

STATES OF JERSEY

OFFICIAL REPORT

WEDNESDAY, 1st JULY 2020

PUBLIC BUSINESS - resumption	4
1. A safer travel period: States Assembly approval (P.84/2020) - as amended (P.84/2020 Amd.)	4
1.1 Senator I.J. Gorst (The Minister for External Relations - <i>rapporteur</i>).....	5
1.2 A safer travel period: States Assembly approval (P.84/2020) - second Amendment (P.84/2020 Amd.(2))	9
1.2.1 Senator K.L. Moore (Chair, Scrutiny Liaison Committee):	10
1.2.2 Deputy J.H. Young of St. Brelade:	12
1.2.3 Connétable L. Norman of St. Clement:	14
1.2.4 Deputy G.P. Southern:	15
1.2.5 Deputy L.B.E. Ash of St. Clement:	16
1.2.6 Deputy M.R. Le Hegarat of St. Helier:	17
1.2.7 Deputy I. Gardiner of St. Helier:	18
1.2.8 Connétable M.K. Jackson of St. Brelade:	19
1.2.9 Deputy G.J. Truscott of St. Brelade:.....	20
1.2.10 Deputy D. Johnson of St. Mary:.....	21
Deputy M. Tadier of St. Brelade:	21
Mr. M. Jowitt., H.M. Solicitor General:	22
1.2.11 Deputy R.J. Renouf of St. Ouen:.....	22
1.2.12 Deputy K.G. Pamplin of St. Saviour:.....	25
1.2.13 Deputy M. Tadier:	27
1.2.14 Connétable C.H. Taylor of St. John:	29
1.2.15 Deputy R.E. Huelin of St. Peter:	30
1.2.16 The Connétable of St. Helier:.....	30
1.2.17 Deputy J.A. Martin of St. Helier:	31
LUNCHEON ADJOURNMENT PROPOSED	32
LUNCHEON ADJOURNMENT	33
1.2.18 Deputy C.S. Alves of St. Helier:	33
1.2.19 Connétable R.A. Buchanan of St. Ouen:.....	34
1.2.20 Senator J.A.N. Le Fondré:.....	35
1.2.21 Deputy R.J. Ward:	39
1.2.22 Deputy G.C. Guida of St. Lawrence:	42
1.2.23 Connétable S.A. Le Sueur-Rennard of St. Saviour:	43
1.2.24 Deputy S.J. Pinel of St. Clement:.....	44
1.2.25 Senator S.C. Ferguson:	45
1.2.26 Senator S.Y. Mézec:.....	45
1.2.27 Senator L.J. Farnham:	48

1.2.28	Deputy J.H. Perchard of St. Saviour:	51
1.2.29	Connétable P.B. Le Sueur of Trinity:.....	54
1.2.30	Deputy K.F. Morel of St. Lawrence:.....	54
1.2.31	Deputy R. Labey of St. Helier:.....	55
1.2.32	Deputy M.R. Higgins:	55
1.2.33	Senator I.J. Gorst:.....	57
1.2.34	Deputy S.G. Luce of St. Martin:	58
1.2.35	Senator K.L. Moore:.....	59
	Deputy R. Labey:	67
	Senator L.J. Farnham:	67
	Deputy M. Tadier:	68
	Senator I.J. Gorst:.....	68
	Senator L.J. Farnham:	68
	Deputy J.H. Young:.....	69
	Deputy G.P. Southern:	69
	The Deputy of St. John:.....	69

1.3 A safer travel period: States Assembly approval (P.84/2020) - resumption 71

1.3.1	Deputy L.B.E. Ash:.....	71
1.3.2	Deputy G.P. Southern:	71
1.3.3	Deputy J.H. Young:	71
1.3.4	Deputy K.G. Pamplin:	72
1.3.5	Senator K.L. Moore:	74
1.3.6	Deputy K.F. Morel:.....	75
1.3.7	Deputy J.H. Perchard:	75
	Deputy M. Tadier:	77
	The Solicitor General:	77
	Deputy R.J. Ward:	78
1.3.8	The Connétable of St. Mary:.....	78
1.3.9	Senator T.A. Vallois:	79
1.3.10	Deputy I. Gardiner:	80
1.3.11	Deputy M. Tadier:.....	81
	Deputy M.R. Le Hegarat:	86
1.3.12	The Deputy of St. Mary:	92
1.3.13	Senator I.J. Gorst:.....	94

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS..... 97

2.	Deputy R. Labey (Chair, Privileges and Procedures Committee):	98
2.1	Deputy S.J. Pinel:.....	98
2.2	Deputy R. Labey:	98
2.2.1	Deputy G.P. Southern:	99
2.2.2	Senator S.C. Ferguson:	99
2.2.3	Deputy M.R. Higgins:.....	99
2.3	Deputy R. Labey:	99
2.3.1	Deputy J.H. Young:	100
2.3.2	Deputy M.R. Higgins:.....	100
2.3.3	The Connétable of St. Helier:	100
2.3.4	The Deputy of St. Martin:	100
2.3.5	Deputy C.F. Labey of Grouville:	101
2.3.6	The Deputy of St. John:	101
2.3.7	Deputy M. Tadier:.....	101

2.3.8 Deputy R.J. Ward: 101
2.3.9 The Connétable of St. Mary:..... 102
2.4 Deputy J.H. Young: 103

ADJOURNMENT..... 104

[9:33]

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

PUBLIC BUSINESS - resumption

1. A safer travel period: States Assembly approval (P.84/2020) - as amended (P.84/2020 Amd.)

The Deputy Bailiff:

The next item on the Consolidated Order Paper is A safer travel period: States Assembly approval, P.84, lodged by the Council of Ministers. Before I ask the Greffier to read the Proposition, I understand, Chief Minister, that you may have accepted one of the Amendments to the Proposition, is that corrects?

Senator J.A.N. Le Fondré:

Yes, I have accepted the Amendment by Deputy Ward.

The Deputy Bailiff:

Would you wish to have the Proposition read as amended by the Amendment lodged by Deputy Ward?

Senator J.A.N. Le Fondré:

I am perfectly amenable to that, Sir.

The Deputy Bailiff:

Deputy Ward, would you be content with that course of action?

Deputy R.J. Ward of St. Helier:

Yes, Sir. Would I therefore not speak on the Amendment? I think it is important to explain it but I am obviously happy to have it accepted.

The Deputy Bailiff:

Yes, you would have no need to speak on the Amendment as there would not be a debate on the Amendment if the Proposition is read as amended by your Amendment.

Deputy R.J. Ward:

That is absolutely fine by me.

The Deputy Bailiff:

Does any Member object to that course of action, namely the Proposition being read as amended by the Amendment lodged by Deputy Ward? Thank you. Accordingly, I invite the Greffier to read the Proposition. Forgive me, I missed, there is a question from the Connétable of St. Helier.

Connétable A.S. Crowcroft of St. Helier:

It was simply to ask whether Members who themselves have travel plans or close members of their family planning to travel need to declare an interest today?

The Deputy Bailiff:

My initial reaction is not but I will certainly reflect on that, Connétable, and deliver a ruling on that shortly. Deputy Ward, you also have a question.

Deputy R.J. Ward:

Simply on that point, if you are going to look at those, are these flights that may well be cancelled depending on decisions today or are they emergency flights that will go on anyway because it may be irrelevant if the flights are ones that would be running anyway, regardless of what we do today?

The Deputy Bailiff:

My current view is that if anyone is on a flight which may be affected by the Amendment, certainly a flight between 3rd and 10th July, that they may lose, as a consequence of the Amendment, then they do have an indirect financial interest and should declare it.

The Connétable of St. Helier:

Thank you, Sir. Could I declare?

The Deputy Bailiff:

Thank you. Does any other Member wish to declare an interest? They can do so in due course if they wish to do so.

Connétable R. Vibert of St. Peter:

I do not think it is an interest but my wife is returning today on a flight.

The Deputy Bailiff:

I do not think that is an interest but thank you for mentioning it. Accordingly, I would invite the Greffier to read the Proposition.

The Greffier of the States:

The States are asked to decide whether they are of opinion – (a) that a safer travel period, as set out in the Policy Statement attached as Appendix 1 to the report, should commence from Friday, 3rd July 2020; (b) that during the safer travel period, anyone entering Jersey must either participate in and comply with the requirements of the border testing programme, developed in accordance with medical advice in order to identify and contain cases of COVID-19, or self-isolate for the timeframe specified by the latest medical advice; (c) that, during the safer travel period, anyone entering Jersey must engage on a daily basis with contact-tracers for a period of 14 days; (d) that the options for pre-travel testing should be co-ordinated with other relevant jurisdictions, in accordance with medical advice; (e) to request the Council of Ministers to give effect to the safer travel period, as set out in this Proposition, and to present a report to the States prior to any changes being made to the safer travel policy; and (f) to request the Council of Ministers to provide regular and timely information to States Members on the operation of the safer travel period, including the border testing and contact tracing programmes.

[9:45]

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

Senator Gorst is acting as *rapporteur* on this.

1.1 Senator I.J. Gorst (The Minister for External Relations - *rapporteur*)

I would like to start by thanking Members for agreeing at very short notice, and I understand the pressure that Members and Scrutiny have been under in preparing for this debate today. Ministers apologise for the short and little notice that they have had but we are extremely grateful to Members for agreeing to take this proposal today. It has been a long journey to get to where we are today. We could describe this morning as the morning after the day before. But in politics we are used to speaking in black and white. We like certainties, we like to think that we are right and the opposition is wrong. Others like to think I am wrong and they are right. But over the last number of months we have had to learn that those certainties, that black and white approach, is not appropriate for a pandemic of the magnitude of the COVID-19 virus. Therefore we cannot say this morning that we

have no COVID-19. That is what we would like to say. But what we can say is that we have no recorded active cases. It is important that as we speak throughout this debate today that we speak in that measured nuanced and balanced way. In the Gorst household last night, my girls on hearing the news of course punched the air. I am not sure where they have got that action from but they were delighted that the restraints that they have been under and, as Senator Mézec said yesterday in his statement about Children's Day on Friday, for my part, in our family, the children have been the guardian of the safe distant rules and they have constantly reminded us and others of what was and what was not appropriate. Because, let us be honest, they have been at the forefront of the effects of those measures that we, in the Assembly, have imposed right across the Island. It has been a long journey getting to where we are. Those families who have had to educate their children at home while continuing to work in virtual meetings and virtual telephone conversations understand the dire stress and strain that these rules have imposed upon them. Progress that their children might have been making in some instances have seemed to be undone. Settling into new schools has been turned on its head. Those moving between one term of education or one school and another have had little time to say appropriate goodbyes to their friends and colleagues. We should not underestimate the effect that that has had upon those families. There have been those individuals who have been isolated and lonely throughout this crisis, not being able to see their family or friends other than on an electronic contraption, parents whose children are now living and working in the United Kingdom or on the farthest reaches of the globe, they have not been able to choose simply to return and see their family. Those who have wanted to go to an education establishment, be that in the U.K. (United Kingdom) or elsewhere, they have suffered and we do not yet know what the effects of that suffering will be upon them. Then there are those who have been essentially employed throughout this crisis. Those working in essential shops, not knowing whether the person they were serving was a carrier of the virus. Not knowing whether the surface they were about to touch, which might have been touched by 100 others during the course of that day, might have carried some contamination. So we, as an Island, have existed through this journey thus far. Through this crisis thus far. But Ministers in bringing forward this proposal today do not say the end is in sight because it is not. We have all seen the report of the World Health authority who remind us in a timely manner that there is a long, long road ahead. We see outbreaks and the increasing spread of the virus in South America, in Africa and in pockets elsewhere around the world. We of course also see outbreaks in the United Kingdom, in Leicester where they have had to, rather than step forward through an exit strategy, step back to manage and to suppress the virus. The science has evolved from the first day that we understood about COVID-19. We now know that children are not the super-spreaders that we thought they were at the start. So we are moving now from an existence to a living with the virus and Ministers understand how difficult that is, how it requires a change of mindset across our community to overcome the fears that some of us have felt because of the imposition of controls. We are having to learn to live with the virus. But it is important that we remind ourselves about the steps that we have taken since 10th March when I think we had the first case of COVID-19 on the Island. Ministers are used to being criticised. We accept and do not mind that criticism. But throughout these difficult months I think each Minister and each Member of the Assembly, as we have passed legislation after piece of legislation, which have removed basic freedoms from Islanders, have comforted ourselves in the knowledge that we were following the Jersey medical advice. I want to pay tribute, as we start this long day of debate and decision, to the Medical Officer of Health, to the Deputy Medical Officer of Health, who had to take the brunt during the start of this pandemic crisis in Jersey, and to those officials and medics who sit on the S.T.A.C. (Scientific and Technical Advisory Cell). There is on that group of course independent advice from appropriately qualified medics. But we have followed that advice. It started with thinking about handwashing and how we sneezed into our elbow. We followed through that advice. We put in place provision for the vulnerable in our community by striking a new deal with Jersey G.P.s (General Practitioners) to be able to follow up and contact those vulnerable Islanders based on the advice of the Medical Officer of Health. We introduced safe distancing Regulations where we all had to be apart for one metre. We then followed that by an

extension to 2 metres. All based on the medical advice. When we were not receiving the results of tests in a timely manner the Medical Officer of Health advised us to go into what we know as the Jersey lockdown. We were extremely fortunate that even in that advice we were allowed to leave our homes for up to 2 hours a day when we know, looking around us, others had all of their freedoms removed and they were not even allowed to leave their homes. But we did it because we followed the medical advice. That is what Islanders did as well. As we saw the suppression of cases and as we saw this idea of virtual elimination, we started to move through the safe exit framework, but we did it carefully and we did it following medical advice. Some of those would like to have gone faster and others would have liked to have done it differently all the way through this process. Ministers have challenged and questioned that advice, as we have done with the safe travel period. Let us be clear, it would not have been our choice to bring forward this policy. We asked ourselves the question and my good colleague, the Minister for Health and Social Services: “Where was the political overlay to the medical advice that we were receiving?” How could we move from the pilot scheme to the safe travel period, which is before Members today? That was a very good question. We toyed in conversation with presenting to Members a compromise and we wrestled with whether it would be appropriate for us now at this stage of the crisis to stop following medical advice and to give way to political compromise. We discussed and we argued and we questioned. After that discussion, after that argument, after that questioning, we decided that even though it would be difficult, and there is divided opinion in the public and there is divided opinion in the Assembly this morning, that we could not present to Members a safer travel period that did not follow the medical advice but was amended because of political convenience. We knew that we would be criticised. But we continue to believe and that is why I pay tribute our medical officials.

[10:00]

That their advice rather than Government action, their advice, has been followed by Islanders and it is their advice that means that we have suppressed the virus in the way that we have. Their advice followed by Islanders. So I do not believe that 1st July 2020 is a day for us to start and discard that advice. The day after we have no known active cases. I say that because we continue to have the long road ahead. We continue to have one metre distancing. We are going to continue to need to wash our hands thoroughly, use masks where it is appropriate, sneeze into our elbow, to maintain the position we find ourselves in today. But as we start to live with the virus we must accept the proportionality that the medical advice is now asking us to accept. Is it now proportionate to defer this decision from the 3rd until another day or put it off altogether and is it proportionate to ask Islanders and business travellers, visitors to our community, to quarantine in the way that we had during the pilot? We understand how difficult those questions are to answer because they are not black and white. They are not straightforward. They are based on scientific evidence. It requires us to balance risks. It requires us to think about overall harm. We today are going to need to dig deep into what the medical advice is within ourselves to allow us, as a community, to learn to start to live with the virus. Medical advice has been quite clear, that there are risks with the safer travel period that is being proposed. They have analysed that risk and they have considered that it is appropriate and that it can be managed and that we can continue, while opening our borders to suppress the virus. But we will have to balance those risks and it does require us to balance the other harm that Islanders are feeling as we do so. I want to talk a little bit about what the safer travel period process is because there has been a lot of commentary in the media, on social media, and I understand the concerns that have been described there. Why are we not just rolling out the pilot period for a longer period of time? Why are we not quarantining? What speed can we get the test results back? How will those travelling to and from Jersey and into Jersey for the first time know what they should do? To understand a little bit of the process - which, let us remind ourselves, the decision and the advice delivered by the Medical Officer of Health is data driven - the process is that those wishing to travel to the Island will be required to make a pre-flight declaration before they step on to an aeroplane or a ferry. If they have not made that pre-flight declaration, they will be delayed at the airport until all

of the information that is required is gathered from them and given to officials. That will be the address that they are going to be resident at in Jersey. It will be the address that they have travelled from. It will be their travel history for the last 14 days. Let us remind ourselves that the legal requirement for entering Jersey is a 14-day quarantine, which is, if broken, a criminal offence with a fine of up to £10,000. In order to be exempt from that, those travelling and Islanders returning will have to opt for the test and the trace system. That will be, of course, providing they have not in the last 14 days travelled or come from a high-risk country. Now, we know that it is unlikely at this point in time, where it is difficult to fly around the world for all the reasons that we understand, that people will have been flying from South America into the U.K. and then wanting onward travel to Jersey, or China into the U.K. and then wanting onward travel into Jersey. But should that travel history show that those coming to Jersey have been in a high-risk area, they will not be allowed to opt for the testing and tracing procedure. They will simply be bound by the legal requirement to have a 14-day isolation. So, if a traveller or a returning Islander does opt and is able to opt for a test and trace, they will be given their test. They will be given a document - some will have already seen it in their pre-entry declaration - about what the Jersey Health Regulations and requirements are, and they will be expected to abide by it. It will be more stringent, as Members will have seen from the safer travel period proposition, than the average Islander going around their everyday business is required to abide by. Tracers will be making contact, which is why the Chief Minister was able to accept Deputy Ward's Amendment, either by phone where appropriate or via text message. We have just agreed that those text messages can be undertaken on a daily basis and those phone contacts, unless it is a positive test, will be undertaken on a randomised sample basis. Now, of course, we know that by the end of July and into early August we will then have greater testing facility on-Island to be able to provide test results in as little as 12 hours and even shorter with some technologies. But I understand that Members and some Islanders are concerned about the length of time between test and result because the safer travel policy does not ask for self-isolation. It does ask for more stringent requirements to not go into crowded places, to if possible not go to restaurants or bars, to think about being outside because we know that the virus is not so spreadable - I am not sure that is a medical terminology - and does not transmit so easily in an outside environment, not to visit vulnerable relatives but to continue to use common sense and to take care. So our current testing regime returns tests on average between 24 and 48 hours. There are some - but as I understand it they are very few - that are not returned until 72 hours. Some of the increased tracking will help to alleviate concerns around that time between test and result, but Ministers understand absolutely the concern of Members about the time to test. We have continued to push officials to get that time reduced between test and result, and we are informed that we can be more certain about that because of new agreements and contact with the U.K. lab that means that tests going forward can be produced and returned between 16 and 28 hours. Those of you who are mathematicians will know that that means that the average will become 24 hours. So, with that straight away lower time to test, with the increased track and tracing contact, that goes even more in alignment or is even more in alignment with the health advice that it is proportionate and it is appropriate that those travelling to Jersey do not need to formally self-isolate. We have heard also a lot about what will be the effect if we do not approve this policy today, and that, of course, will be some of what the argument and discussion is about further on when we get to the amendments. We, of course, have heard during the course of this pandemic the old adage that you are either interested in health or you are interested in the economy. But in a pandemic of this scale, where we have removed Islanders' basic freedoms and basic rights to education and to go to work, I do not think that those old adages are relevant. Because it does harm Islanders if they are not able to go to work. It has harmed children not being able to go to school and have a formal education. Those who have been unemployed know only too well the debilitating destruction of being unemployed. Therefore, it is right that we consider how we can get the economy up and running again.

[10:15]

Before this crisis we were an outward-looking, internationally trading, open, welcoming, connected community, and in the flash of the Minister for Health and Social Services' pen all of that was swept away in order to protect Islanders from the coronavirus, but I strongly believe we must return to being that community that we were so proud of. We have heard about the connectivity issue. Will EasyJet just leave? Will British Airways just leave? I hope that Members have been reassured by the commentary and the email that the C.E.O. (Chief Executive Officer) of Ports wrote to me over the weekend. I come back to my opening theme: there are risks and there are decisions that need to be made to mitigate those risks. There are not many certainties. So we know when it comes to airline connectivity, every day since 15th June, when travel started happening within the Common Travel Area, has been a day of risk. We see that the airline industry is in absolute distress. Do we know what effect that will have upon Jersey as we sit here? No, we do not, but we do know it is a risk. Therefore, in making our decision and coming to our decision today, we need to consider those risks. The risks are about when that connectivity might restart, when our economy might become open and trading again with the rest of the world. Those issues play directly into whether the recession that follows this health pandemic will be a V-shaped recession and we will recover strongly and quickly, which I fundamentally believe is within our power to do, or whether it is slow and painful and difficult. The answers to those questions are not easy and the decision that Ministers are asking Members to make today is not easy because some of our families, some of our friends, some of those we love the most, we know have suffered, we know are continuing to suffer. Some emails that we have received overnight have been heart-wrenching, of children wanting to come back and see their parents, but on the other side of that equation we know some of our own family members who are fearful still of leaving their own home. As I said last week and I say again today, we are moving into a time when we have to make decisions based on balance and risk and think of each other. If ever there had been a time for us to come together, as we have done through this crisis to suppress this virus, it is today in this decision to carefully, to calmly, in a balanced way, based simply on the medical advice to open our borders, to manage that risk, to keep suppressing the virus and to support one another. I recognise that the decision that the Council of Ministers is placing before Members today is a difficult one, but I ask every Member as we move now into the debate to reflect and to think carefully about how they will balance those risks which are before us as we make this decision.

The Deputy Bailiff:

[Seconded] The Proposition has been seconded.

1.2 A safer travel period: States Assembly approval (P.84/2020) - second Amendment (P.84/2020 Amd.(2))

The Deputy Bailiff:

There is an Amendment lodged by the Scrutiny Liaison Committee, and I ask the Greffier to read the Amendment.

The Greffier of the States:

1 Page 2, paragraph (a) – For the words “3rd July 2020” substitute the words “10th July 2020. 2 Page 2, paragraph (b) – After the words “latest medical advice” insert the words “, with passengers participating in the border testing programme to self-isolate until a negative result is received and with a dedicated sanitised transport service to be provided for passengers entering Jersey without onward means of transport”. 3 Page 2, paragraph (d) – For the words “and to present a report to the States prior to any changes being made to the safer travel policy” substitute the words “and to ensure that any changes made to the safer travel policy receive prior approval by the States, with any proposition to that effect lodged at least one week before the Council intends such a proposition to be debated”. 4 Page 2, paragraph (d) [that is now (e)] – After paragraph (e), insert the following paragraph and re-designate the subsequent paragraphs accordingly – “(f) to request the Council of Ministers to publish and maintain a list of countries designated as safe for travel with the list to

indicate the prevalence of COVID-19, the reproduction ('R') number and the testing regime of each country on the list; and”.

1.2.1 Senator K.L. Moore (Chair, Scrutiny Liaison Committee):

We find ourselves in an unusual position that in the first instance it is the Scrutiny Liaison Committee bringing these Amendments today, but as we all know these are extraordinary circumstances. After some consideration, it was decided this is the simplest way to deal with the matter because it was felt that Amendments were needed and could be helpful to the Assembly, yet this work cuts across all of our roles and committees and panels. So we have taken this somewhat unusual step, so I hope the Assembly will understand that. Of course, our first reaction when we saw the Proposition was coming to us was to ask if we could have a delay in this debate so that we could have the 3 working days that it had been agreed should be allowed for scrutiny, yet it was put to us that that was not a practical thing, so here we are. We find ourselves with some perhaps slightly imperfect Amendments before the Assembly. However, they are important Amendments and I think they touch on issues that have been raised by many members of the public. It is important, especially at the outset, to say that we recognise the role of Scrutiny, that the very first role of Scrutiny is objectivity. I would like to say in response to Senator Gorst that this is certainly not about political convenience. In fact, one could say that putting the neck on the line in bringing some of these aspects to the Assembly is an extremely difficult and a very uncomfortable thing to do, yet we feel that it expresses the fine balance and the difficulties that are felt within the community. For every one person who has contacted us to express one opinion, there is another who has the reverse, so opinion is finely balanced and divided in the Island. Just simply by having this debate ... and I thank the Council of Ministers for bringing it because, indeed, we recognise that they could have simply signed off another Order and not asked the Assembly to consider it. It is very important and it is very healthy to have this debate. Simply in raising questions we have in the course of this called at least 2 additional private meetings, but the public feel very keenly that they do not sit alongside us in those private meetings. We were able fortunately by sheer hazard to be able to question the Chief Minister in a quarterly meeting on Monday, so there was some public engagement and hearing of the questions and the arguments being put. That is very helpful because we have to be mindful that we are, of course, here in the first instance to represent the people who have put us here. We have continuously called for the Government to take heed of the importance of their messaging throughout this pandemic and their response to it and to give the public a greater sense of reassurance. It was so sad to see the market research that concluded that only 37 per cent of Islanders had confidence in the Government at this time, where that figure was 87 per cent in our sister isles. So, we have put a series of Amendments. First and foremost is the date change. That, of course, is the headline grabber, but it provides the perfect illustration of the difficult balance here. Senator Gorst rightly highlighted that this pandemic crosses the boundaries of health and economy and the relationship that they have together. It is the ultimate in political arguments. Some wanted to extend the period of lockdown until 17th July and not open the borders until then, so it was decided that the 10th was a reasonable period. It would allow Islanders to assess how the easing of lockdown in other places where we have close connectivity would play out. We are grateful for the additional information that the Medical Officer of Health and the Deputy Medical Officer of Health have been able to provide about that question in this very brief period we have had to consider this difficult argument. It was also important to offer an opportunity to try to reach out to the public and ask for their views. Deputy Perchard very helpfully conducted a poll, which she will no doubt tell Members about later, but it showed the very simplicity of harnessing the modern communications that we have at our fingertips to ask simple questions and to reach out to Islanders and better engage with them to understand how they are feeling. Of course, polls are never perfect and Deputy Perchard will herself admit to that, but by gaining samples of opinion and views it helps us to weigh up the balance and to make these very difficult decisions. It has to be said that none of us can make these lightly. Moving on, we do hope that in bringing some of these Amendments - and it is very positive to see that that of Deputy Ward

has been accepted by the Chief Minister - that in itself will provide greater reassurance to Islanders and I think in accepting it the Council of Ministers can see that, too. But ours go a step further in requesting that isolation period until the negative test result is received. That sits alongside the simple fact that we have vulnerable members of our community who have only just been able to feel that they could leave their homes and go out and engage in our community once again. So, it seems slightly incongruous for them to at that point suddenly feel that they have people who have come from areas where, even if they are reducing, the infection levels have been higher than they have been here. That the Medical Officer of Health herself admitted could potentially cause those people to withdraw back into their isolation, and that is an important point that we have to consider.

[10:30]

We woke up this morning to hear that Melbourne is another city in the world that is imposing a lockdown as they see a spike in cases there. So, it is important that the Island does maintain a register of safer countries and considers those bridges and places that we can travel to. Of course, other island nations, such as Madeira and Majorca, provide excellent bases for us to focus upon, and I know that there are some travel plans to those islands. That is a really good thing because it helps to provide that reassurance to Islanders while also maintaining some connectivity that we all so appreciate and enjoy. There are risks, of course, to all of these Amendments and questions that we have before us today, but I think the important thing is that in debating we draw out further information and we have some of the questions answered that the public have. If I could just go back to some of those questions, we have just overnight received an email from the Chief Minister laying out in his agreement to Deputy Ward's Amendment the additional elements of the track and tracing system. It is a great pity that the Government were not able to share that information with us at an earlier point because it does have a great impact. But, of course, it is not just with us that they need to share this information; it is with the wider public because these elements will give that greater reassurance. Senator Gorst has also tried to explain the return points for the tests. He says the average is 24 to 48 hours currently, which is a good thing, but, of course, we know that a decision is yet to be made as to which test system the Government will select going forward, so we need to know that. I think at this point I will leave it there. There are many Members who have questions to raise and I look forward to hearing them and I look forward to the debate.

The Deputy Bailiff:

Thank you. There is a point of clarification on your speech raised by Deputy Higgins.

Deputy M.R. Higgins of St. Helier:

In fact, there are 2 points. The first is the fact that the Amendment came from the Scrutiny Liaison Committee. I am a member of 2 bodies of the States and I was not consulted by the Chairman of those panels or by anybody else. So, I do find it strange that you are able to bring forward a proposition which seems to purport to represent the States when we have not had the opportunity to discuss it. That is number one. I will leave you to answer that first and I will come back on the second point.

Senator K.L. Moore:

I thank the Deputy and it is a reasonable question but, as I expressed, it has been a very difficult period and a very short period and a certainly imperfect way of going about providing scrutiny. So, we have, as the S.L.C. (Scrutiny Liaison Committee), tried to engage with a number of Members but it has not been a perfect plan. It has been an exceptionally short period of time. The Proposition was lodged I think about 4.00 p.m. on Friday and we have been trying our best to grapple with the various Amendments and how best to deal with it. So, there has not been time to properly engage with Members and I apologise if that has affronted the Deputy.

Deputy M.R. Higgins:

Just one point on that: could you not have brought the Amendments in your own name or in other Members' names rather than as a panel?

The Deputy Bailiff:

I am not sure that is a point of clarification. What is your second point of clarification, Deputy?

Deputy M.R. Higgins:

Okay, I will leave it at that anyway. The second point I wanted to make was the Senator quoted public opinion of, she said, the Government of Jersey. Is it the Government of Jersey or is it politicians in general or the States Assembly?

Senator K.L. Moore:

I was referring to a piece of research that was taken about I think a month ago and it was publicised by a professional research body. They had a simple question and it stated the Government as I recall.

The Deputy Bailiff:

Thank you. Is the Amendment seconded? **[Seconded]** Who was that speaking, just for the record?

Deputy K.G. Pamplin of St. Saviour:

That was Deputy Pamplin.

The Deputy Bailiff:

Thank you, Deputy Pamplin. Does any Member wish to speak on the Amendment?

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

I was not planning to speak early, but obviously the pause there was a high-risk situation. I think it is really important that we have a decent debate on the Amendment. From my point of view, the first that I saw this particular Proposition of the Council of Ministers was at the end of last week, and I was very much keen and said that I believed that this should be a States decision because this is the most important point in our whole experience with this awful virus. The Island has done absolutely brilliantly. We together have gone from 10th March and the first case to today, on 1st July, where we have no current active cases. I think that is a fantastic achievement and it has affected us all. There is no part of society in Jersey that has not been affected, and it has cost us, but the journey is still to go on, as Senator Gorst has told us. Of course, until we see a vaccine we are going to have to find ways of living and adjusting. For a lot of us, that adjustment is going to be difficult. I think the psychologists have told us that it is much easier to go into lockdown than come out, and for me I am in that group of people who hit the higher risk boxes and the statistics are not good for those were we to pick up an infection. So, risk management for me and my age group, for people with lots of conditions, is paramount. Today we face a decision where for the first time vulnerable groups can think they can go out and now begin to re-enter normal life, back with friends, with churches, take part in religious services, the lunch groups and so on, and begin to have confidence in coming into the hospital with conditions that they have had. They have probably not followed up their appointments and so on. Now I think that that group are fearful about what we are about to do by opening our doors in a way which people have concerns about whether or not the way we are planning to do it is safe. I, too, want to have that travel arrangement restored but it has to be safe. I was really encouraged when we launched the trial at the airport. I am disappointed that we had recommendations come forward ... and Senator Gorst is right, those recommendations are in the S.T.A.C. advice, the science expert advisers, who say to us that we do not need to have the testing regime that we have had for the last few weeks during the pilot period and we can reduce that down to a much smaller team because the risk is so thin. Now, I think the Amendment offers us some opportunity to refine the paper that has been pulled together in a hurry and to improve it and make it safer, but as far as I am concerned it will not meet my concerns. Because for me in all these judgments

I believe a health first strategy is more important to an island community than I believe an economic first community. Dr. Muscat told us that we may expect a vaccine at the earliest in October or November and maybe we might see it next year, but that does seem to set a limit that if that is the case then this may be a relatively short-term problem. So, therefore, I think the risks in the U.K. have increased. Looking at the Office for National Statistics today, the S.T.A.C. report of 23rd June talks about the risk being 1:1,700. We now see from the Office for National Statistics figures that that prevalence has increased. It has increased quite significantly, I think, to 1:1,100. If you look at the graphs in that report dated the 25th, you will see that the trend is upwards and in certain regions. The report itself says that the decrease that has occurred has stopped and it has levelled off and some of the regional figures show increases. I think that means that any idea that the risk is not prevalent on incoming flights is I think not a safe assumption. Now, one of the defects that the Amendment seeks to put in place is the quarantine, and I absolutely believe that not to follow up people when they come in is a very bad mistake. If one looks at other societies, particularly Iceland, which is one community I keep very close to and is cited as one of the models for the work we are doing here, well, they have gone through the same debate and their tourism is miles ... much, much more dependent upon economic tourism than ours. But they made the date and they made a decision to open, but they did so in a way that not only have they got the testing facility but there is an app. They track people throughout their stay with an app, so they have got ready for that. So, we are going ahead on this without that, without an app. We are going forward without any monitoring process, and the Scrutiny Amendment does at least put in place that short quarantine period and we have assurances about contact tracing. But I still think an app is going to be much more effective at tracking visitors because visitors will not necessarily be able to name individuals or even places where they have been, where an app would do so. So I think that is high risk and I would like to have seen us delay this until we have that in place. Because I know that the Prime Minister of the U.K. said there are no other countries that have this app, which is absolutely not true. There are at least 5 or 6 and there are the far eastern countries as well. This is a proven technology and I cannot see why we cannot have that in place. There is also the unanswered question for me about how reliable a testing system of test day one is likely to identify people who are carrying infection. Because I think the evidence of John Hopkins and so on and in the U.K. there are a lot of scientific papers that I have seen talk about the fact that the prevalence, the likelihood of that test giving you an answer is much better progressively up from day zero to day 1, 2, 3 and 4. At day 4 and day 5 seems to be the ideal. Of course, what did Guernsey do, our sister island? I know that people in Jersey do not seem to like to look at our sister island and see where there are ideas that we can adopt, but in that island they have opened their borders with a system in place where people are subjected to a short quarantine period and with this testing period at day ... 2 or 3 tests after. Their obvious intention is to make sure that that risk is modified. We are proposing not to take that risk. The Amendment is good and I shall be supporting it, and it goes some way to trying to improve this and make the situation safer. I think it gives more time by the delay. I would like to have seen it longer and I note what the Senator said, that there are some Members think it should be delayed until the week after that. To me, I want to see this contact tracing or app much more worked up so I could feel much more confident.

[10:45]

I would have liked some answers from the S.T.A.C. on the points I have raised about the prevalence or the likelihood of the test working in the later days and arrival. Because why I think that is important is that I do not think it is likely that anybody that has symptoms is going to travel. Whether they are in the U.K., it does not matter how much they want to come on holiday, they will not do it. People are responsible and it would take some pretty immoral person to do so. I am pretty certain that that will not happen, but the likelihood is there may be people who are carrying the infection and do not know it and there may be people who acquire it in transit. I think that was the message of some of the work I have seen that highlights the importance of following up a day nought test with a later day test in a short period. I would have liked the S.T.A.C. body to give us some information

about that. So, for me, that is the kind of role ... I am a little bit disappointed. The S.T.A.C. have done excellent work so far, really excellent work, and I give full praise. I am going to name ... I would not do this normally. Dr. Muscat has been outstanding. He has been largely responsible for keeping this Island safe and getting us to this point, but S.T.A.C., of course, were asked a different question in the 2 reports we have. We have 2 reports there. They were asked what is your advice about a safe travel scheme and what is your advice about the quarantine testing. Most of their report is about the economic balance and the gain to tourism and the long-term healthcare because obviously you are talking about the cost of the healthcare. I do not personally find that a scientific argument. I find that a political argument, so the connection between the economy and long-term healthcare in terms of our ability to pay for it I think is not a short-term issue relevant to this issue of the testing programme that we have. So, I think those are the points. I am going to be supporting the Amendment so obviously I have taken the opportunity to speak rather wider and thank you for allowing me to get away with it. Before I close I think I will just highlight what Senator Moore also said. We have seen outbreaks in Leicester. I hear reports that Greece are cancelling the quarantine-free visitors from the U.K. now. There is even speculation about whether Scotland introduces an arrangement for people coming from England because England is generally thought to be one of the worst countries in the world that they have managed this pandemic, yet they are our immediate neighbours with which the risks are likely to be imported. That is where the infection came from in the first place and I think as we make the decision to go and open our borders ... and we do need to do that sometime, but a little bit more time, a little bit more thought to how this system is going to work, particularly on the tracing and the testing, then I think I and I think a lot of members of our community would feel a lot more happy about it.

1.2.3 Connétable L. Norman of St. Clement:

On the face of it, this Amendment is seductive, it is proportionate, cautious and prudent, but in reality it is none of those things, except perhaps seductive, and I caution Members not to fall for it. This Amendment is a wrecking motion. We have seen them before, but this one is hugely dangerous because it does not simply attempt to wreck the ambition and aspirations of the Council of Ministers but perhaps inadvertently - I certainly hope inadvertently - to risk the wrecking of our economy but, even worse, the wrecking of the health and well-being of Islanders. What is the basis for this? Nothing that I could find. Nothing that I could find in the report attached to the Amendment and nothing in the speech that Senator Moore made this morning. Now, we have in my view, and I think many people's views, a very good scrutiny process, a very good scrutiny system, a system that is often based on evidence gathering. So where is the evidence for this Amendment? Where is the medical advice for this Amendment? Where is the scientific advice for this Amendment? There is none. Vital decisions like this cannot or should not be taken on a political whim. They need to be based on solid evidence and solid professional advice. Senator Moore and her Committee have failed to provide any, in total contrast to Senator Gorst's speech this morning and the report that is attached to the main Proposition. I have to say to Senator Moore and her colleagues they must put behind them any personal animosity and political aspirations and please think about withdrawing this wrecking Amendment, or at least the States should decisively reject it. The Senator said this morning she is proposing that the borders should open on 10th July, but she gave an explanation for that in her speech this morning: it is better than 17th July. That is not terribly convincing in my mind. The airlines and the ferries are ready to go. They need to go. The Island needs them to start operating as soon as possible. Can I stress that over the past month the Council of Ministers have listened to the best medical advice available? They have checked the best medical advice available. They have challenged the best medical advice available, but in the main generally we have followed it. Because of that, we find ourselves in the enviable position we are today, with no known cases and medical infrastructure that can deal with any new cases that manifest themselves and an economy that is fragile but is resolute and salvageable, provided we do not go down the route suggested by Senator Moore and her colleagues today. What the Amendment does is put more obstacles than necessary in

front of potential travellers, be they tourists, be they locals or be they coming on business. The more obstacles, the fewer passengers. The fewer passengers, the less viability for the airlines and ferries. The less viability for the airlines and ferries, the fewer planes and boats, until they get to a stage where they decide it is not worthwhile using their assets on the Jersey route and send them elsewhere. Why would they not when they can transport people to France, to Spain, to Italy, Norway, Austria, indeed most of Europe and further afield, without the restrictions that even the Council of Ministers are recommending? Yes, it is true that one or 2 COVID cases will probably appear every 7 or 8 weeks, but as I said just now, we have the infrastructure to deal with those and a lot more. Now is the time to get behind the Council of Ministers and support the Island and our people. In the main, they are desperate to travel. We have several former teachers in this Assembly. Can I say to them: think of your former pupils and recognise how desperate many of them are to see grandparents and other relatives they have been kept away from, in many cases since Christmas? They and their families will not thank us for accepting this Amendment or any part of it. As I said earlier, this is deliberately or inadvertently a wrecking Amendment. In fact, it puts a new definition to the term “wrecking Amendment.” It risks wrecking our tourism and hospitality sector, wrecking the economy and wrecking livelihoods. If adopted, it would leave the advice of our medical and scientific experts in absolute tatters. It would be a vote of confidence against them in many ways. This Amendment is disproportionate, illogical and takes unnecessary risks with the future of the Island and our own well-being and health. We must vote against it.

The Deputy Bailiff:

Thank you, Connétable. Deputy Southern? Deputy Southern, I can come back to you later on if you are unable to connect now. We will come back to you later on.

Deputy G.P. Southern of St. Helier:

No, Sir, I am now unmuted, I think, am I?

The Deputy Bailiff:

Yes, we can hear you.

Deputy G.P. Southern:

Good. May I start then?

The Deputy Bailiff:

Yes, of course.

1.2.4 Deputy G.P. Southern:

Thank you. I will only speak once in this debate because I think the points that I need to be making can be made at this stage. It is magnificent to see the Constable of St. Clement performing at his peak about this wrecking Amendment. This is no more a wrecking Amendment than any other, and endangering the entire economy and the future of our people, it seems. He points out exactly why this is a political debate because he has raised the politics in it and tried to strike what is a one-sided balance between the economy and our health. Now, this argument that everything that the Council of Ministers have done has adhered to the scientific and medical advice, of course, is not true. Just think for a minute why we are having this debate today in this format among these people. What are we? We are the politicians in this Island. Of course, this is a political debate. It is about that balance between the economy and people’s health. To say otherwise is, quite frankly, a pretence. To decide that only medical advice is valid and to suggest that the medical advisers could have made this decision themselves or the Minister could have simply made a Ministerial Decision and said: “This is what we are doing,” it has not. It has brought it to this Assembly for proper, rational debate, so let us try and be rational about it. What is this about? Are we going to get any help suddenly from the U.K. in keeping our active cases down to zero? The answer is no because if people want to come to

Jersey under whatever circumstances they cannot have a test with a quick turnaround in the U.K. You can go for a private test but it may take you more than 72 hours. You cannot very easily get a public test which will tell you definitively within a certain length of time for you to be able to get on to the plane and say: "I am COVID free." That does not exist. So you cannot get tested in the U.K. so we are totally dependent on what we do when people arrive here. Hence the Amendments that have been brought and the framework around it to make this safe. The key element I have been hammering at over all of these debates is the incubation period. There is the rub. The incubation period, which is such that if you get tested in the first couple of days you may register as negative when, in fact, there are signs there but it is a false negative. When you arrive, you either get tested or you quarantine until you get a negative result. Now, we are told that this should be within 24 hours, maybe 12 if we can, but we will improve on this as we go along. But again, that incubation period is critical and the cause of one of the Amendments. So, if we let people come here from the 3rd, okay, let us think what is happening around the U.K. The U.K. does not have zero active cases. The U.K. has plentiful cases with little outbreaks here and there. The most notorious one at the moment is Leicester, which has had to clamp down again. But there are minor outbreaks in Yorkshire, in Wales, down in the south-east, down Kent way, and in any one of those cases let us just think for a minute. Some person notices that it is 4th July and perhaps they live in Leicester and they decide to go out and have a celebratory drink, go to Nottingham where the pubs will be open and have that drink. Maybe they mix socially and the one-metre-plus gets broken. They are hugging their friends, et cetera, having a great time. They might in the next couple of days get on the plane to Jersey to go for that long-awaited break, maybe to see relatives in Jersey, who knows, and here they are arriving.

[11:00]

Do they notice any symptoms? Perhaps not. Then, 5 days, 6 days, the symptoms start and the test has to take place and there they are, and without the monitoring of where they have been we are helpless. The key is the incubation period, that vital 5, 6, 7, 8, up to 10 days in which the symptoms start to show. They make the system that is proposed, the system as amended, make total sense. False negatives, the accuracy of tests, not perfect yet. The continued rise in infections, albeit in small districts in the U.K., make us extremely vulnerable. In deciding whether what we are proposing as amended is proportionate and practical, I would suggest it absolutely is because our prime duty still, as it has always been, is to try and protect the health of our residents and visitors coming to the Island. Imagine what it would do to the economy of the Island and the tourism on the Island if we get this wrong, if we get the next outbreak and all of a sudden we are not at zero active cases but we have 5, 6, 10, 20 active cases because we are not effective in making sure that we are safe. What reputation would that be? How long would that last? I would suggest it will still be: "Oh, do not go to Jersey, they cannot look after their own health" and that could last until next year, next season, and it could be the COVID island, who knows? Think of that. What we have is at short notice - and well done to everybody concerned - an amended version of what we propose is safe and I believe one that would work, one that would safeguard our tourism and our residents into the future.

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

I thought I would speak early today, not because it is 1st July and the pubs open at 11.00 a.m., but because I was guillotined yesterday and I thought I would avoid the reoccurrence. We come to yet another decision. We have had one or 2 in the recent months, as I am sure you will agree. In fact, I have just been sitting here jotting down some of those: closing schools, suspending trials with juries, suspending police checks on carers, implementing a lockdown on the entire Island, closing pubs, restaurants and hotels, closing churches, effectively nationalising G.P.s, introducing a co-funded payroll scheme, shutting the borders, setting up a loan to Blue Islands to ensure air connectivity, building a Nightingale Hospital, implementing a 2-metre distancing policy, and amongst all this appointing a construction partner for a new hospital. It is not a bad effort for a Chief Minister and a

Government who have been accused of inactivity and indecisiveness. Perhaps a case of being careful of what you wish for. All these decisions were taken in a measured manner and, as we have emerged from them in an equally measured manner, reducing to one metre, allowing alfresco opening of pubs, staged openings of schools, slow increasing of hours allowed out; all correctly and prudently done. All of a sudden just 2 days after we allow pubs to open on a restricted basis with nightclubs still shut, a testing centre not due to open at the port until Thursday - and indeed Senator Gorst admitted the nearer we get to the end of July the better our testing will become - we are being told we have to go now or it is the end of the world. Well, it is not. When we sat down to sort this mess out, we had 3 priorities. Firstly and paramount, the health of Islanders, secondly, the financial security of Islanders and, thirdly, the businesses of Islanders and, obviously, some of these are intertwined. I believe we pretty much achieved what we set out to do and we still have some difficulties there. We did it though without panic and this is not a time to start. If you will allow me to go back to the war many of us spoke of at the start of the COVID outbreak and let us compare this to D-Day or Decision Day, if you like, and probably one of the biggest calls this Assembly and its Members have had to make. Those of you familiar with history - and I know as most Members are experts in every field imaginable, they will be - D-Day took place on 6th June 1944 but it was due to take place on the 5th. It did not due to the fact that despite many soldiers, sailors and airmen being primed for the off and people cooped up in boats suffering the effects of seasickness and some commanders demanding to go, General Eisenhower felt that a small delay for slightly better weather was in order. The risks of course remained but were marginally less, he sensed, on the 6th. Here we have the same situation in front of us. Many urging: "Let us go" but we have to balance that with protecting people's health and indeed their lives. Thus, surely the best option is to wait a mere 7 days to tip the odds that little bit more in our favour. I myself have a 5 day-old grandson that I am keen to see but I wish to put the Island's interests before my own. I understand the anxiety of those wishing to go now for the hospitality industry and the risks to air connectivity although I think yesterday's decision to overrule an Airport Safety Regulator makes rather insignificant any 7-day delay as far as harming our standing as an airline destination as that damage has probably been done. I believe every other decision in emerging from the dark shadow COVID has cast over us has been taken with extreme caution and this needs the same treatment. I know Deputy Labey likes the Churchill quote from myself but I am going for one from Confucius. After all, this mess originated in China. He said: "To see what is right and not to do it is want of courage or of principle." This, as I said, is an enormous moment and who knows whether we will be successful or not but, either way, let history show that the decision was taken with a measured caution and not a hurried impetuosity. Thank you.

1.2.6 Deputy M.R. Le Hegarat of St. Helier:

I would like to start by saying that, like C.O.M. (Council of Ministers), S.L.C. do not always agree and I was not part of the decision to make Amendments to the Proposition put forward to us today so let us just make that quite clear. What concerns me about delay? What I noted at the weekend was the closed sign on the local camping site and having spoken to someone I visit on a regular basis, the fact that some of the people taken on in various businesses across the Island were not being taken on. I believe that it will be some of our lowest income earners who will suffer if we do not move forward on this. What do I mean by this from the perspective of: "They are all still being paid"? If you think of somebody who arrives in the Island, all their bags are taken off the plane by Swissport. As we know, there are issues and they are losing jobs within the U.K. They then travel from the airports to the hotel or other accommodation. They will do this by coach, bus or taxi. Again, those businesses will not have that income. What will they do while they are in Jersey? They will stay at a hotel, they will have maybe a coach trip and they will go out and visit our Island. They will visit Jersey Zoo, they will look at some of the Jersey heritage sites and some of the other businesses like the National Trust, for example. That coach driver, they will probably give a tip to at the end of the day along with maybe the person who is giving the guided tour. What will they do at the end of the week when they leave the hotel? They will give or leave a tip for the staff who have looked after them, whether

that be cleaning their room, providing them with reception, et cetera. What I fear is that though they will still be being paid, their income will be significantly reduced by not having that ability to earn that little bit extra. I too, like many, have real concerns about the fact that if we open the borders, we may go back to having cases of COVID-19. I think that we have to balance everything across the ballpark in relation to this. I do have full confidence in Dr. Muscat and what he has told us over the last few weeks. He has asked many questions and provided many answers. I too have concerns that if we do not move forward with this, we may lose links to the U.K. and further afield. Some of us older in generation will remember that you used to be able to fly to Paris, Heathrow and others and all of those have been lost. I will not support this Amendment because I do feel that we are at a position where we need to move forward and so therefore I will not support the Amendment. Thank you.

1.2.7 Deputy I. Gardiner of St. Helier:

It is important for me to state at the beginning of my speech I am in support of opening our borders. I want travel to resume as soon as possible and in a safe way which protects our Islanders who have worked so hard to reach zero cases. Together we have done a great job. Now it is about considering where acceptable risk is. We want public freedom, we want people out and about, we want to achieve that our public need to feel safe and from the emails that I have received, it was clear, at least in my emails, that hospitality - and it is important for me to support hospitality - would like the borders open. From the parishioners and Islanders that I received dozens of emails from, apart from one, all of them were worried about not self-isolating before the test results and this is the crucial point. They are not tourists from the U.K. as a whole. These are tourists from specific parts of the U.K. We used the statistic 1:1,700 U.K. infection rate. When I looked online, the England rate is 1:1,100 and it is different. In yesterday's statistics, currently there are 36 places in England where the COVID cases are increasing. Leicester we know is 10 per cent. Doncaster has recorded a rise from 11 to 32 in the positive cases over this period and some of the sharpest increases were in London. The weekly figures rose from 7 to 18 in Hammersmith, 6 to 14 in Westminster and 8 to 12 in Kensington and Chelsea. We all know the situation is changing constantly and we will always be 2 or 3 weeks behind the curve. All this will make us aware of the community transmission when it is too late. There will be nothing to stop people fleeing Leicester and coming to Jersey to escape their lockdown or from other areas of the U.K. I just looked online. easyJet flights return to Jersey, £80, and staying in a 2-star hotel - I have just checked Booking.com - is just under £300. It is not that expensive for people to come and to have a nice holiday in Jersey for a week and I would like to see them. It is important that we do not make the mistake to treat the U.K. as a single place. What we can do is we can ensure that people without negative results are not out and about in public places. It was a huge confusion from last Friday. Twelve hours, 24 hours, 36 hours and 72 hours. It is all over the place. What we know for a fact is that, currently, on average, it is 48 hours before people will know their result. The plan is 12 or 24 hours and hopefully it will be achieved in 4 weeks and I can see how in this 12 hours, people do not need to self-isolate. easyJet arrives at 8.00 p.m., stay overnight, at 8.00 a.m., people know their results and they can go freely out and enjoy their holiday. This is not the case now and this is where we need to take extra protection. We had a trial which worked well.

[11:15]

However, it has proposed now it is completely different to the trial that we had in June and this is where my worry is. We must implement and enforce the same rules as we used in the trial to make it clear what is happening. It is basically straightforward common sense just to isolate until test results are known. Given the guidance, I think we are not using the best. I am sorry, maybe I am not trusting but I do not trust people monitoring themselves. We have an example of our own people who are very well educated and have behaved really well in Jersey. While they are working in the Isle of Man, they broke the guidance and have gone out and had a meal in a restaurant against the guidance so to assume people from anywhere in the world will behave better, it is a dangerous thing

to do. Hopefully, the Government will have faster testing soon and hopefully the tracing will work really well. We care for our community. Not all visitors will care as much. I would like to give an example. It was commented on my Twitter account 2 days ago: “Sister due to arrive from 4th July from the U.K. Rebooked ages ago. Date is coincidence.” Her words: “Cannot wait to get in restaurants and have a few drinks out. She is only one night so testing is pointless.” I obviously will have a word but many will not. We need to understand human nature and it is selfish. It is normal to break the rules if no measures are in place. It is not about opening again the borders. The borders should be open and flights can be resumed. It is to take the extra measures to ensure that we have done as much work as possible for the virus not to spread around. People come for a day trip from France. Would we test day trippers? Probably not. Again, testing is pointless and I would be personally against having day visitors until their numbers are almost ours at zero. Family and friends come for a weekend where the main purpose is to be with the family and friends that we miss. If they come and they can stay in their family homes, it is a family decision if they are taking the risk. At the same time, I feel there are really 2 different rules for everybody. We cannot engage and break social distancing with other households in Jersey so basically I cannot have my friends over when the people who come from the U.K. can stay in the homes of their family and basically it is 2 households mixing, so it is really confusing. Basically, my view is 48, 72 without isolation needs to be addressed to reduce the possibility of the second wave and, finally, please remember we still do not have full freedom and normality back in our Island. Social distancing is in place. Gyms, cinemas, clubs, swimming pools and children’s play areas are closed. We still do not have all services. If somebody would like to have a massage, it is impossible. Our schools are not operating at full capacity. People are working from home. We are not able to have this debate in the States Assembly as a whole. Islanders, especially high-risk Islanders, have only now started to slowly go out to the shops and the restaurants. I have personally been told by several senior citizens, if tourists are not quarantined until the results they would prefer to stay around their area and not to come to town. It could be the case that businesses will lose local business and there will not be enough visitors to make up the difference. I really would like to support the Amendment and go forward with opening our borders and to resume travel. Thank you.

1.2.8 Connétable M.K. Jackson of St. Brelade:

Senator Gorst referred to a fast-moving scenario and he is not wrong. The Scrutiny Liaison Panel has done its best to extricate as much information as possible from our Government in the limited time available and have based their Amendment on the information to hand at the time of lodging. Subsequently, there has been further information received, not only from the Government but also private individuals and businesses, and the reality is that we have to decide on a balance of risks. I suggest that the communications from Government have been muddled and confused. Who is responsible for Port’s activities? Is it the Chief Minister? Is it not the Minister for Treasury and Resources, the shareholder representative? Is it the Minister for Economic Development, Tourism, Sport and Culture who is responsible for the tourism industry in the Island? Is it Senator Gorst who seems to have taken the reins today? I would, in saying that, commend him for his presentation of the Proposition. Perhaps Members could receive some clarification during the course of the debate and I, for one, feel that I should know. My reason for asking for this is that in the end event of a spike, I would like to know exactly who will be delegated to make the appropriate decisions in a timely manner as the present arrangement seems to me far from satisfactory. We need to have confidence in the mechanisms in place. We have received input from many individuals with expressions of concern over the opening of the borders and the potential consequent effects. There are many who are petrified at the increased risks which may arise as a consequence of the opening of ports too soon and the Minister for the Environment elaborated in detail on that earlier. Likewise, businesses directly involved with tourism and aviation have laid their cards on the table and been open and transparent with regard to the consequences our decisions will have on them, their staff, their clients and the cascade of local businesses that follow in their wake. The date of the 3rd or the

10th is largely academic in my view and it will take more than a week to get any airline or hospitality business up and running to the sort of speed that we are anticipating. What business really wants is certainty so that they can plan and organise their affairs to achieve the business continuity necessary. Several businesses are in a precarious position and I fully understand that. Our decisions today could have far-reaching effects. I feel that the establishment of a robust testing regime has yet to be achieved, particularly at the harbour, and I would have liked to have seen that up and running prior to the ports reopening. Perhaps we could receive a realistic comment on that from those who know. The debate today has been stimulated by some false promises being made by Government to businesses and a complete lack of respect for the States Assembly in whose hands these decisions should be left and this is far from helpful in these difficult circumstances. Ministers may wish to review how they manage these announcements in the future. I suspect it is down, as I mentioned earlier, to being somewhat unco-ordinated. These false promises have done little to give confidence and I suggest that we must come out of the debate today with a firm date of reopening, whatever it may be, for the benefit of all. I would suggest that the panel chair ask for the 4 paragraphs of the Amendment to be voted on separately and would simply ask Members to have in their minds when voting the maxim: "Health before wealth." Thank you.

1.2.9 Deputy G.J. Truscott of St. Brelade:

I will be speaking only the once, on this debate so I will get my speech out of the way, if I could. I fully support the opening of the borders this Friday. Members have been fully briefed by our medical experts and, personally, I am assured that there will be a robust and thorough testing regime at our ports of entry. It is reassuring to know that we have a team of 50 individuals ready and able to track and trace potential COVID-19 infections within our community. I believe our businesses are well-prepared to receive visitors. Their cleaning regimes appear to be in place. As stated, this is not just a one-way street. Should the opening of the borders cause a surge in COVID-19 cases, the policy can be reversed. Firstly, I think it is imperative for the well-being of the Island as a whole that we pass this Proposition today. To delay it by another week could, as one leading hotelier put it, be the difference between solvency and insolvency. 127 days ago, I asked the Minister for Health and Social Services if he felt the Health Department was ready for the imminent arrival of the COVID-19 virus and I was assured by him at the time that it was. Hindsight is a wonderful thing and this is not the time for recrimination. Importantly, I believe lessons have been learned. No one, in fairness, could have predicted the massive impact this virus would have on the world. It has taken the lives of over half a million people and threatened the global financial stability of the world. We are by no means out of the woods. Spikes of COVID-19 are, rather worryingly, being reported by the news media on a daily basis. Nevertheless, we are well prepared. We may not have been 127 days ago but with the Nightingale Hospital in place, I.C.U. (Intensive Care Unit) capability greatly enhanced, P.P.E. (Personal Protective Equipment) supplies matching demand, testing capability ramped up and track and trace teams ready to go, we have our defences well and truly in place. It is essential to keep on protecting and shielding the vulnerable in our community by maintaining public awareness campaigns recommending the use of face masks, hand washing and social distancing, et cetera. It is not to say that there will not be any more cases. I think it is inevitable that somebody will turn up on the border who is either asymptomatic or symptomatic but the procedures will be in place to deal with that situation. Without doubt, a second wave will be a disaster. Not until the shoulder months will we truly have an understanding of the full impact of COVID-19 on our local economy. The damage caused will be measured by the amount of business failures and the number of people actively seeking work. It is the tax take or rather the lack of tax take this year that will present the fiscal challenge next year. The Island has a great hospitality offering and the industry has experienced good and bad seasons through many decades but, without doubt, the challenge facing the industry has never been sterner. It is imperative we get back to the normal as soon as possible - the old normal that is - together, footfall increasing and the tills ringing again to encourage everyone to spend as much as they can afford in the local economy. It is a brave new world that we are facing and I believe

the Government has responded well to the crisis. It has supported jobs and businesses and, importantly, it has put in place the necessary health measures to best protect our community to enable us to open up the borders with a good measure of caution and a degree of optimism. I recommend Members support the Proposition and reject the Amendments. Thank you.

1.2.10 Deputy D. Johnson of St. Mary:

As with Deputy Higgins, perhaps I should first explain my position in this matter. I am a Member of the Economic International Affairs Scrutiny Panel where the matter has obviously been discussed in-depth and where I think it fair to say that the main concern was exposure during the period between arrival and the testing. I was not therefore involved in the decision to lodge the Amendment and, in fact, was unaware as to the contents until presentation was made. I also think it fair to say or I like to think that if there had been more time, there may have been some dialogue between the Council of Ministers on the one hand and the Chairman of the Liaison Committee on the other with a view to perhaps accepting amended versions of the Amendments. That has not been possible but I would like to clarify certain of the individual paragraphs raised in the Amendments. I think it fair to say that, with the exception of the Constable of St. Brelade, most speakers have regarded the Amendment as one slate. I hope that, as the Constable of St. Brelade said, we will have the opportunity to vote on them individually. Going through each of them in turn, I shall be brief. The date I think is perhaps not as important as some might think. The concern, as I say, is in relation to the period between testing and the result and whether it is 3rd July or 10th July, I am not sure if it is significant. On the Second Amendment regarding the participation in self-isolation and referring to transport, I would just like to highlight the transport aspect.

[11:30]

I imagine that most Jersey residents returning are well aware of the situation we are in and would do their utmost to self-isolate. The concern I have is as to tourists, people coming here for a holiday, and as to whether they would take the same view. In particular, what are to be their travel arrangements on arrival? If they are to be expected to accept a voluntary code of self-isolation, does it set the scene properly if they immediately take the bus along with lots of other people into town and are, from day one, offending that self-isolation position? I would ask someone on behalf of the Council of Ministers to advise what are the proposed arrangements for travel for tourists? The Third Amendment as to the changes coming to the States, again, I am unsure as to why the Council of Ministers should object to that. If they consider that urgent action need be taken and time will not allow for a States debate, then I would like to hear on that. As I think Deputy Ash mentioned, one of the problems throughout this matter is the perception that decisions have been taken in haste and I think it will be of some comfort to the public, if they do know that this Assembly as a whole is to be involved, which perhaps will put a brake on what might be called unthought-of action. Again, I would like to know why the Council of Ministers should object to that particular Amendment. The Fourth Amendment - the publication of countries with some sort of COVID exposure - if they are objecting to that, will someone please advise what publications are going to be out there because surely this is of interest to the public as a whole and industry as a whole and they need to be so informed? I make no recommendation as to support or rejection of the Amendment. I simply wish to know what is intended on all those matters. Thank you.

The Deputy Bailiff:

Deputy Tadier has a question for the Attorney General.

Deputy M. Tadier of St. Brelade:

I wanted to ask, if part (a) is adopted or part (a) of the main Proposition is amended to 10th July rather than 3rd July, does that mean that there could be an opportunity for amendments or tweaks to

the policy that Members might like to see during that time and, if so, could he outline the legal process for that taking place?

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

It is the Solicitor General, Sir. I am not sure it is a matter for me to advise on policy. The change in any date from the 3rd to the 10th simply gives politicians a further 7 days to decide on how they wish matters to proceed. In terms of the law, the system that is at the moment in place; that is to say the screening at the airport, is working under Regulation 4 of the Isolation Regulations [Covid-19 (Screening, Assessment and Isolation) (Jersey) Regulations 2020] and it is working on the basis of a written permission not to self-isolate for 14 days provided a person complies with the programme, the screening programme that is in place. A change in the date from the 3rd to the 7th will make no difference to the way the law is applied; it simply may enable politicians to evolve the policy that you are presently discussing. But I am not seeking to avoid the question; I think it is a question that is better addressed to the Chief Minister or the Council generally.

Deputy M. Tadier:

Can I just thank the Solicitor General; that is helpful from my point of view.

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

I do recognise that Members will have legitimate concerns when deciding whether to support the Government's safer travel policy or to go with any of the Scrutiny Amendments. We all want a reassurance that we are taking the path that ensures the least risk to Jersey and the least harm to Islanders. We are concerned for the health of our constituents, our families and our friends, all Islanders. As Minister for Health and Social Services, it is my overriding responsibility to ensure our community is as safe as we can possibly make it in a world full of risk. It is a responsibility I take with the utmost seriousness. I would not in good conscience be supporting the Government Proposition today if I believed it placed Islanders at any form of increased risk. When I received the S.T.A.C. advice in the early part of last week I initially questioned the advice that there was no need for arrivals to self-isolate until their test result was through. I worried about that and I asked questions and that is how I recognise the legitimate concerns that some Members have. There is in this no perfect solution. Rereading the advice, talking matters through with Dr. Muscat and taking the time for careful considerations I have needed to do on many other occasions, I came to understand why the advice was such as it is and in particular for me that the self-isolation requirement was disproportionate and indeed its consequences risked doing more harm than good. Since I read that advice, Members also had the opportunity, sometimes more than once, to hear from and ask questions of Dr. Turnbull and Dr. Muscat. Throughout this crisis we have relied on their expert medical advice and that of S.T.A.C. to guide our response to the threat caused by this pandemic. Their evidence led to the shielding of the vulnerable at the earliest possible stage, reducing overall risk to Islanders. It was their advice that led to the adoption of social distancing and the passage of the stay-at-home instruction. It was their advice that has guided us safely out of lockdown, ensuring Islanders remain vigilant and followed appropriate guidance, while we saw a continuing reduction in the number of COVID cases in the community. As of yesterday, the advice of the medical officer of health, Dr. Turnbull, and her Deputy, Dr. Muscat, and all of S.T.A.C. has led us to the position where there are no active cases in the Island and we are thankful for that. It is a significant achievement and one on which they and the whole Island community should be proud. Let us recognise it is one that we have reached because we have followed the expert medical advice. So I believe that is what we must continue to do when looking at the choices before us today. Those who have guided us successfully thus far have carefully weighed the pros and cons of introducing a safer travel policy and the processes underlying it. Members of S.T.A.C. have pooled their collective expertise to analyse this matter and deliberated upon it and they have concluded that the time is now right to reopen our borders. They have addressed the balance of harms in relation to the short, medium and long-term

effects on the economy and Islanders' health and well-being and they have agreed it is safe and proportionate to act. In their memo of the 23rd, S.T.A.C. consider all the evidence and they conclude the lack of opportunity to travel has had a negative impact on Islanders' health and well-being. Furthermore, because of the low prevalence of the virus in travellers from the U.K., and it is low overall, and the current very low levels in the Island, the practice of all travellers being isolated, even while waiting for test results, is not proportionate. Our priority is, and has always been, Islanders' lives, livelihoods, and well-being. Protecting well-being means ensuring that we cause the least overall harm to our community, both clinical, social and economic. We cannot keep our borders closed in the hope of a vaccine becoming available. There is no definitive timescale in place for a widespread immunisation programme. Any result of continuing to wait for those things will be an exponential increase in harm to Islanders. At this present time, families are separated and there is immense suffering as a result. People I work with have spoken of parents who are ill and on end-of-life care pathways and they have not been able to see them. Businesses cannot operate and are under incredible strain. The employees are frantic to safeguard their jobs and livelihoods. Islanders cannot travel to relieve the mental pressures that lockdown has put us under. We must now give Islanders the certainty they need that this isolation will end and it should end as soon as we can do so. Today I heard no convincing reason why we should delay to 10th June. There is no evidence it would lessen any risk. Indeed I believe delay may cause harm. Nothing will be achieved from the unnecessary delay to 10th June. Indeed the risk we face is that airlines redeploy their aircraft. How can we be sure we will not lose those links, which have created the Island's prosperity and connectivity over recent decades. Were the Assembly to agree a delay to 10th July it simply does not make sense to wait those 7 days to implement an agreed and published policy. It does not make sense because it does not explain what we would be waiting for. Government is ready and prepared to implement the safer travel policy from 3rd July, the testing is in place, the contact tracing is in place. The airlines and ferry companies are ready to go from 3rd July, they seem to have been ready for a while. Other jurisdictions across Europe are opening before 10th July, many are open now, so if we delay until 10th July might that damage us? Can we be sure it will not? A delay risks Jersey losing its connectivity, maybe for the short term, but how do we know about the long term? It could change our economy and our character as an Island. It is a risk that has been highlighted by our public health experts who have served us so well over the last 3 months. This is not a threat or it is not scaremongering, it is simple economic and commercial reality recognised by those who have studied the risks. So, for me, and I hope for Members, a delay to 10th July for no defined reason is disproportionate and takes unnecessary risks with our future and it goes against the medical advice. Promoting safe travel in and out of the Island as soon as possible is important for protecting public health, our well-being, and ensuring the least damage possible is done to our economy, so that we can continue to fund first-class health and public services in the future. That is why it is not a distinction between health and economy; both of these factors are at play here and link with each other. I would urge Members to reject the Amendments to paragraph (a) of the Proposition, the 10th July date, paragraph (b), imposing self-isolation, and also paragraph (d), which I think may be now paragraph (e) with Deputy Ward's Amendment, that is the suggestion that changes to policy should receive prior approval by the Assembly with at least one week's notice given. The reason the Council of Ministers would urge rejection of that Amendment and cannot accept it is simple.

[11:45]

It is because we may receive S.T.A.C. advice to close the borders quickly or impose self-isolation on some who might arrive from different areas, or all that might arrive in the Island, or some other measure that might be needed to be taken as a matter of urgency. There might be a need to move quickly because, as has been recognised, this is a fast-changing situation, there are no perfect answers, we do not have crystal balls. We know what is the right thing to do now based on the medical advice, but that medical advice might change, so we need to be able to respond to that. I do not think we could countenance being informed of a risk and having an inability to act in accordance with advice

without a lengthy delay. The Council of Ministers have said in the final part of their Proposition that they would provide regular and timely information to States Members on the operation of the safer travel period and, of course, were advice to change significantly, States Members would be very quickly briefed and we would be in a period of engagement with the States Members. The Council of Ministers is content to accept the additional paragraph inserted by the Second Amendment, which is to request the Council of Ministers to publish and maintain a list of countries designated as safe for travel with the prevalence of COVID, the R. number and the testing regimes of those countries where known. I want to turn to some of the particular health-related concerns that Members have raised over the past week. Members are concerned understandably that is this a safe step; are we not opening the door to a wave of infection? No, that is not the case, because Members will have seen the S.T.A.C. advice and they will know that the safer travel policy is comprehensive and clear. The U.K. infection rates are now low and they continue to fall. Yes, there have been some local outbreaks, but jurisdictions all over the world now are learning how to cope with that, how to cope with those spikes, and our responses to virus and its spread has become more nuanced, more effective, as knowledge is shared around the world. The U.K.'s R. number at the moment is between 0.7 and 0.9 and domestic flights within the U.K. have been flying without restrictions since 15th June. It has been said that we are not ready for the borders to open but I am sure that we are. We have proven that Islanders are willing and able to live with the physical distancing requirements that continue to keep us all safe and these will continue with the safer travel policy in place and arrivals will not just be turning up in the Island without being regularly informed of the Island's guidance and checks made on them and communication with them through text messages and a random sample by personal messages also. We have invested in testing and tracing and we have the robust healthcare infrastructure in place to deal with clusters of cases emerging should that ever be the case. We have a full complement of staff in the contact tracing team. I have seen how they work. They have efficient automated systems and they can establish and reach contacts very quickly. The Council of Ministers, in bringing this forward, is not asking Members to choose between the economy and the health of the Island. If I thought that was the case for one minute I could not have supported this in the Council of Ministers. But our connectivity and our economy are essential to the mental health, the well-being, and the financial security, of Islanders. We know that having the stability of employment, being in work is good for mental and physical health. Equally, businesses need to be able to plan ahead and many are struggling to recruit staff and for the future we have to function with the borders closed. Businesses generate the income that pays for the Health and Social Services, the Education services, all the public services we value, which will struggle if our economy falters. We know that many in our Island are feeling anxiety and stress at the prospect of an economic downturn. Some are feeling isolated as their loved ones live overseas. There is a very real risk that in the absence of the security they need, and the mental health implications that brings, we could lose many of those people who contribute so much to our economy and our society. This world is full of risk. We cannot hide away from those risks and live in lockdown for extended periods. We have successfully navigated the risks we faced thus far. We have done that because we have acted on the medical advice and today we have the benefit of clear, full, unequivocal advice before us. The Government's proposals follow that advice and are the safer way forward. They are proportionate and it is not necessary, indeed it is contrary to advice, to delay them or add to them periods of self-isolation. Members of this Assembly have, throughout this crisis, acted in accordance with the advice of our medical experts and I conclude by asking them to do so once again by voting in favour of the Government proposals and rejecting these Amendments (a), (b) and (d).

The Deputy Bailiff:

Deputy Ward has a point of clarification to raise in respect of a matter in your speech.

Deputy R.J. Ward:

It was very early on and the Minister had a lot to read there so I did not want to interrupt because I know it throws people off. But very early on he said something about people, I want to just clarify what he means by: “When people arrive and have to isolate; this produces a greater risk.” I jotted that down; they may not be the exact words. Can I ask whether this is a medical risk to their health or whether this is a financial risk and what the nature of that risk is? It is important during this debate that we are really clear when we use phrases like that to clarify what these risks are. I hope that makes sense.

The Deputy of St. Ouen:

It is not a medical risk to that individual; it is a risk to the Island and the feasibility of opening our borders for all normal connectivity if people are asked to self-isolate when they arrive here. That is explained in the medical advice and I would refer the Deputy to that. It is not seen as a proportionate response to the risk that exists.

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

It is a pleasure to follow the Minister for Health and Social Services. As he knows, over the last 2 years I suppose, since I had the pleasure of becoming Vice-Chair of the Health and Social Security Scrutiny Panel and getting involved in an area, which I am very passionate about, he and the department have been very welcoming to the way I have approached the job, especially in the world of mental health or the time when they allowed me to spend 24 hours in the hospital with all the staff to really understand. We have had, through this whole process, engaging conversations right from the early days. As he knows, Members know, members of the public know, I have been following this very closely since January when all things started. For me, the way I see this at this stage is what this is all about at this moment, at this critical moment, it is about reassurance. So what do I mean by that? So we take the information as politicians, be it Government, be it backbenchers or whatever we are called now, and taking that information and then taking it away and then opening it up and stress-testing it; it is a phrase that has been used for a while, we go out, we talk to people, we listen to experts, and then we get a second medical opinion or a second opinion. You listen, you are open-minded, and then you vote with your conscience. That is so important at this stage because where we are right now, and it was really summed up for me this morning making my way into this famous building, somebody I had not seen for a long while stopped me in the street and we were catching up safely, 2 metres apart because he had a very large dog, he was like: “Kevin, can you reassure me, I have a business, I have had to let staff go, I do not know if I am going to survive, I am depending on tourists, can you reassure me that we can do this, because I want to do this?” That is what it is all about; it is reassurance. I have not seen my son since January. He, I, my family, want reassurance that it is safe to travel. That is why we take these moments so importantly. It is not going against medical advice, it is not going against the hard work and the dedication that the Government and the civil service and the hardworking essential workers of this Island and all of us have done and the sacrifices, it is about reassurance. Even though we are in this strange virtual debate and not in the Assembly upstairs, what this moment is, it is connecting with our Island, who are now collectively listening and looking at us for reassurance. They want to know that when things are said they have been checked. This is not one of those moments where we say something and then a few months later or a year later the building has not been built or a service has not delivered because it did not have investment because things changed and we did not have the resources and things got in the way. This is one of those moments where we need to ensure and give the reassurance to everybody that what we are about to do is the best it could absolutely be. Because, as the Minister for Health and Social Services has said, and others have said, this is a health crisis, which has had an unprecedented effect across all society. Nobody owns this pandemic. For mental health aspects, we all know the stats, one in 4 people will be affected by a form of a mental health situation, it has not changed here. There are anxieties on both sides of the aisle. What we have tried to do since January, or definitely what I have tried to do, is get that advice and take it from the medical, the science, the data, and the

decision-making, and then open it up, test it, and then explain it to reassure people because that is what this is all about, reassurance. That is why these Amendments are here because, again, like myself, I want to see us move forward because that is how you deliver hope; that is how we do this, by going forward. We cannot forget what we have been through and we have to acknowledge that it is that awful phrase that has been used, but it is still relevant, the new normal, because everything has changed. I have noticed that everybody is now really aware of each other; maybe that is what has been missing in society, we are really now taking subjects, people are really engaging in what the decisions of this Island are all about because of the impact of it, people's businesses, people's livelihoods, people's health, people's family, the decisions that we as this famous Assembly make that absolutely changes people's lives. So this is one of those moments where we collectively can come together because we all ultimately want the same thing, but we all ultimately want reassurance.

[12:00]

He is quite right again, as others have to be fair, mentioned the role of the individuals supporting, those on S.T.A.C. obviously, and of course Dr. Muscat. He needs to be given every reassurance and every tool. If Dr. Muscat says we need to do these things, and I really hope he continues to get that support, he has brilliantly identified already the advancements of the testing that is going on right now, and that is the saliva-based testing. It has only completed one week of its 4-week trial in the University of Southampton but all indications are that this is going to be a big moment once it gets the green light where tests could be turned around in 30 minutes. He is absolutely again correct in identifying this and he is absolutely correct in saying we need to get these things together so we are ready to go. That is so reassuring. The Island, whenever he speaks, are reassured. In my former guise when I used to work in an environment where I would be sitting with patients and people and a consultant would deliver the most devastating news, it was my responsibility to take that and then help that person on that journey to the end destination, whatever that would be, and to explain it and to make them understand the risks and what they could do to get to that end point, because that is what people want here. Islanders, I believe, whichever side they are looking at this, our vulnerable members of our Island who we are shielding, we all know them, we all have relatives who are doing this, there are people who have not seen relatives - I have identified myself - and there are others, they need reassurance. If we are saying we are going to do something, we need the reassurance. I fully support what Dr. Muscat is saying. It is our responsibility to take the information and reassure the Islanders that this is the moment. We can do this because when we say something we can look Islanders in the eye firmly and say: "This is the truth, I am not going to fudge it, we are not going to pull numbers out of the air and say it could be this one or this one, it is the reality." Do you know what, people can accept the truth and they are willing to work with us, everybody knows it is unprecedented, everybody wants this Island to move forward, we want people to come to this Island safely. We want borders to open safely. We want to protect Islanders safely. We need to give more reassurance and that is what this Assembly can do at its best, debate respectfully, have that debate with Islanders respectfully, and then come to a conclusion what is best for the Island. That is what we are doing here. I look forward to hearing other people's interpretations of these Amendments going forward. I want the borders open. You can never do more of that; contact tracing, we need to give it more and then more. It is very similar for me in the terms of mental health, why I keep going on about it, when we picked up our Mental Health Review and looked at that service, yes, as Senator Pallett is always right to correctly say there was a process beginning, well it is moving faster now, and we found a service on its knees, not good enough. We are now, thanks to Senator Pallett and others driving it, with us behind and constructively working towards the right end, we want to take that service to a standard, but then we need to get it to another standard. That is the point here; we want to get this to the standard that we can all see it, believe in it, and feel it, and that is about trust and that is what we are trying to achieve here. That is all I wanted to say at this stage. I am really interested, like the Deputy of St. Mary has asked for, further clarification on the arguments, because

that is really helpful to the Island right now who are listening and want to hear a respectful but truthful and thorough and robust debate for their reassurance.

1.2.13 Deputy M. Tadier:

First of all, we seem to have had the opening salvo from the Constable of St. Clement saying that this is a wrecking Proposition or wrecking Amendment, but you could quite easily say that the original Proposition unamended would be a reckless Proposition. Because let us look at the process that has happened here first of all and although I am an Assistant Minister, like Deputy Ash, on occasions it is necessary for Assistant Ministers and other Ministers to distance themselves from the worst excesses that this current administration sometimes allows themselves. This Proposition was lodged late, we know that we are in strange times and that urgent decisions need to be made, but we are effectively, I think we are still the 1st of the month today, and we are debating something that would come into force in 2 days' time when we know that we are in an ever-changing situation where we are hearing reports from England, in particular, which is one of the worst affected and poorly managed, you could argue, countries in the world during this whole pandemic. We are talking about opening our borders to that country, which is just suffering a new wave in clusters, with people who can travel freely from that area. I am pleased to speak after my Constable in St. Brelade because he quite tactfully chastised the Government for their lack of courtesy to this Assembly, which is becoming a constant theme. It is one where they lodge things late, things get discussed in the media before they are actually decided. So we have had a scenario where people are getting the message: "The borders are opening on the 3rd and we better do something about it." Then the business community says: "We better start opening our businesses for this." But the decision has not been made and it is for this Assembly to rightly make that decision. Yesterday, during question time, I asked a deliberate question of the Chief Minister about whether or not and why you would not have testing before people get on the plane. This is what people have been telling me, it seems to make so much more sense that, if you have some form of testing before people get on to this very narrow cylindrical metal object that they are flying in to come to Jersey, where they are in close quarters, where they have been going through security in very close quarters, where they have been sitting in waiting rooms and touching surfaces that other people have touched, you might want to know if they have COVID before they get on the plane. The answer from the Chief Minister was saying, when I asked about maybe you could even just have a basic temperature test, he said it is easy to cheat a temperature test, you can take a tablet, I am presuming he meant paracetamol or something like that, which would mask the fact that you have a temperature. But then later on in the same question he said: "But you should not be travelling anyway if you have any kind of symptoms of COVID" and it was reiterated just now by the Minister for Health and Social Services. The first part is that there is this presumption that people are going to somehow want to cheat the rules, so there is no point in having tests because people can cheat the tests if they want to. It is a bit of a strange argument. But then on the other hand we are being told that most people are good citizens and they will not travel unless they need to. But the problem is that first of all COVID does not always have symptoms, we have known that; the recent cases in Jersey have been asymptomatic. Where people do have symptoms, they are symptoms that are shared by a wide variety of other illnesses, so you have a runny nose or a sore throat, people may well go on a plane and think: "I do not have COVID; I just have something else, and I am not going to tell anyone because I want to go on holiday." You have people who want to travel either to visit family or they want to travel for recreational reasons. My concern is that, if we open up too quickly, there will be an element, because it is mathematical and it is also human nature, some people who want to travel immediately for recreational and leisure purposes are possibly going to be the least cautious ones. So, to put it another way because I do not want to be disrespectful to anyone, I think we all want to get off the Island and surely other people want to come to the Island, but those who are the most cautious and the most fearful about COVID are the ones who are not going to travel, irrespective of whether they have it or they are likely to get it. So you are going to have an element of people who are travelling who are perhaps the most

reckless travellers who are going to come into the Island. My concern is that the testing regime on its own is not going to be feasible, once people are here they are here, will they be tested, will they be contacted on a daily basis? Our staff are so stretched already, who are these people who are going to be doing the daily check-ins or twice-daily check-ins, and I do not want to encroach into the other argument, so that is the first point. The Council of Ministers have jumped the gun here and I think we are being held effectively with a gun to our heads saying: “You have to support this today because everyone is expecting the borders to be open.” But waiting another week would allow us to look at the mechanisms that we would all like to see in place, not just as States Members, but also as Islanders who live in our communities and who have vulnerable friends and relatives here in the Island. A delay of a week, and that is partly why I asked the Solicitor General, would give us time to have that conversation with the relevant Ministers and say: “We would like to see people come back because we support tourism.” This argument about you are either supporting tourism or you are not is a nonsense because we are talking about one week here. It is going to be much more serious for the economy and for tourism if we open up a week too early and we have not done all the due diligence, and that is despite the very good report and work that Scrutiny have done but they have admitted that they have had to do it in a very restricted timeframe. We could do a much better piece of work if we had another week and then we could say: “Chief Minister, if people are flying from certain airports in the U.K. and they are likely to have come from infected areas where the clusters are reappearing, we want them to be tested before they get on the aeroplane.” It is not sufficient and it is not valid to say that is too onerous for the airlines to do because it is really onerous if we are getting people here and we get a second wave. That is onerous for us and it is costly for us as a society. It is all well and good for the Minister for Health and Social Services to say: “If things get really bad then we can close the borders” but what kind of message does that send out to have to be reactive and to say that Jersey has made the wrong decision because it was rushing into this, so I am very much with Deputy Ash and others on this particular issue. Something concerned me about what the Minister for Health and Social Services said, in the one breath he is saying that we have to take health advice but then he said something strange, he said that if we do not open the borders on the 3rd, and this is what I do not get, it could change the character of the Island completely. I do not buy that anyway, so a week’s delay, he is saying, could potentially change the character of the Island and we would no longer be seen as a tourist Island that is open for business. First of all that is complete nonsense and scaremongering. But the worrying thing he said after that is that the health experts recognise this. So why are the health experts giving economic advice about the character, the economic character of the Island that we want to portray to the rest of the world? It is either not true, but I do not think the Minister is going to tell us anything that is not true deliberately, or it shows that the health experts are human and they are subject to political pressure and that there is an interplay between the politicians who have competing interests, because of course we want to get the economy and the tourist industry back and running, but at the same time we do not want to expose those industries or the public to unnecessary harm. So I think on balance I have not accepted any of the arguments and the case has not been made as to why delaying it by a week would have such a catastrophic effect on our Island’s industry. But the risk factor, the downside, far outweighs any potential risks from a week’s period of delaying this. So it was reckless of the Council of Ministers, or some people in the Council of Ministers, to give the expectation to the public that the Island is going to be opened up the day after tomorrow when we have not even finished this debate yet and it may not even finish today; it probably will. That is not the way that we should be doing business. I am worried that, as an Assembly, we have kind of internalised this behaviour to become normal. It is an abuse of process; it is creeping and creeping to the point where yesterday we pretty much on the nod agreed that this could be taken with a reduced lodging period, so I think that rot needs to stop. Let us talk about Guernsey, I think there is definitely a middle road to take here.

[12:15]

Guernsey have followed a very cautious model, they got their economy back up and running internally and now, if you are in Guernsey, and sometimes we all wish that we were in Guernsey, it is a rare thing to say, because you can go about your life in an ordinary way. We are going from a period where we have not been able to go about our ordinary lives in an ordinary way like they do in Guernsey, although I accept that we have had it much easier than places like France in terms of the restriction of civil liberties, but similarly we are going straight from this position to let us just open our borders completely. The Guernsey model has something to be said for it but certainly there has to be a middle road and the middle road is what is being proposed here by the Scrutiny Panel is that we have a week's period of grace to do things properly, to make sure that all the testing arrangements are in place and not just theoretically desirable, but also practically feasible, and that we allow that process to go on. I have said the main points that I wanted to, so I will leave it at that; I will certainly be supporting the Scrutiny process. I thought it was outrageous to suggest that they were being political. They are the ones who have been put in a very difficult and invidious position by the late lodging of this proposal and they have done a fine job in such a short time, as has Deputy Ward with his subsequent Proposition and Amendment. So I do ask Members to seriously consider this. It is not a dichotomy; do not accept the false dichotomy that it is the economy on one hand or health on the other, it is about making the right decision. We do not want a pyrrhic victory for the tourism industry where we find themselves in a second wave and they have to close down. Let us do things properly in a controlled way and make sure that we support the health of our Islanders and the economy of our Island at the same time.

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

This is very much a debate of 2 issues, one is the airport and our economy and the other is the health of our Island. If we take the airport first, I was very saddened by yesterday's debate because it has sent the wrong messages out from this Island to the airlines that serve us. I have had the great pleasure of working at the airport, I was a contractor there for about 8 years, and I looked after the 365 vergées of grass that there is at the airport, spraying it, fertilising it and so on. On one moonlit night I had the wonderful pleasure, and I will treasure this memory for the rest of my life, I picked up an owl in the headlights of my tractor and the owl, this was a barn owl, flew the entire length of the runway without once moving its wings, it glided in the moonlight in my headlights all the way down, brilliant. So I have some knowledge about the workings of the airport and over the last few years I became reasonably acquainted with the former C.E.O. when trying to find a new home for the Jersey Sea Cadets. I have always had a passion for aircraft and I would question him quite heavily about the airport and how it is run. Airlines look at a destination and the issue they want to know is certainty. They dislike any grey areas and anything that might cause a flight cancellation, a flight delay, has massive knock-on consequences to their timetables, to their staff rota. If a flight is cancelled they have to find hotels for 160 or 180 people at the drop of a hat and the disruption caused is not acceptable. The airlines are ready to go from this Friday. If we start interfering with that then there will be another, following yesterday's decision, big black cross on their tick list. It is very dangerous to play with that tick list because, if the airlines do not come, it could take 3 to 5 years to get them back again. We all know the benefits to the economy. There is an enormous advantage in getting our locals back into work. The mental health of them spending another week at home, not knowing whether they are going to go back to work, when they are going to go back to work, and what hours they are going to work. Let us give our own workforce on the Island a little bit more certainty and a week earlier so they can go back to work and not have the mental stresses that we have imposed on them over the last few months. Anyone will agree with the statements that the airport should open and that the economy should start. The question is when. In my mind there is no doubt at all, the sooner the better. This brings us on to the second issue and that is of the health of the Island. We here in Jersey have done significantly better than Guernsey and I will repeat that: we have done significantly better than Guernsey. The infection rate here on Jersey, and these are facts, is less than 3 per 1,000 head of population, whereas the infection rate in Guernsey is over 4 persons per 1,000

head of population, so their rates are over 35 per cent higher than ours. This is all credit to the medical advice we have had and in particular to Ivan Muscat. Earlier, Senator Moore referenced a poll on the public's satisfaction on Government. It is very sad that the poll showed Jersey at 37 and Guernsey at 89 per cent satisfaction. But the reason for that has been the very poor press that the Island has been giving a truly excellent Government and medical profession in guiding us through this crisis. The facts show we have done better than Guernsey, so why are the public here in Jersey not as content as they are in Guernsey? It is because the message has not been given clearly to the public. I am not going to go into that in detail but that is my belief. The medical advice we have is that it is now reasonable that we should open as soon as possible and invite tourists and businessmen and families to the Island, but also very importantly to allow our families on the Island to visit loved ones, friends and relatives, in the U.K. This is a time not to lose our nerve but to continue to trust the people who have advised us, the people who have put us in such a good position. To now turn around and say: "Sorry, but we are no longer going to trust you," I am afraid there is no evidence to support that attitude. We clearly are in a strong position because we have followed the medical advice and therefore we must continue to do so and I urge Members to reject parts (a), (b) and (e), I think it is, but certainly (a) and (b) of this Amendment and to support the main Proposition.

1.2.15 Deputy R.E. Huelin of St. Peter:

This is tough, we are being asked to balance corona health versus mental health versus other physical health versus financial health, all of which are interlinked and tightly coupled. How do we decide which buttons we push? So my perspective, firstly I assessed them all in my own mind, I try to take the heart out and engage the brain with the facts. I try to put a weighting on each conflicting component. I read, I attend briefings, I ask questions, I do research. Secondly, I listen to and enter into a meaningful dialogue that I have with the Parish, I listen to their fears and concerns. I am sure we have all been inundated on this subject; that tells you how much our Island cares. Thirdly, I ignore social media, as you do not necessarily know the source of the commentary or the agenda behind the posts. I am reminded of a debate last year when I was warning of the security risks of using Chinese technology in our 5G deployment. One Member said he would rather listen to the G.C.H.Q. (Government Communications Headquarters) than the Deputy of St. Peter. Today I would adhere to that advice and listen to the experts, this time S.T.A.C., and it is hard to deny that the more they and the world knows about COVID the better their decisions and subsequent advice given. Yesterday's magnificent achievement of getting to zero cases in Jersey was down to both them and our Island listening to them and acting on their wisdom. This is not luck; this is sound judgment under extreme pressure. We today are being asked collectively to make one decision, S.T.A.C. have been making such decisions on our behalf day in and day out, they have been wrestling with the corona health versus mental health versus other physical health versus financial health every day successfully. Why therefore would I now choose to ignore them?

1.2.16 The Connétable of St. Helier:

It is unfortunate that some Members have approached this debate with a variety of motives. The Constable of St. Clement said that the Amendment is a wrecking Amendment and I do not think that is fair on many of those who have spoken and who have said they are going to support the Amendment for a number of reasons. But clearly there are some Members who do not take this seriously and I do not know whether our chat is confidential but I see that Deputy Tadier has just said: "If the ferry does not start working soon all marine tourists might need to come in a pea green boat." That says to me that there are some Members who think this is a joking matter. It is not a joking matter; it is a very serious matter. It is very serious if we can go to our tourists for the tourism industry. Members have received representations from those, not only running tourist businesses, but those representing our tourist and our hospitality economy. Those have been very telling representations. I wonder whether some of the reasons that Members are giving for supporting the Amendments, how they will stand up to scrutiny against the arguments being made, not only by the

Jersey Hospitality Association, but by the Chamber of Commerce. Members received yesterday a representation from Chamber, which represents thousands of local businesses, which are desperate to get back to work and desperate for our borders to reopen. We also of course have had the health advice and again it is ironic, we hear Members who fully intend to ignore the professional advice, particularly from our medical professionals. We hear them introducing their remarks by saying how marvellous these medical experts are and how important they have been to the Island dealing with the pandemic, and yet at this stage, at this critical stage, they are willing to ignore that same advice and to ignore those same professionals. Against this, we have had no good argument for a week's delay. Some Members are saying: "Well, it is only a week." A week for some of the businesses, as well as for Island connections, is going to be a very, very long time. I urge Members who have no good reason for delay, apart from wanting to deal some kind of blow against the Council of Ministers, I urge them to consider the wider need and the wider public good. We have had so many representations; the public is desperate for the Island to start functioning again. Some tourists are beginning to think about coming here and they will do so, not in great numbers, but they will start to come. Those routes that are important to all of us will start to be re-established. So I say to Members, reject the Amendments and let the Island get back to business.

1.2.17 Deputy J.A. Martin of St. Helier:

Firstly I would like to start by saying that I absolutely distance myself from the remarks of Deputy Tadier. He said basically we have fantastic medical advice but on this they have become economical. He even, to me, went as far as to say they have been a bit economical with the truth. We have listened from our first case on 10th March and then we sat on the 18th and we went into lockdown on the 30th, and Islanders have followed that medical advice, so has the Government and so has the States Assembly.

[12:30]

But today we want to wipe that away. They have met and I am sorry again, I should not have to apologise that we have to sit here urgently, it is not a game, as the Constable of St. Helier has just said, this is livelihoods. If you have no wealth your health suffers. It is mad to say we are rushing this. The Medical Officer of Health, Dr. Turnbull, and her Deputy, are the States of Jersey Medical Officers of Health, they are not puppets for the Council of Ministers or the Government, they have sat down and they have weighed up everything. Even Dr. Turnbull, and I think Deputy Perchard picked this up on one of the briefings, this is the time to open up. This is the time luckily we still have a couple of airlines knocking on our door. But she did say we may have to close down again in October/November. We do not know. I would love the crystal ball that some people seem to have because we are getting it wrong, they are getting it right, and in hindsight we should have done it all differently weeks and weeks ago. It is politically motivated today; it is knocking everything that we have followed for every good reason. I have been contacted by constituents, people who want the Island open, I have people, obviously like everyone else, contacted by tourism about the house of cards, if it starts falling it will keep going, and there are also other knock-on effects. We need the economy, we need the health, but people want to spend lots of money and we have a fantastic health system over here, people want to tweak that, we have a fantastic education service over here, all those people, social workers, we bring the majority in from the U.K. Today's decision is really the unknown one of what, if we make the wrong decision, the future will look like for everything in Jersey, not just tourism, what you want to spend money on, taxpayers' money, and where is that coming from. People making decisions, Jersey is a lovely place to go and work and live, I can pop over, I can go there, but no, oh. Somebody said: "What is the point? We have 3 flights a week from Blue Island, let us all fly into Southampton." Add another £4,000 to your trip, really well thought through, and it is really well thought through if you have a lot of money when you are taking a family of 4 away for one holiday a year. No, it does not work. We are following the medical advice. EasyJet put their flights out on Friday that people could book. I did not make a declaration because I am

hovering over the “shall I pay” button and I will not be going for a few weeks if I am allowed. But they are doing this as a commercial entity. We have a top population of 107,000 people. They are looking now to all those countries with half a billion in Europe where they have already cut their whole staff and their fleet by a third overnight and we think we are sitting here and they are going, which I would love Scrutiny to come and go: “I have a letter, they said: ‘Wait for us, wait for us, we will wait for you, Jersey, we are sitting here, we will serve you, we will come back, we will fly in for here, we will do that’.” I have not heard it. We do not have that certainty, exactly what the Constable of St. John has just said, and I do not blame them. They, like everybody else, have been through the wringer, they are shedding staff, they are shedding routes, and they want to, at the moment, come here. Was Friday a paper exercise? We do not know enough because they are businesses, if people booked, and if people did book for this Friday and they have to start cancelling, well, again what do they think of Jersey? The Medical Officer of Health is not playing fast and loose with the truth. They have been there all the way along for Scrutiny, they have been there for States Members and they give you what I heard, what they told the Minister for Health and Social Services on the 23rd was the same as what we were told on 24th June and the States Members briefing on the 25th, it did not change. It did not change. Absolutely rightly it did not change because it is their medical opinion and it is the way they have weighed everything up. We can make this a political debate, which it is, we can now today ignore the medical advice and, if we get a second wave, where do we go? Are we going to go: “We did like that bit of advice”? To be quite honest, I am fed up with people, please go and live in Guernsey if you think they are doing everything better, and: “Oh, I like the advice from Guernsey better, I did not like that advice, I will go and find out what the John Hopkins University says, I like that advice better.” We have followed our advice, it has been good advice, we have got to a fantastic place, but people need to be able to have the routes, it will not be anything like we had before, which is really disappointing, but in all practical senses we can get to some of the big airports, maybe Liverpool, Manchester or London, we can all decide then where we fly on to. But today it really is not the day to just say: “We will have that bit of that Amendment; we will have that bit of the Amendment.” The one where Constable Jackson asked why would we not bring everything back to the States? Because we might rush it, we might ask you to come in on your break, we might have to work over a weekend. You either decide that the medical advice is we open up, we go out there to see what we are opening up for, and it will affect the future for many, many years. If you really think that a week is not a long time, it is a very, very long time with no certainty, nobody sitting there saying: “We will wait for you, Jersey.” We need to follow the advice we have been following from the first day on 10th March, we have got here with that advice, and again absolutely independent medical advice to the States of Jersey, not the Government of Jersey, anybody will and have had the same advice. So I will leave it there, we have to reject these Amendments, we have to see what the economy and the health of this Island can look like, and that we have not got it wrong, Deputy Tadier, if we have to shut down in October. If we get a second spike we will follow that medical advice if it says we have to shut down again. But these few months in the summer, where we can, where people can travel, where we may get some carriers in, we have to do it because the medical advice that I followed all the way along, the Council have followed all the way along, and the Island, more importantly, have followed all the way along, is saying: “Open on Friday” and do everything else, the testing regimes and everything. I would rather it be done here because I have absolute total faith in our teams here. I do not know what they are doing over there. I do not want people tested and then come and say: “I have a letter.” No, here we do it, we maintain it, and we get it right, as the Medical Officer and her Deputy have said we can. I will leave it there. To me it is an easy choice. It is never going to be straightforward but I cannot go at this late date against the medical advice that we all have.

LUNCHEON ADJOURNMENT PROPOSED

The Deputy Bailiff:

The adjournment has been proposed and seconded. **[Seconded]** Does any Member wish to speak on the adjournment? The States stands adjourned until 2.15 p.m. this afternoon.

[12:39]

LUNCHEON ADJOURNMENT

[14:16]

The Deputy Bailiff:

Do any other Members wish to speak on the Amendment?

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

I want to start by echoing some of what Senator Moore said in her speech earlier. I too am disappointed that once again the Government could not even give the Assembly 2 full working days' notice when I am sure they have been working on this for a while. So I would like to thank Scrutiny for their quick turnaround once again on this very welcome Amendment. I was also disappointed to hear some of Senator Gorst's points that he made in his speech. I feel that Senator Gorst has attempted to make Scrutiny and other Members sound unreasonable because we dare to deviate from the medical advice. We are not deviating to make things more dangerous. We are doing it to safeguard our population further and not for political convenience. The Connétable of St. Clement also said that this is a wrecking Amendment and that it is not based on medical advice and asked where the evidence is. The medical advice is constantly changing as other variables change. It is called the "chaos theory". This is how the weather is predictable up to a point but then changes when one variable changes. So how many times has the medical advice changed as new data and evidence comes forward? We have been told numerous times that this virus is unpredictable. So now I am going to talk about part (a) of this Amendment which, if I am honest, is the part that I am still not 100 per cent sure on. I know that the virus is here to stay and we need to adapt. I am not against opening the borders because I have seen first-hand from the numerous constituents who are contacting me since the end of March that so many people are desperate to either see family or return home. Many of these have been left unemployed with very little income and are accruing debt by the day. However, I am not happy how all of this has been communicated to the public and in my opinion the Government has been completely irresponsible and reckless in the way this has been communicated to the public before anything has even been approved. People now have their hopes raised that things are going to change on a specific date and some have even gone ahead and bought flight tickets based on this. I know that people are missing their family and I know that some livelihoods depend on this decision. However, so do people's lives, which, to me, is much more important. The last thing I wish to do is increase the stress and the debt that many people are getting into but people's lives matter more. We have only just achieved no active cases on this Island. Instead of waiting for some time to see whether anything changes the Government have proposed jumping straight in and opening the borders. This virus has shown us that a lot can change in 24 hours. So I am leaning towards supporting part (a), especially given the current situation that has got worse in the U.K. This is something that we need to monitor very closely. This also brings me on to part (e) of the Amendment, which I am supportive of. I am however disappointed again that the Government did not consider including a safe travel list that could enable travel agents to charter flights direct from Jersey to these safer areas; air bridges if you like. This would have been very workable and could have been a fallback option enabling some flights to operate straightaway. If I had had the time I would have probably amended this Proposition to include this as an option. I have heard from numerous Islanders, as I am sure many other Members have, and specifically those who are vulnerable who have said that they will probably go back to self-isolating if the borders do open as they are not content that the risk is low enough from those that are travelling into the Island, especially when testing is not mandatory and when the real active monitoring of those isolating is not being done. So this brings me on to part (b). People should be isolating until they have a result. I

think that allowing people to walk around wherever they want while waiting for a result is dangerous. We do not need medical advice to understand that if we currently have zero active cases opening the borders and allowing people to move around without a result is a risk; however small it is still a risk. So I will be wholeheartedly supporting this part. In my opinion, testing should be mandatory. We all know that all it takes is one person to refuse. We live on an Island that has a small surface area with a significant population, most of which are concentrated in specific areas so the speed of spread will be higher than in many other places. Our contact tracing and monitoring machine, in my opinion, also falls short of what it should be. Deputy Young mentioned earlier about an app which traces people's movements. This is something that myself and many other Members brought up months ago. Without this active tracing and monitoring we risk the virus resurfacing and spreading again. In other jurisdictions, for example, where people are required to isolate they are either put in one place, such as a hotel, or they are visited at different times once a day by an official. Simply relying on people's honesty and hoping they will abide to the isolation requirement is not good enough. A text or a phone call is not going to stop those who refuse to isolate to stay at home. I would like to think that everyone would be sensible and that they would isolate if requested but this cannot be guaranteed. So if we really want to protect our people we need to be actively monitoring those who should be self-isolating. Overall, I will be supporting the majority of the Amendment. I am still unsure about the delay in part (a) but I am leaning towards supporting that as well.

1.2.19 Connétable R.A. Buchanan of St. Ouen:

I think we are all having technical problems this afternoon, maybe because I am remotely based in the west but it has been a real struggle to get on today. At every stage in this crisis the Government has, with the support of this Assembly, acted in accordance with expert medical advice. We accepted the recommendation of our medical experts and, thanks to their guidance, we have taken the right steps at the right time based on the evidence. We did not delay going into lockdown so based on advice we should not delay in opening back up. I would just like to comment on Deputy Alves' comments. From a personal perspective, I absolutely value Scrutiny's input into this debate. I think it has given us a valuable opportunity to air all the issues that everyone has and the Proposition, while I do not support it, has certainly highlighted the areas that we should be talking about, so thank you to them for all the hard work they put in at very short notice. But I think to criticise the Government for having to do this at short notice is to ignore the fact that we are in a situation where we have to act quickly. We would have liked to have taken the time to get this Proposition to the Assembly earlier but that has not been possible. Four months ago we began publishing detailed travel advice for those returning to Jersey. On 3rd March we instituted a policy of self-isolation for those returning from France and Germany, in line with medical advice. Three months ago we asked all those returning to our Island to self-isolate for 14 days in line with the medical advice available then. Last week new medical advice was presented to us which showed that not only was it safe to reopen our borders in a managed and proportionate fashion but it is also necessary to do so in order to ensure the continued well-being of Islanders on a broader scale than the pandemic. Our world-class health service is built on our successful economy. Our economy relies on connectivity. Shutting down the Island is a disproportionate move with disproportionate consequences for Islanders' livelihoods and overall well-being. The medical advice was presented to the Council of Ministers and to States Members, Ministers and healthcare professionals, and presented to the media and the general public. Furthermore, it has been included as an appendix to this Proposition. This medical advice from S.T.A.C. says that in no uncertain terms that the impact of continued closures of our borders would be extensive and would have a material impact on Islanders' physical and mental health. The impact on mental health and well-being takes many forms. It could be the anxiety of our students and their parents unsure whether they can attend university this September, unsure what their future prospects will be, unsure if they will lose out compared to other students across Europe. It may be the stress felt by those in our hospitality sector and all those sectors who benefit from hospitality fearful whether their businesses or their jobs would exist by the end of the summer. I am sure many of us

have seen the emails from that sector of the Island. Or it might be the isolation felt by those Islanders whose loved ones are overseas, and that affects me personally because it has been 4 months since I saw my son. I am sure all Members can think of examples which are personal to them, whether it is a constituent, a neighbour or a friend, this issue affects all of us. So I know that there are many who say it is too soon or who are unconvinced by the advice presented. But S.T.A.C. has been clear, they have discussed and analysed this issue over the course of many weeks and officers have done excellent work establishing our airport testing regime. We are ready for any rises in cases. The overarching objective has been to ensure that we do not overwhelm our health service and this has been achieved with all that Health and Community Services has put in place. We have implemented a robust track and trace system, which is far more comprehensive than comparable jurisdictions in Europe and equal to that used in Madeira. Our airport testing has proved successful. As of Monday morning, we have tested 1,054 arrivals from 27 flights, the equivalent to 93 per cent of passengers arriving in the Island. Not one of these to date has tested positive but had they we would have the right tracing measures in place to mitigate further spread and the right amount of critical care capacity and P.P.E. to treat new cases as they arise. Every step of our response to this crisis we have followed medical advice and Islanders are counting on us and businesses are counting on us to safely reopen our borders. It is a decision that has not been taken lightly and we are confident that we can implement this policy safely and follow the advice presented to us. On that point, I would just like to further comment: to date we have followed Dr. Turnbull and Dr. Muscat's advice, which has got us in this good place. I understand that opening the borders up will be tough. We have all been in isolation for so long and many of us have been risk free in our own homes. It is a tough ask psychologically and I feel as a higher risk person, as much as anyone else, we need to ease our way into the wider world so that we can restart our economy again. If we do not, a lot more of us will be without a job or a livelihood which we could have avoided. Medical advice, which has been rigorously challenged, is that it is safe to do so. There has been some discussion about easyJet holding us to ransom and some of the other airlines but I think that is to look at it from the wrong angle.

[14:30]

easyJet and all airlines and the transport industry in the U.K. are having a dreadful time. We have all seen the announcements of redundancies and we have all seen the subsidies that they have had to have from Government just to keep it alive. In restarting their services they will be very dispassionate about where they can go and they will go where they make revenue as quickly as they can. If Jersey puts a lot of bars in their way they will simply not come to us until those bars are removed and it is not holding us to ransom, it is just a realistic business assessment of where they are and where we are. In summary, I would just say again, we should trust our advisers, which we have done up to now, and it has served us well. I urge Members to vote against the Amendment and support the Council of Ministers' Proposition.

1.2.20 Senator J.A.N. Le Fondré:

Can I firstly just thank everybody who has spoken thus far and, to be fair, the usual thing in these types of debate, I was hoping to have spoken slightly later to try and catch more of the feedback from Members but anyway. Hopefully we can address some of the issues that have been raised to date but I think overall it has been a very constructive debate and it was both the objective of (a) Ministers but (b) officers at the S.L.C. in bringing this Amendment to the Assembly. Can I say from the very start: we have followed the medical advice all the way through? We have followed the medical advice at the beginning when we were criticised for going into lockdown too slowly, we followed the medical advice around the 2-metres distancing, when we were criticised for it. We have taken the medical advice when we were looking at the overall well-being of Islanders. We have taken account of the overall harm that arises as a result of the COVID-19 crisis on Islanders. We have had some really difficult decisions and discussions and at times some really grim discussions, and we have always followed the advice. As a result of that, we are in a really good place. Yesterday we

had zero known cases and we know we have got robust testing and tracing regimes. We have done all of this while easing the lockdown. We started easing at the end of April and it is now July but we continue to follow the advice. That advice states that we can continue to ease the lockdown and open the borders in the way proposed and on 3rd July. So for everyone who has applauded the Medical Officer of Health and the Deputy Medical Officer of Health, in particular, why would Members suddenly reject that advice? That advice is looking at the overall well-being of Islanders, not just from COVID-19 but also from the mental health issues that arise from keeping Islanders in lockdown when the risks are so low. I absolutely do reject any suggestion - I think it has been unfair a couple of times this morning - that we are sacrificing Islanders on to the Altar of Mammon. Separately, and it is just to pick up on a point from Senator Moore in her opening remarks, the Medical Officer of Health did state that there was no reason for people to withdraw, in other words to stop going out. In fact, she was actively encouraging them to do that. On that theme, at the briefing for Members - I think it was on Monday, it might have been last Friday - the group medical director of health directly referred to the mental health consequences that we are already seeing of people slipping into what I think he called avoidance, i.e. his view was that people need to get back into normal habits as quickly as possible and part of that is to encourage and to see us returning to a normal way of doing things or the new normal way of doing things, and that is part of what the debate is around today. Again, I really stress, we are basing our position on evidence and advice, not on anecdote. Just also a correction: I think Deputy Gardiner made a comment about the swimming pools not being open. They have been open since 11th June. We are dealing with a very fast-moving situation and I think it is worth just alluding to the timeline. I think Ministers received the S.T.A.C. advice on 23rd June. We discussed it on the 24th, States Members were briefed on the 25th, and the Proposition was lodged on the 26th. We have acted quickly, we have acted as transparently as we can do, but we are all adjusting to the speed of change that we are having to deal with. That has been going on all the way through how we have been dealing with the crisis. But it is worth making the reference as well that 3 months of lockdown has probably created at least 3 years of economic hardship. That is based on the F.P.P. (Fiscal Policy Panel) remarks. Every day we are closed it will take us weeks or months to recover. In relation to the air travel side of things, airline partners are very clear that they will finalise summer schedules shortly and from our perspective we want to be in there. What we have been doing, and do not forget we have been keeping an eye on the future a little bit, and doing some forward planning and forward thinking, and that is, for example, why we were running at trial at the airport since the end of May on the basis that we knew we had to plan. The solution we are proposing is scalable. We can ramp up the programme as it is required. But we have also socialised the principle of opening the borders a few weeks ago but again this has always been subject to advice from S.T.A.C. Our job as Ministers, and myself as Chief Minister, and then leading the competent authorities, Emergencies Council and C.O.M. has been to balance the direct harm from COVID-19 with the wider harm to Islanders and the consequences of the measures that we put in place. Deputy Pamplin has spoken, but in questions yesterday I was asked by Deputy Pamplin where was my evidence. I had my answer contained in a number of strands but it is based on advice, including the advice from Dr. Ivan Muscat, someone he continues to laud for the advice that he has given to date - I should very much emphasise also from the Medical Officer of Health and from the rest of S.T.A.C. - so why go against that advice now? I also said is: where was his evidence that 10th July was safer? Overall, the advice from S.T.A.C. is that the risk is low. What is clear, and S.T.A.C. advice is also clear on that matter, is that the balance of risks in relation to the wider well-being of the Island, by having uncertainty, by having further delay, far outweighs any marginal perceived health benefits. Why do I talk about uncertainty because obviously what I focus quite a lot on in what I have said to now is about health impacts and well-being and Islanders? But I do need to talk about convections because in particular one of the main carriers into the airport, as identified by myself and the Assembly yesterday, is proposing to close 3 bases, namely Stansted, Southend and Newcastle. That was reported in the last 24 hours. That demonstrates why time is critical here. That is why the difference, for example, between 3rd July and 10th July leads to a significant risk of longer-term

harm to Islanders' well-being, mental health and to the wider economy. What we have had to do all the way through, through the last few months, is to make decisions based on balance of risks following the best advice we have when we are in a world of uncertainty. There is still no absolute certainty. I cannot produce a well-researched report, and it has taken 6 months to produce, scrutinise for a number of weeks and then lodge with the Assembly also for a number of weeks. We still remain in a different world and we are likely to do so for more months to come. When we have to take decisions at pace, not in haste, but always on the balance of advice. Sorry, I am just looking at the chat. It sounded like we have lost rather a lot of people on the circuit; is that correct or should I carry on speaking?

The Deputy Bailiff:

There is a point of clarification from Deputy Pamplin, do you wish to give way?

Senator J.A.N. Le Fondré:

No, I was not giving way. I saw a note in the chat that we had just lost all external users.

The Deputy Bailiff:

No, it is not relevant. We can proceed. There is a request for clarification from Deputy Pamplin. Do you prepare to give way, Chief Minister?

Senator J.A.N. Le Fondré:

Briefly, Sir.

Deputy K.G. Pamplin:

I will be brief as well. Thank you, Chief Minister. It was to ask the Chief Minister for clarification about the evidence question. I was asking him in relation to the easyJet statement he gave to the Scrutiny Panel the day earlier. That was the evidence I was asking him for about, what he said to the Scrutiny Panel. That was the clarification.

Senator J.A.N. Le Fondré:

Out of curiosity, is Deputy Pamplin making the clarification or is he seeking clarification from myself?

The Deputy Bailiff

I thought he was seeking clarification.

Deputy K.G. Pamplin:

I was, Sir.

Senator J.A.N. Le Fondré:

What I said at the time is that there is no piece of paper that can be produced that is going to clearly evidence either of those positions. The point I was making is that Deputy Pamplin asked me for where my evidence was that a delay would cause a problem. I gave the answer that I gave in the Assembly, which was around the balance of probabilities and I gave the analogy that if a particular airline, and I think the Deputy just mentioned easyJet, is trying to schedule 500 routes to start in the next few days, that if one of those routes could not give certainty or might be delayed, then we are just unlikely, and that is balance of probability, to be included in that list. We would be in the later list. So that is why the argument runs that even a delay back to 10th July potentially has a much wider impact because it might mean a delay into the August or September times or potentially, depending on the outcomes, into next year. That, as a balance of risk, was not one, given the low risk as advised by S.T.A.C., which I shall return to, of losing that connectivity and the well-being, including mental health impacts that that could have on a wide variety of Islanders, that far

outweighed as a consequence the risk of going on 3rd July and the system we are following. I would say that following that response to Deputy Pamplin on - I thought it was yesterday - that balance of risk increased with the announcements that I refer to, which came out over lunchtime, that that particular airline is closing its bases at 3 airports. Therefore it demonstrates that airlines are having to make quick decisions in a matter of days as to the future scheduling and operations. The more certainty we can give the more likely we are we can be included in those plans and that is then better for the overall well-being of the Island in terms of connectivity, yes, economy, but also the wider well-being of Islanders, the ability to go and see loved ones elsewhere, for students in the future to get to their universities that they need to do, all those types of people to visit. As I said, family members they may not have seen for quite some time. All of those things. I think I will carry on, if that is okay. What I was saying, just to repeat, we are in a very different world. We have had to make decisions at pace, not in haste as was alluded to, and always on the balance of advice. The technology and research that we see and we receive is constantly changing. We have adapted to that as we go along. We continue to do so and, for the avoidance of doubt, that will at some point include an app. By some point, I think we are talking a matter of days to very low number of weeks versus to commission that work. But all of this, all the way through, is a balance of risks and proportionality. I do not usually use words such as “devastating” or “catastrophic”, and I will try not to do so now, but also the last adjective was used to me by a representative of a hospitality industry. But the fact that many people are hanging in there, are hanging on by their fingertips every day and every week, all of this is causing huge damage. Yes, there is economic damage. But if you lose your job you cannot easily support your family. That in itself has huge damage on your mental health and well-being and that, in the opinion of S.T.A.C., is by far the bigger risk than the risk of COVID-19 to Islanders, given we are at such low levels and we have such good regimes in place for testing and tracing. That is even if we open the borders. In all of that regard, I commend the comments by Deputy Le Hegarat.

[14:45]

I think it might be useful to remind Members, if one looks on page 26 of P.84, which obviously is what this Amendment is amending, it quite clearly gives the summary of the advice, the memo of advice from S.T.A.C., which has obviously been rendered to Members but came to Ministers. It specifically refers to the safe travel proposal, to move immediately to replace the current border testing regime with a regime proposed for enhanced border management required. It then says: “S.T.A.C. are in support of the safer travel proposal to facilitate increased travel to and from the Island for tourism and business movement. The proposal addresses the balance of harms in relation to the short and long-term effects on the economy and health and well-being.” It continues further down at the bottom of the page: “Therefore the consensus that the requirement for testing on arrival, along with a period of quarantine, is not supportive in facilitating an increased capacity of travellers and should not be the continued regime. The advice is to move to the proposed long-term testing strategy while traveller numbers are still low. This regime being a P.C.R. test on arrival or with a certified negative test result within 72 hours of arrival with no quarantine period.” That is it in a nutshell. It does carry on under the conclusion and recommendations. It says: “The Island’s capacity to manage positive cases along with increased testing capacity and increased ability to contact trace have very significantly increased since the beginning of the pandemic.” In other words, we have a good and strong regime in place. I think it might be helpful to try and sum up in terms of the elements of the Amendment. I think I have addressed the issues around the date. I have accepted and proposed the main Proposition, as proposed as amended with Deputy Ward’s Amendment, which we felt was proportionate, was appropriate and does beef up again the testing regime that we were already proposing. But it still is consistent with the S.T.A.C. advice. Now I am going to refer to the Amendment but obviously with Deputy Ward’s Amendment paragraphs (d) and (e) I think will be renumbered, I am assuming. Paragraph (a), which is the Amendment to 10th July, I think we have addressed quite considerably. Part (b), which is the quarantine side. As I said, and as I have just

directly read out from the S.T.A.C. advice, that is not considered proportionate or necessary at this present time. So for both parts (a) and (b) the relevant Ministers are not supporting those parts. There will be a new part (c), which is Deputy Ward. That is not part of this Amendment and obviously that has been proposed. The existing part (c) will become part (d) and therefore the next Amendment, which I think is the third Amendment on this second Amendment, will be referring to paragraph (e). What that is, is any changes made to the safer travel policy should receive prior approval by the States. To be really clear, ordinarily everyone would be supportive of that, and if that is the way the Assembly wishes to go that is fine. The reason Ministers are not supporting that is for the very reasons that people are expressing concern. In that if things were to change and we needed to move quickly we might want to move within hours. Within a day. Not within a week. Obviously I hope we have demonstrated all the way through this process that where we have had to move quickly we have tried to make sure that States Members are briefed ideally beforehand, and Scrutiny has been briefed as much as we humanly can all the way through. But I can certainly recall in the very early days when we announced the distancing and self-isolation for I think it was over-65s, that decision was made and brought to us on a Friday evening. I think it was concluded somewhere between 8.00 p.m. and 10.00 p.m. that night. We moved very, very rapidly on the basis - I am corrected, it was 11.00 p.m. - of the revised advice that had come through from the Medical Officer of Health and the Deputy Medical Officer of Health. That is what we need to do and we have had to do it timed, is to move very swiftly. The reason Ministers are not supporting that part (e) is that ability to continue to move swiftly. If it helps, just to clarify, the process, which also was the one that was followed on that particular Friday night, was that S.T.A.C. produced the advice or the medics produced the advice. That is fed into the competent authorities and then with the endorsement of the competent authorities, the relevant Minister then signs off on whatever the decision is that they are being asked to make. My expectation, I have not verified it, that it would be the Minister for Health and Social Services making a variation on any exemptions for quarantine. Then the next part, which is a revised part (f), which is to maintain a list. That is absolutely not a problem. There are lists produced already by, I believe, the Foreign and Commonwealth Office about countries designated safe but we will make sure they fit into our criteria and obviously, where appropriate - not every country produces an R - but where an R number is listed and the testing regime to each country, we will make sure that is published as quickly as possible. That is the Amendment. Obviously we have also undertaken in the main part of the Proposition to make sure that regular and timely information to States Members is provided. We will do that, as we have done during the entire process. I think I have covered most of the points I wish to raise. This is an important subject and it is absolutely right to have this debate and for States Members to air their views. But I do not downplay the importance. While we would all love certainty and we would all love more time one thing we have never had during the whole crisis ... is we have had sufficient time to make decisions, we have not had huge amounts of time to analyse, to consider. We have had to make the considered decisions we have done at pace. That is not in haste but at pace. We are still in that position of needing to make decisions at pace. This is one of them. It is about now, it is about keeping in balance the economic health and well-being of the Island, which impacts therefore on the well-being of Islanders and that includes, when we look at particularly mental health aspects, around Islanders and doing that in a swift timeframe. Ideally we would love to take longer but that is not a luxury that sits with us. That is why, as Ministers, and as Chief Minister, I absolutely ask Members to remain with making this decision for 3rd July and following the rest of the S.T.A.C. advice. On that basis, and as we have already alluded to, I will not be voting for the first 2 parts of the Amendment or what will become part (e), which is the reference to the Assembly, but obviously we will be supporting the final part, which is to put the list in place of jurisdictions. I hope that is clear. I hope that has helped answer some of the questions from Members. On that basis I conclude and will be listening to the rest of the debate with interest.

1.2.21 Deputy R.J. Ward:

Thank you to the people who have spoken before. I was hoping to speak before the Chief Minister. I know it is a bit of a game to speak late but I wanted to start, I do have to mention and I want to be very positive in the speech that I make. But I do have to mention how disappointed I have been with some of the attitudes from Ministers with regards this debate because when Members question and when Members bring Amendments and when Members want to think very carefully about their constituents in the Island, it is not just a simple criticism of the Government. It is a well thought-through approach. When attitudes come back and say things like: “Well if you think Guernsey are doing better then go and live there” that is exactly what we do not need in this debate. We need an intelligent, thoughtful and considered debate where we can genuinely look at the issues and come to some sort of consensus, which is important for the Island. But let us move on from that. We have a decision to make today that is based upon a number of what are sometimes conflicting variables. There is of course the important data and science that underpin so much of the discussion that happens both in the Assembly and briefings and across our society. The data is important as it gives the evidence that drives the change to open our borders. Data does point to the risk of infection being low, particularly if people arriving are asymptomatic. Even though the U.K. has one of the highest infection and death rates in the world the evidence for low incidents currently in Jersey exists. The news of zero cases yesterday is of course very, very welcome. This is the key point for all of us. Do we accept the evidence of low probability of infection given the measures we take re cleanliness and distancing as enough to make a significant change to access to the Island from anywhere in the world? Do we accept the medical advice that points to opening of the borders being an acceptable risk? Remember that the risk is there but being acceptable. Is this enough? The level of acceptable risk is partly due to the wider belief that maintaining our isolation causes other health issues, and I understand that. This has been presented as a question of a proportionate response but to individuals who are fearful and have been isolating this is not seen as a proportional response. It is seen as an increase in risk and we have a duty of care to address this fear. That is why, as a member of the Scrutiny Liaison Committee, I support the Amendments and I apologise to Deputy Higgins for not having the time to consult fully. He is on the panel that I chair. I take on board his comments, absolutely. I will say I would have added part (b) of this Amendment to my own Amendment if it was not already included in S.L.C. The medical situation is changing rapidly. Members have spoken out about cities returning to lockdown and we are all aware of this from around the world, including our nearest neighbours. We have been successful because we have changed our behaviour. We must realise that this change will have to last. The virus is still here. The risk is still there. So we have to remember the fear exists. This is a key element to today. There is a social element to this discussion that is vital we consider. It is not rejecting medical advice to recognise this vital point. People need to feel protected, safe and able to live their lives with minimal fear. My question is this: does this rush to open borders by this Friday address these fears? I do not believe that it does. There is a real level of emotion with this, as demonstrated by the Constable of St. Clement. I remind him that schools did not break up until after the date suggested in the Amendment so this will have no impact on whether schoolchildren will see grandparents in the holidays. Looking at the Amendment itself and looking at the reasons for part (a), I do not believe a short delay will have a catastrophic effect some predict for our economy. Indeed the opposite may be true. If we increase confidence in our system of testing and tracing and keep the incidents of infection low this will protect our economy long term and this is what we desperately need. Indeed by opening our borders too quickly we do risk perhaps a longer-term pain for the short-term gain that we have and that longer-term pain is a second wave of infection if we do not get this right. The air links arguments all seem to be preceded with the words “may” or “could”. This is a strange melange of factors in this argument of we need evidence but we can also make inference from evidence that is not there if it suits us. Of course that is politics. But it is the politics of this argument that we are talking about today. We need a more definitive argument if we are to be convinced by these politics and increase the risk accordingly.

[15:00]

It will increase risk. Part (b) to get people to isolate while they are waiting for a test gives added security and most importantly some reassurances to those who are fearful. It also drives an increase in test turnaround times. This must be seen as positive and in the spirit of working together for the Island and not seeing in some speeches at the moment. I think that that reassurance is so important for people even if medically you could prove statistically to people that the risk is not that much greater. At this time in our society, and for the people that are living here, that is I think something we have to take on board. Part (c), my Amendment, I am pleased it has been accepted but I am realistic about it. I see it as a small step towards greater security. Deputy Young made some very good points re a tracing app and that is the way forward. I am pleased with the reassurances from the Minister for Health and Social Services re the quality of our tracing system. I hope that this is correct and that this system is maintained. It is a vital investment for the coming months and perhaps a year or so. Part (d) is about democracy, if there is need to a lockdown in an emergency the laws we passed for emergency measures still exist so saying that we will consult with the Assembly at least a week in advance will not stop those emergency measures if they are necessary. So I think we have to be careful about the argument against that part. Part (e) is interesting and is key I think to a small island. Having long-term control over the virus through well-informed decision making We need to know what is happening in other countries, other jurisdictions? Have they got successful processes in place and, if not, how much does that increase our risk on the Island? That is a very important point to know and we can only do that by having a clear picture of what their R number is, their infection rate, their systems of tracing them, the system of testing. It is very unfortunate that too many members of the Council of Ministers see these Amendments as an attack and perhaps even see them as a personal attack. I suggest they deal with those situations, if that is the case, one to one, but that is not what this is about. I do not use Scrutiny in the way someone suggested. In this case the option was to turn around a complex Amendment in effectively a maximum of 48 hours or do nothing and not perform the role of Scrutiny. That is not what we are elected for. I support these Amendments as they are sensible, proportionate and a thoughtful change and balance the needs of a wider community and the real concerns of many individuals. It adds small but significant levels of protection. I would like to add to a point that was made by Deputy Alves and by others that the Government should not have given the go ahead - Deputy Tadier I think said as well - before we had discussed this in the Assembly. It is an assumption that was made that should not have been made. So there is no point now using that as one of the arguments for it. It seems a very strange and circular argument. It does not undermine medical advice or the much appreciated work of the teams that have produced evidence in such difficult times to look at it this way and to say that we can delay for a little, we can ask people to isolate for 48 hours, and we can do something that is not strictly what the Government wants us to do right now and very, very quickly. What does undermine independent medical advice is the merging by the Government of medical advice, of economic advice. I think that puts the medical team in a very difficult position and I think we need to avoid that. The virus has produced real challenges that none of us could have envisaged when we started in the Assembly, even those Members who have been here for some time. It has produced challenges to the science community to get them to work and understand, to treat and predict the behaviour of a new virus that has very particular qualities that have allowed it to create a pandemic effect. That is not an easy job and it does not have definitive outcomes that we want. So the medical advice will change and the medical advice will suggest different outcomes depending on what has happened. The science changes. The rates of infection change and become very localised. Remember we are a small island. The area back in isolation in Leicester is only slightly smaller, I believe, than Jersey but with 3 times the population and that is a serious situation that has occurred right on our doorstep. We have been cautious so far and we must remain this way. We can have a balance that sustains our economy and protects our health; testing, tracking and tracing are key. It is not step backward in our suppressing of the virus. Support these proportionate and constructive Amendments and let us move forward as an Assembly.

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

There has been a lot of coming and going with all this. The Amendments around the opening of the borders are almost impossible. If you tell people that they have to wait for 3 days in a hotel room before they can be allowed outside they are not going to come. They are either here for a quick trip, a quick business trip that is 24 hours, or they are here for a week of holidays and they are not going to spend half of them in quarantine. It is very much the same with the other parts of the Amendments. We have to have as light a touch as we can to entice people to come into the Island for any reason and we keep talking about people coming into the Island but if we do open the borders we will have just as many people going out of the Island and I think that for local businessmen, for families, for students, being able to go out and know that they can come back 2 days later and not go into 14 days of quarantine or have a very stringent testing regime is very important. They will not travel otherwise. So the Amendment unfortunately negates the idea of opening the borders. It is, yes, we open the borders but it is going to be so difficult and so annoying that nobody will really want to do it. Better to go through the existing regime where you guarantee that you are an essential worker or that you have a very critical reason for travelling that would work just as well. If you did not have a critical reason for travelling you would not jump through those hoops. That is one thing. The other thing is I think we have forgotten a little bit about the basic principles. The virus is not coming from the U.K. We have it. It is here. It is here now. We are very happy to have no cases at the hospital but because about 70 per cent of the people having COVID-19 do not show any symptoms there will be some cases in the Island. COVID-19 is in the Island. The virus is in the island and because we have opened up shops and we have reduced distancing and stopped isolation it will spread in the Island. It is happening now. We cannot underestimate the travel crisis. We tried to say we do not want the economy into this, we do not want to talk about money. I do not think we have talked about this enough. The tourism industry and the travel industry and everything that depends on it, it is in such a critical situation that the repercussions will not be months, it will be years, a decade. Do you know a company called Swissport? Most people do not think about this very much. Swissport is the passenger-handling agency at the airport. They deal with most of the passengers' movements at the airport. They will be firing 110 of their employees in Jersey. They are gone. That is it. That is 110 unemployed because Swissport has been twiddling their thumbs for the last 2 months. They are looking at twiddling their thumbs for another month. They are not going to pay people for that. So they are getting rid of 1,000 employees in the U.K. and 110 in Jersey. Condor Ferries is getting rid of 50 employees and we hope that that will not change the number of boats that they operate but it might. Maybe they will say: "We have one boat too many, maybe we will get rid of Liberation. It has been such a pain to operate and now we just do not have the money. It does not matter, we will be very successful with a couple of boats charging a maximum amount of money and having full complement of passengers and everybody else can peel potatoes, things like that, they will just have to wait for their turn." It is the same with the airlines. Right now the airlines are looking at the most profitable routes that they can operate because there is so much uncertainty. Jersey has not been a very good route. People are not fighting to fly to Jersey. So if we show them that well, you know, maybe we will open up a little bit but there will be all these conditions so nobody is really going to be interested. It is going to be a catastrophe. This might take years or up to a decade to fix it. It is really a crisis. Last thing, the virus is here and because we have relaxed isolation it is going to grow back, the curve is going to go up again. There is absolutely no other scenario where that does not happen. We need to keep on top of it and of course we do. We are very careful with just as much as we can, we are very careful to watch that, where we might have to apply restrictions again. It is the same with travel. That we have this very small window, which happens to be at the height of tourist season, where we can open up, get a few tourists in, get the travel going before the curve goes back up and they are going to go back up in every country. Most of the countries have relaxed and the only thing that can happen is that cases will grow. So we have probably a 2 or 3-month period where we can relax a little bit, get life back to normal, relax travelling and be able to press the stop button

as quickly as necessary. But we do need to be very attentive and very quick. But this is a window of opportunity for getting some businesses out of the black hole that they are in now and for getting a chance for people who have been cooped up for 3 months to travel and do things. I have not seen my kids for months, not since Christmas. I have not seen some of my family for months. Many people that do business with me have not been able to travel and take care of their businesses. There is a lot of stuff that has been done and we have this small window of opportunity. If we close it by saying waiting a week will not make any difference or putting some more restrictions will not make any difference. We are going to lose it. It is going to be the middle of August when things happen and at that point: "Wait a minute, numbers are going up." So this Amendment, as well intentioned as it is, just destroys the option of opening our borders while there are as few cases as possible around the world.

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

A couple of things have disappointed me. I would have liked the Chief Minister to have presented this and when he just said a speech just ahead of us here he said he normally leaves it to the very end so he can sum up and put everybody's minds at rest. If he had presented this he could have done the summing up and put our minds at rest. But that is just a personal observation. As we are now, after being in lockdown for quite a while, and I am one of those who has gone past her sell-by date and so I was restricted, we can now go out for meals, we can go out to pubs this weekend and everything is, for the Islanders, getting back to normal. Now we have been told that there is a chance that we can open up now and visitors can come and they will not be too much of a problem but we may have a peak again in October/November so ... so what? So that means we are all going to be shut down yet again and, as Shakespeare put it, this could be the winter of our discontent. Did you seriously think that the old people, the vulnerable people, people with families and the people ... we talk about being concerned about people's well-being. Do you think they are really going to want to be shut up this winter when the weather is really bad and Christmas is coming? We most probably will not be able to get together for family Christmases because we have allowed ourselves to stay open for a couple of months to allow people to come in and to go out. It is said that we will not be getting too many visitors, which probably will be because people are very concerned about themselves. But the business people from here will be leaving. Fantastic. But they are going to want to come back and we do not know what they are coming back with. Never mind about being in quarantine for a week or 2 weeks. They may bring something back with them. We have no idea. I would like us to wait just a little bit longer and give the Islanders a chance to enjoy what we have here and to be safe for a while.

[15:15]

Being a Constable, and I know the Deputies work hard for the parishioners that they look after, but being a Constable, everybody seems to come to you and talk to you and they do not want this and they do not want that and they are panicking. A lot of old people are really lonely and they have not been able to hug anybody or hold anybody and no matter how small you think that might be, for some people a hug and to see your family is terribly important. I am going out this Sunday for lunch with my family and we have not done that for ages and ages because one of us is ill and is undergoing treatment and may have to go back to Southampton. So we are having to be very careful. But this time we can go because the Island is looking after itself. I think the Island should continue to look after itself. Another lockdown is not going to help the Islanders. It will help the Government and if we are virus free is there any reason why we are making the children go back to school and yet we have to self-isolate and do this via video-link? Why can we not attend the States building and go back in our places if everything is safe? I think this is where we should be. If we are making people and say that this lockdown ... we are free, we do not have the virus and everything is safe in the Island, I think that is where we should be. We should be back in the States building and we should be leading by the front and by example and not giving lip service to people when we are not doing it

ourselves. I just think it is a bit of a shame. We are expecting people to come to the Island. We are expecting planes full and what will happen with the planes full? Are they seriously going to be a metre apart? Of course they are not. That is not what it is about. So how can we, on this Island, stay safe when we are allowing plane loads of people in from areas that we do not know. I am thinking in England somewhere there is the traffic light signals - the red, the orange and the green - and I really think something should be much more going to this and I think this Proposition that we have before us and we are talking about tonight would be so much better for everybody. You talk about an app but I believe they tried the app in the Isle of Wight and it has not been successful. Yet all of a sudden ours is going to work in a couple of days. Wow, why did we not help the Isle of Wight? Why are we not helping England if that is what is going to happen? I am not happy with this and, as I say, I am 75 in a few weeks and I have been going to work just the same but we have all been tested. But I have not been able to meet up with my family or hug my great grandchildren and I just think that if I allow people in because it is going to make a few bob for the Island is very wrong where the Islanders are concerned. I think the Islanders should be allowed to stay free for a while, enjoy everything that is going round and go out to restaurants, meet up with their friends and not be coerced into making it okay for August and September.

1.2.24 Deputy S.J. Pinel of St. Clement:

There is no doubt that this debate represents a significant moment for Jersey. We are faced with a challenging but critically important decision. Consequently our decision today will shape the future character and outlook of our Island for years to come. We have heard many good speeches today and I am not one for repetition. I would, however, emphasise the statements made by the Minister for Health and Social Services and the Minister for Social Security. Do not reject the scientific medical advice. For my part, I have continued to be guided in my decision-making over the past few months by the medical advice of our local public health professionals. I have confidence in them. That confidence has been shown to be justified at all stages during this crisis. I know it is difficult for some Members but I would ask: where is the logic for choosing now to deviate from an approach that has served us so well. As the Minister for Treasury and Resources I think it is right that I set out some of my concerns in the event that the implementation date for the safer travel period were delayed. S.T.A.C., in their published advice, made clear that the current travel measures are having a disproportionate impact on the economy as a whole, including on business and tourism and on people's well-being. I do not think it needs me to tell Members that many businesses are struggling as we speak and those in tourism and hospitality more than most. We need to help these sectors as quickly as we can and the most recent S.T.A.C. advice would have been encouraging to them; we can see that from the correspondence we received in the last few days. The S.T.A.C. advice that we should now enter a safer travel period was dated 23rd June. Every day that we delay implementing that advice is a day wasted and does more unnecessary damage to the Island. We want to have an economy for the future that can afford the current levels of spending on public healthcare and that can attract professional experts, people like the Medical Officer of Health, the Deputy Medical Officer of Health and the medical director, so that we can maintain the level of service Islanders have come to expect. If we do not enter the safer travel period on 3rd July we can put that economy in peril. This is not scaremongering or creating hype, it is just a statement of the reality. S.T.A.C. noted the importance of flight availability and how this will impact on how successful our economy can be and who and what we can attract to the Island. We should listen carefully to the advice we are given in this respect and, as the Chief Minister said earlier, any further delay and our transport connectivity in the future could well be unrecognisable from that when we entered this crisis in March. The recovery of the economy of our Island and that of health and well-being is inextricably linked. We all know of the emotional difficulties faced by family and friends being unable to meet. I myself have yet to see my son this year. There are traumatic situations of not being able to be with someone who is ill or dying, of marriages being postponed, of the elderly alone and, as it has been referred to, the mental health issues generated and exacerbated by the current restrictions. Finally, I ask Members

to show trust and confidence. Trust in the medical advice of our local public health professionals who have served us so well. Trust in your own judgment, which to date has been to support and follow that medical advice. Trust in Islanders to behave appropriately and properly in the new circumstances to which we all have to adjust. Let us have confidence in the future of our Island, of our economy and our people. It is this approach that will lead us to better times ahead. It is not a matter of wait and see. We, as a small jurisdiction, have to fight for our place in the global recovery arena. Any delay at this crucial time could have devastating consequences for our future. I urge Members to reject this Amendment and support the main Proposition.

The Deputy Bailiff:

Deputy Pamplin, you have a point of order you wish to raise.

Deputy K.G. Pamplin:

Yes, Sir, if you would allow me. Could you just reiterate how many people you have left to speak at this time? I note we have 2 hours until the 5.30 adjournment but I just wondered if I could just ask that at this time.

The Deputy Bailiff:

It may not be a point of order but there are 2 people left: Senator Ferguson and Senator Mézec who have indicated a wish to speak.

1.2.25 Senator S.C. Ferguson:

There are a considerable number - 15 at the last count - of states in the U.S.A. (United States of America) who opened up the states early and have now reverted to limited access and so forth. Similarly, Melbourne and in the U.K., Leicester and apparently 34 other municipalities who are going to go into a limited lockdown again. It seems that the main cause of this is from the teenagers and young adult groups who do not understand that it is a new normal and not the old normal. Frankly, my problem is the tracking and tracing. Provided it is sufficient and applied stringently, then I think we could probably cope with next Friday's opening but we do need to apply the tracking and tracing very stringently. I am aware of incoming workers who arrive in the Island, are told to go into limited self-isolation, and turn up at work the following day. We can and must do better than this. We may get some business traffic, some tourist traffic, but the older generation who are quite a significant proportion of our tourist traffic are very reluctant to move at the moment. It is my generation so I know about them. The new normal will probably be a fraction of the old normal and I think we have to bear them very much in mind because, as I say, they are quite a proportion of our tourists and they deserve to receive reasonable attention. They should not be just: "Oh well, they are old." We need to keep them in mind.

1.2.26 Senator S.Y. Mézec:

This debate is framed as if it is a debate on opening the borders but in actual fact the borders have never been fully closed. They have just been severely restricted to essential travel only. People have been able to enter and leave and it has been on strict conditions and only in certain circumstances. So this debate is about extending this to non-essential travel and whether this is the right thing to do based on the health and economic concerns and whether they have been actively addressed sufficiently to make this the right decision at the right time on balance with the risks addressed proportionately. It is these concepts of risk and proportionately which are what I want to focus on, and the comments to this Amendment from the Council of Ministers itself refer to the balance of risks. As of yesterday, as far as we can measure, COVID-19 is no longer present in the Island. If no one in Jersey has it then no other people in Jersey can get it, nobody can suffer from it, nobody can die from it and nobody can spread it to others for them to suffer or die from it. There is a zero per cent chance of that happening while it is eliminated in Jersey. Since the virus cannot manifest itself out of nothing it can only arrive by transmission from outside the Island and it is therefore only

through our borders that it can become a presence in our community again. So this decision today is a big one and the issues of risk and proportionality are what will drive it. If we open the borders on the basis that the Council of Ministers are suggesting then the risk of the virus re-entering the Island is higher than if we were not to do it. That is clearly inextricably true. How much higher it will be, none of us know. It could be 0.1 per cent higher, it could be 1 per cent or even higher than that. Those who would support the Council of Ministers' unamended Proposition must surely accept that it is a higher percentage risk than if we did not accept it and it is for them to justify why that risk is worth it and the action proposed is proportionate. The best case scenario with that Proposition adopted is that people come into the Island, everything is okay, and they spend money. Great. Slightly worse than the best case scenario is that a small number of people arrive who it turns out are infected but all the systems work, it is dealt with before anyone is exposed to it.

[15:30]

But the worst case scenario is that despite the best will in the world we just happen to be unlucky and some do manage to slip through the cracks, they manage to infect others while they are here, who then go on to infect others, and either our systems fail or it happens at such a rate that we become overwhelmed and we end up undoing all the good that we have managed in such difficult circumstances over the last months and we end up with even greater damage to the economy and our public finances. That is the worst case scenario under the Council of Ministers' unamended Proposition. With this Amendment, if part (a) is adopted then the risk continues to be zero per cent for 7 more days. If we accept part (b) then whatever per cent risk it turns out to be can be assumed to be less than if part (b) is not adopted. These are the issues of risk that we have to consider and how much risk we are prepared to accept and believe is proportionate. On 4th July the country with one of the worst records in the world at dealing with this crisis, where people are still catching it, where people are still dying from it, and where their tracing system is a complete shambles is about to loosen its restrictions further, and without waiting to see the impact that that will have on the spread of the virus in the U.K. we are about to say to them: "Come on holiday to Jersey and you will not even be required to isolate when you arrive here while you wait for a negative test result." On my personal preference of the balance of risks this is too risky for me. I do not want a relaxation of travel with that jurisdiction without time to see how their situation develops after their restrictions are loosened. It is observably the case that other places around the world are having to U-turn and re-impose their restrictions because conditions become worse. Deputy Alves, I think, used an excellent analogy of predicting the weather and how variables constantly change those predictions that you have to work with. It was suggested that this Amendment is about political convenience and that is clearly nonsense to suggest that. All you have to do to figure that out is look at the polling; the public are completely split on this. For everyone who might support this stance, there will be another person who opposes it; that is the opposite of political convenience because political convenience is about having a majority that you can shamelessly chase for cheap votes. That is clearly not the case here and it is wrong to say that of the Scrutiny Amendment. I have all the sympathy in the world with those people in Jersey and outside of Jersey with connections to our Island who miss their loved ones. But I also have sympathy for those in Jersey who are deeply worried by what might be about to happen and whose well-being could be negatively affected too. I spoke to a constituent this morning who is now worried about being forced to go back to work, despite having a very vulnerable person in their household who they care for, where they have been allowed to work from home until now or if they will not do that, threatened with losing their job. That situation is not a nice one to be in and it is being made worse for them with heightened anxiety by the prospect of the borders being opened. There are many others out there in our community who will face equivalent situations and the Constable of St. Saviour referred to that as well. I think that the position taken by Deputy Ash, who said that he will now not be able to see his newly-born grandchild as soon as he would like because he wants to put others before himself, is admirable and the right one. My view is that when push comes to shove and when it comes to the question of

balance, risk and proportionality, which at the end of the day are ultimately subjective because we each have different toleration thresholds of what we consider to be worth the risk, what is proportionate and how things balance, I think the economic considerations have bled into the health concerns in a way that I just cannot agree with; it just does not sit well with me. Contrary to what some have suggested, it is not a hypocritical stance to take to welcome and celebrate the excellent health advice that we have received and acted upon so far but be now concerned at the economic considerations now being factored in. Just to use another example to make that point, numerous times in the past we have had health experts recommend to us that we should introduce a sugar tax because of the health impacts of an overconsumption of sugar. But time and time again we have rejected that advice rightly because the economic effect of that would be regressive and hurt the poor the most. We had health advice, we rejected it because of other considerations and instead have to consider alternatives, and that is a legitimate thing to do and it does not undermine our position that is supportive of health advice. I say that it is legitimate to say that when there are multiple areas of consideration factored into this advice you can decide that some of those areas are more important than others. Let us be clear, there are alternatives which can be determined by whatever our preference happens to be and that preference will be determined through a democratic process, which is what we are doing right now while the Scrutiny Amendment is perfectly legitimate and why I do not think it is right to utilise scaremongering and the sorts of arguments that have preceded this to influence that result. Just to highlight one alternative, one of the justifications that is being made to say that it is safe to allow people back into the Island now is that they will still be less of a risk to others here because we still have physical distancing. But there are other places that have been able to scrap distancing altogether, reopen their internal economies completely and instead focus their external travel allowances only with places that have had the same approach. What we could do is instead of allowing travel with the U.K., one of the countries worst affected in the world by this and in whose plan I personally do not have much confidence in and many Islanders do not as well, and that is what partly causes them anxiety over this, instead of looking at them we could be looking at air bridges with other safe territories like Guernsey, like the Isle of Man, like Madeira and you can ask the question: why is their health advice so different to ours when it comes to the question of travel? Of course, their health advice internally on the spread will be unique to those jurisdictions and that is why it is right not to make comparisons when it comes to things like when you lock down, when you get rid of physical distancing, when you open your schools, *et cetera*. But when you are at a point of elimination, surely the position on external travel at that point becomes equivalent and what the likelihood is of allowing it into the territory to then spread. There are alternatives, there are jurisdictions that have been able to scrap physical distancing, let family members hug one another, let people enjoy the local hospitality offering in bars and restaurants and live music, even some places as well. Meanwhile in Jersey you are not allowed to sing in a pub in case the droplets spread. There are legitimate alternatives and these are based on what our personal preferences and priorities are. I find myself, based on what my priorities are, my concerns about the terrible situation in other jurisdictions around the world, that we are about to, essentially, open our borders too with some restrictions, that, for me, it is just a step too far. I told Ministers that I felt that it was too soon and I would prefer it to be a bit longer. On that basis, I will support part (a) because that enables us to have a clearer picture of what is happening to those other jurisdictions where things are going backwards; that is the chaos theory and weather predictions that Deputy Alves spoke about. Of course, I will support part (b) as well and, frankly, it baffles me that part (b) is being rejected, where we are openly saying it is okay to come to the Island and not have definitive proof that you are infected but still be allowed to go out and about for, potentially, just a few hours but also could be a few days at this point, without that negative result first. I think that is wrong to do that. If the inconvenience that causes puts some people off coming to the Island, that is an economic concern, not a health concern. As far as I am concerned, the health concern is the most important one here and that is why I will be voting for the Scrutiny Amendment and I hope Members will as well.

1.2.27 Senator L.J. Farnham:

Can I just start by declaring a general interest, as I do from time to time? Members may know that I am affiliated to a local hotel; my interests are all correctly logged in my States Members' interests. Previous advice has told me this is not a direct and pecuniary interest and I took that advice right at the beginning of my tenure of Minister for Economic Development, Tourism, Sport and Culture with responsibility for tourism but I felt it would just be worth reminding Members of that at the beginning of this debate. I would also like to level no criticism at Scrutiny. In fact I think it is very important that Scrutiny have turned around their Amendments in very quick time because it is meant we are having what I believe to be a very necessary debate that is driving out the details that we need to understand. I think on both sides of the debate we are learning new information as we go through the debate. I hope we respect each other's views because one of the reasons that the Council of Ministers lodged a Proposition for this debate, which was as a direct result of Deputy Maçon's Proposition, was because of the size and scale of the challenge we are facing, was to give all Islanders' representatives the opportunity to debate this. I think it is important that we have and we listen to, even if we do not agree, everybody's views and so I do welcome the Amendment. The Proposition that C.O.M. lodged and the Amendments all, I believe ultimately, impact upon the rights of Islanders to be able to safely travel to and from Jersey. That is a basic freedom that has been denied to us for all but essential purposes and even then restrictions of capacity have not helped since the end of March, admittedly for good reasons and in accordance with our medical advice. These actions are clearly no longer proportionate in the context of the low risk we now face. The S.T.A.C. advice changed on 23rd June, so we are currently restricting the right of Islanders to safely leave and enter Jersey in a manner which goes against the medical advice of our public health professionals. I am not trying to score political points; that is just a fact. The reopening of our borders is a move that many Islanders have been hoping and waiting for. While we all utilise our own knowledge of the community we live in and our empathy and some Members have quite rightly reached out to get a flavour of what Islanders are thinking, I have seen a number of questionnaires and surveys on social media, some of them delivering completely a different result. I think it is clear, and Members would say I would say this, but I firmly believe that the majority of Islanders are hoping and waiting to be able to travel once again and it is about making choices for themselves, and I will come on to that in a bit more detail shortly. An easing of travel restrictions will enable Islanders to visit friends and family, have a holiday or travel for education, business or any other reason after the long isolation period. It also means visitors will be welcome to our Island once again within the safe travel guidance, which is also at the heart of our debate today. It means that Islanders who could not travel under the previous restrictions will be able to make long overdue visits to relatives and friends from this Friday if the Assembly agrees. Others will be able to decide for themselves, based on personal choice relevant to their own circumstances. Potential visitors will have to make a similar judgment based on their own rules and regulations, which they will have to abide by when on Island; the very same rules and regulations that Islanders have embraced and have served us so well in the weeks to date.

[15:45]

Much has changed in recent weeks but most notably perhaps is the reappraisal of risk by officials and by Islanders and the rethinking of the basis on which our freedoms should continue to be curtailed. Dr. Turnbull and Dr. Muscat have both referred to that on a number of occasions to the restrictions and the removal of our civil liberties versus the current risk. There has been a gradual move away from the assumption that Government should maintain an environment which is as safe as possible at all times under all circumstances and at all cost, to one governed by acceptance of the latest medical advice and of individual freedom of choice and responsibility. The alternative is to live in a permanent state of lockdown, a permanent state of restrictions and fear until a vaccine or a cure is available. Even then many will choose not to vaccinate and then what? How do we live with COVID-19 after that? Right throughout this crisis the Government and the Assembly have followed

the advice of our local medical and scientific experts and this has served us so very well thus far, ensuring that we have struck the right balance to keep us safe, while minimising the overall harms to the health, well-being and livelihoods of Islanders. The very latest medical advice is clear, that by adopting this Proposition would unequivocally support and improve the ongoing health and well-being of Islanders, especially when we bear in mind the health impacts of the non-COVID-related challenges. I believe we are going to see some results that we have not quite considered fully of the non-COVID-related health damages that are a result of the restrictions we have had to deal with. Timing has been tight, as at many times during the pandemic we have been called upon to make quick decisions but they have always been made on the back of the best medical and scientific advice. Ministers were in receipt of the S.T.A.C. advice on 23rd June, which is attached in appendix 4 of the Council of Ministers' Proposition. The S.T.A.C. advice was clear and supported a change of policy, that a period of increased safe travel could have commenced immediately with testing and contact-tracing and operation between test and result for those participating. As I think Senator Moore alluded to when she introduced the Amendments, the Government could have implemented this advice by signing the appropriate order but instead decided to bring it to the Assembly for the reasons I outlined earlier. Touching briefly on our economic well-being, which is not at the forefront and never has been; it is livelihoods, well-being but the economy is intrinsically linked to our health and well-being. Members only need to look at the health levels and life expectancy of other countries and jurisdictions around the world that do not have or have not enjoyed the economic prosperity that this little Island has over the years, over the decades, over the centuries. We do not now want to lay down foundations that take us anywhere other than to a fast return to the economic prosperity to which we have all become accustomed. I emailed Members this morning with some up-to-date information relating to easyJet, although all airlines are facing similar challenges. I attached to them accredited news media links, which highlight the plight of easyJet right now; easyJet, as many Members know, are one of our leading airline partners, they are our friends and partners. There have been no threats or ransom demands from easyJet or British Airways or any other business, just a genuine necessity and a desire to fly again. The reality of the situation is that our transport partners are in trouble. They need to become operational as soon as possible in order to survive and our links are at risk because of that because these airlines are fighting to survive, as are any other businesses, as are our shipping companies. That is essential for us, more essential than perhaps for other countries because we are a small island that depend totally on our air and sea links. I say in relation to the 3rd or the 10th, why should we gamble with that when we do not need to in the light of the medical advice we have received and, in this respect, I say that every day does count and I ask Members, please, to bear that in mind? Of course another big issue we need to address is Members and Islanders' quite understandable fear about the risks. Our medical advisers have explained to Members why it is very low and, despite the headlines, the number of cases in the U.K. is low and falling, except in pockets like Leicester, and I will address that in a little more detail shortly. But the U.K. is acting very quickly in those instances to lock down where pockets emerge, so there is little or no risk of infecting people by people coming out of their areas because they are quickly going into lockdown. A majority of active cases in the U.K. are in care homes or with people self-isolating; they will not be travelling. If there are asymptomatic passengers they are very low risk, very low risk of transfer and will be picked up in the testing and track and trace process. Airlines and airports have put in extra safety measures to reduce the risk and traveller numbers will be low initially and will grow slowly. I hope they grow and I hope they grow and evolve in line with the way our testing and tracking and tracing system will evolve, especially in relation to reducing the time that our visitors and Islanders returning home will have to wait for their results. In the meantime, we will text them every 14 days or until they leave, to check if they have developed symptoms. We have a really good team ready; they are experienced now and they are ready to test, track and trace, as we have asked them to do. Many of us have had a lot of communication from Islanders and businesses, so I think it might help to share some human stories. I have received some from both sides but I am going to share some human stories with Members, that Members will not be surprised to know that

promote the rationale and the, I think, very strong compassionate grounds why we need to act sooner, rather than later. A daughter said: "I am desperate to get to Jersey, as my father is ill and having an operation on 10th July. I am due to fly this Friday. He is 87." Somebody not from the Island but is residing here, the person said: "Please, let me see my family. I understand the risks and I understand people's concern but I am someone who has no family in Jersey and I just want to see my mum and dad." A father said: "Islanders need borders open, our daughter needs it too. She is stuck in the U.K. with 4 children and needs to come home but there has been no capacity on the emergency flights." Another Islander commented: "Personal choice is such an important issue. We hear all the time about having to make special efforts to protect those both vulnerable and with health issues. But nobody ever seems to talk about protecting the healthy people who have always made sensible choices with their lifestyles and have, therefore, got good immune systems. Nobody talks about protecting those people against the mental stresses that come with continually being denied even the basic of human rights, i.e. cuddling our grandchildren and extended families. As a 67 year-old healthy and active, through my own choices, lady, the restrictions I have mentioned above have been what has given me some emotional stresses that I have never had to before endure in my entire life." Another message came from a relieved father who simply said: "I can finally see my children for the first time in months." Another dad said: "As you all debate the motion today, please bear in mind many people like me who have a wonderful family and wonderful friends on the Island are desperate to meet them again. I am booked on the Liberation and please ask Members to think of us." Somebody else said: "I am in the vulnerable class." I had a number of comments like this: "I am in the vulnerable class and shielding of my own choice. I do not want to expect my choices to restrict the choices and freedom of others, especially our young, fit and healthy people." We have had a good debate and some very good speeches and we have heard from a lot of Members. A lot of Members have expressed sentiment, as I have done in my speech and opinions and not all of that has been evidenced. But not all of it perhaps needs to be evidenced because we are entitled to express the wishes and feelings of the electorate. But, equally, we have to find a balance. We have to try and prevent fear if we can because, as the saying goes, sometimes we have nothing to fear but fear itself. I am just turning back to comments made about the other jurisdictions and many Members have talked about just how terrible the U.K. is and they have cited the worst, worst possible examples around the world. They have mentioned Leicester and Melbourne and other places but, of course, there are very many places who have done extremely well. There are large swathes of the United Kingdom who have performed extremely well. There are areas that have had far lower cases per population than the Channel Islands have but we do not seem to mention them. Many millions of people living in areas that have had very low cases would be not such a high risk to us and they would fit in very well with what we are trying to achieve. Let us just look for the good in this, as well as the bad. I know it is difficult with the media and I am not talking about our local media. I am talking about the international media that seems only to be reporting the global horror stories of what is going on and not many of the great successes that we have seen around the world, including here in our own Channel Islands. As I said, we need to have a gentle start to this and it will be, it will take the airlines some time to build up their flights and that will be based on demand and the supply of seating they can supply. But if we delay the start then we are going to be delaying the progress. If we delay our progress, the ripple effect of that, as we have heard, could be quite damaging. In relation to the various parts of the Amendment, I think I have expressed a strong view and, hopefully, a persuasive argument about the date and the isolation. I understand Members and Islanders' views about the isolation but why remove people's freedoms and make them do that when the strong medical advice is that they do not need to? We have a completely different demographic to places like Leicester, we do not have large inner-city areas with multi-occupational households and so forth. We are lucky, we have a fairly low-density Island with plenty of room to space out and our guidelines, and I am looking at some very good work produced, which hopefully can be released, depending on the result of the debate today. It clearly says: "When waiting for results visitors can expect to receive their results within 48 hours." Working towards 12 hours, even less if possible and that is essential and

we know officials are working hard on the instructions of Ministers to achieve that as quickly as possible: “While they are not required to self-isolate, they are told then they must limit the time they spend away from their residence or visitor accommodation, limit social contact during this time and strictly adhere to Jersey’s physical distancing of one metre”, which has served us so well: “Avoid public transport and avoid indoor gatherings, including bars and restaurants.” It is not a licence to roam freely, it is a sensible set of restrictions which allow Islanders or recognises the fact that Islanders returning home or visitors are far less likely to pass on COVID, if they do have it. The figures in the estimates suggest very, very, very few people coming here will be carriers and if they are they will be caught in the system.

[16:00]

It would be sensible, rather than confine them to their home or their hotels or place of residence, to allow them to be in the fresh air where we know that the chance of spreading the COVID-19 virus is far less than an indoor environment, so I think that makes absolute sense. I think it is time to restore our Islanders’ freedoms and civil liberties. I think it is time to encourage Islanders to make their own personal choices based on their own circumstances. I would like to thank all Members for their participation and, of course, Scrutiny; I think their Amendments have been well thought out in the short amount of time given. I would please reiterate and ask Members to bear in mind that right now, taking into account everything that is being discussed today, every day really does count.

1.2.28 Deputy J.H. Perchard of St. Saviour:

The part of this Amendment I wish to focus on is the proposal that anyone arriving in Jersey from abroad should isolate while they are waiting for test results. The decision of whether this should be done or not is one based on our appetite for risk. Medical advice informs us of the risks of different steps but whether to opt for actions of least risk, some risk or higher risk is a political choice. This can be most clearly exemplified by the fact that if we wanted to take a zero-risk approach we would keep the borders shut. However, we all recognise that this zero-risk approach has other negative consequences which we all want to avoid. Instead, therefore, the Government have proposed a low-risk option rather than a zero-risk option, and it is up to us to take the political decision to agree with this or not. Of course, the Government has a responsibility to make political decisions to balance risks, looking at the pandemic through the lenses of the economy, well-being, health, education and so on. While I appreciate this, I do not feel that in its unamended form the proposal captures the anxiety, fear and the consequential behaviours of the public. Let us turn to the medical advice that has been shared today, once the border is open in the way proposed by Government medical advisers say that we can expect one person in Jersey to be infected every 7 weeks. My problem with this statistic is that this figure does not seem to take account of how statistical risk changes when someone travelling from the U.K. enters an airport or goes through departures or sits on a plane shoulder to shoulder with others. We know that the number of secondary infections generated from one infected individual with COVID-19 is at least 2 when no control measures are in place. When on a plane visitors cannot physically distance and, therefore, if they are infectious while on the plane they are likely to infect at least 2 others on the journey. As the Minister for Health and Social Services stated at the end of May, the Government are following a control approach. To remind Members, to control a disease is to keep the number of infections at a locally acceptable level. By the remarkable efforts of the community and the move to lockdown we have inadvertently eliminated the virus. However, this move to opening the borders made with this speed and in this manner simply serves to remind us that the Government, as they have said, are continuing to control the virus and that they are not aiming to sustain zero active cases. The measures proposed in their unamended form are indeed, strategically speaking, control measures. If someone arrives in Jersey, is tested and the result is found to be positive, it is at that stage that the regime ramps up; that is when the tracing happens and the subsequent testing of contacts, which may include several Islanders. To be fair, this is in line with the control approach that the Government have said they would pursue. I have come to the realisation

that my risk appetite in this situation is different to that of the Government's. What I thought were obvious common-sense control measures are deemed by some to be overcautious. Likewise, I view some of the more relaxed measures being proposed as not cautious enough. I have come to the conclusion that when it comes to saving people's lives I am unashamedly risk averse. I am still of the opinion that a control strategy is not the right approach for our Island because to me there is no locally acceptable rate of infection, other than the continued pursuit of zero cases. To be absolutely clear, I am not saying we should not open the borders. I am saying we should do it as safely as possible because I am averse to risk on this particular issue. There are very good reasons for allowing people to travel, including the emotional ones cited throughout the debate today. It is completely understandable that individuals, many of whom serve our community, feel a desperate need to see their loved ones and that this opportunity must be provided. Many people in Jersey have elderly parents abroad, partners abroad and children abroad and want to see them and they absolutely should be able to do that. However, why are we not going for the safest way of doing this? We could have opted to open the borders on 3rd July and put in place measures that kept everyone safe. However, because of the last-minute announcements on Friday, the late lodging of the proposal, there has been no time for us to have a dialogue with Government that results in a policy that does achieve the least overall harm for all Islanders. The least overall harm should include reducing anxiety, fear and psychological well-being of vulnerable members of society. By isolating on arrival high-risk Islanders could still feel more confident about re-entering society, a confidence we are only giving them 5 days to enjoy. We could implement measures that simultaneously protect the 3,000 high-risk Islanders, allowing them the freedom of movement they deserve and open the borders to allow others a chance to see their loved ones in the U.K. The Medical Officer of Health has stated: "It was likely that the 3,000 high-risk Islanders would experience an increase in fear if we open the borders in the currently proposed Proposition by Government." I am not in favour of taking any action that negatively impacts this high-risk group. They have suffered enough and have a worrying winter ahead. I cannot take seriously the claim that we are doing what is best for well-being if we do not do what we can to, at the same time, improve the well-being of high-risk people and not make it worse. Those who are fit and able to travel to see their loved ones should be allowed to do but should have to accept that when they come back they have a responsibility to their fellow Islanders who are at a higher risk of dying from this disease. Yes, go off-Island. Yes, take the opportunity you need to improve your well-being. Yes, visit your families. But accept that by doing so you come back a high-risk to your community than when you left and a consequence of that is that you need to isolate until you are certain you are free of the virus. Is this really too much to ask? I was asked in interview why time for scrutiny is important and it is important because it is during that process that our questions tend to be answered and details drawn out. Given that the window of opportunity to do this was inexplicably short I will pose my questions now. Take the scenario that the Government is proposing, people arrive in Jersey, are tested and go to check into their hotel. They are given guidance around how to behave while awaiting a test result. But this guidance is not mandatory or enforceable. They may or may not choose to follow the guidance; 24 to 72 hours later they receive a test result. It is very likely to be negative, however, it is possible that it is positive. If positive I have been told that they will be moved to a facility where they will isolate for 14 days, being looked after by local professionals. Here are my questions. How many people will be flying in every day? Where is this facility going to be? Has it been identified yet? How many local medical staff are required to staff it, based on case projections? Has P.P.E. been sourced for them? How much will this facility cost the taxpayer? Will the use of medical staff for isolating visitors take away resource that could be needed locally? If a result is negative, will visitors be retested once the virus' incubation period has passed? If not, why not? If so, how many tests will be required over the next few months to do this for all travellers and do we have access to this number of tests? Are there plans to test locally? Having tested negative on arrival but then tested positive later, how many contacts are likely to have been infected, based on modelling and data? What is the rationale for not asking people to isolate for the incubation period of the virus? If a person catches the virus on a plane to Jersey, when is the

earliest we could identify a positive result after they arrive? The Deputy Chief Minister publicly stated this week that no airline has threatened to leave the Island, so what exactly has led us to the view that if we do not open on the 3rd this will happen? Why did the Government announce plans to open the borders on 3rd July before lodging the Proposition and before it had been agreed to by the Assembly? If the number of local cases rises over the next few weeks, at what stage will S.T.A.C. advise the Government to reinstate certain control measures? What is considered a surge in cases? How is this defined and measured? States Members have been told by the Medical Officer of Health in relation to the relaxation of measures and this is a quote: "If ever there is a time to take a break it is now." We were told in the same briefing that we are currently experiencing a lull and that we should be prepared for a spike in the autumn, which could result in another lockdown. What has been most illogical to me is the suggestion that opening up now but possibly shutting down later is better in the long run for the economy and for Islanders' well-being. This is not a strategy that leads to the least overall harm. Pursuing the least overall harm would be to do everything we can now to ensure that a second lockdown is avoided, as another period of such lockdown would be bad for well-being and economically devastating. Open the borders but do it safely. Stop a second lockdown, do not leave the vulnerable behind.

The Deputy Bailiff:

Thank you. Deputy Higgins, you have a point of clarification for Deputy Perchard?

Deputy M.R. Higgins:

Yes, Sir. I might say I found her questions very interesting. However, could she tell me how she arrived at the figure that every infected passenger on a flight will infect 2 other people?

Deputy J.H. Perchard:

I am so sorry, Sir, I did not hear the entirety of that clarification. Could you ask the Deputy to repeat it, please?

Deputy M.R. Higgins:

Yes, I shall repeat it. When you made your speech you mentioned that if there was an infected passenger on an airline that they would infect at least 2 people with the virus. How did you arrive at that figure, based on our numbers or whatever?

Deputy J.H. Perchard:

As I stated in my remarks, the rates of secondary infection from an infected person from COVID-19 where there are no control measures in place, for example, if there is no physical distancing or hand-washing or other things in place, the rate of infection is 2. I was suggesting that on a plane there are not control measures in place and, therefore, the rate of secondary infection would be, effectively, 2 because of the lack of control measures.

Deputy M.R. Higgins:

Okay, can you tell us which study that is based on, please?

Deputy J.H. Perchard:

Sorry?

Deputy M.R. Higgins:

Could you explain which evidence source, what document it was based on, what ...

Deputy J.H. Perchard:

The Deputy and I and all the States Members were told that the infection rate was between 2 and 2.5 in our own States briefings from medical advisers but it is a kind of globally-agreed rate of secondary infection from one infected person.

1.2.29 Connétable P.B. Le Sueur of Trinity:

I will start by saying, along with other Members, I have the greatest confidence and respect for our medical advisers and the professional team who have got us to the good position today with no active cases.

[16:15]

I am not convinced that by delaying another 7 days is going to significantly change anything and it is certainly not going to do anything to allay my fears and those of many of my parishioners that the time is now right to open our borders and, in addition, the testing regime proposed is strong or robust enough to keep our population safe. I do not believe it is significantly strong enough to cope with a large influx of visitors. My reading of the report suggests that there will be a point when we will not have capacity to test everyone on arrival. What happens if we receive a large number of visitors who are purely out for a good time and do not comply with the isolation requirements? Do we have the capacity to adequately monitor and police that situation? Like everyone, I am equally concerned about the potential loss of jobs, damage to the economy and our connectivity if we do not open our borders but without our health we have nothing. Our hospital is starting to return to normal and many long-suffering Islanders who have had much-needed operations and procedures cancelled over the last 3 months will be hoping now that they will be back on the list and receive that attention soon. What happens to these people if we are unfortunate enough to get a few super-spreaders arrive, rather than the one in 7 weeks, as predicted, who start circulating in the community, here for a good time, as I have already mentioned, with a similar mindset to those irresponsible people who piled on to Brighton's beaches last week? Will the hospital go out of commission again and our population's vital care disrupted yet again? Reports in the news almost daily highlight how badly the U.K. has handled the pandemic situation and its slow reaction to lockdown with the devastating effects that followed. Back at the end of February/March this year it was all over the media how terrible the death rate was in Italy, as it now turns out the U.K. results are far worse and yet we are looking to buddy up with them. As some other Members have made mention, I think it unfortunate that the Council of Ministers and the comms (communications) unit seem obsessed with releasing good news before obtaining the views of the Assembly and this places additional pressure on Members. I will be supporting the Amendment because I believe it does improve the controls and as though this is probably the only time I intend speaking in this debate, I do not believe that I can support the main Proposition at this time.

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

Before I get going into the main part of the speech I would just like to thank Senator Moore who presented this Amendment on behalf of the Scrutiny Liaison Committee. It is not a wrecking Amendment, as has been suggested by some Ministers earlier and she deserves credit for agreeing to bring this on behalf of Scrutiny. This Proposition has put Scrutiny in a very difficult position on the ridiculously short timeframe with which we have had to operate. Scrutiny is trying to do all it can to make sure we get the best result for all Islanders. I believe it is important to note that nobody has argued against travel and certainly this Amendment enables travel. We have heard about the needs of the airlines and I have to say that I, personally, have to put the needs of all Islanders and all the needs of all Islanders and our community above the needs of airlines. That is not to say that we do not need connectivity; of course we need connectivity, of course we do need jobs. We do need a strong economic recovery. We do need a thriving hospitality industry. To that end I think it is important to note where Islanders are today. I am pleased to say that I am sitting here in the States building and during the day in town I have been able to look around and I can tell you that Islanders

are walking through town with confidence and with their heads held high. They are not all wearing masks, they are not afraid of each other because they know the people around them do not have COVID-19. There can be no doubt that letting people travel in and out of the Island changes that back. They cannot know that the people they are talking to will no longer have COVID-19. Suddenly people will not be so sure about their safety, in the same way as they are today. The haste with which the Government has brought this Proposition has, sadly, not helped to build people's confidence. All Islanders want is to ensure their own safety and the Government's proposal has, unfortunately, one large hole in it from an Islander's perspective and that is the policy which allows arriving people to wander freely before they receive their test results. If any part of this Amendment passes today I really believe it must be part (b). Islanders need part (b) in order to feel protected, to feel that their incredible work over the last 3 months will not go to waste. Part (b) asks for isolation until test results are received and this is because Islanders just cannot see how it makes any sense to allow people to wander anywhere before their test results are given back to them. Yes, statistically it is unlikely that such people will be contagious but this is not about statistics; it is about public confidence. It is about the 60 year-old in the shop who has visited town for the first time today because she feels safe to do so but she will retire to her home again if she knows people without test results are allowed to wander freely. I know that guidelines will be given to arriving passengers but when it comes to tourists we are talking about people whose holiday spirits will be massively intensified by having been themselves restricted in their own homes for months. I doubt guidelines will modify their behaviour. This Assembly needs to acknowledge the real need for confidence and security among Islanders. Yes, we can open the borders but we need to do so in a way that lets arriving people freely move around Jersey only when we know they have received a negative test result. To do otherwise will not only hit Islanders' confidence and show a disregard from this Assembly for their hard work but it will also open the door for those few in our society who may feel threatened by tourists and may choose to make them feel unwelcome. The last thing we should do is give anyone an excuse to view tourists with suspicion and part (b) of the Amendment will take away that excuse from our minority who could feel negatively towards our visitors. This Amendment is not about politics, this is about Islanders' needs; their medical, psychological, social and security needs, their well-being for their sense of security. We need part (b) to pass, without it I promise you Islanders' confidence will be lost. That means fewer people will visit town, fewer people will spend their money in the shops. The economy will be hurt far more without part (b) of the Amendment passing and then the Government's indecent haste will be brought into sharp focus for all Islanders to see. Believe me that is something nobody in this Assembly wants. Throughout this crisis Islanders have wanted reassurance, compassion and understanding from Government. They have not wanted authoritarian Churchillian tones. This Amendment, particularly part (b), is designed to deliver that reassurance, compassion and understanding, while also enabling our ports to operate once more. I ask Members to support the Amendment and if they are troubled by further delay, then please do support part (b). Our fellow Islanders really do need it.

1.2.31 Deputy R. Labey of St. Helier:

Something has just been bugging me and I have a question and it is not a trick question, it is a question I would like the answer to. If I arrive at the airport for my holiday in the morning and I clear the airport by 10.00 a.m. or 11.00 a.m. or 12.00 a.m. but my accommodation, maybe I am staying in self-catering accommodation, so I clear the airport, I have to self-isolate, my self-catering accommodation or even my hotel room is not ready until 4.00 p.m. and with the amount of extra cleaning, the grade of cleaning that has got to be done between guests, I guess that could push it back. Where do I go between having my test and coming out of the airport and being told to self-isolate and the actual time when my accommodation is ready? Are we creating a sort of limbo for people? That is all.

1.2.32 Deputy M.R. Higgins:

Let me start by saying that I have heard today some of the best speeches that I have heard since entering the Assembly 12 years ago and I have been listening very, very closely to the arguments. We have all been elected by the public to make decisions and many of them are not easy decisions and sometimes there is no obvious right answer, as we have to weigh up and try to balance conflicting evidence. I have always tried to decide issues in the Assembly based on the evidence and my conscience or both. This one is different, as the evidence is constantly changing and it is not just the evidence of what is happening in the Island but what is happening elsewhere because after all it is a worldwide pandemic. We are faced with a very difficult decision where what we believe is the right thing to do could become the wrong thing overnight or within days due to the constantly changing situation, which is totally unprecedented. We have to make decisions on what we know and what we believe to be the case at this point in time but be prepared to change tack at any time if the facts change. I found myself in a very strange situation. For most of my time in this Assembly I have been a critic of the Council of Ministers or previous Council of Ministers and the policies they are pursuing. In this Assembly I have finally seen many of the more progressive policies that I have supported come to pass and there is the opportunity for more to come in the future if the economy recovers quickly. My conscience tells me that I must do no harm to Islanders and that the policies we pursue must be in their interests. This is very difficult. I do not want anyone getting this disease any more than I would like to get it myself or members of my family who have been sheltering. The evidence, up to now we have relied upon the Medical Officer of Health and the Deputy Medical Officer of Health and S.T.A.C. I am pleased to say that the Council of Ministers and one of the reasons why I think they have done right to date has been the fact that they have been following that medical advice. The longer this situation goes on, if we are taking the medical advice, I think that is the correct thing to do. In this particular case I shall be and I was surprised by part (b) of the Proposition, which says: "During the safer travel period anyone entering Jersey must either participate in or comply with the requirements of the border testing programme, developed in accordance with the medical advice in order to identify and contain cases of the virus." What they are saying is we are not accepting the advice of the Medical Officer of Health. They have done this exceptionally well to date. We are taking a risk, I accept that but we are also faced with a situation where if this thing goes on too long, and I have never been one for necessarily supporting business for the sake of supporting business, our economy will tank and we will have major problems in the future. Many of the policies and many of the measures that I would like to see in the future will not be possible because there will be no money. Industry can make money, just look at what we are paying per month to support the workers who have lost their jobs, who have been furloughed, to support businesses which otherwise would go down. How many months can we do that and keep the economy shut down? How much money is it going to cost us to try and get the economy back to what it was before the pandemic arrived in the Island? We have a situation, I do not want to damage anybody's health but no matter what we do we are taking a risk. Deputy Perchard, and I must admit I thoroughly enjoyed her speech, it was very thought-provoking but to say that we have to keep people out or restricted in such way that people will not come anyway will not help us get out of this situation.

[16:30]

I also believe, okay, so belief that we will have a resurgence of the pandemic, it will come in at some point when we do open up. Many people believe it will come back in the winter. We also have the prospect of a new pandemic in the future with the G4 variant of swine flu, which has just been discovered in China and the people are watching. There is no way that we can isolate ourselves from the rest of the world for ever and the longer we do lock down the longer I believe that we will do irreparable damage to the economy. We have this dilemma: do we take a risk on opening a border? If we find that the cases are starting to come in and is causing us problems we lock down or we just keep the economy and the Island closed and that is to say we ruin our economy and we ruin the job prospects and the businesses of this Island and the possibility for having a better Island going forward

with all the policies we want, family-friendly, putting children first, having a better education system, trying to encourage social mobility and trying to reduce inequality, we have a major problem here. On this particular occasion I am going to continue following the medical advice and I will be on the back of the Council of Ministers if they do not, that if we do find cases coming in we will have to shut down. At this point in time I will say, with the exception of the part of the Proposition which talks about other countries and their infection rates, which the Chief Minister has already said he is prepared to publish. I will not be supporting the Amendment. Thank you.

1.2.33 Senator I.J. Gorst:

I am pleased to follow Deputy Higgins and followers of the States will know that I said that in the past and then I have disagreed with him on many occasions. Of course we have been aligned on some occasions of what might be described as difficult times for the Island and I am pleased to follow him again today because I find that what he said and how he described the decision faced by States Members this afternoon that I am now aligned with. He talked about evidence, he talked about conscience and I certainly do not criticise Scrutiny. I understand that they have to work at pace to scrutinise the safer travel period and in bringing forward their Amendments, they have done so to perhaps stimulate a wider and broader debate. We have heard some magnificent contributions to this debate today talking about, as Deputy Perchard did, where her tolerance for risk and balance lay, and Deputy Morel as well. We should not criticise each other for having different tolerance levels to risk, for understanding balance of harms from different perspectives. That is fundamentally what Islanders expect us to do when they vote for us to be elected to public office. I might be of the view that the medical advice has served Islanders well and I can fully understand those Members that think that by voting for a delay it will mitigate risk even further. I fully understand those Members who think that by asking for a period of quarantine before the results of the tests it will mitigate risk more than the safer travel period does, and we should not criticise each other for viewing risk in a different way. For some of us, we get our risk tolerance from our profession. For some of us, we are, by nature, more risk averse. Some of us are more: "Just do it anyway." The point of this debate is to have a discussion about what the right approach is and how we do no harm to Islanders. These are big decisions. These are difficult decisions. Sometimes there is no right answer. We have gone through this pandemic and we have been finding our way as we have cautiously and carefully stepped forward. Sometimes it has felt like we have been blindfolded because the science was not clear. One of the things that Deputy Perchard said about the transmission of a person with the virus who would transmit to 2 people was what was thought right at the start of this pandemic but that was based upon other viruses and with no controls in place. The scientists and the medical advisers have been learning all the time and I found that frustrating because I come from a background that you tell me how it is and I will make a decision based on what you tell me but please do not come back tomorrow and tell me something different. We have all had to learn that the evidence, the monitoring of what is happening with the virus, the reality of the situation in practice has meant that we have had to change course and do things differently and we have really had to trust that medical advice even if some of us have wanted to fight it with all that we are but we have not. We have listened to it, we have followed it and it has done the least overall harm to all Islanders and we have made those balanced decisions. Let us not now criticise S.T.A.C. because they have looked not just at the COVID harm but they have looked at all of the harms right across our community. They have looked at all of the health issues. They have looked at the effect on mental health. They have looked at the effect on patients that have other conditions which are unseen, unspoken about and, sadly, in many cases, have remained untreated. As Deputy Higgins just said, we cannot stay in this place. We now have to step forward. I mean no disrespect to any Member and certainly not to Senator Moore who I know never does anything lightly and takes her responsibilities very seriously but, for me, the advice of the Medical Officer of Health and all of those other medics on S.T.A.C. it is now proportionate to give Islanders some of their freedoms back and those who wish to travel here. Let us be clear. We know that there will not be very many in the early weeks. We know that the systems in place - the track,

the trace and the testing - are fit for purpose. Those people staffing those processes are doing an excellent job. I do not understand how they are doing it but they are and they are doing it well and I thank them for it. I cannot today make the decision that I want to, add on top of that my own view of risk, and I hope that all Members, before they make the decision about whether to support the S.T.A.C. advised safer travel policy or make the Amendments, consider that very, very carefully. I am in no doubt that everybody in this Assembly today, whichever Parish they are sitting in to make these comments, wants to put the health of Islanders right at the very forefront of all of their decisions but that health cannot be just about the virus. It must be about a balance of all harms. Thank you.

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

I am only going to speak once in this debate. I hope I am not going to speak for very long. I have had some comms issues today but can I just start by saying how grateful I am for the support team behind all of this technology who have sorted me out and I am sure other Members as well. I have been critical of Government throughout this crisis. I cannot say that their timing has been very good. I cannot say that I have been happy with the way they have communicated and this last weekend has been typical, I am afraid. Only early this afternoon, we have received a comments paper to this debate. It is for the second Amendment. Their website has then gone down. It has been difficult to access the second Amendment so you can compare the comments paper to the Amendment. We have had very, very little time. All the way through, it seems to me that the Council of Ministers have had to be dragged to the table to find out what they are up to and to work out exactly what their plan is, and I have been really disappointed that they have not shared more with Members of the Assembly. I would like to thank Deputy Perchard and Deputy Maçon because, in those 2 politicians, we have people who have lodged Propositions which have forced the Government to come to the Assembly and we learned a bit more about what their plans were. In both cases, I guess those 2 Members have caused Government to change their plan. I wish I had been as successful as those 2 politicians have but I have tried my best. I tried to get some funding to get farmers to grow more crops for this coming winter so we would not run short of some essential vegetables, that is if we will. I have tried for 3 months, with others, to bring a scheme to help fishermen and we do have a scheme now, not quite the one we had hoped for, but we do have something. Members will remember that I fought hard early on for the Nightingale hospital. We had one in the end. It was announced to me, like all other Members, at the same time even though I thought I had had a lot of input to try to push it forward and I have tried to work on the economic side as well. I have suggested earlier that we should have cross-party working on this. We should not have Government and Scrutiny. We should have all Members of the States sitting around the table at the same, but there we are. I have got to the point where I have almost given up trying to help and I have just allowed Government to get on and make their decisions. That has not stopped me thinking and I suspect, like all other Members, I have spent most of the last few days in very deep thought about how one approaches this Proposition and this Amendment. I remember thinking to myself some months ago now that getting into lockdown was easy and the big decision was going to be about how we opened up borders and how we moved out of lockdown, and it has proved to be the case. This is possibly as big a debate as we could wish to have in anybody's time in this Assembly and I have been trying to, in my mind, think of some sort of analogy to just figure out how we are here. People well know I am a mariner and a boatie person and it seems to me it is a little bit like being out in a boat fighting through the storm and coming across a point in the middle of that storm where the seas are calm, the winds are light and the sun comes out briefly and you look around but all is black and grey and pretty awful. I think that is a little bit like where we are now. We have been through all-round tough times and we are now in a good position. We know we are in a good position. Yesterday was a great day for us with no cases and we are faced with the options. We know, on the one hand, that we could shut down the borders completely. I think I have heard some Members almost advocating for that today and I expect those Members are not only going to support the Amendment but then vote against the amended

Proposition. We could shut down completely. We could open up completely. We could just say to people: “Come, there are no restrictions. Do what you like.”

[16:45]

We know, on the one hand, that the shutting down will protect health and we know, on the opening up, we will protect the economy but we can do neither of those. We have to open up to a limited degree and we have to protect our Islanders as much as we possibly can so, as Members have said, it is down to risk. We have had 2 speeches which I would like to speak about, if I may very, very briefly - the speech from Deputy Perchard and then the speech from Deputy Morel - who were quite outstanding and they really got me thinking. I started the weekend thinking I was going to go with these Amendments. I came to the end of the weekend thinking I could not possibly go with them. Deputy Morel in particular has nearly swayed me. It is down to risk and it is down to Members' appetite for risk and I suppose I have been a risk taker most of my life. I cannot see, in the first part of the Amendment, that a week's delay is going to make very much difference at all. I cannot see a lot of people arriving on the Island. Those that might will be with families and will be very responsible. I cannot see that that extra week will make much of a difference. Similarly, I am minded to follow the medical advice even though some may find ways to talk around it. We can say that there are no active cases of the virus on the Island at the moment. Senator Mézec suggested that we do not have any but we know that the last 5 cases were not showing any symptoms. We only found out about them because of the testing programme. We cannot say it is eliminated completely. It is a risk and it is just a question of Members' appetite for risk. I am not satisfied with the way the Government has performed over this. Hindsight is a wonderful thing. I would have liked to have been more involved and had more sight of things earlier on and more time for discussion. This debate is the most classic example. This is a massive debate. We have had so little time to prepare and it is hardly fair but we do have to make a decision and we do have to move forward. I will be, in this instance, supporting the Government and not voting with the Amendments.

The Deputy Bailiff:

Thank you. If no other Member wishes to speak on the Amendment, which appears to be the case, then I invite Senator Moore to reply.

1.2.35 Senator K.L. Moore:

As others have said, I would just like to start by thanking Members for their contributions today and for spending the time to deliberate this really important and serious matter so eloquently in this Assembly. Wherever they are sitting today, Members have shown their genuine passion for their roles and why people have elected them to this Assembly to deliver for the public their decision-making in the very best way. There has been a good focus in this debate about what brings us together as well as what can drive us apart and it is in having these debates that we do define these really important issues and we can help to drive the Island forward because that is what we are here for, to move forward as an Island in the best possible way. Most Members have acknowledged that this is most certainly not about keeping our borders closed. It is about ensuring that we open our borders while giving Islanders reassurance and confidence that that is being done in the very best way so that Islanders who have found a newfound freedom can continue to enjoy it. There has been much talk about the Scrutiny process. We have talked about the brevity with which we have conducted this piece of work. It is not a perfect piece of work but we have endeavoured to do our best. Our role is here to offer challenge, to offer advice to Government and to be a critical friend. I believe that we have done that. We have conducted meetings in a very short period of time and I am grateful to the officials and the Ministers who made themselves available. We have called for evidence by communicating our Amendments to the public. Many people have taken the opportunity to engage with us in various methods and Deputy Perchard also conducted a poll which has equally been very helpful. The Minister for Health and Social Services asked: “Where was our evidence?” I could say

to the Minister: "Where is his evidence?" He has talked to us about the impact on health and well-being. No Member of this Assembly I think would deny that there has been an impact on health and well-being of Islanders in the response to the COVID-19 crisis. However, we have not seen the statistical evidence that underpins that. The Minister for Health and Social Services also described his reassurance by the visit to I think the test and tracing team. How has the Minister conveyed his sense of reassurance to Islanders? That I think is one of the dividing factors that has caused some members of the public to struggle with our understanding of the Government and the Government's interpretation of the S.T.A.C. guidance. One of the first places any Scrutiny Panel will look is at Government documentation and then they will ask questions. Given the timeframes and, as we have already stated, we have managed to tweak out some Government documents but some have appeared very much at the last minute like, for example, the email that was sent to Ministers on Saturday afternoon from the director of Ports giving a little further information about the airlines and the risks in that scenario but that information was only sent to us late last night giving very little time for it to be properly and duly considered which is rather unhelpful in the circumstances. Another piece of information and Government documentation that we would ordinarily have looked at very, very carefully is the guidance that will underpin this piece of policy. That guidance is as yet unpublished. As Deputy Gardiner outlined in her excellent speech, there have been instances in other places. She gave the example of the Isle of Man where people have travelled and not followed the guidance when it is permitted. People who corresponded with me have also cited cases in Cumbria and also in Iceland where one single solitary traveller, or a small family who have not been careful and followed the guidance, have caused a considerable number of people to become infected and have to quarantine, and that is what causes the concern among Islanders. Deputy Morel was absolutely right in pointing out how very important it is for us, in making these decisions today, to offer reassurance and confidence to Islanders so that they can offer a Jersey welcome to anyone who might visit this Island in the coming months. As Deputy Perchard so eloquently put, there are still many questions to be asked and I do, amazingly, still have some. Why is there no test now on day 4 of an arrival? That has been the policy to date and it has not become entirely clear as to why that test has now been removed from the guidance. Deputy Russell Labey asked a question about a person arriving and having to spend time in the Island before being able to check in and what was to happen with them. I do think that, in that instance, that is certainly a matter for officials to offer guidance to those people and as a matter of implementation, which is sometimes where this Assembly can get a little confused in that delineation between officer advice and their role in implementing a Ministerial Decision which is taken on a political view. If I can turn now to part (e) very briefly, it is the new part (e) which was part (d) in the Amendment and it fits well with the Deputy of St. Martin's comments in his speech just now. It is simply calling on the Government to, rather than publishing a report for the Assembly, bring back a Proposition to the Assembly. We have shown how very capable we are considering these things in short time and acknowledging sometimes the need for expediency and I really would urge Members to support that because we must maintain the importance of political debate and the role of the Assembly in the decision-making process. Part (f) is acknowledged and accepted by the Council of Ministers and so I hope other Members will also show the same. Then we move to part (b) which is the quarantine and isolation. Members have said that this is not in the S.T.A.C. advice and that we are creating our own view of the S.T.A.C. advice but if Members remind themselves of that advice - it is on page 27 of the Proposition - in the bottom paragraph, it clearly said that S.T.A.C. would expect to see some changes being introduced on to the Island because of increased numbers, and this message to the public needs to be carefully managed. Accepting that, they go on to the next page and into the section: "Suggestions for Success." The S.T.A.C. say: "Develop strategy to support increased testing and/or quarantine should cases surge." I do put it to Members that part (b) is an extremely important part and is simply understanding the S.T.A.C. advice and asking Members to consider whether it is politically expedient in terms of offering that confidence and reassurance that we wish to offer members of our community by accepting part (b) and asking people to self-isolate until a negative test result arrives. It is quite simple. One correspondent very kindly talked to me

about their personal experience of a period of poor health and now how they reflect upon life and mortality at the retired age of 67. This caused me to reflect on children and the future of our Island and why it is so important that we consider these decisions today. The Scrutiny Liaison Committee did, at the beginning of its term, decide to reflect on the wishes of this Assembly and to make children a priority. We have endeavoured, with every piece of work that we do, to consider the impact on children and this is no exception. Deputy Ash helpfully provided an example of history being very relevant to these questions today but if we look back at the debt that was incurred by nations across the world due to World War I and World War II and the long-term impact that had throughout the last century, then we must consider, in our reaction to this COVID situation which has some wartime analogy, the damage and the impact that our decisions taken today will have on future generations. We must consider and remember that, for example, the war debts incurred by the United Kingdom were only paid off 2 years ago. Deputy Le Hegarat very correctly pointed out the importance of reducing income inequality. That, once again, is a priority of the Council of Ministers and agreed by this Assembly. Deputy Morel circulated an email from Swissport earlier today which highlights the great sadness and the economic impact of this situation and seeing further redundancies in our communities. As Deputy Le Hegarat pointed out, the impact on those people who are sometimes on the lowest incomes, is more severe than it is elsewhere in the community. In taking these Amendments, I can see that the Assembly understands the absolute seriousness of them and I hope that Members will support them and, in doing so, will consider each and every one of them because I will be taking them separately, as it had been I think largely understood, for their core beliefs, their approach to the future of the Island, the current well-being of Islanders and the confidence and reassurance that we can provide to them. Sir, I ask for the *appel*.

The Deputy Bailiff:

Thank you, and as you have said, Senator, you seek 4 separate votes in relation to the 4 separate Amendments.

Senator K.L. Moore:

That is right, please.

The Deputy Bailiff:

The first Amendment is, if I can call it, part 1 which is to amend paragraph (a) of the Council of Ministers' Proposition: "For the words '3rd July 2020' substitute the words '10th July 2020'."

[17:00]

I invite the Greffier to release a vote into the chat channel of this meeting and the vote is now open. I ask Members to cast their votes. I ask the Greffier to close the voting.

POUR: 15		CONTRE: 29		ABSTAIN: 1
Senator S.Y. Mézec		Senator I.J. Gorst		Senator S.C. Ferguson
Connétable of St. Saviour		Senator L.J. Farnham		
Connétable of St. Brelade		Senator J.A.N. Le Fondré		
Connétable of Trinity		Senator T.A. Vallois		
Deputy G.P. Southern (H)		Senator K.L. Moore		
Deputy K.C. Lewis (S)		Senator S.W. Pallett		
Deputy M. Tadier (B)		Connétable of St. Helier		
Deputy L.M.C. Doublet (S)		Connétable of St. Clement		
Deputy J.H. Young (B)		Connétable of St. Lawrence		
Deputy L.B.E. Ash (C)		Connétable of Grouville		
Deputy K.F. Morel (L)		Connétable of St. John		
Deputy J.H. Perchard (S)		Connétable of St. Mary		
Deputy R.J. Ward (H)		Connétable of St. Martin		

Deputy C.S. Alves (H)		Deputy J.A. Martin (H)		
Deputy I. Gardiner (H)		Deputy of Grouville		
		Deputy M.R. Higgins (H)		
		Deputy J.M. Maçon (S)		
		Deputy S.J. Pinel (C)		
		Deputy of St. Martin		
		Deputy of St. Ouen		
		Deputy R. Labey (H)		
		Deputy G.J. Truscott (B)		
		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 K.G. Pamplin (S)		

The Connétable of St. Ouen:

Sir, could I interrupt for a second? We are not getting enough time to vote because we have to go through the authentication process which requires a code to be sent from Microsoft, so by the time we have got through that, the vote has closed on us.

The Greffier of the States:

Well, we have 44 votes.

The Deputy Bailiff:

Any votes recorded in the chat before the closing of the vote will be recorded in Hansard in the usual way. We had 44 votes when we closed the voting and a clear majority either way.

The Connétable of St. Ouen:

With the greatest respect, by the time you have been through the authentication process the vote has closed and you cannot vote in the chat, so you are left with a very unfortunate choice to make.

The Deputy Bailiff:

In relation to the next vote, what I will do is give an indication that I am about to close the voting and give Members a further period in which to vote, if that assists.

The Connétable of St. Ouen:

Thank you, Sir.

Deputy K.C. Lewis of St. Saviour:

Sorry, I have technical problems at my end. My vote should be recorded as *contre*. I did put it in the chat but I have a techie problem here.

Deputy M.R. Higgins:

I also voted in the chat because of the difficulties getting into the vote and voted *contre*.

The Deputy Bailiff:

Well, if the vote was recorded after the vote closed, then it will not be recorded. We now move on to the second part of the Amendment and, to remind Members, this amends paragraph (b) of the Council of Ministers' Proposition. "After the words 'latest medical advice' insert the words ' , with

passengers participating in the border testing programme to self-isolate until a negative result is received and with a dedicated sanitised transport service to be provided for passengers entering Jersey without onward means of transport’.” I ask the Greffier to place a vote into the chat channel of the meeting. The vote has been placed into the chat channel and I ask Members to cast their votes. Unfortunately, that did not succeed, so the Greffier will now place a new vote into the chat channel.

The Connétable of St. Ouen:

Oh, not again.

The Deputy Bailiff:

I am afraid so, Connétable of St. Ouen.

The Connétable of St. Ouen:

Oh, sorry. It is now telling me my vote has been submitted so ...

Deputy R.J. Ward:

Me, too. It is telling me my vote has been submitted, too, so shall we just use the chat?

The Connétable of St. Saviour:

Yes, it is telling me the same as that as well.

The Deputy Bailiff:

Well, we have at least 40 recorded so far.

Deputy G.P. Southern:

I am getting nothing. I have to vote, as I have always been voting, through the chat line as early as I can, but the whole thing is very unsatisfactory.

Connétable J. Le Bailly of St. Mary:

Likewise in St. Mary, I have a problem. I cannot even get into the chat to be able to vote at all.

Deputy G.P. Southern:

Exactly.

The Deputy Bailiff:

Stop voting in the chat for a moment, please, Members, if you could. We have 47 votes. Greffier, are you able to tell whose vote we do not have recorded? We had complaints particularly from the Constable of St. Mary and Deputy Southern that they have been unable to vote.

The Greffier of the States:

Well, you have to ask me to close the vote and then I can ...

The Deputy Bailiff:

I ask the Greffier to close the vote, but if there are Members who have attempted to vote, I will take their votes.

Deputy C.F. Labey of Grouville:

I am unclear. I voted and I do not know, you are now saying not to vote in the chat so I am ...

The Deputy Bailiff:

No, I have asked Members to vote in the chat and I have closed the voting in the chat. The voting in the chat has been announced on the screen.

POUR: 19		CONTRE: 29		ABSTAIN: 0
Senator S.C. Ferguson		Senator I.J. Gorst		
Senator T.A. Vallois		Senator L.J. Farnham		
Senator K.L. Moore		Senator J.A.N. Le Fondré		
Senator S.Y. Mézec		Senator S.W. Pallett		
Connétable of St. Saviour		Connétable of St. Helier		
Connétable of St. Brelade		Connétable of St. Clement		
Connétable of Trinity		Connétable of St. Lawrence		
Deputy G.P. Southern (H)		Connétable of Grouville		
Deputy M. Tadier (B)		Connétable of St. John		
Deputy J.M. Maçon (S)		Connétable of St. Peter		
Deputy L.M.C. Doublet (S)		Connétable of St. Ouen		
Deputy J.H. Young (B)		Connétable of St. Martin		
Deputy L.B.E. Ash (C)		Deputy J.A. Martin (H)		
Deputy K.F. Morel (L)		Deputy of Grouville		
Deputy J.H. Perchard (S)		Deputy K.C. Lewis (S)		
Deputy R.J. Ward (H)		Deputy M.R. Higgins (H)		
Deputy C.S. Alves (H)		Deputy S.J. Pinel (C)		
Deputy K.G. Pamplin (S)		Deputy of St. Martin		
Deputy I. Gardiner (H)		Deputy of St. Ouen		
		Deputy R. Labey (H)		
		Deputy S.M. Wickenden (H)		
		Deputy of St. Mary		
		Deputy G.J. Truscott (B)		
		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 M.R. Le Hegarat:

Excuse me, Sir, but I voted on the previous system and I did not vote in the chat. Please explain.

The Deputy Bailiff:

There was a slight glitch with the vote when it was first placed in the channel, but all the votes in the chat were counted effectively by the system. We had 47 Members voted in the voting channel, but I indicated that the 2 Members, if they are attending and had cast their votes in the chat, their votes would be counted. Indeed, the Constable of St. Mary indicated that he could not get into the chat or the system, and if that is right we will accept his vote. The Connétable of St. Lawrence has asked for the names read of those who voted *pour* and *contre* in relation to the second part of the Amendment.

The Greffier of the States:

Those Members voting *pour*: Deputy Ash, Senator Vallois, Deputy Pamplin, Deputy Ward, Senator Ferguson, Constable of Trinity, Deputy Tadier, Deputy Morel, Constable of St. Saviour, Constable of St. Brelade, Senator Mézec, Deputy Perchard, Senator Moore, Deputy Alves, Deputy Maçon, Deputy Young, Deputy Doublet and Deputy Gardiner. Those voting *contre*: Senator Gorst, Deputy of St. Martin, Deputy Wickenden, Constable of Grouville, Constable of St. Ouen, Deputy Ahier, Deputy Lewis, Deputy Labey, Constable of St. John, Senator Pallett, Deputy Pinel, Constable of St.

Martin, Deputy Truscott, Senator Farnham, Deputy Le Hegarat, Constable of St. Helier, Constable of St. Peter, Constable of St. Clement, Deputy Guida, Senator Le Fondré, Deputy of St. John, Deputy of St. Peter, Deputy of Grouville, Deputy of St. Ouen, Constable of St. Lawrence, Deputy of St. Mary, Deputy Higgins, Deputy Martin and the Deputy of Trinity.

Deputy G.P. Southern:

Deputy Southern, Sir, voted which way?

The Deputy Bailiff:

Did you vote in the chat, Deputy Southern?

The Greffier of the States:

Voted *pour*.

The Deputy Bailiff:

You will be recorded, Deputy Southern, as a *pour*, and the Connétable of St. Mary will be counted as a *contre* as you both voted in the channel¹. We now move on to the third part of the Amendment and that Amendment is to what was paragraph (d) but is now paragraph (e) of the Council of Ministers' Proposition owing to the acceptance of the Amendment by Deputy Ward: "For the words 'and to present a report to the States prior to any changes being made to the safer travel policy' substitute the words 'and to ensure that any changes made to the safer travel policy receive prior approval by the States, with any Proposition to that effect lodged at least one week before the Council intends such a Proposition to be debated'." I invite the Greffier to place a vote in the chat, which he has done, and I open the voting. We have received 47 votes, so if you have not had your vote recorded or been unable to vote, then please place your vote in the chat. We have received 48 votes. Accordingly, I invite the Greffier to close the voting and announce the vote in the chat. Deputy Southern, could you mute your microphone? Apparently, it can be heard.

POUR: 23		CONTRE: 26		ABSTAIN: 0
Senator S.C. Ferguson		Senator I.J. Gorst		
Senator K.L. Moore		Senator L.J. Farnham		
Senator S.W. Pallett		Senator J.A.N. Le Fondré		
Senator S.Y. Mézec		Senator T.A. Vallois		
Connétable of St. Saviour		Connétable of St. Helier		
Connétable of St. Brelade		Connétable of St. Clement		
Connétable of Grouville		Connétable of St. Lawrence		
Connétable of Trinity		Connétable of St. John		
Connétable of St. Mary		Connétable of St. Peter		
Deputy G.P. Southern (H)		Connétable of St. Ouen		
Deputy K.C. Lewis (S)		Connétable of St. Martin		
Deputy M. Tadier (B)		Deputy J.A. Martin (H)		
Deputy M.R. Higgins (H)		Deputy of Grouville		
Deputy L.M.C. Doublet (S)		Deputy J.M. Maçon (S)		
Deputy of St. Mary		Deputy S.J. Pinel (C)		
Deputy J.H. Young (B)		Deputy of St. Martin		
Deputy L.B.E. Ash (C)		Deputy of St. Ouen		
Deputy K.F. Morel (L)		Deputy R. Labey (H)		
Deputy J.H. Perchard (S)		Deputy S.M. Wickenden (H)		
Deputy R.J. Ward (H)		Deputy G.J. Truscott (B)		

¹ The Connétable of St Mary had cast a vote in the chat channel, but after the voting was closed, therefore his name is not shown in the voting table for the second amendment.

Deputy C.S. Alves (H)		Deputy G.C.U. Guida (L)		
Deputy K.G. Pamplin (S)		Deputy of St. Peter		
Deputy I. Gardiner (H)		Deputy of Trinity		
		Deputy of St. John		
		Deputy M.R. Le Hegarat (H)		
		Deputy S.M. Ahier (H)		

Part 3 of the Amendment has been rejected. Obviously, Deputy Southern, your vote will be counted also if it was not recorded in the chat. Is there any application to have the names read in relation to that vote?

[17:15]

Deputy G.P. Southern:

I repeat: this is most unsatisfactory. The key to which way we vote is our only democratic weapon, the way we vote, and for anybody not to be able to vote systematically in the system is a perversion of democracy. We should be doing better than this.

The Deputy Bailiff:

Deputy Southern, every vote is being counted and every vote is being recorded. I am sorry if the system is not perfect but it is the best that we can do.

The Connétable of St. Saviour:

Then we need to go back into the Assembly room.

Deputy T. Pointon of St. John:

Deputy Southern, if I might say so, everybody else seems to have been able to record a vote. Perhaps you are not utilising the system in the way that is needed.

The Deputy Bailiff:

Well, let us not have a debate about that. We are in the middle of a vote. We will now move to part 4, which is the Amendment to what was (d) but is now paragraph (e) of the Council of Ministers' Proposition, which is to insert the following paragraph - was (e), now paragraph (f): "to request the Council of Ministers to publish and maintain a list of countries designated as safe for travel with the list to indicate the prevalence of COVID-19, the reproduction ('R') number and the testing regime of each country on the list; and". I invite the Greffier to place a chat in the channel and to open the voting. We have received 46 votes through the link and, as I said, any further votes in the channel of those not recorded on the link will be counted, but I will now invite the Greffier to close the voting, which will give an indication as to the votes recorded on the link. I can announce that the fourth Amendment was passed.

POUR: 43		CONTRE: 5		ABSTAIN: 0
Senator I.J. Gorst		Connétable of Grouville		
Senator L.J. Farnham		Connétable of St. Peter		
Senator S.C. Ferguson		Deputy of St. Martin		
Senator J.A.N. Le Fondré		Deputy G.C.U. Guida (L)		
Senator T.A. Vallois		Deputy of Trinity		
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				

Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
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 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)				

The Deputy Bailiff:

We now return to the main Proposition as amended.

Deputy R. Labey:

I wonder if it might be time to consider adjourning. I will propose the adjournment.

The Deputy Bailiff:

[Seconded] The adjournment has been proposed and seconded. Does any Member wish to speak in relation to the proposal to adjourn now until tomorrow at 9.30 a.m.?

Senator L.J. Farnham:

Quite often, we find in debates with Amendments such as these the majority of speeches have been made. In fact, many Members said they were only going to speak once. The result, the certainty we need to provide from this debate, is hugely important to many Islanders. I wondered if Members might indicate if there were a long list or a short list to speak. If there was one or 2 to speak and summing up, I would like to propose that we finish it this evening to provide certainty.

The Deputy Bailiff:

Well, I note that 34 Members spoke in the Amendment debate and many - not all, though - indicated that they would not speak again. Indeed, all Members are entitled to speak again in the debate, but to assist, would those Members who wish to speak again indicate? I understand that Deputy Tadier wishes to speak, and Deputy Ash would wish to speak. Deputy Doublet would wish to speak. I assume that means speak in the debate. Deputy Morel, Deputy Pamplin, Deputy Perchard and I think Deputy Young as well. So I think there are at least 6 Members who wish to speak in the debate and, indeed, of course, then there would be a speech from the proposer. So, there are at least 7 speeches.

Senator L.J. Farnham:

Thank you, Sir. I would still like to propose we continue.

The Deputy Bailiff:

Well, the first proposal that was made was to adjourn now. Does anyone wish to speak in relation to that briefly? Deputy Tadier wishes to speak. Do you want to speak, Deputy Tadier, now in relation to that matter?

Deputy M. Tadier:

Yes, please. I will not speak for the 15 minutes, do not worry, even though that would take us up to well past 5.30 p.m. The key thing for me here is that the nature of the debate has fundamentally changed, from my point of view, because I was relatively hopeful before the vote was taken that some of the substantive Amendments would go through. I was hoping to be able to support the Government on their Proposition if it were amended, but now that it has not been amended at all I think it puts us in a completely different position as to certainly if I can support it. I do not think I can support it wholeheartedly and I need to give that consideration this evening as to where my vote on this very serious issue would lie. I am sure other Members are in the same position. So, I think this is the natural break in proceedings. We should have finished normally at 5.30 p.m. anyway and I think we should come back tomorrow and debate the Proposition with the minor Amendment that has been adopted today and to see where we are. I think other Members may feel in the same position.

Deputy G.P. Southern:

Can I second that, Sir?

Senator I.J. Gorst:

Of course, I am in the hands of the Assembly about whether they wish to complete this item this evening. I did indicate, I thought, yesterday when I asked for the item to be taken today that we should complete the item and the Amendments and just keep sitting until it was completed, for the reasons that Senator Farnham indicated. Of course, that would be my preference, but I am in the Assembly's hands.

Senator L.J. Farnham:

Just to repeat what I said previously, I think this is a hugely important item. Many hundreds, if not thousands, of Islanders will be wanting to make plans or arrangements and I think in times of emergency, in times of crisis such as this, we have a duty not to keep Islanders waiting. We need to deliver our decisions in as timely a manner as possible, and I think under the circumstances we should continue until the end.

Deputy G.P. Southern:

If I may speak, Sir?

The Deputy Bailiff:

Well, I was going to call upon Deputy Young next, and then I will call you, Deputy Southern.

Deputy J.H. Young:

I just wanted to support what Deputy Tadier said. I think that the rejection of the Amendment, particularly with such a strong majority, really does change the nature of the decision that we have to make. I would like to reflect on that overnight. I think it is really right, this is a huge decision and we have that responsibility on us. I do not believe we should rush it.

Deputy G.P. Southern:

I could not agree more with Deputy Young. I think we have spent the last few sessions insisting that we close at 5.30 p.m. when we close if we possibly can, and I think that the fundamental change to the nature of what we have just passed means that, yes, continuing tonight might be a lengthy process which I think we should avoid, for the sake of we have had rush, rush, rush through here with one day's notice of stuff arriving on the table, things arriving this afternoon, and yet again Senator Farnham is saying: "Let us continue tonight and get it done with." I do not think we are talking about getting it done with. We are putting the health of our residents, Islanders, at risk by going through with what we have got, so I think we can afford to spend a few more minutes than we might otherwise do tomorrow discussing this very, very serious position.

The Deputy of St. John:

Yes, I would agree that we should go over tomorrow but for very different reasons to some of the speakers. I fear that if we carry on tonight the group of people who are aggrieved that they have lost this Amendment would want to filibuster the Assembly into going on until the late hours. I believe we should move to tomorrow and move to having a general consideration overnight. We are still not out of time for the 3rd and we will and can get there.

Deputy G.P. Southern:

I believe that was just impugning the motives of some Members in the House. At the very least could the Deputy of St. John say who they are?

The Deputy Bailiff:

I do not think it was specific to a particular individual and filibustering is a general parliamentary term that people are aware of. I do not propose to ...

Deputy M. Tadier:

It could be taken as a compliment as well.

The Deputy Bailiff:

Thank you. Assuming no other Member wishes to speak in relation to this particular Proposition to adjourn now, I ask the Greffier to place a vote in the chat channel. The Proposition is to adjourn now. If you wish to adjourn now ... **[Interruption]**. Sorry? The debate has concluded. The Proposition is to adjourn now. Vote *pour* if you wish to adjourn now, *contre* if you wish not to adjourn now and carry on this evening.

Deputy G.P. Southern:

Is that dependent on whether your machinery is working?

The Deputy Bailiff:

The machinery is not personal to me but it probably is dependent on the machinery working to some extent.

Deputy G.P. Southern:

No, I do not think I have got that away.

The Greffier of the States:

Perhaps ask him to mute his microphone.

The Deputy Bailiff:

The link has been posted, Deputy Tadier, and there are 44 votes cast so far. I will wait a little longer.

Deputy G.P. Southern:

The chat channel, Sir, is my vote registered?

The Connétable of St. Saviour:

Yes, Geoff, it is, I can see it. This is Sadie and I can see it.

Deputy G.P. Southern:

Are all 6 attempts ...

The Deputy Bailiff:

Can you please mute your microphones unless you are invited to speak?

Senator S.C. Ferguson:

I hate to be a pain but which way round was it?

The Deputy Bailiff:

Pour if you want to adjourn now and *contre* if you wish to carry on. We now have 46 votes and I understand a clear outcome, so I invite the Greffier to close the voting. Nineteen voted *pour* and 28 *contre*, so the wish of the Assembly is to carry on with this debate.

POUR: 21		CONTRE: 28		ABSTAIN: 0
Senator S.W. Pallett		Senator I.J. Gorst		
Senator S.Y. Mézec		Senator L.J. Farnham		
Connétable of St. Saviour		Senator S.C. Ferguson		
Connétable of St. Brelade		Senator J.A.N. Le Fondré		
Connétable of St. John		Senator T.A. Vallois		
Connétable of Trinity		Senator K.L. Moore		
Connétable of St. Peter		Connétable of St. Helier		
Connétable of St. Mary		Connétable of St. Clement		
Deputy G.P. Southern (H)		Connétable of St. Lawrence		
Deputy M. Tadier (B)		Connétable of Grouville		
Deputy M.R. Higgins (H)		Connétable of St. Ouen		
Deputy R. Labey (H)		Connétable of St. Martin		
Deputy S.M. Wickenden (H)		Deputy J.A. Martin (H)		
Deputy J.H. Young (B)		Deputy of Grouville		
Deputy L.B.E. Ash (C)		Deputy K.C. Lewis (S)		
Deputy K.F. Morel (L)		Deputy J.M. Maçon (S)		
Deputy of St. John		Deputy S.J. Pinel (C)		
Deputy S.M. Ahier (H)		Deputy of St. Martin		
Deputy J.H. Perchard (S)		Deputy of St. Ouen		
Deputy R.J. Ward (H)		Deputy L.M.C. Doublet (S)		
Deputy C.S. Alves (H)		Deputy of St. Mary		
		Deputy G.J. Truscott (B)		
		Deputy G.C.U. Guida (L)		
		Deputy of St. Peter		
		Deputy of Trinity		

		Deputy M.R. Le Hegarat (H)		
		Deputy K.G. Pamplin (S)		
		Deputy I. Gardiner (H)		

[17:30]

Deputy M. Tadier:

I am trying to write in the time. Could we establish a time for finishing tonight? I would like to propose that we finish at 6.30 p.m., for example.

The Deputy Bailiff:

We will just carry on for the time being.

1.3 A safer travel period: States Assembly approval (P.84/2020) - resumption

The Deputy Bailiff:

Who wishes to speak next? Deputy Ash, you said you were going to speak again, I think?

1.3.1 Deputy L.B.E. Ash:

Yes, I am happy to speak. As far as the main Proposition is concerned, now that we have moved through the Amendments I am disappointed. I feel this is being unnecessarily rushed through when we really have more time than we think we have. Anybody who has played sport at a decent level will tell you that the class player always appears to have time while others look more hurried, and I felt that until now in this crisis we have resembled the class player, whereas in this move we have resembled a debutante facing the old West Indian attack. In saying all this, I will now urge the Assembly to vote for this Proposition. I will throw my efforts 100 per cent into this cause. As Henry Ford said: "If everyone is moving forward together, then success takes care of itself." I am not sure in this case he is right, but we have more chance if we all pull together and I would urge everybody now to do so.

1.3.2 Deputy G.P. Southern:

It has been 18 years in the States since I was this angry. The fact is that what we are doing today is dangerous, as Senator Walker used to call anything that I opined. I urge people to vote against. We are offering next to no protection against the next wave of coronavirus by doing what we have done today. Having successfully and in a dedicated manner got the active cases down to zero, we have now thrown all that to the wind. I urge Members to vote against this Proposition as it is finally seen because it has not been amended. It offers no protection and is positively, absolutely dangerous.

1.3.3 Deputy J.H. Young:

I am really more than disappointed as in Deputy Ash. I feel pretty shattered really that the Amendment was defeated and defeated so heavily. I do not want to go into a lot of detail because I spoke earlier in the Amendment debate, and I think I had hoped that if we could have secured an improvement then I could have supported the substantial Proposition to see the borders open. Because I want to see them opened as much as anybody else does for all the reasons we have said, but I feel that what we are now asked to approve is not a safe arrangement. We have heard a lot about the medical advice, to follow the advice and so on. I think there are unanswered questions. I think it is an issue of where the balance of risk lies and I accept that I am in the category and I find myself ... I was pleased to hear Senator Gorst say some of us are through personality more risk averse than others. Others are risk takers, and that is the profile. So, for me personally, I do not feel I can go along with a proposal that I believe to be unsafe. I think those judgments about that balance of risk is a political one and not a medical one, because I think the advice we have had is effectively we have kind of strayed from medical factors into what are judgments of balance between various

factors. My own balance, and I accept the fact that this is a minority view, but nonetheless I am going to record my vote against for those reasons.

The Deputy Bailiff:

Point of order, Deputy Tadier.

Deputy M. Tadier:

I would like to invoke Standing Order 85, which is a proposal to move to the next item, if you think that is in order.

The Deputy Bailiff:

Can you explain, Deputy Tadier, why you think it is not an abuse of the procedure of the States in the circumstances where over 30 Members have spoken in a debate?

Deputy M. Tadier:

This is obviously a new debate and I am just invoking Standing Order 85 in the way it is written. It does not ask for a reason to invoke it. Clearly, 85(2) is a matter for you as the Presiding Officer, but given the way it is worded, I cannot imagine ... it could be argued that any invocation of Article 85 of Standing Orders is an abuse of procedure because we do not normally move on to the next item. So this is no different to any other proposal that has ever happened to move on to the next item. It is clearly a matter for Members if they feel that they would want to do that or not.

The Deputy Bailiff:

I rule that it is an abuse of the procedure to seek to move to the next item. We are moving towards the end of a long debate during which most Members have spoken, and if we move to the next item this matter would not be debated until July, which would frustrate the purpose of the Proposition. So I decline. I do not allow that proposal to proceed. The next Member I had to speak was Deputy Morel.

Deputy K.F. Morel:

I only said in the text that I may likely speak. I have not yet indicated my actual intention to speak.

Deputy R. Labey:

Before Deputy Pamplin makes his speech, may I ask you, Sir, and the Greffier, because you have been locked in your chairs all afternoon, would you benefit from a short recess?

The Deputy Bailiff:

No, we are very happy to ... it is very kind of you, Deputy Labey, I must say, but no, we will press on with the rest of you. Thank you.

1.3.4 Deputy K.G. Pamplin:

Just waiting to see if anybody else ... thank you. This has been a long day and, as I said in my first speech earlier today, this is, in my opinion, the most critical moment of the continuing global pandemic that affects where we live, right here on this Island. Obviously, yes, the Amendments that were put forward were defeated and we accept that with good grace because that is democracy, but I hope the public have listened to the arguments and seen that this Island's Assembly is here to do just that. This virus is super contagious for lots of reasons. One big reason that makes this new coronavirus stand out is that people can pass the infection before they start ...

The Deputy Bailiff:

We cannot hear you anymore. I think you have muted yourself by mistake.

Deputy K.G. Pamplin:

No, I think obviously somebody decided to ...

The Deputy Bailiff:

We can hear you again now.

Deputy K.G. Pamplin:

That is all right, the story of my life. Yes, one big reason that makes the new coronavirus stand out is that people can pass the infection before they start showing symptoms and then they are sick. This is called pre-symptomatic transmission. This is obviously a situation when somebody is obviously ill with severe symptoms, which we all know. There has been some asymptomatic transmission and this is the nub of this whole debate, people passing it along who never become sick themselves. For many diseases, including S.A.R.S. (severe acute respiratory syndrome), those kinds of transmissions just do not happen. The tricky part is discovering why. The scientific understanding is those older diseases need relatively larger droplets of fluid from the airways to successfully leap into something else, into somebody else, only the kind that are acceded by coughs and sneezes. Meanwhile, this virus seems to be able to spread on smaller droplets, like the ones made by talking or breathing. The science and the research continue on how this virus pulls that off. The most common theory is those who are infected carry a ton of virus particles on them or what is called a high viral load. If their throat and nose contains a lot of viruses, then even the small droplets they breathe out could contain enough viruses to infect someone. But again the problem when you have started to be infected is you think you would know that you are infected, but that is not the case with this virus. With many respiratory viruses, including the original S.A.R.S., the symptoms actually come from your immune system. It is the reaction rather than the virus itself. Researchers are still continuing to find out that people with COVID-19 can have really high viral loads even though they are super sick. The timing of peak viral load for COVID-19 seems to be really early on, like around or even before the onset of symptoms, which is why it makes this virus different from S.A.R.S. The peak viral load occurred about 10 days after people first showed symptoms. Therefore, this suggests most COVID-19 can infect cells and replicate more quickly, so therefore it is a fitter virus and more efficient than S.A.R.S. It is strange this, but they work the same way because of the spike proteins.

The Deputy Bailiff:

Deputy Pamplin, there is a point of clarification from Senator Farnham. Are you prepared to give way?

Deputy K.G. Pamplin:

Yes, I am, as always.

Senator L.J. Farnham:

Thank you to Deputy Pamplin. The Deputy is sharing some fairly detailed medical advice and I wonder if he would just be prepared to share his source with us at this stage. It is purely to be helpful.

Deputy K.G. Pamplin:

I thank the Senator for allowing me. These are all notes based on my work over the last 3 months scrutinising and various meetings with Dr. Muscat. The point I am making with this is that is my understanding of this virus, and what I am doing here is explaining it in a way I hope transmits to the wider public who are now listening and watching this debate. Because understanding what you are dealing with and conveying that brings reassurance, and that, after all, is what everybody, as I said earlier, is seeking. Dr. Muscat and others have been bringing that reassurance when they have been speaking either alongside Senator Farnham or the Chief Minister and the Island has felt reassured. On Friday's press conference alongside Senator Gorst, the Medical Officer of Health and Senator Farnham, Dr. Muscat again appeared. If you listened very carefully to the words that Dr. Muscat gave in that press conference, he was very clear. Asymptomatic transmission is what has been

discovered on the data that he has in front of him and, as I just explained, there is a very low viral load on those passengers. Therefore, it is crucial that you have all the public health measures that we have been talking about. Islanders want that reassurance. They want that reassurance when somebody comes to the airport, say, at Gatwick or somewhere else that they are doing those things.

[17:45]

They want the reassurance that the people transporting those people are reinforcing that. What border checks are being put in place? Then, of course, the most famous comment of this viral pandemic came from the World Health Organization when their director very simply stated: "Test, test, test." Do not be slow. Do not dither. The virus will outpace you. It is fair to say the United Kingdom, we all can see the data. Interestingly, yesterday, in the balance of fairness, the public health figures were released from the Office for National Statistics, which showed that the excess death rate in the United Kingdom is now at the usual average rate, also that the infection rates are down. We are, as Dr. Muscat and the Minister for Health and Social Services explained, in a much better place. But also as Dr. Muscat alluded to, it is not over. We are still in the first wave of this pandemic. The latest figures just released from the World Health Organization of the statistics of the global effects right now, today, in parts of the world, more than 10.3 million cases of COVID-19 have been reported. For the past week, the number of new cases has exceeded 160,000 on every single day; 60 per cent of all cases have been reported just in the last month. They say, and as we say today in the Assembly, find, isolate, test and care for every case, trace and quarantine every contact, equip and train health workers and educate and empower communities to protect themselves and others. But as they say, also not testing alone, not physical distancing alone, not contact tracing alone, not masks alone. Do it all, do it now. If this is not in place, if the I.T. (information technology) infrastructure for the hastily erected building that is being built right outside the terminal building at the Ports of Jersey, if those things are not in place ... I think I do not need to say any more. Other things that have been said over the debate, that is for other Members to raise if they want to but it comes back to the point of reassurance. Again, Dr. Muscat, in that press conference, very openly said: "We are getting those things. The next stage of P.C.R. testing is on its way." I am sure if he was saying it here now he would want it yesterday. He would want all of this ready now. We have to ensure it is in place. It has to be in place. This is something we cannot get wrong. The final part about the timing of testing, and I implore Senator Farnham and I implore Senator Gorst, who I both trust, be truthful. If it is not there, if something goes wrong, tell us, tell the Island, because we have to get this right. Dr. Muscat also alluded to the next stage of testing, which the world of science and medical data are very excited about. This is the lab testing. As I said earlier, it is in its second week of trialling. Please, Council of Ministers, if Dr. Muscat wants all the equipment to get ready for that, give it to him because that 30-minute testing, once approved - and it is looking very likely - is a game changer. We must make sure that that is in place and we must be hearing the truth on that one. There are people now who I bumped into this afternoon who are working almost 24 hours a day to get everything in place. We saw that urgency with the Nightingale hospital. It is amazing what this Island will do to get things in place, but this is not just building a building. Every little detail has got to be in place for the mental health and well-being of the workers now who are going to be pushing and pushing to ensure all of this is ready for Friday. Please look after them. Please make sure that no corners are cut, that everything is in place. That is what we want to see. That is what our industries want to see. That is what this Island wants to see. We want to go into the new tomorrow but we need to be all there together and no one left behind.

1.3.5 Senator K.L. Moore:

I will be very brief but, as it has already been acknowledged, I think it is worth reminding Members that the Council of Ministers did not have to bring this to the Assembly as a Proposition, so I would like to just thank all those Members who spoke on the Amendment and thank those particularly who supported them. It is very important that the democratic process is done and I am grateful for the

opportunity and I am grateful for the debate, but as a democrat I feel it is only right, however disappointed I might feel, to acknowledge the will of the Assembly and to support this Proposition. It is important that we achieve this tonight and give clarity to Islanders who will be watching and listening intently to know what the result is.

1.3.6 Deputy K.F. Morel:

The Government have moved with indecent haste on this, the single most important question facing this Assembly. Scrutiny, as we have seen, did its best under very trying circumstances. We offered more reasonable alternatives to the Government's Proposition and the Government chose to reject them and persuaded others to do so as well. I think the Proposition will cause Islanders a great deal of concern and may have negative economic consequences by causing people to stay away from town and refrain from spending their money. Of course that may not happen tomorrow, that may not happen next week, but if Islanders feel the virus is taking hold again they are likely to retreat back to their homes. I am not against travel. All I have ever wanted is robust testing and tracking systems in place before travel is permitted. Unfortunately, I am yet to be convinced that the Government have achieved this. Let us face it, they are still building facilities at the harbour as we speak. If today, as I am sure we will now, we do move to enable travel, I expect the Government to move with extreme speed to reverse any travel permissions should the transmission of the virus to Jersey result in an outbreak. Indeed, if at any point in the coming months Islanders are forced to accept again restrictions on their civil liberties because of a viral outbreak we know it will have come from outside, we know it will have been caused by travel. So I, like I am sure many other States Members and thousands of Islanders, will in those circumstances expect ministerial resignations. There will be no hiding behind S.T.A.C. because S.T.A.C. did not force the Government to choose this Friday to open travel again. As has been said today, the timing is a political decision and while I hope and pray that this all goes very well, should it not then we will expect resignations to follow. I do not want to stop travel. I want only safe travel. The Government believe they can deliver it and so I will give Ministers the benefit of the doubt, but my vote is not a sign of or an approval of the Government's course of action. I and others will hold the whole Council of Ministers to account if, sadly, this ends up going wrong.

1.3.7 Deputy J.H. Perchard:

I think, based on the results during the Amendment, we can safely assume that this is now going to pass, probably with quite a large majority, but I think it is worth noting a couple of things for the record. Scrutiny was put in an impossible position by the release of information on Friday. Public expectation was shaped by the information that they perceived they were being given. There is a great perception that they were being told at that time that the borders would unequivocally be open on 3rd July. There was also a perception that testing would take 12 hours or less and under these circumstances many Islanders would have felt a great sense of hope, relief and even joy at the prospect of being able to see their loved ones and, as a result, they would have hastily booked flights in advance of Friday. However, what was not made clear at the time and what has since had to be cleared up is that the debate about whether we were opening the borders or not had not yet happened and that testing currently takes between 24 and 72 hours. I think that that difference in information makes a big difference to how we view the isolation period. I think it is far more reasonable and understandable to expect someone to come to Jersey and isolate for 12 hours and I think that is something that many people would have been willing to do. I think that currently people are going to be reluctant to isolate for 3 days and, as a result, despite any guidance the Government give about not going out and about when you first arrive in Jersey, I do not think people will listen or adhere to the guidance in the way that we might have hoped for and expected. The matter of well-being is a great concern of mine. We have to consider the well-being impacts of this Proposition very carefully, but again Scrutiny members have been put in an incredibly frustrating and difficult position because not only are we in a position where we have to consider the well-being impacts of the Proposition

itself, we are now in a position where we have to consider the well-being impacts of not implementing a Proposition because of the misinformation that was given on Friday and because of the public expectation that was triggered on Friday. I happened to bump into the Chief Minister during the lunchbreak today and I did say at that point that if some of the Amendments proposed by the Scrutiny Liaison Committee were accepted it would make it much easier for those of us with a lower appetite for risk to support the borders opening on 3rd July. As has been pointed out throughout today, no one has argued for not opening the borders and indeed if the testing and tracing mechanisms and regime were in place in time for Friday I think it would have received overwhelming support from the Assembly. However, none of the big safeguards proposed in the S.L.C. Amendments have been adopted and to me this shows a complete disregard for the 3,000 high risk members of our community. To my mind, this unamended version of the Proposition is not safe enough and I think that it is important that we do not dismiss people who have a different appetite for risk because the chances are that Deputy Young and I, in our low appetite for risk, probably represent many members of the community who feel the same way. We are a diverse Assembly with diverse views and a different level of appetite for risk when it comes to health. It is obvious to me that if Members of the Assembly feel that way, it is likely to be representative in the community as well. Indeed, it may well be a minority view but it is a view that is important and a view that is being disregarded today. I cannot endorse a step change that I believe does more harm than it could have done. I cannot support something that will cause fear to rise, as the Medical Officer of Health admitted it would, for our most vulnerable members of society. We cannot get away from the fact that those members of society will experience an increased anxiety and fear if they believe that they are not safe. Perception is important. If people perceive themselves to be unsafe they will lock themselves down, they will hide in their homes. The thing is with the high-risk individuals in our society we have to remember that these are people who are already going through incredibly difficult, stressful and highly emotional situations. Whether they are experiencing chemotherapy or other immunosuppressant medications, that is already an incredibly difficult situation to be in without feeling that the rest of the community is getting on with its life and not taking due regard to their own health and safety. That is something that fills me with great concern. I echo the comments of Deputy Morel in that if a second wave comes as a result of not putting through more cautious measures as we start to open up, I will hold the Government to account for this decision because to me we could have done this more cautiously. As I said to the Chief Minister over lunchtime, it would be very easy for the Government to have adopted several of the Amendments of the S.L.C. and reviewed them in 2 weeks' time to see if they were indeed effective and necessary and to carry out surveys on public perception and anxiety levels and well-being.

[18:00]

How hard would that have been? Not hard at all. For all the urgency that we have been told about in the run-up to this debate, there has been very little move towards any kind of compromise from the Government side of things with the S.L.C. Amendments. That, for me, is incredibly disheartening given the fact that we are all trying to do what is right to keep our Islanders and economy safe. A second lockdown will be devastating for the economy and it will be devastating for the health of our Islanders. A second lockdown could result in worse mental health than we could experience otherwise. My preference from the beginning has been to take a sustainable approach to the crisis. I wanted to see us pursue an approach that would enable us to continue living as normal a life as possible for the longest period of time. It has been incredibly frustrating being a member of Scrutiny at times during this process. I remember back in March I asked a simple question in a meeting about what would happen when we experienced the first COVID death in Jersey and how would the policies change to protect Islanders and at that particular time I was dismissed as being theatrical and look where we are now. That is just an example of a couple of experiences I have had in this process. I am not normally one to share such details but I am incredibly cross with where we find ourselves. I cannot understand the decision not to compromise with Scrutiny given the speed at which this has

come about and given the fact that all we have tried to do is bring forward things that make this Proposition safer for Islanders and, just as importantly, feel safer. For some people, anxiety is crippling and for those particular people who have experienced anxiety throughout lockdown and who have struggled emotionally because they are scared of catching the virus, this will be of no reassurance. I cannot understand why we have decided, having reached zero active cases, to now take an approach that is of a level of risk that we do not have to take at this time. We absolutely could have had the best of both. We could have opened the borders on Friday and had a legitimate and robust regime set in place that gave high-risk Islanders reassurance and confidence to move within the community while also allowing travel for those who are desperately missing their loved ones. Instead, I am quite devastated to realise that the decision that has just been made has been made without thought for those people who are calling me and who are emailing me to say that they are terrified because they are in such a position that if they caught the virus they have a much higher risk of having a severe experience or even dying as a result. We are in a global pandemic. The medical end is not in sight. The social end has come. People are fed up of living with the virus, but what we need at the social end of such a pandemic is confidence, clear guidance, clear rules and a clear overall objective of protecting those who need the most protection. I am not of the view that that is what this Proposition does. I am hugely disappointed that none of the Amendments were adopted. I can only apologise to those members of the community who now find themselves in a position of concern and I encourage anyone who is high risk, who has been told by their doctor that it is not wise to go out and that they need to isolate for the rest of the year, which has happened because I have been contacted by those people ... I strongly urge and encourage them to start developing their virtual networks, start checking in with friends and family and say to them: "Can you phone me once a week? Can you have a video chat with me once a week? Can you check in on me?" and to take advantage of the helplines that have been provided. I am so sorry for those people whose COVID winter is starting now and I am sorry I could not do more to give you a summer that you deserved in addition to the summer that other Islanders are now looking forward to having.

The Deputy Bailiff:

Deputy Tadier, do you have a question for the Solicitor General?

Deputy M. Tadier:

Yes, please, Sir. The reason I ask is because one of the considerations that Members will have to weigh up in making this decision is the argument that is being given about people being able to travel for emergency or personal and family reasons rather than for leisure ones. I wanted to ask the Solicitor General, if it is the Solicitor General, the question about what provisions currently exist already under the law to allow for dispensations for people to travel with permission if they have a legitimate and urgent need to travel. For example, if this gets rejected today, what mechanisms are there for people who need to travel for urgent or family reasons to and from Jersey?

The Solicitor General:

The provisions that apply to people travelling into Jersey are found in the Isolation Regulations, which I mentioned I think briefly this morning. They require, as presently in force, people entering the Island to observe a 14-day period of isolation unless they receive written permission under Regulation 4, paragraph 8, not to do so. The system presently in place at the airport, which if this Proposition is now passed will change, is that written permissions are given to people not to self-isolate if they agree to comply with the screening system that is currently in place. That written permission will continue to be given. It will underpin travellers coming to Jersey under this new scheme, if it is adopted. It will be subject to conditions that require compliance with the single test and presumably that will require compliance with the regular correspondence via text messaging with the medical authorities that have been described in the Proposition and, in default of compliance with those things, a requirement that that individual must then self-isolate under Regulation 4 or if that

person tests positive a requirement that they again self-isolate for a period one would assume of 14 days. The power to order them to do so exists under Regulation 8 of the Isolation Regulations. That is the legal system that underpins at the moment what is happening and will continue to underpin what happens if this Proposition is adopted.

Deputy M. Tadier:

Just to clarify then, if the Proposition is not adopted today there still exists a mechanism for the Minister to issue, effectively, dispensations that do not necessarily require the 14-day isolation if the Minister is happy in those circumstances. Is that the case?

The Solicitor General:

Forgive me, I think I did not answer the Deputy's question fully first time round because he also asked about people travelling out of Jersey. I will be corrected if I am wrong, I am sure, but my understanding is that that is covered at the moment simply by policy, which is that people will receive a dispensation to travel if they fall within certain categories of persons. I assume that would continue if this is adopted, if it is not adopted presumably it will continue, and if this Proposition is not adopted and we continue with the present airport screening system then the same system will persist that is presently in force and being used at the airport. That is my understanding.

The Deputy Bailiff:

Deputy Tadier, did you receive an answer to your questions?

Deputy M. Tadier:

Yes, that is very helpful and just to thank the Solicitor General. I know it is very appreciated.

The Deputy Bailiff:

Deputy Ward, you also have a question for the Solicitor General?

Deputy R.J. Ward:

It is, I think, a simple one. If this Proposition was to be rejected today, would the emergency powers that exist enable the Minister or the Chief Minister or whoever to make this decision anyway? It was suggested that they could have passed this by order but decided to come to the States with a Proposition. So if it does fail, could they go back to that order to open the borders anyway?

The Solicitor General:

I think the Deputy is probably asking me a procedural question, but my understanding constitutionally is that this was or could have been a decision of the Executive, which is to say the Council of Ministers, without reference to the States Assembly. I think that it was Deputy Perchard or Senator Moore who acknowledged that fact. It is the case, I think, as a matter of constitutional law that if the Proposition were rejected today then, yes, the Council of Ministers could, on policy grounds, introduce this using their Executive power to do so. Whether they did so and whether they thought it was appropriate to do so would be a political consideration for the Council of Ministers.

The Deputy Bailiff:

Anything else, Deputy Ward, for the Solicitor General?

Deputy R.J. Ward:

No, Sir. That is a very clear answer. Thank you.

1.3.8 The Connétable of St. Mary:

Having listened to both sides of this very demanding debate, I would like to express some constituents' concerns with the proposed opening of our borders. While it is desirable to return to

normality as soon as possible in order to benefit the economy, to do so should not be a gamble, a gamble with innocent lives for the sake of money. Jersey is fortunate, we now have possibly zero cases of coronavirus. It is important to keep it like that or as close to zero as possible. We need to boost the economy but at what cost? There is no point in opening our borders to trade and then having to go through a second phase of lockdown. Anyone wishing to come to Jersey, or indeed to return to our Island, should be subject to the most stringent tests possible. One passenger on an aircraft could potentially infect many local people in a week due to the knock-on effect and that is far too high a price to pay in order to generate the economy. If it means that those who wish to visit or return to Jersey need to go through the most stringent tests before stepping on an aircraft or boat, then that should be done. If it cannot be done, then those people should stay away. Why should we endanger the people of this Island unnecessarily? Why should we have to increase our risk factor when Jersey can begin to operate without outside interference? I am not saying that we should ban travel to this Island. What I am saying is that persons wishing to enter need to do so on our terms, not the terms to suit the U.K. or the carriers. How can it be that Jersey people have to maintain social distancing, yet an aircraft or boat full of people subjected to air-conditioning can have totally flouted our regulations before even arriving here?

[18:15]

How can they be safely transported when they arrive when we are still socially distancing? Negotiations can still be made with the carriers. They want the business as much as we do. It is essential that testing has to be done before the journey. Maybe that could be done by the carriers. It should be their responsibility to keep us safe if they wish to operate into Jersey. Surely we should not open the borders until it is not necessary for our local people to have to social distance in Jersey. Jersey appears to be in a good place at the moment. Why would we risk gambling with people's lives? Lives are worth more than money. This Proposition to open our borders is not complete. It should be how do we open our borders. Until we have guaranteed safeguards, this Proposition should be delayed until that can happen.

1.3.9 Senator T.A. Vallois:

I am apologetic for not speaking during the Amendment. There have been some extremely great speeches today. Particularly I want to give a shout out to Deputy Perchard because it is very difficult in this role to stand up for your principles and your beliefs and stand up on behalf of what may be seen by the wider community as a smaller number of the community that we serve. It is really important for us as individuals to be able to do that without repercussions or name-calling. I commend her for her speeches that she has provided to this debate. But I really struggled with this as well myself as being somebody who is high risk, who is somebody that has an autoimmune disease and has elderly family members and is concerned for their well-being as well. But as a States Member, as a States representative, I have to balance out across the whole of the community what is right and what is wrong in terms of how we move forward. I recognise Deputy Perchard's points, she did bring the Proposition over an elimination strategy and she is absolutely right to stand by the principles that she applied in that debate. However, I want to make the point that there are many of us in the Council of Ministers that have struggled with this. We have struggled with this on various different levels because of many of the reasons why people have mentioned, why Members have mentioned, around us getting to a point of no active cases now as of yesterday and also the fact that we have family members and we have friends and we have a community around us as well that may feel anxious and concerned around how this will work. That is why I felt the need to support the Scrutiny Liaison Committee in part (b) of their Proposition because it is really important that reassurance that we have to provide to the public that we serve around the spread of COVID-19 and around the fact that you are seeing so much going on around the world, around us in terms of what is happening in the U.K. or in Germany or with incomers even in New Zealand, as an example. It does raise concerns and there are so many statistical or scientific explanations that are given that the

message can sometimes be skewed and the communication sometimes can be skewed. From hearing on behalf of Members and the concerns they have had over our communications, I would like to apologise if it has not come across appropriately and it has not been clearly said in a way that everybody understands, because communication is absolutely important in terms of reassurance. I believe that going forward with the opening of the borders, and Deputy Morel absolutely rightly challenged the Council of Ministers around expectations of resignations, or even if a backbencher was to consider bringing a vote of no confidence should this go wrong, but this is why we have to reassure the public and this is why we, as a Council of Ministers, have to make sure that we have the right testing, tracing and support in place to make sure that the spread of this awful virus does not affect our wider community. People will be concerned and I have heard messages from a variety of Islanders around their concerns of going out should this be approved and we need to recognise that as a whole, not just as individuals, but as a whole, because we are here to represent them. I will be supporting the Proposition but as a Minister and recognition of the fact that we have been in an awful place for the last 3 to 4 months over making some really horrible decisions where we have had to pull back on people's human rights in certain aspects and the right to education and the right to travel, all those types of things that people are so used to in normal-day activity. But the point that I really want to stress is this is not normal. We are in that position of a lull. There is a potential for a second wave and we need to be on top of it and we need to make sure that, whatever detection of any virus coming into our Island, we are on top of it and we allow the people to know transparently and openly in the best possible way to make our Islanders, our public, aware that we are looking after them for, not just the economy, but the health; the most important part, the physical and mental health of individuals that we represent.

1.3.10 Deputy I. Gardiner:

First of all, I really found myself very disappointed that none of the Amendments were really being adopted, I mean the major Amendments that address major concerns. I found myself, I have to be honest, very frustrated because, when a month and a half ago we talked about elimination strategy, the travel arrangements were my biggest concern that it will happen this way without a robust system in place, how it has been promised. I know it has been brought to the Assembly for our decision, even if it should not be brought to the Assembly, but how it has been brought to the Assembly, and I would like really to speak very, very shortly. Last Friday, 9.00, it has been announced that the borders will be open on the 3rd. This is what Islanders heard and just after it has been followed, depends on the States Assembly decision or it is 12 hours test around, oh no, within 2 days it is 48 hours we will have to wait. This is really, really frustrating, why not come to us and speak with us a week before? I am sure that this misunderstanding we could work out a much better solution and now when I find myself here thinking that from one side I have a very strong view, which means that 48, 72 hours results, self-isolation, which needs to be addressed to reduce possibility of the second wave, and it is clear for me, with zero cases, if the second wave will come - I hope not - it will be down to opening the borders in a very rushed way that is happening now. At the same time, I understand that we need to live with the virus and I have been told, and I am taking this on board, we will have very few flights during the first week and probably it is a good idea when we have the couple of flights coming in to give this trial run, to give our testing, tracing, in place, to see how hotels are coping, and I can see this. I could be convinced to open on the 3rd, it is now clear that it probably will open on 3rd July, but I wish that we would do it in a different way. I did not make my decision yet how I am going with the main Proposition and I will be listening for the summing-up. By the way, a remark about the swimming pools, the swimming pools are open but - it is the Chief Minister that mentioned it - you need to come ready and you do not have showers and changing rooms to use and you have to be only the member to use the swimming pool, so it is a bit like it is open but it is not really. So I wish we would have more opening things during, but it is not the main point. The main point I would like to really ask the Chief Minister when he will be summing-up, or the Minister for External Relations, to give me this reassurance - it is not only me, to Islanders - that you will work tirelessly

to make this system work, that the tracing app will come, that the 12-hour testing will come. It is something that I need to trust to be sure that we are not putting Islanders in unnecessary risk.

1.3.11 Deputy M. Tadier:

Where to start with this, let us first of all talk about the esteem that this Assembly holds itself in. I do not think I have ever known an Assembly, which holds itself in such low esteem that they allow themselves to be treated so discourteously by a Council of Ministers to the point where the said Council of Ministers take more and more liberties every time. I know that we are in unprecedented times and that we have been removing civil liberties from people and it is a balancing act. But this Assembly seems to have hit a new low where they will be mistreated time and time again, where Scrutiny will be mistreated and not given adequate time to look at Propositions, and even when they do come back with their own proposals, which are measured and balanced, the Council of Ministers cleverly sidesteps them and we find ourselves in this very strange situation whereby the Council of Ministers basically have told the public and told the travel companies: "You know what, you can start travelling again from 3rd July." So of course the message goes out. There is the small print of course: "Subject to the States Assembly passing this." So the message goes out about the borders are reopening on the 3rd and of course you get a lot of people who have been isolating or staying on the Island who are getting itchy feet thinking: "That is good; I am going to book a flight to the U.K., I need to get away, I am going to go to France if I can, go for that long weekend that we could not do in April for Easter." That is human nature and some of us might be contemplating that. But then of course at the back of our mind we know that we are here to look at the health and safety and we have been through a period of self-sacrifice, not us so much, but the general public in Jersey have sacrificed a lot. We hear those platitudes being trotted out by the Council of Ministers. To the point where only today we are told that we are now officially virus free, we are COVID free. Of course we know that is caveated because we do not know for sure that we are virus free, a lot of people have not been tested. So what is the first thing we want to do? We want to open ourselves back up to the virus by allowing people to travel from the country, which is one of the most infected areas in the world, to travel over here and when they are tested we will not even put them aside to get the test results. It really does beggar belief that even the modest proposals that were put forward by Scrutiny have not been accepted. If we were a different Assembly with a proper oppositional system and one that looked at alternative politics and perhaps was, rather than being a critical friend, was much more critical, they would have completely scuppered this Proposition and said: "This is not good enough."

[18:30]

We have heard it being admitted that this Proposition is flawed. The Council of Ministers have effectively told us that it is not an ideal situation, Scrutiny have told us that they did not want to be put in this position, and even their Amendments were flawed, but better than nothing. But we do not even have those better-than-nothing Amendments to fall back on now so we have the pure unadulterated version of the Council of Ministers' version. They are banging on about wanting to get the economy back up and running to support these industries. If they wanted to support the industries so much, why do they not just shell out some more money for the sake of an extra week and keep the schemes going for a bit longer. I know the schemes are running incidentally, but for those that need financial support for the period of an extra week. But we are not even in the school holidays. It has been said by those supporting the proposals for the borders that not many people are going to come in the next week anyway. My concern is that we are not going to have a long enough period to ascertain what the natural state of the virus would be without opening the borders. We are going to have far too many factors and variables put into the mix, and Deputy Alves might have touched on this in an earlier speech, when there are so many variables you do not know which method and which action that you have taken is effective because there are too many in there. If you do things one at a time you can know what is effective. It would seem to me sensible that we have a period of time after zero cases to make sure, you would want zero cases for at least a week, 2 weeks,

a month, before you then go on to the next phase. It seems to me we are moving far too quickly through this whole process. For the sake of balance, it is important, and I will follow the example of the Constable of St. Mary who read out some correspondence that he had from concerned constituents, so I am going to do just that. I will not name the individuals but it is important that they have their voices heard because they are the ones on whose behalf we are making these critical decisions and they are also the ones who have made those sacrifices. One email that other Members may have received as well: “Just recently, Jersey’s Chief Minister advised Islanders that in his view we were in a pretty good place. Of course in respect of climate, local produce and natural beauty, among many other things, unique advantages, he was absolutely correct. Unfortunately in the context of COVID-19, which Government authorities have followed into in Jersey, he was very far off the mark. As international media reports track the spread of the mysterious and deadly virus that had originated in China for the first time in many years, Jersey’s Emergency Council met on 12th March 2020 for an active response to a genuine emergency to be advised by the Chief Minister that, following infection in Italy, Jersey had 2 cases of COVID-19, which were being handled with self-isolation. Coronavirus was first notified by China in January 2020, the first C-19 test on Islanders returning from abroad was around early-February. Council Members were asked that Jersey was prepared for viral infections thanks to Emergency Council meetings and emergency planning exercises, including one influenza just before Christmas 2019. Somehow this preparation was put into practice at the airport and harbour via the handing out of C-19 information leaflets, post-arrival declarations of visitor travel locations and official requests for a 2-week self-isolation period, both unenforceable and unsupervised. The correct response was to shut down all arrivals bar essential workers and returning local residents who would be subject to a strictly enforced quarantine period with C-19 testing when available and accurate. Keeping the entry ports open demonstrated that behind the scenes a cynical decision had been taken to favour local economic priorities over public health concerns with the straight abandonment of the precautionary principle, which should be applied to all public endangerment matters. The disastrous failure to isolate the entire Island from the highly contagious virus ensured a level of calculated and deceitful collateral damage that can be said to have included over 30 local fatalities. Then after vast numbers of the local population were imprisoned in their own homes for weeks a flagrant abuse of health protection continued with the limited number of Blue Island lifeline flights between Jersey and England, reported to be packed with passengers as Jersey’s Government had allowed the disregard of safe distancing rules as not practical. Late in the day, Deputy Maçon has brought forward a Proposition P.68 lifting the travel restrictions. States Assembly approval in a straightforward effort to establish some democratic control on handling COVID at Jersey’s ports of entry, a wholly reasonable approach when a cadre of the Government Executive are directly responsible for allowing C-19 pestilence into Jersey in the first instance, initially virtually unchecked. It must be noted that those same personnel responsible for undermining Jersey’s economy and public health in the amount of hundreds of millions of pounds are still in post and still taking the critical decisions. The accompanying wrecking Amendment mainly seeks to incapacitate the ability of the States to approve and direct C-19 matters. The Assembly is asked to be content to receive reports and updates on plans of action, none of which are subject to debate or inquiry or require an Assembly vote”. I will skip that bit because that is not relevant. “The practical reality is that P.68 will be debated at a critical point in the management of COVID-19, of which we now know considerably more. Although it is considered highly infectious, children and young people who are impacted appear to be able to shake it off like a common cold, albeit maybe that they are asymptomatic carriers. This would indicate that all schools can continue as normal provided that they are facing an exponential threat that could be many hundred times the threat of serious or fatal illness likely to affect the young. All of these elements imply a graduated and tailored approach to the progressive elimination of COVID-19 as opposed to the blanket regulations. Jersey has also witnessed conflicting behaviours. While the majority of Jersey residents conformed to the disciplines required by the most serious level 4 rules, there was also a significant minority of people who could not care less, were contemptuous of other people’s safety or simply

could not grasp the length of 2 metres, 6 foot, which incidentally is not the same, which may possibly be a historic educational failure. However, as soon as the Island moved from level 4 to level 3, the entire social-distancing programme unravelled. In consequence, it is pretty pointless to consider reduced safe-distancing lengths as large parts of residents already ignore the concept completely. This is undoubtedly because many local people have been assessing their own health risks and have rejected blanket directions of the Government, which failed to tackle the hugely disproportionate risk profiles based on age and individual aggravating health factors, such as bronchial conditions, cancer, diabetes, *et cetera*, and the recent addition of the time in contact. In consequence, it makes little sense to pursue a reduced level of safe distancing when the concept has broken down. Let the bars, cinemas, gyms, restaurants and theatres, carry on as normal and allow the public to assess their own personal risk if ...”

The Deputy Bailiff:

Deputy, this debate is about travel policy and you are now talking about social distancing and gyms; you seem to have gone off the topic. Do you want to come back to the debate?

Deputy M. Tadier:

I can come back. The difficulty is this is not my email; this is an email that a member of the public has written on behalf, which he thinks is pertinent to the debate.

The Deputy Bailiff:

That does not really help, does it, because you still need to make a speech that is relevant and it is no excuse that you have had some communication from a constituent that contains irrelevant material. That does not really help.

Deputy M. Tadier:

Yes, I know that. The problem is I am just reading it for the first time here, so it is difficult to know what is relevant and what is not, but I will try to do my best.

The Deputy Bailiff:

It is unhelpful in the extreme to read out something for the first time that you have no idea what the relevance is.

Deputy M. Tadier:

I scanned it, so I knew it was relevant in global terms.

The Deputy Bailiff:

Perhaps you could focus on the relevant parts or not read it at all.

Deputy M. Tadier:

Certainly, I think I need to read it; I would be doing the individual a disservice but I do take on board your comments. So let us try to get to the particularly relevant parts. This is about the tourism industry, so I think this is more directly relevant. I do apologise; I was trying to triage it as best I can.

The Connétable of St. Saviour:

Could you just get on with it, do you think, Monty? Please, could you just get on with it and get to the point please?

Deputy M. Tadier:

Okay, Deputy Monty, please Constable.

The Deputy Bailiff:

Connétable of St. Saviour, it is quite inappropriate for you to interrupt another Member's speech and not go through the Chair.

Deputy M. Tadier:

Sorry. Right: "Locally, various media reports have noted that Jersey's visitor economy is worth around £280 million a year and without it the Chamber of Commerce, whose members appear to take a more short-term view of cash, the Island is losing just over £500 a minute. This statistic emanates from Visit Jersey and, as they are broadly based on estimates, I consider them suspect. It is important to consider who specifically profits from that visitor spend, the public purse can only rely on G.S.T. (goods and services tax) at 5 per cent plus revenue and products such as alcohol, perfume and tobacco, are also subject to duty. I do not undervalue Jersey's hospitality industry but in a balanced judgment between business and health it needs to be put in context. According to figures for Jersey's gross value added in 2018, which measures labour productivity, the Island's bars, hotels and restaurants, account for around 4.5 G.V.A. (gross value added). The Minister for Economic Development, Tourism, Sport and Culture has already advised the Assembly that visitors comprise 75 per cent of the hospitality sector, which indicates that local residents contribute 25 per cent, thus the visitor economy contributes just over 3 per cent of G.V.A., which is significantly less than construction, retail and wholesale. Financial factors are likely to lead to a number of tourism businesses facing considerable difficulties if strict border controls extend for some time, however where negative financial impacts relate to properties there is an opportunity for a positive outcome. Many establishments derive from the boom years of tourism back in the 1960s and 1970s and were poorly located and currently are probably in need of refurbishment. The owners may well be looking for an exit strategy." I will skip that next bit and he says: "In conclusion, I respectfully suggest that States Members (1) take back control of the strategies that respond to the most major crisis that has overwhelmed Jersey since the German occupation by rejecting the Executive Amendment, making a priority decision between the Island's economy and welfare and the overall public health of Islanders, erring in favour of the precautionary principle of health; take advantage of the very low level of known COVID infections by reducing the infection level to zero, allowing a much swifter return to normal local lifestyles within the Island linked to the scrapping of safe-distancing rules." I will leave that last paragraph because that is probably not relevant either. So what he is saying is very much that he knows that the tourism industry is important but that balancing it with the overall health impacts of opening the borders on the rest of the public and also to the industry ultimately is not going to help. I would make the analogy of one of fishing, if we wanted to help the fishing industry we might oppose any restrictions on quotas and say: "Catch as much fish as you want then you can sell it." But we know that would not be in the long-term interest of the fishing industry because you need to manage fish stocks as well. If you open up the borders too soon there is certainly a short-term argument and it might be alluring for some Members, but if it means that in 2 weeks we have to back down and then close the borders again that sends complete confusion to the international community and it shows Jersey in a really bad light, not to mention the fact that it would really inconvenience people who have booked in the meantime because they think that Jersey is back open for business again. It would make much more sense I think now that the safeguards have gone to reject this Proposition completely and to ask for something more sensible and thought out to be put on the table. As earlier, Senator Farnham read some very emotional emails from people pleading to be able to travel and that is understandable.

[18:45]

But the reason I asked the questions of the Solicitor General is because I wanted to make the point that there are already ways that people can travel if they have a genuine need. They can get permission to do so and they are able to travel and it is up to the Minister if he wants to be able to issue those permissions. So to simply say that there are people on compassionate grounds who need to travel, therefore we must open the borders, does not follow, because that can and does already

happen. Now I want to read an email out, a short message from a St. Brelade constituent, a Les Quennevais constituent, who is one of those individuals who has an underlying health issue, he says: "Hi, Monty. As a person with health issues, I wish to let you know how I feel about opening the border. I agree to this with vigorous testing at all points of entry and people must not be allowed to mix with us without their test result being negative, otherwise they must be put in isolation as lives of Islanders are more important than money to make people richer." I will stop there and that is very much the position I would have wanted to see that we do not want to stop people coming in but you test them and you do not let them mix until the results have come back and you isolate them. Of course that Amendment has not been adopted. We are not going to ask for people to be quarantined while they wait for the results to come back, so they will be mixing with people and I cannot give this constituent of mine that reassurance that he has asked for, which is unfortunate because I could have supported this Proposition were it amended, had we agreed to that. He says: "The lives of Islanders are more important than money to make people richer. At the same time, costing people and those who look after them in peril of losing their lives. There must be a sensible and safe way to allow our borders to open and allowing the economy to grow with the virus but still prevent it in becoming widespread. A reliable risk assessment must be put in, lives before money, it is time for a change of emphasis." I will leave that particular email there. Now, I am disappointed that proper consideration was not being given, has not been given, to a more discriminatory approach to who and where we allow travel from, because, for example, Madeira has no cases, Guernsey has no cases, or Madeira certainly has low, I think it has no cases last time I checked, Isle of Man is in a similar situation. There should arguably be a different testing regime, which could be a much lighter touch, for people coming directly from an Island where there is no infection to Jersey and vice versa and there should be a much more stringent requirement for those coming from the U.K. for argument's sake. My concern is that this pressure is coming from the fact that we are constitutionally and economically linked with the U.K. and it has been said to me that a lot of our civil servants come from the U.K. and is that why there is so much pressure being put for reopening travel perhaps prematurely and I have kind of laughed that off and said: "No, I do not think so, just because we have so many civil servants who have been brought in by the new chief executive and they happen to perhaps even still live in the U.K. and they want to get back, I do not think that would influence their judgment because I know them." But of course that perception is still out there in the public but I certainly reassured them, for my part, that I would not expect that to be the case. But it does stand to reason, why do we not take a phased approach, why do we not say for the first week we are going to allow travel only from areas that have either no cases or low cases, and then we will see how that goes, and then after a while we will open up gradually to others. I still say: why do we not have testing at the port of entry? If the ones who are profiting from this are the airlines, then it is part of their health and safety testing that they should be doing that. If you go into a care home over here or even if you go into the BBC building, and more routinely other places locally, you will get the temperature test on the forehead because they want to do everything that they can in terms of health and safety to reduce infection. We all know what it is like in a plane. You sit on a plane next to somebody who is coughing or just who is even breathing, the air gets recirculated, and of course the longer you are on that flight for, the higher the risk of infection. It is, as I have said, a cylindrical metal object that keeps people in continued spaces, very close to each other, and people could be incubating the illness and it is a really excellent way of spreading diseases, almost in an osmosis kind like way. So osmosis, as we know, works from a high level of concentration of water moves to a low level concentration of water through a semipermeable membrane and of course what we are going to see with COVID is we are going to see high concentrations of infection passing to low areas of infection through, not a semipermeable membrane, but a semipermeable border, which we are opening.

The Deputy Bailiff:

There is a point of order from Deputy Le Hegarat.

Deputy M.R. Le Hegarat:

Standing Order 84 and call the guillotine, thank you.

Deputy M. Tadier:

Before you consider that, can I just ask how many people have spoken?

The Deputy Bailiff:

I understand from the Greffier that it may be as many as 11. Yes, it is 11. Thank you for that, Deputy Le Hegarat, so we will hear from you again in 30 minutes' time.

Deputy M. Tadier:

Has that been accepted?

The Deputy Bailiff:

Yes, it has.

Deputy M. Tadier:

That is good, I only have another half an hour then. So bear with me because I just get thrown. So, yes, the air bridge is one that I think was worth considering. But literally when we talk about the carriers we are literally talking about the carriers in the dual sense of the word, they will be carrying people into the Island but they will also be carrying the illness into the Island. The sheer double-speak that we have heard throughout the course of this debate is quite remarkable because on the one hand we have had Minister after Minister saying: "We have been following advice and everything that we have been doing up until now, we have to stick to the plan and it would be wrong to depart from the plan that got us to the point where we are at and we have now zero cases, it would be wrong to depart from that." But of course the plan that got us to this point was prudence and was caution and it was discipline and it was the fact that we had the borders closed as far as was humanly possible. So, logically, if we were to continue in that vein, we would carry on doing exactly what we have been doing up until now, which is keeping the borders closed and, if we did reopen them, we would certainly do it slowly and we would certainly do it making sure that all the possible safeguards and all the possible quarantine rules and people quarantining after they have been testing but before they got the results, we would make sure that was *de rigueur*. It seems that we are now wishing to play Russian roulette with people's lives and I for one cannot allow this to happen in my name. I will say this is not going to be done in my name. I want to be able to look my constituents in the eye, especially the vulnerable ones, especially that gentleman who wrote to me, especially the residents of Maison St. Brelade and their family, but also the residents of care homes throughout the Island who have been putting on strict protocols. I had not seen my mother for 3 months in person and thankfully, due to some very good staff at her care home, I got contact with her via video-link about once a week or so and that really was a lifeline for me, but it was not much use to her, she is hard of hearing, she needed that reassurance of physical presence and a touch and a hug. The sacrifice that most people have done in the Island is almost insignificant to the sacrifice by those families and the elderly residents in our Island who have effectively been kept worse than prisoners, obviously for health reasons. In some cases they have been in wheelchairs, they have been bed-bound, and they have not known why they have not seen their loved ones and families for 3 months. We are going to effectively jeopardise all that good work so that we can have a few people staying in hotels and eating in restaurants and coming over here in planes. I would say that, if we wanted to support the tourism industry and the hospitality industry, then Government should dig a bit deeper and make sure they have proper financial support for all of those organisations and that we could encourage people to go out and enjoy staycations in a safe environment rather than opening up the borders so that everybody can enjoy staycations and vacations together in what will be an unsafe environment. That is the gamble that we are taking today. We are gambling here and when the Scrutiny Panel tried to bring

in Amendments, which were safeguards to limit the gamble and the losses that would take place, those have been rejected. This is not a good day for the States Assembly. There is another point that I need to make. That is of the Emperor's New Clothes. It is really important when we are in these times and we get a type of group think that can pervade, it can be pervasive, it is really important that we take a step back and that we listen to those different voices so that we do listen, for example, to Scrutiny, we do listen to people who email us perhaps late at night with a different point of view. I was particularly moved by one email I got recently and she said: "Before you consider opening the borders, please read the following" and she quotes from the World Health Organization. She said: "Six months after the W.H.O. (World Health Organization) first identified a cluster of atypical pneumonia cases at a hospital in Wuhan, China, the number of people newly infected with the SARS COVID-2 coronavirus was rapidly rising. More than 10 million people across the globe have tested positive for the coronavirus. W.H.O. Director General Tedros Adhanom said Monday nearly 180,000 of whom tested positive in the last 24 hours, almost half a million people have died worldwide." She says: "Look, I fully appreciate that people are wanting to visit family and friends or have to visit them, and we also ..."

The Greffier of the States (in the Chair):

Sorry to interrupt, but Senator Farnham has requested that you give way for a point of clarification.

Deputy M. Tadier:

Certainly.

Senator L.J. Farnham:

Sorry to interrupt the Deputy and my colleague and Assistant Minister, but would he please clarify that or if he intends to finish forthwith and allow other Members to speak before the proposal to close is adopted?

The Greffier of the States (in the Chair):

That is not really a point of clarification of his speech but I am sure it is something Members will be interested to have an answer to if Deputy Tadier is prepared to answer.

Deputy M. Tadier:

So it is an interesting point, so when I first came into the Assembly I remember the first time that the guillotine motion came up to answer my colleague's point. I did not really know what it was so I was sitting on the Back Benches probably with Deputy Southern.

The Greffier of the States (in the Chair):

Either you can decline to answer the question or you can answer it, but not go off into a discussion of the history of the guillotine procedure.

[19:00]

Deputy M. Tadier:

I was just trying to contextualise but the point I am making is that it is up to Members to decide whether or not they vote for the guillotine motion, so if other Members want to speak, the length of my speech does not matter. I am the one who is being affected adversely by the guillotine motion because it means that I may have to curtail my speech prematurely. But of course if other Members want to speak and if Members think it is important that others are given the chance to speak then simply vote against the guillotine motion. That is what I always do because it is an undemocratic proposal anyway. So she said: "I fully appreciate that people are wanting to visit family and friends or have them visit and we also rely heavily on visitors for our economy, but I do think that it is too early to open the borders. I feel the relaxed social distancing we have introduced should be monitored

for a month before the borders are opened. I do not think they should be opened until the end of July at the earliest. After all we have worked so hard to keep this virus at bay, please consider your next moves.” So I kind of think along the same lines as this individual. Like I said, there are people who have worked so hard, our carers, our care-workers. I am one who on a Thursday night would be reminded by the clapping around us that went around like a ripple of waves around this Island that people were so thankful and appreciative of the hard work that our front line carers were doing. It has been said that not just care-workers but people in shops who were being faced with potential infection every day in their interactions. We are potentially thanking those people by taking a decision here, which is going to be premature, in opening the borders and risking those very lives that we have been trying to save. So I would ask that Members really search their consciences as to whether they think that they can support this today. Let us have a look at some of the statistics. So somebody else has been in contact with us and they have said: “I note that it is suggested that we will only allow people in from a list of safe-to-visit countries. We are always told that we are being led by science. That being the case there is no way any number you can look at can include the U.K. on that list. So the U.K. has 46,000 registered COVID-19 deaths to date, it has 65,000 deaths above all cause of death each year, in previous years. It has 313,000 registered COVID-19 positive results. It is the third-highest number of deaths by any country globally and it is the fourth-highest number of deaths per million of population globally, lockdown of a major city.” So the questions that he asks I think are relevant, he says: “I would like to know what countries are not on the safe list and why. If the U.K. numbers are worse than any omitted countries, why would it be included on the safe list?” The only countries worse are U.S., Brazil, Russia and India, and their deaths per million population are well below the U.K. So he says: “I agree with opening up but tests should have been confirmed before isolation stops, the U.K. is not a safe destination.” I happen to agree; the U.K. is not a safe destination. But I cannot see, because it is being done on economic grounds rather than health grounds, the U.K. will be included in it and that is the big concern. If Ministers could give a reassurance that the U.K. was not going to be included immediately in these new travel plans, then possibly that would certainly assuage one of the reasons for me voting against. But, as things currently stand, I do not think that I can do that. So hopefully we will be able to hear from a few other Members. What I would not want to think is that this is a *fait accompli*; that just because the Amendments have fallen away and that they were so robustly defeated that it would mean this Proposition, which is now completely flawed and harmful to the public of Jersey, should go through. Let us look at another point of view, so somebody who contacted me said: “I am not somebody who generally speaks up but on this occasion I feel compelled to. I am very concerned by the proposal that from 3rd July anyone will be able to arrive in the Island without having to isolate prior to receiving the results of their COVID-19 test. For potentially 24 hours they will be free to go wherever they like and thereby spread the virus throughout the Island.” Now I am half expecting some Minister to interrupt me here and say: “That is not true, people are not going to be able to go around the Island for 24 hours, we will make sure that they isolate.” But that is not the case, no one is interrupting me here, so the Minister for Health and Social Services could interrupt and say: “Deputy Tadier, do not worry, we will do this, we are going to make sure that people isolate for 24 hours until they have their test results.” But he is not saying that, so this is the case, we are going to invite people to come. Let us forget this is Jersey, let us try to put ourselves out of this and say: “Imagine a Parliament, which had just achieved zero infection rate, we are celebrating that by saying: ‘Let us open up the borders and let contamination come into our jurisdiction, into our Island, to our country’.” You would think they were mad; you would say: “Why on earth would you do that?” I can fully comprehend why somebody who is emailing us in disbelief and they are thinking: “It is okay, the States are not going to vote for this, they will surely listen to Scrutiny. We have clever people and well-balanced people on Scrutiny who are both business-minded but also people-minded and they are suggesting that we have this quarantine period.” Yet, no, that is not the case, these people will be allowed to circulate in effect anyone they want and they will not be doing it maliciously of course, we have invited them here, and they can then go and pass it on into our old people’s homes. Okay, I

am not signing up for that. So for potentially 24 hours they will be free to go wherever they like and thereby spread the virus throughout the Island. It is all very well saying that no positive test results have been found among passengers on recent lifeline flights, but we are now talking about an increased number and a very different profile of people arriving. Tourists from the U.K. and other places will be arriving from areas where the infection rate is high, it is a common theme; this person is not the only person to have picked it up. They are going to want to make the most of their time in Jersey and will be in contact with hotel staff and customers, people in restaurants, shops, bars, and other local attractions, before they have received their results. Potentially they could have been infected just a few days before travel or even at the airport and may only become infectious a few days after arrival. Why are they no longer be retested a few days later? Visitors over here on business often only come over for the day or for an overnight stay, they will be gone before they even receive their results, and in the meantime could have infected not only the people they have meetings with but as many other people as well. What about day-trippers? Are they going to be allowed to come over? Who knows, maybe they can, and you can phone them their test results when they get back to their destination. At least they would get a free test. Maybe that is a good thing that Jersey could market itself for: “Come over the Jersey for a day trip, you get tested for free, and then you can go back home and we will phone you your test results.” People from the U.K. would probably go for that because they have trouble getting their own tests, so that could be the new slogan for the Jersey Tourist Board for Visit Jersey. I might suggest that to them. So at present, with infection rates being very low, people like this person feel confident to go out again and to spend time in cafés, restaurants, and other local venues. If we open up visitors from areas of high infection without them being quarantined prior to being sure that they are not infected, many locals will feel it is too risky to continue going out and spending their money at local venues, so we have exactly a counterproductive system to what was asked for. In addition to this, any visitors who are found to be infected are to be isolated at taxpayers’ expense. I gather that travel insurance companies are not covering expenses for anything COVID-related, so is it even responsible for people to be travelling at this present time? In terms of the Island economy, hotel accommodation makes up a fairly small sector. As a States Member you are being asked to accept that reopening of borders for the benefit of a few local hoteliers, which will be at the expense of our health and well-being, it is unacceptable that we should jeopardise all the hard work that has brought us to our current position for the sake of risky short-term gain for a few. Are we also going to need extra hotel staff coming into the Island also potentially adding to the risk? I hope that you will vote against the proposal. Can I just check my microphone is still working?

The Greffier of the States (in the Chair):

Yes, Deputy, it is still working.

Deputy M. Tadier:

That is good. So I was wondering if I could propose a short break. I am sure Members are maybe getting tired.

The Greffier of the States (in the Chair):

No, Deputy Tadier, I am not accepting a request for a short break. If you have come to the end of your speech I have 2 more Members who wish to speak.

Deputy M. Tadier:

I have not quite finished yet. So I would like to address some issues, some Members might be thinking it is strange the Minister for Economic Development, Tourism, Sport and Culture does not want us to have visitors and this could not be further from the truth. In the same way that certain Scrutiny members have pointed out, and they are not anti-business or anti-tourism either, is what I do not want to see is that we have given an opportunity now and we have been promoting the

staycation, we have done that, I have done that and the department has done that and Visit Jersey have been promoting the staycation. But as the person said in the last email, that this could have a counterproductive effect so that it scares locals from coming out and visiting the tourist attractions. I spoke to someone who is going to a hotel this weekend, a local, they are staying in a hotel probably just for the night as a treat. I saw some constituents last weekend who had hired out one of the Jersey Heritage properties because they wanted to do that and they could do that safely. They can only do that with their family; they are not allowed to have any visitors. But it is questionable and this last couple in St. Brelade were a couple who have been isolating, one because of the age and another because of a vulnerability. But they felt at this late stage now that the curve has dropped off.

The Greffier of the States (in the Chair):

Sorry, Deputy, a point of order from Senator Vallois.

Senator T.A. Vallois:

I would like to ask your ruling on Article 104 of the Contents of Speech of the Standing Orders, paragraph (h), with regard to repetitive speeches around whether we are rescinding a decision or not of a decision made by a States Assembly in the last 3 months. Could I get some clarification in particular with regards to this speech?

The Greffier of the States (in the Chair):

Which decision did you think was relevant here?

Senator T.A. Vallois:

There is a relevance to decisions that have already democratically been made in terms of the Amendment by Scrutiny, which are being repeated within the speech by the Deputy on this main debate, so I am just asking for a ruling whether that Standing Order stands or not.

The Greffier of the States (in the Chair):

That is not really what the Standing Order is aimed at. It is really about where there has been a decision at one meeting and someone tries to reopen the discussion at the next. But it is a reasonable point to make that the Scrutiny Amendment has been dealt with, so now that we are into the main debate on the main Proposition it really should be about the content of the Proposition and of course the Deputy has ranged quite widely over some of the landscape, but you are right to draw attention to the need not to go back over the Amendments.

[19:15]

Deputy M. Tadier:

I appreciate that, if only that had come slightly earlier I might have remembered. I am human just like anyone else and sometimes I am sure I am prone to being repetitive, so apologies for that. But this point is a new one and it is directly relevant to whether or not we adopt this Proposition. So we have a very clear-cut choice in front of us, we either open the borders on Friday, on the 3rd, as is being proposed by the Council of Ministers, without the safeguarding Amendments, as I would see them, or we do not. If we do not do that there is clearly going to be a period of reflection. So what I am arguing for here, and it must always be remembered, is that I am arguing that we do not do that. I am saying that at some point we should reopen the borders but we should do it in a measured way and we should do it in a way that differentiates between the countries or the airports or the regions of origin so that it is done on a risk basis. We could use a R.A.G. (Red Amber Green) rating system, for example; why not? We do that throughout the civil service already, red, amber, green, in terms of risk. So we could rate airports or destinations in terms of their safety and perhaps also the method of transport. I personally do not want to travel by plane any time soon but I am much more comfortable and open to the idea of travelling by ferry. I am told that some countries have such

things that do sail every now and again and that might be a good idea to have one of those in Jersey at some point in the future. But that is what we are looking at and I am very much addressing something that was raised in the chat, but it is also a valid point, the allegation that a Minister for Culture does not want to have visitors. That is a very serious point that needs to be refuted, from my point of view, because I am saying that I want to have a really healthy tourist and hospitality sector. The best way to do that is to reject this whole Proposition. We reject the whole Proposition because it means that in the meantime we will have a healthy tourism and staycation and hospitality sector because people are starting to go out. I went to the market today for lunch and I spoke to some of the restaurant owners there and they said business is now booming again. One of them said: "My take is up to what it would have been" and this is before the borders have been reopened; this is why it is relevant. He said: "Monty, I am doing okay now. We have had lots of people through. There might not be quite as many people who are fully unlocked-down, if you like, but the ones that are seem more willing to spend" and he said the weekends are really busy. I think that even though it sounds counterintuitive, we are risking the resurgence and the economic resurgence that we are already creating by confusing it with the health risks. Even if they are not real, they are the perceived health risks that people are talking to us about, saying that: "Now I do not feel safe." When we talk about the mental health issues that I know other Members are also keen to talk about, they cut both ways. Some people will have aggravated mental health issues because they cannot go out and they want to be able to go out and they want to be able to travel, but some people will have their mental health affected by the fact that they feel more at risk and that the level of infection ...

The Greffier of the States (in the Chair):

Deputy Tadier, can I just interject at that point? Because a number of Members - including Deputy Perchard and Deputy Pamplin - have spoken at some length on the subject of mental health, so I think that would count in terms of repetitious speeches if you moved into that territory, so I think you need to move on to another point.

Deputy M. Tadier:

Are we only enforcing these rules now? Repetition happens. That is basically the lifeblood of the States Assembly, that everybody says what everyone else has said, but in a different way.

The Greffier of the States (in the Chair):

Sorry, Deputy, is this a challenge to the ruling or are you going to move on to the next point?

Deputy M. Tadier:

I think it is a challenge to the ruling. It has never been enforced before. It seems strange to pick on me to enforce it.

The Greffier of the States (in the Chair):

I am not picking on anybody, Deputy, I am simply saying that at this point, where you have spoken for 50 minutes or so, you are coming to a point which has been made in some depth by a number of Members, so I am suggesting that that is invoking the point of the Standing Orders about repeating other people's speeches and I am asking you to move on to another argument.

Deputy M. Tadier:

I understand that. I know the point about mental health has generally been made. I did not know if the specific point about people's mental health would be made worse by adopting this ... I have never heard anyone saying by adopting this Proposition people's mental health will be made worse. That is what I am saying. If that has already been said, I am sorry, I did not hear that being said. That is why I said it. I thought it was a new point. I think looking at this globally, the message has to be that, yes, up to a point, that however we have got here, we are in a really fortuitous position today,

where we have officially got zero cases. Sorry, I am just getting distracted by some of the comments in the chat. I had better turn that off.

The Greffier of the States (in the Chair):

Can I just make a point to Members? I have attempted to do it in the chat, but the chat facility is there really for the running of the meeting. It is not an opportunity for a sort of side debate about the issues and the discussion of what people think of the current speaker. I have made the point repeatedly and I would like to make it again, for Members to desist from putting argumentative commentary in the chats. Thank you.

Deputy M. Tadier:

The point is very much that I think it is a judgment call. More to the point, this has been a slapdash approach from the Council of Ministers and the safeguards that we are putting in by Scrutiny have been rejected. Therefore I do not have the safeguards to be able to look my constituents in the eye and think that I have got the confidence to be able to vote for this, knowing that their health is going to be well catered for, so with that in mind, I do finish my speech.

1.3.12 The Deputy of St. Mary:

I was not sure I would get the opportunity. Members will be pleased to know I have only one specific point to make, which is that ... I am sorry.

The Greffier of the States (in the Chair):

Can we have all mics turned off, please, other than the Deputy of St. Mary? Thank you very much.

The Deputy of St. Mary:

I am sure I speak for all Members in saying that when we voted today, we are all concerned that the opening of borders might lead to extra cases of COVID on the Island. Those who voted against the Amendments I am sure did so very much on the basis of the medical advice given. As Senator Moore in her summing-up helpfully reminded us, that advice was in fact qualified. If you look at the S.T.A.C. executive memo appearing in appendix 4 of the report, they do anticipate there will be extra cases and they then almost direct the Ministers to ... or they suggest certain measures that Ministers might take to combat it. The point I am trying to make is that I am sure the Minister does not need any prodding from myself, but in his summing-up and with a view to reassuring Islanders who might be concerned that there will be open house, as it were, will he perhaps refer to that and emphasise that, yes, Ministers will take due note of the recommendations of S.T.A.C., they will introduce the measures there suggested, which include supporting development of contact tracing, exploring availability of departure testing and also bringing in quarantine measures? Will he give Islanders a measure of reassurance that that is exactly what they will do and that this opening of borders is not tantamount to ... will not bring in a wave of cases and that they will be equipped to deal with them as and when they come in? That is the only point I have to make.

The Deputy Bailiff:

Have you finished, Deputy of St. Mary?

The Deputy of St. Mary:

Yes, I have. Sorry, I did say that is the only point I have to make.

The Deputy Bailiff:

I am grateful, thank you very much. The time has elapsed for Deputy Le Hegarat, for you to make your Proposition, if you wish to do so.

Deputy M.R. Le Hegarat:

Yes, please, I do.

The Deputy Bailiff:

A proposal has been made to close the debate. The matter shall be immediately put to the vote without debate and the proposal is to close the debate. To remind Members, if the Proposition is adopted we then move to the final speaker to reply or the proposer of the Proposition. I ask the Greffier ... Deputy Ward, do you have something to say?

Deputy R.J. Ward:

I do not think I can. It is too late, I believe. The guillotine has been ...

The Deputy Bailiff:

You cannot. I ask the Greffier to place a vote into the chat channel and those in favour of closing the debate will vote *pour* and those against will vote *contre*. There are only 37 Members voting.

The Connétable of St. Ouen:

If I can just interject for a second, we are back to the same problem we had last time. It is asking us for a verification code and when I put the verification code in, it told me it was wrong.

The Deputy Bailiff:

I have not closed the voting yet. Thirty-nine have now voted and there are several voting in the chat as well; 41 have voted on the link. Greffier, is there a clear outcome or not? By clear outcome, Members, I mean is there 25 voting either way. Accordingly, I close the voting and I invite the Greffier to indicate the result. The Proposition to close the debate has been adopted.

POUR: 30		CONTRE: 16		ABSTAIN: 1
Senator L.J. Farnham		Senator I.J. Gorst		Deputy R. Labey (H)
Senator S.C. Ferguson		Senator S.Y. Mézec		
Senator J.A.N. Le Fondré		Connétable of St. Helier		
Senator T.A. Vallois		Connétable of St. Lawrence		
Senator K.L. Moore		Connétable of Trinity		
Senator S.W. Pallett		Deputy G.P. Southern (H)		
Connétable of St. Clement		Deputy of Grouville		
Connétable of St. Saviour		Deputy K.C. Lewis (S)		
Connétable of St. Brelade		Deputy M. Tadier (B)		
Connétable of Grouville		Deputy M.R. Higgins (H)		
Connétable of St. John		Deputy K.F. Morel (L)		
Connétable of St. Peter		Deputy J.H. Perchard (S)		
Connétable of St. Mary		Deputy R.J. Ward (H)		
Connétable of St. Ouen		Deputy C.S. Alves (H)		
Connétable of St. Martin		Deputy K.G. Pamplin (S)		
Deputy J.A. Martin (H)		Deputy I. Gardiner (H)		
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B.E. Ash (C)				
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)				

[19:30]

The Deputy Bailiff:

I call upon Senator Gorst to reply.

1.3.13 Senator I.J. Gorst:

Thank you. We are just sorting out the technology at this end. It is always difficult to sum up such a powerful debate on what is recognised and has been recognised by many contributors as a debate which has caused, unfortunately, division across the Island. We have seen that today in the States Assembly with Members’ contributions, yet I think that every contribution, perhaps with the exception of one, has sought to put Islanders’ interests at its heart and has been communicated passionately about why that particular view was held. We spoke in the Amendments debate about risk, about our natural preference for risk. We spoke about balance and we came time and again back to this idea of least overall harm. I wanted to really pick out 3 Members’ speeches and then perhaps try and give further confidence to the Deputy of St. Mary, who has just recently spoken. I start with Senator Vallois, who perfectly explained the balance that we, as an Assembly, today have been trying to hold in tension, the balance of giving all Islanders back some of their freedoms at this point because it is appropriate and proportionate and yet at the same time the balance of allowing our community to continue the suppression and control of COVID-19 and the balance of what we might think as individuals and the balance of the medical advice, which suggests that the safer travel period that Ministers have brought to the Assembly. We accept entirely that, legally speaking, it was not necessary to bring it to the Assembly, but we recognised the proposal of Deputy Maçon and the public support that that had on such an important issue, that all Members should be involved and therefore ultimately asked for their opinion through the vote of the Assembly. She encapsulated the challenge of delivering that balance, a balance of suppression and protection, but a balance of returning to Islanders freedoms that we have taken from them. Then I want to turn to Deputy Perchard’s speech, who passionately articulated the concerns of vulnerable Islanders. She used that term “3 COVID winters”, which of course is the term that in turn the hospitality and tourism industry have used about their businesses and the livelihoods and jobs of those who work in that sector. We know that that sector cannot be uncoupled from the other sectors in our economy, which make Jersey the great place that it is to live and work. But she reminded us, as she has reminded us throughout this crisis, of the importance of caring for the vulnerable and the position that they have found themselves in throughout this crisis. I say again, as I have said previously, it is incumbent on each one of us to think about our own actions, to take those health precautions which the medical officials are telling us we should be taking, to think about how we interact with each other, to do the appropriate handwashing, to think about how we are sneezing into our elbow, to think about maintaining a one-metre distance, to think about each other before ourselves. That is a big ask for us, but if we are really - and I believe that we are - concerned about the vulnerable and want to support them through as we move forward into this period of living with the virus, then each one of us has a responsibility, yes, to keep raising the issue in the Assembly, making sure it is high on the Ministers’ agenda and that health advice is appropriately taking it into account, but that each one of us thinks in all of our actions and in all of our doings for the vulnerable among us, because we must, as Deputy Ash - and this is my third speaker - reminded us at the start of this debate when we returned to the main Proposition he voted for the Amendments. But he clearly articulated and reminded us why it is so important that as we move beyond this debate - and the vote will be whatever the States Members wish it to be this evening - that we come together as a community, that we recognise that by acting

together and acting carefully and appropriately we can mitigate those fears and we can move forward confidently. Here I think about the questions that the Deputy of St Mary asked about. Do we have good and robust testing in place? We do. Will we continue to have that through this period of safer travel? We will. The Medical Officer of Health and S.T.A.C., in their advice note, clearly said that they had reviewed the testing in place and that not only was it appropriate and robust, but they also said that we needed to continue to improve that testing and reduce the time from test to result. That is what Ministers are doing. They are developing new ways of testing which will reduce those times, but as I said right at the start of this debate, even today we can make the commitment that tests will be returned between 16 and 28 hours after take-up. There is, as the Proposition says and as the policy says, defined guidelines for those who travel either to Jersey or return to Jersey, which are more robust than the guidelines that all Islanders are being asked to abide by. But to return to my previous point, we ask everyone to use their common sense and to behave appropriately. This virus has not gone away; it has not suddenly disappeared. We are now having to learn and take our first steps of living with the virus with freedoms returned to us. The tracking and tracing system, there is already right now 55 people undertaking that process and they have become very experienced over the preceding months and weeks. We have new technology to ensure that we can remain in contact with those who travel to and return to the Island. As the Chief Minister said earlier and indicated, we were pleased to accept Deputy Ward's Amendment, which further strengthened that tracking and tracing. All Ministers - as I know all Members are - are committed to keeping all Islanders safe, but recognising COVID-19 is not the only health issue that Islanders face. This policy that we have been following of suppression and control of the virus has been based on the concept of doing least overall harm to Islanders. I believe that this safer travel policy, this safer travel period, maintains that approach. I know as we come to the vote some Islanders may, as Deputy Perchard reminded us the Medical Officer of Health had indicated, feel more fearful if we support this today, but it was the Medical Officer of Health herself who said in her opinion there was no need for them to feel more fearful. Therefore I hope that the message that all Members take back to their constituents is that we are moving forward carefully and safely and we do not need to be afraid of travellers who might have been to areas of high infection rate. This is where there is a difference between the effect that COVID has had in a country and its current transmission rate. We must not confuse those 2 issues because it is the transmission rate which is important to us in understanding whether those individuals can opt for the testing regime or will have to simply abide by the 14-day quarantine legal requirement. There are safeguards in place and I think that we can move forward safely and carefully, but both the Medical Officer of Health and the Deputy Medical Officer of Health have been absolutely clear. The Medical Officer of Health has been sat, appropriately distanced, in this room for the whole of this debate and when Members have been speaking and asking the question: "If necessary, if appropriate, will advice be issued that we should take steps back in order to keep the virus suppressed and controlled?" and you may not have heard it, Sir, because our microphones were muted, but she was absolutely clear in that she would and Ministers have been clear that they would follow that advice. It is for that reason that Ministers bring forward this proposal and Proposition today because it continues to follow that advice. It is not going to be easy living with the virus, but I believe that if we call upon the traditions of voluntary service, the traditions of community that this Island rightly prides itself on, then I think together we can have those freedoms returned, we can move safely to open our borders and we can learn together to live with this virus. Therefore I maintain the Proposition. Thank you.

Deputy G.P. Southern:

A point of order?

The Deputy Bailiff:

A point of clarification from Deputy Southern.

Deputy G.P. Southern:

At the start of his speech, the Minister just said that one Member spoke against the interests of the Island. Can he name that Member? Because I think that is a serious charge to made of any Member of the States.

[19:45]

Senator I.J. Gorst:

I did not say Member, I said speech.

Deputy G.P. Southern:

Against the interests of the Island.

The Deputy Bailiff:

I think you would need to ...

Senator I.J. Gorst:

I did not intend to impute improper motives to any Members, so if it was taken as such, then I withdraw it.

Deputy G.P. Southern:

Thank you for that.

The Deputy Bailiff:

Senator, you have proposed the *appel*, as it were?

Senator I.J. Gorst:

I do, and taking all paragraphs together.

The Deputy Bailiff:

Taking all paragraphs together, as is your right as the proposer. Accordingly, in a moment the Greffier will add a vote into the chat channel of the meeting. He has done so and the vote is now open.

The Connétable of St. Saviour:

It is not coming up, Sir. It is not coming up to vote, sorry.

The Deputy Bailiff:

If it is not coming up for you, then just cast your vote in the chat, *pour* or *contre*.

Deputy J.A. Martin:

I think the Constable of St. Saviour is having problems. Maybe she would just like ... fine, she has put it in. I was going to say, she might want to ...

The Connétable of St. Saviour:

I put something in, yes. I was having problems. It is not showing.

The Deputy Bailiff:

Thank you very much. Your vote will count so long as it is in the chat before the vote is closed. Forty-four people have voted on the link and I now close the voting. We will see in a moment the vote on the link, to which anyone who has voted in the chat, your votes will be added and the vote number we see in a moment will be the votes on the link.

Deputy J.A. Martin:

Could we have read out both the *pours*, the *contres*? Obviously I can see those in the chat, but can we have, just for clarity, the *pour* and the *contre*? Thank you.

The Deputy Bailiff:

Yes, so the Proposition has been adopted as amended.

POUR: 37		CONTRE: 12		ABSTAIN: 0
Senator I.J. Gorst		Senator S.Y. Mézec		
Senator L.J. Farnham		Connétable of St. Saviour		
Senator S.C. Ferguson		Connétable of Trinity		
Senator J.A.N. Le Fondré		Deputy G.P. Southern (H)		
Senator T.A. Vallois		Deputy M. Tadier (B)		
Senator K.L. Moore		Deputy L.M.C. Doublet (S)		
Senator S.W. Pallett		Deputy J.H. Young (B)		
Connétable of St. Helier		Deputy K.F. Morel (L)		
Connétable of St. Clement		Deputy J.H. Perchard (S)		
Connétable of St. Lawrence		Deputy R.J. Ward (H)		
Connétable of St. Brelade		Deputy C.S. Alves (H)		
Connétable of Grouville		Deputy I. Gardiner (H)		
Connétable of St. John				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B.E. Ash (C)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy K.G. Pamplin (S)				

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

The Deputy Bailiff:

That concludes Public Business for this meeting and I invite the Chair of P.P.C. (Privileges and Procedures Committee) to propose the Arrangement of Public Business for Future Meetings.

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

Two changes to the Consolidated Paper for the next sitting. One is P.19, bus through-fares, which was deferred from this sitting and now appears in the order for the next sitting. The other is P.85, which was lodged today. If you will permit me, the Minister for Treasury and Resources would like to address the Assembly on that one.

2.1 Deputy S.J. Pinel:

I thank the Chairman of P.P.C. I wrote to Members last week to advise them that I would be lodging a Proposition, which is P.85, lodged today, and would greatly appreciate their support for curtailing the lodging period so that it might be debated on 14th July. If supported, this measure will freeze the 2020 Island-wide rate at the 2019 level. This Proposition was supported by the Comité des Connétables and Council of Ministers and will support the Parishes in their efforts to freeze or reduce Parish rates due to the pandemic. I hope Members will support this measure. If passed on 14th July, this will be just in time for the Parishes to take it into their accounts for the 2020 rates demands.

The Deputy Bailiff:

Your proposal is to reduce the lodging period now, is it, Minister?

Deputy R. Labey:

No.

Deputy S.J. Pinel:

It will be for debate on 14th July because that is when most Parishes are having their rates assembly.

The Deputy Bailiff:

So the Proposition will be made on 14th July when the matter is debated?

Deputy S.J. Pinel:

Yes, please.

The Deputy Bailiff:

Thank you very much.

2.2 Deputy R. Labey:

It is a very full running order. It is a very full list and I just want to tell the Assembly that I am considering asking or putting it to them that we meet on the Monday afternoon for questions, which would be Monday, 13th July. It has been very fluid and I just want to see how things pan out over the next few days. After that, I will possibly ask the Assembly if it agrees to meet on the afternoon of 13th July for questions, if they would just bear with me on that, and also technically the ...

Deputy G.P. Southern:

If I may ...

The Deputy Bailiff:

Can we let Deputy Labey finish what he is saying first? Deputy Labey, you were saying.

Deputy R. Labey:

Let us not forget that the Minister for the Environment wants to hold his very important in-committee debate on the Island Plan and now he wants to do that on the last sitting before the recess, on 14th July. Technically I have to ask the Assembly for permission for that, but I propose to do that as part of proposing the order of Public Business, once we have the interjection from whoever it was wanted to speak just now.

2.2.1 Deputy G.P. Southern:

It was Deputy Southern, and my point was that if we are going to mess around with questions on the Monday, then that means that the deadline for asking those questions moves, so we have to decide today whether that is a moveable feast or not, because otherwise we are likely to miss the deadline.

The Deputy Bailiff:

Senator Ferguson, you wish to speak as well.

2.2.2 Senator S.C. Ferguson:

Yes. It is one of P.A.C. (Public Accounts Committee) Mondays so we will have to skip around a bit, I think, and try and fit it in somewhere else, but we do have quite a busy July.

Deputy G.P. Southern:

I look forward to seeing her skipping.

2.2.3 Deputy M.R. Higgins:

I am also concerned. We keep on changing the dates when questions have got to be submitted and so on. I have missed numerous ones and I find it extremely frustrating. I would suggest that we carry on as normal and we will have as many sittings as we require to finish the business. It is time that Members dealt with these matters.

Deputy R. Labey:

All valid points, especially that of Deputy Southern, and I am grateful to him.

The Deputy Bailiff:

In any event, you will propose what? You propose ...

Deputy R. Labey:

Sorry to interrupt you, Sir. What I am going to propose instead, it is a very full sitting and I would propose that Members hold the Friday free just in case, the Friday, 17th July. It just might be wise to hold that in case, if we want to get through the whole business. This was a very full sitting until a few days ago and things fell away and that might happen. That is why it is so difficult for me at this stage because things have been so fluid, but I just want to alert Members to the fact that there is a lot and so possibly just think about that. Friday is a potential extension day. It is not official now and Members can decide later, but that is my alternative. I apologise, Deputy Southern is quite right about my being too late to consider the Monday afternoon. So with ...

Deputy G.P. Southern:

If I may, it is not out of time to consider the Monday at all, as long as we know today as we leave that we have got to start preparing our questions for the Monday rather than otherwise. It is perfectly doable. Is there any reason why he might not want to do things on that basis?

The Deputy Bailiff:

Deputy Labey, Members want to know whether you want to know today whether we are sitting again on the afternoon of Monday the 13th or commencing on Tuesday the 14th and possibly keeping the Friday free and what your Proposition is.

2.3 Deputy R. Labey:

That is my Proposition, the latter. **[Seconded]**

The Deputy Bailiff:

The latter. That was seconded by Deputy Pamplin, I think. Deputy Young, do you wish to speak on this?

2.3.1 Deputy J.H. Young:

Yes. My worry I wanted to speak on is that obviously we have been delayed with the Island Plan in-committee debate and we are working really hard to get that paper out. It is ready now and we have got a Scrutiny meeting tomorrow and a States Members meeting tomorrow that all Members have had an invite to. But what I would like to hear, if people have got objections to, if you like, trying to deal with this on this very crowded July sitting, please say now because I need to know that. I think at the moment, I fear it is going to require at least half a day and of course it is on the end of a long sitting and therefore I just say to Members, if you have got any worries about this, say so now, please.

The Deputy Bailiff:

Yes, it might be difficult for them all to indicate their concerns now but perhaps they could communicate with you directly about any concerns that they have. Deputy Higgins, have you got anything you wish to say again?

2.3.2 Deputy M.R. Higgins:

Yes. I just repeat what I have said, we have had so many sittings where we change the dates when questions have to go in and it has messed many Members around. I would hope that we will keep to the original schedule in that and that we sit as long as is necessary and it is not short notice.

The Deputy Bailiff:

That is currently what is proposed.

2.3.3 The Connétable of St. Helier:

I wish to raise a question about the Proposition lodged by the Assistant Minister for Sport and Culture on Jersey and the Slave Trade, P.78, simply to say that I will not be available on the 17th, the extra day that is being proposed, and therefore if that Proposition is to be taken, it would need to be taken before the Friday if I was to participate in it.

The Deputy Bailiff:

I am sure that the Chair of P.P.C. will take that into account.

2.3.4 The Deputy of St. Martin:

I just wanted to say in regard to the Island Plan debate, I know we have had a debate today of enormous importance but the Island Plan debate is not equally as important, but it is a massive piece of work. It is 10 years plus of how we build, how we provide homes, how we provide infrastructure for our Island. It is one of the most important debates we have. It only comes around every once in a while. I think this in-committee indication to the Minister, the way Members think, will need - I would hope - more than half a day.

[20:00]

Deputy R. Labey:

I just noticed from the chat box that the Deputy of Grouville is suggesting that we vote now.

The Deputy Bailiff:

You are proposing, as I understand it, to commence on 14th, are you not?

Deputy R. Labey:

The Deputy of Grouville is suggesting that we do make the decision now to do questions on the Monday afternoon.

2.3.5 Deputy C.F. Labey of Grouville:

Yes. I was proposing that we decide now so that people now where they stand with these questions to sit on Monday afternoon or endorse that, if it indeed it was being proposed.

Deputy J.A. Martin:

I second that.

The Deputy Bailiff:

Yes. Deputy of St. John, you wished to speak as well?

2.3.6 The Deputy of St. John:

Yes, only to say that if people prepared their questions in good time for that Monday, there would not be any issue. If we have it in mind that questions need to be prepared, then the date does not matter, but given Deputy Labey's Proposition, perhaps you should vote on that and that will provide clarity for everyone.

The Deputy of Grouville:

Yes, that was my point exactly, everyone would know where they stand.

The Deputy Bailiff:

Thank you, Deputy of Grouville. Deputy Tadier, you have something you wanted to say?

2.3.7 Deputy M. Tadier:

I think it is nice to have a conversation with the Constable of St. Helier through the Assembly rather than picking up the phone, but could he just clarify, he said he would not be available on the Friday to take the ...

The Deputy Bailiff:

I think this is a different conversation and I think you can correspond directly about that. I am sure the Chair of P.P.C. will take into account availability when the final ordering of the Propositions for that day is determined.

Deputy M. Tadier:

Can I just check when it is down for though, in what order?

The Deputy Bailiff:

Chair, can you assist?

Deputy R. Labey:

It is down for the next sitting.

The Deputy Bailiff:

It is down for the next sitting, P.78. Deputy Ward, do you wish to speak as well?

2.3.8 Deputy R.J. Ward:

May I just suggest that if we are going to go for the Monday then we need to re-clarify when the deadline for questions are? May I suggest that a calendar invite or a calendar date is sent to all States Members with the deadline for those in teams? It is a simple way to disseminate that information and nobody misses the deadline.

The Deputy Bailiff:

Thank you. I am sure the Greffe will do that, if that is at all possible. Deputy Labey, can we go back to you?

Deputy G.P. Southern:

Deputy Southern here ...

The Deputy Bailiff:

No, I want Deputy Labey now. Deputy Labey, are you proposing that we start at 2.30 p.m. on the Monday or 9.30 a.m. on the Tuesday?

Deputy R. Labey:

I am proposing ... I think the Deputy of Grouville has made the Proposition that we meet at 2.30 p.m. on the Monday afternoon for questions. I think it is a sensible thing to do because these last sittings before a recess often fill up and I cannot imagine many of them dropping because it would be another wait of 6 weeks, so I do think it is a sensible thing to do.

Deputy G.P. Southern:

Just for clarity, is the Chairman saying that we meet on the Monday and we hold Friday free as well, or do we meet on the Monday and Friday goes?

Deputy R. Labey:

The latter.

Deputy G.P. Southern:

The latter, okay.

The Deputy Bailiff:

Yes. He is proposing that we start on the Monday and that the Friday is not held in reserve. Is that right?

Deputy R. Labey:

Yes.

The Deputy Bailiff:

Of course the Assembly always have the option to use the Friday if it is still sitting late on Thursday. Let us put that to the vote. The Proposition ...

2.3.9 The Connétable of St. Mary:

Excuse me, Sir, I have been trying to get in to you on the chat, but it has not worked. The Constables always have a very heavy day on the Monday. Myself, I am on P.A.C. so that has taken up the afternoon. That will only leave us really Monday morning and Friday to attend to Parish Hall absolute necessities and I would say that the Monday is the more important day for us. I would vote against the Monday.

The Deputy Bailiff:

I think that I must bring this debate to an end. Apologies to Members who have not had the opportunity to speak yet, but it is 8.05 p.m. and the view in the chat appears to be - with which I agree - that we should move this to a vote. The Greffier will shortly put a vote in the chat and the Proposition is that the States stands adjourned until Monday, 13th July at 2.30 p.m., when we will begin with questions and then move on to Public Business on the Tuesday morning. The chat vote is now open. There are 39 votes on the link. Is there anyone else who wishes to vote on the link that has been unable to do so? Votes in the chat will be counted. There is a clear result, Greffier, yes? I

ask the Greffier to close the voting and announce the results. The Proposition to sit on Monday, 13th July has been adopted.

POUR: 33		CONTRE: 10		ABSTAIN: 0
Senator I.J. Gorst		Connétable of St. Mary		
Senator L.J. Farnham		Connétable of St. Martin		
Senator J.A.N. Le Fondré		Deputy M. Tadier (B)		
Senator T.A. Vallois		Deputy M.R. Higgins (H)		
Senator K.L. Moore		Deputy J.M. Maçon (S)		
Senator S.W. Pallett		Deputy L.M.C. Doublet (S)		
Senator S.Y. Mézec		Deputy G.J. Truscott (B)		
Connétable of St. Helier		Deputy of St. Peter		
Connétable of St. Clement		Deputy M.R. Le Hegarat (H)		
Connétable of St. Saviour		Deputy S.M. Ahier (H)		
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Ouen				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy R. Labey (H)				
Deputy of St. Mary				
Deputy J.H. Young (B)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of Trinity				
Deputy of St. John				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

Before we adjourn, Deputy Young, there is something you wanted to say?

2.4 Deputy J.H. Young:

Yes. I am concerned about the Chairman of P.P.C., who said he dismissed the idea of Friday. My concern is this: this is a very crowded agenda and even though we have just decided, wisely, to start questions on the Monday, I still feel we may run out of time for the Island Plan debate. What I would not want to see happen is a very crammed up short debate on the important subjects, so I ask Members to please, at the moment, leave open the possibility they may wish to continue on to allow that debate, which I think at least requires half a day, so I put that out there now just so Members are aware. If we overrun, that will be a problem and we could end up pushing that debate back to September, which will be very bad for the project.

The Deputy Bailiff:

Deputy, what you have said has been noted. It is always open to Members on the Thursday to agree to sit on the Friday. Thank you very much. The States now stands adjourned until Monday, 13th July at 2.30 p.m.

ADJOURNMENT

[20:08]