year and a half into their role, to discover what they had at their disposal when this pandemic very rapidly took over. Because like most other countries, Jersey was applying the same action plans for COVID-19 or coronavirus back then as with a bout of pandemic influenza, steadily ramping up the response as the pandemic progressed to try and mitigate it and flatten the curve with additional public health measures. In fact to confirm this, and I am quoting Dr. Muscat, who said in a public press conference on 17th March: "Two weeks ago the modelling was based on pandemic flu, that came from Public Health England and that was all that was available at that time." Then very quickly and gradually, as data modelling goes, which, as we know, is not a crystal ball, it is all based on the

data that is put into that computer. As our local arm starts to input data from our point of view and other smaller jurisdictions, we got more of the local model and, equally, more of the real data of this virus as it was coming out in late February/March, not just from the limited resources of information that was coming out from China to begin with. It was fast-paced and then that is what changed the decision-making as going along. Because we know that the data modelling is critical for Government to be making decisions when dealing with these sorts of things. The models are never simple and they do not give a clear-cut answer. Often when a model does give a clear estimate it often ends up being wrong weeks or months later. Why is that? That is because of our responses to that can change the course we are on. When the model was showing a very high peak at a later date, it does not mean it was wrong, it just means we did exactly the right thing. To further illustrate that point, it was very clear that the United Kingdom were looking at the virus spreading through the community. We have now seen the infamous clip of the U.K. Prime Minister on the I.T.V. (Independent Television) show this morning doing exactly that and saying just exactly that. Suddenly that Government of course corrected with the now infamous of modelling reports of this pandemic, the Imperial College London data modelling. That shows that they predicted without any drastic measures there could be up to 500,000, half a million fatalities in the U.K. That not only had a huge impact on the United Kingdom's response but many others too. As more data was taken into account, including the doubling rate of infection, which has now been quantified at a local level, without the widespread testing in places that is seen across the United Kingdom and other places and the work seen being done in other jurisdictions, the modelling changed at a fast pace to reflect the novel virus, as it was coming through, so the modelling changed again. Then the U.K. Chief Medical Officer of Health and other officials were saying that the figure with measures in place would be around 20,000 deaths as an estimate. As we know, tragically in the United Kingdom that figure has crept up, for reasons we will find out another day. But this is the point of the situation we find ourselves in, in a modern era in 2020 where we have not dealt with a pandemic in the majority of the western world, there have been obviously Ebola and S.A.R.S. (Severe Acute Respiratory Syndrome) outbreaks and there has been a lot to learn from this but obviously I have never experienced this and many who are more senior than me who have lived many years have also said similar things; there is nothing to compare it for. That is the other key component because the data modelling with the suggestions ... do you remember early on, when the experts would say: "Here is what happens when we put in physical distancing, here is what happened when we closed the schools and here is what happens if we go to lockdown." But they did not know the data that they could not put into that modelling was the response. But, incredibly, the response has been brilliant because everybody has followed the instruction and because of that the peak has dropped. In some countries that has been slower because of spreads and, again, we wait to see why that is. But here in Jersey because of the measures we took it dropped right down. But without the widespread testing this is where the cautiousness is at the moment because you need the widespread testing ... I believe that is me, so that is me contributing to a fund, if you can hear it, Sir.

The Bailiff:

Yes, I could definitely hear it, Deputy; that is a real contribution to the fund, thank you.

Deputy K.G. Pamplin:

As we are live, I can say that is coming out of my children's pockets, as they were the culprits of that call. So the point I was trying to make is there are constant changes to this pandemic and this Government, like all governments, have had to react in real time. One minute, I could only imagine, that the Minister for Health and Social Services and the Chief Minister were told one thing, they went about their business, did press conferences and did other things, then suddenly came back and Dr. Muscat or somebody else said: "That has changed again." That is an extraordinary place to be.

The Bailiff:

This may turn out to be a very expensive speech for you, Deputy.

Deputy K.G. Pamplin:

It is getting very expensive and if my daughter wants to see that birthday present she wanted she might need to ... if you would allow me to pause for 2 seconds, Sir.

The Bailiff:

Yes, it might be good to put it on mute or even to switch it off, just a thought.

Deputy K.G. Pamplin:

Okay, so I might be able to fund the new hospital if this carries on, so I apologise, Sir, and a contribution will be made. To wrap up, the point I wanted to make in support of where we find ourselves in is that this situation has changed a lot and that is why sometimes it has been unclear with the direction we are going on. I would like to, at this stage, pay tribute once again to the Government and everybody doing the best job that they can at their ability. We appreciate that information has changed a lot. On the point of communication that others have made, it is not a case of sending information out. As we see, there is a lot of information coming out; that has not been the norm in Jersey and I can say that with years of experience of trying to seek information in previous years, there is a lot of it and sometimes less is more. It is also the wording in the messaging because on 7th April, just as an example, the Minister for Health and Social Services said in a press release, which is on the Government website and obviously reported all media, that, and I quote: "We have previously said that we expect up to 80 per cent of Islanders to catch the virus. However, what is in our control is to flatten the curve to extend the period of time in which we see positive cases of COVID-19." This is where it is about the language and how perception is very important because what we are doing is successful and because we are an island and because nobody is coming in and out, so we have not got high levels of immigration of people who could bring the virus in, we are at a very low level. However, as we have seen tragically today, we have had somebody, sadly, who has left us and we saw a little cluster of outbreaks over the weekend. We are far from out of the woods here. We have to be careful what we mean and explain what we mean. For me, the best person at that is the experts and with the greatest respect to the Minister for Health and Social Services he has done a good job. But Dr. Muscat, because of his years of experience, can explain what that means and take the information from public health and take information from worst case scenarios and explain to us what we mean. It is something I have been imploring from Scrutiny, it is just a culture of getting that information from the person who can explain it best. We also have been unfortunate because of the time this pandemic took hold. Our Medical Officer of Health was not available and that is unfortunate. That is not the Government's fault, that is just the way it was but it was a problem. But one that was overcome so well by having somebody, thank goodness and thank goodness he was here, like Dr. Muscat with his years of experience to explain things. The rest of all of this will be explored in times to come but I can tell you from a public point of view it has been reassuring. Is it not good to have a democracy where we can have the freedom of speech? Is it not good that we can have democracy where we can look at something, pull it apart and bring it back together and continue to support the elements of our democracy? That is really important because, as we know, our engagement with the Island and politics for whatever reason, for loads of reasons, when it comes to voting it is still quite low. All the many positives out of this, the way we conduct ourselves, the way we talk to each other, the way we can have debates will stand us in good place for the future. Again, thank you everybody for taking part in this debate. I am now off to not only home-school my children but to teach them about basic economics and the fines that their father will be paying. Thank you for this debate.

The Bailiff:

Thank you very much, Deputy. Deputy Morel.

1.4.11 Deputy K.F. Morel:

First of all, I would like to thank Deputy Perchard for bringing this Proposition and making this debate happen. It has been a much needed debate and the participation rate has proven that. I would like to go on to say to also thank all States Members who have taken part in this debate. They have done so, in the main, with excellent grace and have put their points across very well indeed. I do not want to labour the point that has already been made about communication and I really do hear the Minister for Health and Social Services' words when he said the sheer volume of communication; that is absolutely correct, moving away from inboxes and the like. I do hope the Council of Ministers or particularly the Emergencies Council, the Ministers on that, will understand that perception is everything and reception is everything and it is those receiving communications who matter, rather than those sending communications. It is very much try to understand how things are being received and try to improve in that sense. There have been problems and I think this debate has been like a great sigh of relief from those Members of the Assembly who are not involved in decision-making because we have finally been able to express things in a public forum and put those matters on the record. It is interesting that people were seeking to hold an in-committee debate and it is also interesting to have heard people, States Members, suggest that Deputy Perchard should have held an in-committee debate, instead of this debate for the vote. I think we should take that a step further and I would ask that the Council of Ministers themselves hold in-committee debates, particularly throughout this crisis ... I suggest they might want to do it more often, but particularly throughout this crisis though. Because, as they have said, an in-committee debate can air views very freely, nobody's hands are tied at the end of it and it will provide great food for thought for the Council of Ministers that they will be able to take advice from States Members, as well as from their civil servants. Perhaps they should heed their own advice in that sense and call in-committee debates on a regular basis throughout this crisis. I believe that in itself would help States Members and the public understand more easily the matters that are being discussed in such forums as the Emergencies Council, the competent authorities and also the Council of Ministers. Speaking about the Emergencies Council as well, that obviously has been portrayed today, quite understandably, as being set up for more acute, perhaps is the right word, crises, such as somebody mentioned war but I believe it is more designed to cope with things like a radioactive accident at the Flamanville Nuclear Power Plant, something which created an immediate emergency happening overnight in that sense. The Emergencies Council does seem to ... from my perspective and this is not one I have shared with others but I do wonder if by moving away from the Emergencies Council format and back to a more regular Council of Ministers format, at some point in the coming month or 2, dependent of course on how the crisis does develop, could be a good way forward for giving a sense that not only is the new normality emerging but also a sense of more democratic participation, as it will be all Ministers who will then be participating in decision-making.

[16:45]

I will leave it there with those 2 ideas of in-committee debates and a view to winding down the format of the Emergencies Council. I, again, would like to reiterate my thanks to all States Members for participating in this debate, for Deputy Perchard for lodging an excellent Proposition and to all Islanders for helping us all throughout this period.

1.4.12 Deputy J.M. Maçon:

It has been a long and interesting debate. To Deputy Ward and I am sure he meant this but just to assure him that also on the ministerial side many of us are still constituency representatives and we are still doing constituency work as well, alongside the ministerial work, so that certainly has not

gone away. Of course, we have sometimes had to turn around and say we do not have the answers for you at this time as well. It is affecting us all, is what I want to say there. I went back and I did listen to Deputy Perchard's speech yesterday on the Amendment and of course she did say: "I cannot accept the Amendment in its current form. The Amendment fundamentally changes the whole meaning of my Proposition and kills it" and those were her words. I was in the position like Deputy Ash of thinking, what will I do when I come to this particular debate? On balance, I think I will be supporting it because what it is showing is that the Assembly supports the Government's stance in tackling this situation. I do think it is good that we will have a vote on a Proposition that encourages and supports the way that the Government have been doing things. I share Members' concerns that the information which we would have when we are not in a crisis has been much more free-flowing than it has been. Being across 3 portfolios in the ministerial side has been incredibly challenging for myself, just trying to keep up to speed with everything. The mountain of information that has been produced by the departments has been colossal, in my view. I know there is some criticism that there has not been enough information. At times I have been struggling on the other side, I think, having information overload, just so much to absorb and understand from all the various departments. I am also going to vote for this and I will just tell Members why because I think it is showing support to those officers from a medical background who have been advising us. They have been receiving huge amounts of criticism and as well as from other medical practitioners, who I know are listening to this debate, who have been sniping in the background, maybe releasing press releases beforehand, who do not necessarily agree with the stance of those clinicians who have been giving us advice throughout this thing. But of course we must remember that they are not virologists, they are not medical biologists and while they will have greater expertise than I will, absolutely, as a lay person, also do not have the specialism that individuals like Dr. Muscat have had. I am going to vote for this Proposition because what it does is it shows that the Assembly supports the Government position and shows our support for those hard-working members of our public service.

1.4.13 Senator J.A.N. Le Fondré:

I will just try and see if I can get my notes into the right place. Again, I think it has been a useful debate and I am sure I will certainly not be speaking as long as my previous speech, which I think said everything I probably wanted to say. I do want to thank Deputy Pamplin for what I think was a very constructive and informed contribution. I do value, contrary to certain Members' comments occasionally, constructive and informed challenge; I think it is absolutely critical and a vital part of our democratic process. I also want to pick up on a couple of points that have arisen, either during or around this debate and probably just re-emphasise something I said in my summing up on the previous Amendment. They basically fall into 3 parts, one is around, again, a thank you to those officers who have been working very many and long hours in getting us through to where we are today. What I did want to emphasise again is that not all of those officers are working on Island, some of them are working remotely. That is because, like many Islanders who have connections with jurisdictions outside the Island, some of them had to make decisions at very short notice in terms of how things were changing during the course of February and particularly March. Some of them had to make a difficult decision to stay or to temporarily decamp to attend to personal matters. Again, in my view, and absolutely emphasising this, not just on my behalf but on behalf of the Minister for Health and Social Services and on behalf of all other Ministers, there has been superb work done by many members of the public sector. It is quite distressing for them sometimes that to hear from a Member of this Assembly, having been working around this Island, that their commitment to this Island and by implication to this crisis is lacking, particularly when they are being praised for the quality of the guidance, for example, that has been produced. I reiterate the fact that the hours they have worked are extraordinary and clearly show the commitment they make to this Island and its people. I have already formally thanked all of them for all of their effort and I stand by that comment. What I did want to do is just try and touch on what some Members have said about a change to the

coronavirus policy. I will try and lay it out as clearly as possible. In my view, from day one our overarching objectives have been really clear. Firstly, to contain the virus and we have done that. We have kept cases contained, traced the contacts of those infected, instigated testing and provided medical treatment for those who had severe complications. Secondly, to delay the spread, we have done that. We implemented the lockdown measures and introduced physical distancing to successfully stop the spread in our community. We have not only flattened the curve, as I have said earlier, we have flatlined it. Thirdly, to keep the most vulnerable safe, we have done that absolutely to the best of our ability. We have issued isolation guidance to the most vulnerable to keep them protected and have developed the infrastructure we need to treat them if they require. All of that strategy was based on expert medical advice and it has worked. It has worked so well that our new daily positive cases are almost zero and that means that we believe to date we will be able to keep them at around that sort of same level. That is not a change in strategy, it is an outcome of a successful strategy. I have also said on several occasions, including at press conferences, that I believe the virus would have to pass through around 70 per cent of our community at some point. Again, that was not a strategy. It is a biological outcome with the existence of the virus in our community and I sincerely hope that percentage is lower. I have alluded earlier to natural biological processes and also to when vaccines eventually turn up. But in a situation where we cannot eliminate the virus without a severely harmful intense lockdown, which has all sorts of harm issues, it takes us all into the territory of what does one mean by elimination? The virus will spread but albeit at a slower and, hopefully, lesser rate. Yes, we have implemented new measures, as we have seen a reduction in our positive test results and our modelling. But the overarching strategy has and remains exactly the same, which is contain, delay and shield and it is a way that our medical experts and the Council of Ministers and all the bodies that go around it, which is the Emergencies Council and the competent authorities, believe that we will best serve our Island, protecting the most Islanders and creating the least overall harm. Hopefully, the final part of my little contribution to this part of the debate is around communications. Last year, I think, we were being criticised for the size of the Communications Department, sometimes almost the existence of a Communications Department and separately the amount that we wanted to spend on I.T. (information technology). We are now the first Assembly, as I understand from the Greffier, within the Commonwealth to hold full Assembly sittings remotely. The work of the teams in the Greffe are to be hugely commended; that always goes without saying. But also are the others within our I. T. support who have kept the system running and improved its capacity. Now we are being criticised for poor communications. I have said we can always do better, that is just a matter of fact; it is not a criticism. I am going to repeat the figures that I used in the previous debate, over the last 10 weeks the Assembly has had around 8 sittings and I think we have approved over 40 pieces of legislation. There have been 10 briefings to States Members and I think it is over 60 briefings or hearings with Scrutiny. In terms of the impact on the terms of what is being done online - apologies, I am just referring to my notes - we have had 45 press conferences and video updates in the last 70 days and I think there was over 3.2 million visits to the website, 2.2 million video views on Facebook. We have done, I believe, I think it is 4 all-Island leaflet drops, 10 full-page adverts in the written media, i.e. the *Jersey Evening Post* and 2 separate sets of supplements, as well as adverts on radio and also other online media that we have been using. As I think both Deputy Maçon and others have alluded to, there is a huge volume of information that is being produced by the Government systems. What I would say, as I have said previously, we are sometimes on Jersey and I speak as a Jerseyman, quite self-critical at times because we know we can always do better, that is what I have said. But I think sometimes we have also got to stand back and look at what has been achieved in the last 10 weeks. I will just repeat the comments that I alluded to earlier, it was from the professor in molecular and cellular biology on the radio last week, who was impressed by the clarity of what at that point we had just issued. I emphasise clarity, as opposed to what he had cited, the confusion that he had seen within the U.K. I am not going to dwell anymore, I want to make the point we do listen, we do try and improve where we can, we have increased and we are

continuing to increase the testing, the tracing; all those points. We have got the serology tests in on Island, we are going to be ramping up those pieces of work. I think there is going to be announcements literally in the next day or so about the mechanics of how it is going to work, to get between 8,000 and 10,000 people, I believe, tested, certainly thousands of people tested and I believe commencing next weekend. We are in a very good position and I always emphasise the to date. Members who have praised Islanders, I absolutely join in that praise. I have said it a number of times on the press conferences that we have been attending, without the Islanders we could not have done it. In terms of the team I have led we could not have done it, I could not have done it without the team I have had behind me. I am very happy to say I think it has been a good couple of days of debate. I can stop there and for the avoidance of doubt I am supporting the amended Proposition.

The Bailiff:

Thank you, Chief Minister. Does any other Member wish to speak on the Proposition?

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

I just wanted to thank Deputy Perchard for bringing this forward, as have many others, and I did not speak sooner because a lot of the things that I was going to talk about had already been raised. The reason why I voted for the Amendment is because I do not know what is the right way to go. I do not think any of us do. This has been spoken about before that this is all a novel experience for all of us so I voted for the Amendment because I did not want to have anybody's hands tied and I wanted to ensure the Government had that flexibility. A lot of the points regarding communication that have been brought up I have agreed with and I am sure Members were aware from the beginning that I have struggled at times where I have made Members aware of, for example, what was going on in Madeira. I think with regard to communication one thing that has not been mentioned is how is the medical advice being presented? Was elimination ever considered as an option?

[17:00]

I trust that obviously the decisions the Government have made have been based on medical advice. However, I would like to think that the medical advice that would be presented would give a list of options with pros and cons to each one. This is not something that I have seen and I do not think this is something that anybody else has seen when I have asked people. This is the kind of communication that has been lacking in a way, that yes, we are being told that the Government are following medical advice and yes, I completely expect them to and I would be worried if they were not. However, I would like to see what options they were given because I do not believe they would just be given one option. Surely if you are getting medical advice it has to be neutral and well-researched and it has to offer those options. That is what I struggled with. I struggled with seeing a lack of these options and what would come of each option. That is just something that I wanted to raise and I do not think it was something that has been raised until now. I will leave it at that and I will be supporting the Proposition.

The Bailiff:

Thank you very much. Does any other Member wish to speak on the Proposition? If no other Member wishes to speak then I close the debate and call upon Deputy Perchard to respond.

1.4.15 Deputy J.H. Perchard:

The purpose of this debate has always been to clarify and agree the overall strategic goal of the Government's COVID-19 strategy. I am very grateful to hear that Ministers will be supporting the amended Proposition. Of course, I am disappointed not to have had the debate I had hoped to have and the questions raised by Deputy Alves just now reflect exactly the kind of questions that I think would have fitted really well in the debate I had hoped for. But there is a lot of good that comes from

adopting the amended version of P.61, including the publication of the Government’s updated control strategy and the mental health detail provided by Deputy Pamplin’s Amendment. I would like to thank Members for this much needed debate and for all of their contributions. This is the debate that Islanders have been waiting to hear and I am pleased that the Assembly has come together to have such an important discussion in the public realm. We now have clarity of direction. The Government are taking a control approach and I thank Ministers, particularly the Minister for Health and Social Services and the Minister for International Development for their direct and clear communication of this fact. I very much look forward to the publication of the control strategy in 2 weeks’ time in which we can hope to see the detail underpinning the high-level decisions being made. I look forward to reading the scientific and medical advice cited during this debate as well as any economic cost-benefit analysis, modelling and impact projections within the strategy. The reason why this debate rather than an in-committee debate was important is because Islanders need the reassurance that the strategy adopted by the Government is also agreed to by their representatives. Islanders need to be given confidence that the COVID-19 strategy has been endorsed by a majority of the Assembly. We have an Assembly that has given a mandate to a control and suppress approach and the Island can now move forward with clarity on the overall aim of the Government’s response to COVID-19. I would like to end by thanking every member of the public who contacted me to express their opinions and professional insights. To them I say thank you for your bravery, thank you for your thoughtful and academic engagement, thank you for taking an interest in what is best for our Island and our community. Thank you, I maintain the Proposition.

The Bailiff:

Very well, I ask the Greffier to put the voting link into the chat box in the usual way. The link is now posted. I open the voting and invite Members to vote in the manner that has now become customary. If Members have had the opportunity of casting their votes I will ask the Greffier to close the voting.

POUR: 44		CONTRE: 2		ABSTAIN: 0
Senator I.J. Gorst		Connétable of St. Clement		
Senator L.J. Farnham		Deputy G.C.U. Guida (L)		
Senator S.C. Ferguson				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
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 St. John				
Connétable of Trinity				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy 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 S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy of St. Peter				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

The Bailiff:

Very well, that concludes Public Business for this meeting and I invite the Chair of P.P.C. (Privileges and Procedures Committee) to propose the arrangements for public business for future meetings. I have also received a note that Deputy Pamplin wishes to be heard on this particular question.

2. Deputy R. Labey (Chair, Privileges and Procedures Committee):

Do you want to take Deputy Pamplin first?

The Bailiff:

You can then take his observations into account so let us hear from Deputy Pamplin.

2.1 Deputy K.G. Pamplin:

I thank the Chair of P.P.C. for allowing me to speak first. I have spoken to him privately through messaging about what I am about to say. I believe as we go forward now with the strategy as adopted and also what we are asking of our general public that we are in a position where we could in a sense ourselves show that we can work with the physical distancing rules that are being applied and asked for in various shops and businesses and looking even further forward, schools eventually if that is the decision that is taken. It worked very well at Fort Regent, we were all socially distanced apart and the ability to work remotely has been extraordinary. But, as we know, it is not perfect. We had technical problems. My children will now not be receiving any pocket money for the next year. Home schooling challenges for us parents and equally where we are now in the pandemic. I leave it in the capable hands of those who make the decision-making to make it fair and equitable for all States Members and equal for us to go about our business but I feel the time is coming that we can get together in a physical distancing way to have the Assembly brought back together in time

hopefully for the recess or whenever. I make that comment and I propose that as the thinking we go forward.

The Bailiff:

Thank you very much, Deputy. Undoubtedly the Chair of P.P.C. will take that on board and give that consideration and presumably confer with Members. It is not a matter to be resolved today, is it, Deputy Labey?

2.2 Deputy R. Labey:

No. It is a matter we discussed in P.P.C. at our last meeting and P.P.C. are keeping a watching brief on developments and the relaxing of the directives on distancing, *et cetera*. I think the next time we can physically come together should be in the States Chamber but we are a little way off yet from being able to do that. But we are keeping an eye on things, Members can be assured. As to the arrangement of business the changes from the order of business agreed at the last sitting are the addition of P.62, P.63 and P.64 which are all down for 16th June. I think P.65, which has just been lodged, is something that is intended to be dealt with at a requisitioned meeting between now and 16th June. I have not had any details yet from the Chief Minister or anyone else about when such a requisition meeting might take place. I do not know if the Chief Minister is listening now and wants to contribute.

The Bailiff:

If I can assist on that, Deputy, I have been aware of a request for a requisitioned meeting for next Wednesday.

Deputy R. Labey:

Thank you. So, P.65 will be the business so far on the requisitioned meeting if it goes ahead next Wednesday. With that I propose the arrangement of business.

The Bailiff:

Does any Member have any observations on the proposal for future arrangements for business? May I take it that Members agree with the proposal of the Chair of P.P.C. for future business? Very well, I will proceed accordingly. The States stands adjourned, therefore, until 2nd June unless there is indeed a requisitioned meeting next week, in which case Members will be properly informed in the usual way. Very well, we stand adjourned.

ADJOURNMENT

[17:10]