

# STATES OF JERSEY

## OFFICIAL REPORT

WEDNESDAY, 18th MARCH 2020

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[14:29]

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

## **COMMUNICATIONS BY THE PRESIDING OFFICER**

**The Bailiff:**

### **1.1 Tribute to the States Greffe**

Before moving on to the narrow ambit of business that we have before the Assembly on this extraordinary sitting, I would just like to say that Members will be aware that there has been an enormous amount of work behind the scenes done by members of the States Greffe and the staff generally to make this and forthcoming sittings possible. **[Approbation]** Members have anticipated me, but I wanted to pay tribute to the amount of work that has taken place.

## **QUESTIONS**

### **2. Questions to Ministers without notice**

The first matter on the Order Paper is questions without notice to Ministers. I propose to allow an hour for those questions but, naturally, that does not mean either the hour has to be filled, nor indeed that it would not be possible to extend time, if it appears to be so in the circumstances; but as a starting position we will assume an hour. When Members indicate that they wish to ask a question of Ministers, I would ask the Member to indicate which Minister they wish to pose the question to, the default position would be if no Minister is identified then the Chief Minister would normally be the recipient of a question, but the Chief Minister may, of course, delegate that to an appropriate Minister if the circumstances merit it. Very well, with that being said, Deputy Gardiner?

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

I would like to ask the Minister for Education, please. We know that schools will be closed on Monday and the States have commenced a programme of closing after school clubs and activities in relation to music, physio, speech and language therapy, swimming and parent teacher meetings from yesterday. Will the Minister agree to allow those parents, who wish to self-isolate their children from tomorrow, to do so without fear of repercussions from the States and their Department?

#### **Senator T.A. Vallois (The Minister for Education):**

It is an extremely moving situation that we have at the moment. The reason why we have decided on Monday was based on medical advice. Of course, we understand there will be certain circumstances where they feel there are symptoms from the child within the household that they feel it would be appropriate for self-isolation; of course we would look at recommending relaxing those particular issues around attendance, because we are in completely different times to what we have seen before.

#### **2.2 Senator K.L. Moore:**

It is a question for the Minister for Treasury and Resources. Where does the Minister for Treasury and Resources propose to provide the funding that is being put forward to assist businesses and members of the public, who find themselves in need at this time and going forward?

#### **Deputy S.J. Pinel of St. Clement (The Minister for Treasury and Resources):**

A very good question. The funding is available pretty much immediately from the Stabilisation Fund and the General Reserve, which is available to hand. There is also, of course, the Strategic Reserve, but that is locked, in as much as it requires States Assembly consent to remove the money from it.

What we intend to do is to bring a Proposition, hopefully to the States next Tuesday, to allow the limits which the Treasury can expend to increase because, at the moment - as the Senator will be aware - we are working on a very much hour by hour basis, if not minute by minute and we need to be able to help businesses as well as employers and employees to keep their businesses going as much as is possible in the current very difficult circumstances. So, in the short term, yes, the money is available, but we need to think longer term, possibly 6 months ahead, as to how we can keep the economy going.

**Senator K.L. Moore:**

I would like to compliment the Minister on making a great effort to attend this sitting today.  
**[Approbation]**

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

This is for the Minister for Economic Development, Tourism, Sport and Culture. I have had a number of people from small businesses, restaurants, hospitality, things like music tuition companies, who are extremely worried at the moment that their incomes will effectively overnight end. Can I ask the Minister what action he will take specifically for these smaller businesses and, really importantly, their employees, many of whom may well be on a zero hours contract and simply will not have an income, or may be without an income within 2 or 3 days?

**Senator L.J. Farnham (The Minister for Economic Development, Tourism, Sport and Culture):**

The advice for small businesses and sole traders is first and foremost to liaise with their banks in the first instance. We have been advised by banks that there will be no market failure in the period of time between now and when the measures proposed have been approved by the States and introduced. For individuals, we have to fall back on our social security network, safety net and I know the Minister for Social Security and her team are working to look at ways they might enhance support there in certain circumstances. But I would like Islanders and small business holders and the self-employed to rest assured that myself and my colleagues in the Government - and I hope all States Members - will do everything we can to alleviate this terrible challenge they are facing right now.

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

My question is for the same Minister and builds on the previous one; what is the advice to a small business if, for example, a nursery or a shop that is perhaps staffed by those who are over 65, which finds itself needing to close for business? What is the advice for that business in terms of do they retain their employees, or do they let their employees go, so the employees can access social security? What should they do? Should they retain them and will help be given for them to pay their employees, even if they are not taking any money in?

**Senator L.J. Farnham:**

This is possibly a question for the Minister for Social Security, but there are a number of options that business owners can take and especially small businesses. Staff, for example, could be given unpaid holiday, so that means they stay on the books as an employee of that business, but could then go and seek income support. I have also asked officers to work up advice in a paper for consideration by Ministers in relation to licences. I have heard today that a number of the larger food retailers, in particular, are struggling because many staff are self-isolating, so they have a shortage of staff, but the hospitality sector are going to be laying staff off and I think it would be helpful if, for a period of time, we were to relax the licences to enable staff to work in any job across all sectors in the short term. Perhaps we review this on a monthly basis, but that would help alleviate the problem and keep more people working.

**2.4.1 Deputy L.M.C. Doublet:**

A brief supplementary, Sir. So if that scenario came about, the first scenario the Minister spoke of if an employee was put on unpaid holiday and they then began to claim income support; if that was not sufficient to pay their rent, what is the advice then to that individual and to perhaps their landlady, or landlord?

**Senator L.J. Farnham:**

I think this is where the community has to hold together. We are appealing to commercial landlords; in fact, I have invited commercial landlords to an urgent meeting on Friday morning to talk to them about what they are prepared to do in light of the announcement of the measures that the States are going to, hopefully, approve at some stage in the very near future and I am not sure if the Minister for Children and Housing has any similar plans, but we will have to appeal to private landlords as well in the community and the Parishes to help wherever possible. I understand Social Security are looking at additional support for hardship cases and I am sure the Minister for Social Security will be able to update Members as things progress.

**2.5 Deputy M.R. Le Hegarat:**

This is a question for the Minister for Health and Social Services. What consultation has occurred with dentists and other professionals, who may have skills that could be utilised moving forward? Because, obviously, some of those areas may find themselves with available time and we could potentially utilise their skills, so what have we done so far in relation to those individuals?

[14:45]

**Deputy R.J. Renouf of St. Ouen (The Minister for Health and Social Services):**

There is widespread consultation with other professionals, but I am not able to say specifically dentists, but I would have expected that if they have not yet been consulted, they very soon will be, to see what could be offered.

**2.6 Deputy S.M. Ahier of St. Helier:**

I have a question for the Minister for Health and Social Services, as well. Will the Minister introduce population testing for the coronavirus, to ensure that an accurate assessment of the numbers infected can be determined?

**The Deputy of St. Ouen:**

All our measures are being led by the health advice that is given to Government at the moment. The present advice is not to introduce widespread testing, but to target out testing, to ensure that we are able to treat those who are showing symptoms of the disease. If we do move on from that position, then other factors will be considered.

**2.6.1 Deputy S.M. Ahier:**

Will the Minister make certain that all of those who have returned to the Island recently are tested, so that veracious data can be collated and not left to supposition?

**The Deputy of St. Ouen:**

Present advice is that those returning to the Island from Europe and Eurasia should self-isolate for 14 days. Those returning from the U.K. (United Kingdom) should self-isolate for 14 days, if they show symptoms. That guidance is being given on the advice of our Medical Officer of Health. There are constant reviews of how we should respond to this challenge. It may be that the advice will change and that further restrictions will be introduced, but at the moment that is the recommendation, that is the firm, strong advice of the Government, based on best medical evidence.

**The Bailiff:**

For the assistance of Members asking questions, once someone has asked a question, I will allow a supplementary, as if it were a normal question before the Assembly, but not then a sequence of supplementaries, because it then becomes impossible to work out whether they are questions genuinely supplemental, or questions for a different Minister, so people can come back to the same topic with the same Minister subsequently, obviously, but that is the way I propose to proceed.

## **2.7 Connétable J.E. Le Maistre of Grouville:**

It is really in connection with the last question; why is there a difference between people coming back from the U.K. as opposed to coming back from Europe? Why are people, students for example, coming back from the U.K., not expected to self-isolate?

### **The Deputy of St. Ouen:**

Those students, if they have symptoms, are expected to self-isolate, but the difference is that, at the present time, the U.K. is not as severely affected by the virus as many other countries in Europe. So, it is all a question of timing of the proper measures to take. There are other factors to take into account; obviously if we were to shut down our communication, or at least travel, with the U.K. we have to think about the position of essential employees who keep the Island running and our vital links. All this has to be balanced against the risks that we are guarding against, which are driven by the health advice. That is the primary factor that we are considering here.

## **2.8 Deputy K.G. Pamplin of St. Saviour:**

This is a question for the Minister for Health and Social Services. I am sure he agrees with me and all of us in the Assembly that we thank the extraordinary efforts of Dr. Muscat, since he was drawn to serve this Island, as he has done impeccably so far. **[Approbation]** On the basis of that; all medical health staff, who are doing extraordinary things in our hospital, as we speak. On that point, does the Minister for Health and Social Services agree with me that if this hospital requires a massive investment of money to help what they are doing, in extraordinary times, to save lives, that they will have that reassurance?

### **The Deputy of St. Ouen:**

I wholeheartedly concur with the Deputy. The Island owes a vote of thanks to Dr. Muscat, who is working incredibly hard and his team, also, long evenings far into the night, sometimes. Not only him, but also so many people within Health and Social Services, who are stepping up to the mark, who are getting used to new ways of working, who are being trained in new procedures. I am proud of all our staff, I am proud of all in Government who are going the extra mile to save lives, because this is what this is about. It is about saving our population, it is first of all containing what we know is coming and delaying, so that we can have measures in place and then shielding our most vulnerable people from the effects of this disease.

### **2.8.1 Deputy K.G. Pamplin:**

Just to push the Minister further in answer to my question; if the hospital, or our healthcare providers needed finance urgently, it would be provided. Secondly, does he not agree with me, also, that we now need to be getting the message across what this will mean in our General Hospital when we talk about we hit that critical stage and we need to get that message across to the public, what our staff and colleagues will be going through, if we hit that procedure. It cannot be stressed more seriously what we are facing medically in terms of saving lives and that message needs to be put across. Does he agree?

### **The Deputy of St. Ouen:**

I am sorry; I forgot the second part of the Deputy's first question. I have had very fruitful discussions with the Minister for Treasury and Resources. We are absolutely in agreement that this is about the health of the Island, the health of our most vulnerable in the community. The Minister for Health

and Social Services has assured me that what the health service needs, the money is not a constraint. So we are ready, there are no financial limitations to addressing what we need to do. I would have to say there are, perhaps, greater constraints around staff and the Deputy has alluded to that. Staff are our greatest resource here and we have to protect them. They are doing wonderfully and they are ready to step up to the mark. It is not just our staff in Health and Community Services; think about our G.P.s (general practitioners), they are our front line, because not everybody will be brought into the hospital. Most people will not be brought into the hospital, but many people will be seeing their G.P.s, who will be infected. They are putting themselves at risk and they are choosing to do so, because they are professional people and they are motivated by care for their patients, so we owe a huge vote of thanks to our G.P.s, who already stepping up. Many of them worked Saturday and Sunday all day to contact our most vulnerable people and they will be doing that this week and they will be doing that next weekend. I commend them. **[Approbation]**

## **2.9 Connétable S.A. Le Sueur-Rennard of St. Saviour:**

I am not sure who to address this to; it could be the Minister for Health and Social Services, the Minister for Treasury and Resources, or the Minister for Social Security. Are there any plans to cut, or to do away with, the £44 doctor's fees at the moment, or in the near future?

## **Deputy J.A. Martin of St. Helier (The Minister for Social Security):**

We have pump primed £1 million for the vulnerable, that is 17,000 people; this work started over the weekend. This means if you are over a certain age, or you have got an underlying medical, that is free and we are changing the way people see the doctor, it is going to be all phone work - you can understand why. That will be a normal consultation fee and then the doctor will get paid their bit at the end. So, the answer to the rest is no.

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

This is a question for the Minister for Economic Development, Tourism, Sport and Culture, I think. Does the Minister agree with me that as we are not yet happily in the situation of many European countries, which are virtually under curfew, that we should be encouraging local people to shop and use both our retail and our hospitality premises, because clearly they need us to keep shopping and there is nothing irresponsible about sitting at a safe distance from someone in a café, or restaurant, as long as people do keep to social distancing standard practice, good hygiene and indeed shop sensibly. Are these messages which he feels we should be sending out to the community?

## **Senator L.J. Farnham:**

Yes, they are, and they are messages that I am trying to push out at every possible opportunity and they are messages that I will be asking the Comms Unit to support. My advice to Islanders is to exercise good common sense, to follow the most up-to-date health advice and, within those guidelines, to support their local economy as much as they possibly can.

## **2.11 Connétable M.K. Jackson of St. Brelade:**

This, I think, is for the Chief Minister. Given that many of our senior citizens are feeling ostracised by directives regarding isolation and while we might understand this as the result of an earlier presentation, would the Minister ensure that the Communications Department get a clear message across as to the reasons why this is taking place and ensure that they can still go to medical appointments and such like. Would the Minister agree that the good old printed *Jersey Evening Post Gazette* should be brought back into use in the light that so many in this bracket are not on line?

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

I am not so sure about the *Jersey Evening Post Gazette*, but the short answer on the rest of the question is yes. Members had the briefing at lunch time today, which was around the modelling and explaining the why. That was given to the press this morning, so I would be expecting to see that it is part of



that message that we are ratcheting up and trying to explain why we are doing certain things at certain points in time. Yes, the Comms Unit will be ratcheting up and continuing there. If Members look over the last couple of weeks, that whole comms picture has vastly changed from where we were to where we are now. I think we have had, in total, something like half a million hits during the period of March. Admittedly, that is on social media, but obviously then that does cover the written media in terms of the *Jersey Evening Post*, which obviously does target a particular age group. Can I just clarify one matter, 2 matters perhaps? The reason we took the decision on Friday late to talk about social distancing for over 65s, which is distinct from isolation and that is really important to note, was because the presentation that was given today of the massive impact it has on making sure our health service is in a position to cope with the wave when it comes through. That is critical and that is part of the messaging that is starting to go out from now. But we will be improving on that and continue improving on it. We all have lessons to learn on here and it is also a graded approach. Just because a jurisdiction different to Jersey has said something, we do not necessarily have to be doing it at the same time. In some instances we are ahead of them, because where we are in time relative to those other jurisdictions is different and, therefore, decisions are being made on the best medical advice to deal with Jersey's circumstances. We are doing it, I emphasise, on the best medical advice always.

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

Would the Minister not agree that an official publication, where there is some element in the printed newspaper would be a great advantage in this situation in that that is what many of this generation are used to and expect?

### **Senator J.A.N. Le Fondré:**

I will not get into specifics, what I will say is that one of the pieces of work that is literally just being launched, is around what I will call community engagement and the Minister for Social Security, Deputy Martin, will be chairing it. The Deputy of Grouville will be Vice-Chair and we will be involving representatives from the Comité des Connétables. That is about ensuring that whole community piece of work comes together and I am sure that will be part of the messaging that we need to do. To the exact mechanism I am not going to go to, but the Connétable is absolutely right that we need to make sure that people, who are not used to the social media environment - and we all know that - do need to have that right level of communication. That was one of the reasons that the initial complete household drop, which I think was 46,000 leaflets sent out last week, was done to make sure everybody had that level of advice. So, whether we need to and how we do it; but we will be doing something.

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

It is to the Minister for Economic Development, Tourism, Sport and Culture. The latest package to support businesses includes a Jersey disruption guarantee scheme. Are you confident that these loans can be repaid; and what consideration has been given to businesses who simply cannot and will not be able to afford to repay the loan?

[15:00]

### **Senator L.J. Farnham:**

The business interruption loan guarantee scheme is something that will be triaged by the banks. We are doing this in partnership with the banks, with the Government guaranteeing 80 per cent of the borrowing. Some businesses will not need that; some businesses will be in a position where they can borrow from their banks under normal circumstances. They will have assets or reserves and be in a position where they do not need the guarantee fund. The whole idea of this guarantee fund is to enable the banks to extend loans and overdrafts to businesses that would not meet that criteria and that is why we have a guarantee scheme in place, which we are working up right now. I hope that

many businesses that are helped and supported by this scheme will, over a period of time, with a very low interest rate and plenty of time to repay, be able to repay it. But we fully expect that many businesses will not and we will have to write - in the interests of protecting business economy - some of that guaranteed money off. It is quite right that we do so, to keep these businesses operating, so when the Island does come out of this - and we will come out of this - we have the business infrastructure in place to cope with the return to economic normality.

### **2.13 Deputy G.P. Southern of St. Helier:**

For the Minister for Social Security, I think. What schemes does the Minister have under consideration to support, with some form of minimum income, workers who are laid off, or otherwise cannot get work?

#### **Deputy J.A. Martin:**

Again, if they are laid off work and they have done their 5 years, do not go down to income support, they must ring, because the officers are getting inundated with people who are not feeling well and it is not great for the officers, that is 444444, or it is on the website. I am working very closely with the Ministers for Economic Development, Tourism, Sport and Culture and Treasury and Resources and we are trying to come up with a scheme keeping people in work. Let us take an example like retail, no one is in your hotel, you may need to live in that hotel for a bit and we may need to give them some money. It will not be 5-star hotel money, but it may keep them ticking along and they could still be working, there might be jobs to be done. Food-wise we were always looking at these people when it was going to be Brexit no deal day one and so we know how to do that, how to get to them, and that is why we have set up this community thing as well, with Malcolm Ferey, because he was leading up that work and getting to the people we might know. I have got the Constable of St. Helier on board and the other Constables are going to decide which other Constable will do the rurals. So, there is work ongoing. I need to work with businesses, landlords; I need to see how far landlords will go. We are all in this together and people cannot be getting evicted and if they are and I have got 6,000 bedrooms in hotels sitting empty, I can pay some money possibly to put people up there and isolate them, as well, there. Probably not great in their lodging houses.

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

The Minister says we are all in this together, but does she not accept that the insurer of last resort is the Government and Government money must be available, in order to support people in hardship?

#### **Deputy J.A. Martin:**

There are no contributions to get your sick and a lot of these people will be sick, or self-isolating and that is sick, so they are getting £202 a week. We made that decision 4 weeks ago that you did not have to have your 6 months. I had that kind of question from Deputy Ward; I explained that. That will help. When you have got £222 and you are living in a room and it is £300 a week, it does not go anywhere. So, all I am saying, I am hearing from some sectors they are going to put a rent freeze on for a couple of weeks and assess the situation, because they do not want to lose the people, because if they lose all the people and if they can get off the Island they are leaving, because they have not been here 5 years, they will not get these workers back. So, where I say we are all in it together, we are. We have so much to put in, but we cannot do it if the other industries will not work with us, and it is as simple as that. I thought I had an answer, I thought this would be a 2-week stint and I could have chucked money at it. This is not 2 weeks now, this is war and I have got to make sure I have got enough money to do it and I think that all the businesses and the landlords looking at maybe taking a hit, take a hit now, keep people in their homes if they are suitable. What will the hotels do? It has been mooted; it is not a novel idea, because it is happening in other places. Good rooms that people could be living in.

### **2.14 Deputy D. Johnson of St. Mary:**

My question is for the Minister for Economic Development, Tourism, Sport and Culture. In the guidelines brochure for the new Island Plan, reference is made to there being 7,640 private businesses, 81 per cent, that is 6,250 of which employed 5 or fewer people. In his welcomed statement today, the Minister does make reference to the Emergency Council having agreed to give consideration to a small business emergency fund to provide additional support to those businesses. In his reply to the question raised by Deputy Ward, he mentioned the first port of call for such businesses will be the bank. Could he confirm that this new business emergency fund will still be available and he is intending to implement it?

**Senator L.J. Farnham:**

Ultimately, the decision to implement the small business emergency fund will be on the back of a States' decision I understand, or depending on what powers are transferred to the Minister for Treasury and Resources. But the first port of call for all businesses, large and small, will be to work with their banks and to avail to, if necessary, the States bank loan guarantee scheme. The hardship fund, aimed particularly at very small businesses and the self-employed; it is planned and detail of that is being worked up now by officers. It is envisaged that that will be aimed at those that perhaps fall through the gaps in the assistance that is being put in place. We do not want anybody to be left out; we want every Islander, or business, who needs it to receive support, that is why we are putting in layers of support.

**2.15 Deputy M. Tadier of St. Brelade:**

The question is also to the Minister for Social Security. Where somebody wishes to claim income support, maybe because they have been made unemployed, or been asked to take temporary unpaid leave, due to coronavirus, but they are not suffering or affected directly themselves, will there be provision for them to claim income support, if they do not have 5 years, or if they have a capital component which exceeds the current criteria?

**Deputy J.A. Martin:**

Well, the second one would be means tested and again how long does that go on; if they have quite a bit of capital that would be no. The 5 years, as I have just said, it would have been very easy to say just do exactly what we do for under 5 years. We have 2 different issues there; we have much higher rents and for very bad accommodation a lot of the time, I am not saying all, a room £250 a week or maybe £300 and that is a lot of money to cover; we would not have the money going down the road. So, what I am saying, working with the Minister for Economic Development, Tourism, Sport and Culture, the Minister for Children and Housing, we are trying to get to landlords. I have had landlords of lodging houses say: "We do not mind, we can waive the rent, or we can reduce the rent quite a bit." If we are giving people, as I say, £222 and if they have been here 5 years, you would get a top up in rent. It is not easy. We are trying to come up with a novelty way of making sure these do stay in work, or work in a place, if it is a hotel, if it is hospitality, where there is going to be room and maybe the job changes; as long as the business is supported enough that they can keep in business for the next 3 or 4 months. I do not know; there are lots of jobs that hotels need and could be done. So, we were still giving the £222 to live on, their accommodation is taken care of in the masses of rooms that are not being occupied by visitors, because they cannot come. We have got to have these talks and people are saying: "Yes, we are on board" I just need to make sure how on board they are and just think a little bit of the bigger picture, because we cannot have people being evicted and I am not having anybody on the streets. I have got a spare room at the moment, that is a joke ... I would. There is no way another Minister ... we would have people on the streets; this is not Jersey, we will not have people living on the streets, we can overcome this.

**2.15.1 Deputy M. Tadier:**

I am still not clear what the situation is. So, if somebody is told that there is no work left, the work dries up, there is no unemployment benefit in Jersey clearly and if somebody does not qualify for income support, they cannot claim sickness benefit either, because they are not sick. So, it seems to me that people who have been here under 5 years will be told that they have to go back home, because there is no work here and they cannot afford to pay the rents. Given that seems to be the inevitable conclusion has the Minister been working with the national consuls in Jersey to see what provision can be made for those most likely to be most affected by that scenario?

**Deputy J.A. Martin:**

It is a difficult one. People see the writing on the wall, they have only come over here to do a season, some might have not been here very long, they have left family and children wherever they come from. Where do they want to be? They want to be home. I am told they might not even get a payroll on Friday, now what do they want me to do, keep them here for 6 weeks, possibly if I can in a hotel room, or supply their fare home? The window there is getting much shorter, because I do not even know if they can get back in their own countries. Some are saying they can, they are repatriating their own people, they are saying they can. So, these are all questions but, as I say, I know the Deputy wants a sort of straight answer. Ring the number, if we are working we need to know ... I suppose that will be everyone on its face, we have about 6,000 people, 100 people is £1 million a year on income support. So, we have 6,000 people, so we need some help to innovatively do this way where they can still carry on some jobs, they are put up by the employer, the employers tell me they want to keep them and they are doing little jobs and we could maybe top up. I do not know. The rent on the unqualified sector will break the income support, it will treble it and we are £70 million a year, so it does not work, you know, it is easy to work out. We are taking it to C.O.M. (Council of Ministers) and there might be some political pressure but, as I say, I do not want anyone to be on the streets, or going without essential food and anything else. But I do not think this is necessarily the best way to do it, because you are still keeping them in that very crowded guest house, when they may have to self-isolate and I have got a 40-bedroom hotel sitting next door empty.

**2.16 Deputy G.J. Truscott of St. Brelade:**

It is for the Minister for Health and Social Services. I understand that currently we have 23 ventilators at the General Hospital with 5 new ones on order. Could the Minister confirm that of the 23, 6 of them are currently being used in the operating theatres? Could the Minister also advise why only 5 extra ventilators were ordered and not more? Was it medical advice, or financial constraints, that determined the order quantum?

**The Deputy of St. Ouen:**

My figure is that we have up to 24 ventilators. Yes, some are in the operating theatres, because that is where they are currently being used. There may need to come a time when we would cease non-urgent operations, we would ask patients waiting for those sort of operations to wait, because of the emergency and then they would become available in an intensive care setting. There has obviously been a change, because we have now ordered ... my current notes are that we are attempting to procure a further 10 ventilators and a further 2 from our current provider. We anticipate delivery in 2 weeks of the 10 that we are seeking. But there is a *caveat* to that, that, of course, many other health authorities are also seeking ventilators, so we will obviously do our very best to ensure that we get in what is needed.

[15:15]

**2.17 Deputy J.M. Maçon of St. Saviour:**

For the Minister for Children and Housing. The vulnerable in our society also include the homeless, those people sofa-surfing within the community. Where exactly are they supposed to self-isolate in

those situations? What is the Minister's direction on that and also what is the Minister's direction towards Andium Homes?

**Senator S.Y. Mézec (The Minister for Children and Housing):**

I think the Minister for Social Security provided an answer that can be helpful in terms of those cases where self-isolation can be difficult and there is still some work to be done. The Minister referenced the fact that there will be lots of empty hotel rooms. That is something that is of paramount importance and something that I think will be escalated in the next few days and I know the Minister and myself will be meeting. He asked me about Andium Homes. I met Andium Homes yesterday morning and they confirmed to me that they are, of course, very mindful that some of their tenants may be worried about cash flow difficulties over the coming months. They have assured me in the first instance that they will not be pursuing evictions and that they will not be callously chasing people for rent payments, because they understand that homelessness is a public health issue, as well as an economic one. But, on top of that, I have written to the other social housing providers, the private letting and management agencies and the Jersey Landlords Association to ask them to provide me, by Friday, what their contingency plans are and what they will be doing to ensure that their tenants are protected. Whatever information I get from that will help inform me over the weekend what potential changes we may look at, at the beginning of next week.

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

This is to the Minister for Home Affairs. Reference keeps being made regarding the numbers of hospital and medical staff that will be needed and the cover for them that may be necessary. What is the situation regarding the number of our paramedics and their cover arrangements?

**Connétable L. Norman of St. Clement (The Minister for Home Affairs):**

I can assure the Constable that all of our emergency services - and indeed other services which are not emergency services - under the umbrella of the Home Affairs Department, are meeting regularly to discuss and work together on making sure that the services that are required will continue to be maintained. As far as the ambulance service is concerned, much work is being done, a desktop exercise has been carried out with colleagues in the other services. Arrangements with other potential providers, partners in the ambulance world, are being organised and situations are being put in place to ... where our services are located, so that there is sort of social distancing between staff of all of our services including paramedics, including the ambulance service, to be sure that there is a continuity of service during this particular situation.

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

I think we were just told that there are sufficient numbers of paramedics. Do we have enough ambulances?

**The Connétable of St. Clement:**

It is impossible to give an answer to that question, because we do not know what the actual demand is going to be. But, quite honestly, the coronavirus symptoms do not require ambulances. People are going to self-isolate at home and those who are going to be taken into hospital will be taken into hospital presumably by ambulance, or other type vehicle. They will not be emergency ambulances, obviously, so we do have quite a number of vehicles, including patient transport vehicles, which will be able to be used. As I mentioned, we have partners in the ambulance world, who will also support the main service.

**2.19 Connétable P.B. Le Sueur of Trinity:**

My question is for the Minister for Health and Social Services. At the moment, the Parishes are going through a process of mobilising sport groups to go around and help vulnerable and elderly. While the current medical advice is probably adequate for their protection and those that they are

visiting, it is inevitable that this is going to escalate as a situation. Can we make sure that there is perhaps some specific advice tailored for people who are going out as volunteers and in the event that they would need some protective materials, as well?

**The Deputy of St. Ouen:**

I confirm that this is being carefully considered and advice will be given. Those volunteers will play a key role, a very valuable role in looking after our most vulnerable, but, of course, there needs to be measures to make sure that they are protected. There are things that can happen to avoid any direct contact, but still maintain lines of communication. I do not know the detailed advice, but it is being considered. I do want to stress, as I have told the team in St. Ouen, that we recognise they are volunteers and people have fears about going out, or how they might social distance, then they do not have to continue that volunteering. But Government and Parishes, I am sure, will assist them in every way possible and that is only right that we do so.

**2.20 Connétable J. Le Bailly of St. Mary:**

To the Minister for Economic Development, Tourism, Sport and Culture. Is there any planning in progress to assist the fishing industry? All fishermen are self-employed and they have just endured a terrible winter and now that the weather is good, they cannot get out there to fish, because basically they cannot sell their catch. Their catch normally gets sold to a wholesaler and the wholesaler cannot ship it to Europe, so they cannot get out there to do their job. We have got many fishermen just lying idle at the moment, who need some form of assistance.

**Senator L.J. Farnham**

The short answer is yes, but I wonder if the Connétable would allow Deputy Guida to answer that, who is leading this matter.

**Deputy G.C. Guida of St. Lawrence (Assistant Minister for Economic Development, Tourism, Sport and Culture):**

I think the Connétable of St. Mary has described the problem pretty well. It is sort of a perfect storm for our fishing industry who has all sorts of problems this winter, culminating in months of very bad weather and now no market for their fish. We are developing an aid package, which is pretty much ready. It is something that we are finishing up today and I hope that we can implement it soon. The aid package will most probably include direct financial help.

**2.21 Deputy R. Labey of St. Helier:**

I just need to press the Minister for Health and Social Services on the ventilator issue, because last week we were told 5 new ventilators were being ordered, was that order placed and acknowledged and does he have a delivery date for those 5? Now it is 5 more, 10 new ones that are going to be sought, because previously we were told we did not have the staff to sit by them 24/7. Has that changed? Has the staffing changed? Have people been found to sit with these machines?

**The Deputy of St. Ouen:**

Yes, the Deputy identifies a fast-changing situation, so my information just a few days ago was that 5 were on order; my information today is that we are seeking a further 10, perhaps 12, 10 plus a further 2 from our current provider is my note. I believe that would be because we are training staff, we are training people, who have not worked these specific ventilators before, but nevertheless have skills that could put them in an intensive care situation. We may not be able to train as many as we would like, but we are doing the best we can and I know that is happening and that will go on.

**2.22 Connétable C.H. Taylor of St. John:**

Following on from the Constable of Trinity, the Parishes are being ...

**The Bailiff:**

To who are you addressing this question, Connétable?

**The Connétable of St. John:**

Sorry, to the Minister for Health and Social Services. The Parishes are being motivated, we are getting volunteers in to help. The problem we have is communication as to who the vulnerable people and who the self-isolating people, who need this help, are. Can we be told, so that we know who we can help?

**The Deputy of St. Ouen:**

For me it surely must be a given that if people are asked to help, they must know who they are going to help. Perhaps the Connétable is alluding to G.D.P.R. (General Data Protection Regulations) issues and I do not know how that might be overcome, if indeed there are some issues. But we have been informed and I have been to so many meetings I forget at which one, but I know that is on a list of issues for Law Officers to consider and I trust will come up with a solution soon. We must not be bound up in regulation and red tape here. If people in our communities need help, we must find a way of reaching them. I think, in the rural Parishes, perhaps, we may know many of the vulnerable, but not all, so we have to be conscious of that. In urban districts, it may be more difficult and there may well need to be that relaxation, if it is needed. There is also a sense in which it does not have to be the Parishes who are the sole providers of help. There are voluntary groups, that seem to be springing up on Facebook, of parishioners who are simply saying: "I am available, I am visiting my neighbour, I am keeping an eye." You do not need a consent to do that, if the neighbour responds when you knock on the window. You do not need to be authorised just to go and speak to your neighbour and ask if they are OK. I know Deputy Doublet has done a wonderful thing and she seems to have opened up her whole street and they are all talking to each other and keeping an eye on each other. So, I would urge Islanders to act as good neighbours and look after the people that they will know are vulnerable, because they are just aware that somebody who might be one or 2 doors down is elderly and might need an offer of help. I see the Island stepping up to that and I think we are a resilient community, we are close to each other and I think the Island will respond so very positively.

**2.23 Deputy I. Gardiner:**

It is a question to the Minister for Economic Development, Tourism, Sport and Culture. The Minister clearly stated that the Government does not want businesses to fail and that the Government will stay behind them. But some senior officers have told business leaders that some businesses will fail as a result of COVID-19. Which is it; will we protect all businesses from bankruptcy, or we do expect some businesses to fail?

**Senator L.J. Farnham:**

In normal times, shall we say 2019 BC for example - the Dean is looking at me, but I, of course, mean before coronavirus - businesses failed. In strong economies businesses fail sometimes and we are not exempt from that now under the current conditions, notwithstanding coronavirus. I cannot promise that businesses will not fail right now. I cannot promise that jobs will not be lost. But I can promise and I hope Members will agree that it remains a reasonable and commendable objective to say that businesses should not fail and jobs should not be lost as a result of coronavirus, if we can help it and we must all do our bit to ensure that we minimise the impact, so that when we come out of this we have a business and economy that is ready to deal with the uplift. If I can just refer to the Seymour Hotel group, who are celebrating their 100th anniversary this year and the recent stories that some of you may have listened to about the way that straight after the German Occupation they quickly re-joined their personnel and the families of their staff got together and their businesses were up and running again for the 1946 summer season.

**2.23.1 Deputy I. Gardiner:**

There is one industry that has not been mentioned and it is the industry for hairdressers, beauticians, nail salons, that are facing currently a dilemma to keep giving for the fewer that are left treatments and put themselves and their clients in danger, or to close down and basically not have any income to pay their rent and their staff. Would the Minister tell us what arrangements have been made for that industry in particular?

[15:30]

**Senator L.J. Farnham:**

While the package of business support measures announced aimed right across the business sectors, it is likely that future support, if required, could be sector-specific, so many of those businesses should be able to be helped by what has been announced. Survival for some businesses might not mean that they can stay open. It might mean they have to restructure. Some might decide to close and batten down the hatches and weather it out that way. But, rest assured, we will do whatever we can to support businesses, whatever course of action they decide to take.

**2.24 The Very Reverend M.R. Keirle, B.A., Dean of Jersey:**

I am sure we have all been very disappointed to see the bulk buying that has been taking place, particularly after we have seen some of the scenes on social media of people fighting in supermarkets to get toilet rolls. I understand that the supermarkets have given out a release, which is basically self-regulation, asking people not to bulk buy. What I would like to ask is, I think this is for the Minister for Economic Development, Tourism, Sport and Culture, if this self-regulation is found not to work, are there any other measures in place to ensure that particularly those who are from households who cannot afford to bulk buy, which inevitably means the most vulnerable and the poorest, do not have the possibility to do that? Are there any measures in place to make that a more robust system, if the self-regulation does not work?

**Senator L.J. Farnham:**

Firstly, I can report that the food retail sector are working with the Jersey Consumer Council and officers to manage this as best they can and have reported that since recent announcements and appeals for members of the public to act with care and consideration, things have improved somewhat. While there are no measures in place, emergency measures could be introduced to control this, but that would be as a last resort and I join the Dean and other Members to appeal to our Islanders to act considerately and responsibly to their fellow Islanders [**Approbation**].

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

This is a question to the Minister for Health and Social Services, which I did send out on Monday, but did not get a reply to. What advice is there for treatment of symptoms? Are there any medications that should be avoided, given there are various things circulating on social media, such as to avoid ibuprofen and to drink water, not let your throat get dry. Could the Minister give us advice, if there is any advice, on the treatment of symptoms?

**The Deputy of St. Ouen:**

I thank the Deputy. I am sorry if I have not got to answer her questions as yet. They have probably gone into the system and an answer will be coming. The treatment of symptoms, so, yes, symptoms, I understand, can be alleviated, but we must remember there is no cure to this disease, but doctors, G.P.s (General Practitioners), all our healthcare staff, are set up to treat, to alleviate, to try to prevent the disease taking hold and having a worse outcome. I am sure that those involved in treatment and care are working out exactly what they want to do. I feel, as a politician, I cannot talk about precise modes of treatment. I am sorry if I am misunderstanding the Deputy's question. Of course, part of the initiative that we recently put in place is that G.P.s contact the most vulnerable, to optimise their



health, so that might mean that if they are suffering from a pre-existing condition they are provided with vaccinations if that is needed for pneumonia, if they have a lung disease, or as I have said, it is difficult to say precisely, but that their health is optimised. So, whatever treatment might be necessary now to optimise their health, the intention is that that would be given, so that if they are struck with the disease, their bodies, they themselves, would be in a position to better deal with it. It happens I know from Dr. Adrian Noon, who is leading the G.P.s on this, that there is a question around ibuprofen. It is not proved, there is not a great deal of science, or evidence, around it, but it is perhaps best for patients to avoid that as a precaution and instead move on to paracetamol. If I can, at a later stage, when I try to explore issues around treatment, I will try to give a fuller answer to that and circulate it to Members.

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

The Minister mentioned there the pneumonia vaccines, so is the Minister aware of whether those in the at-risk groups have been offered the pneumonia vaccine since the outbreak, because I am aware of some people that were offered it at the end of last year, but maybe did not take up that offer and may have changed their mind now and do we have sufficient supplies?

#### **The Deputy of St. Ouen:**

We have certain supplies, but there is a limitation, so cases are being triaged and those who are of the greatest priority will be offered the vaccine, if they have not already taken it up.

#### **The Bailiff:**

Before moving on, we are reaching the point where the hour I indicated I would allow for questions is coming to an end. I have 6 Members, all of whom have asked questions before, who have indicated a desire to ask a second question. I should probably name them; that is Deputy Doublet, Deputy Ward, Deputy Pamplin, Senator Moore, Deputy Southern, Deputy Tadier and the Connétable of St. Martin. Do any other Members wish to ask questions other than those, otherwise I will call upon those? The Connétable of St. Lawrence. Otherwise I will call upon now the 7 individuals to ask their questions, but then not allow further questions. I think we are calling in strict order and I shall deal with it that way. Very well. That is how I propose to proceed. We will carry on until the time comes that those people who I have named have asked their questions.

#### **2.26 Deputy L.M.C. Doublet:**

My question is for the Minister for Education and she mentioned, in her press release, that she was working to see if she could organise child care for the children of some essential workers. Could I have clarification on what jobs those essential workers would include and would the Minister consider using private nurseries and perhaps child minders to enable them to keep their businesses going throughout this time?

#### **Senator T.A. Vallois:**

An example I can give is particularly our health workers. Of course, they are going to be stretched and under pressure during this particular situation, so health workers, critical infrastructure workers, those types of people, will be classed as essential workers to keep things running while we are experiencing a different type of world that we are living in at the moment. Of course, there will be considerations about how we can utilise the experience, skills and qualifications of the private sector, absolutely that is the right thing to do. We have got to recognise our priorities in order to achieve this will be about ultimately safeguarding our children, as well. So, we are looking at multiple ways to ensure especially for essential workers that we can continue to provide some form of care, but focusing on social distancing in particular settings.

#### **2.26.1 Deputy L.M.C. Doublet:**

A supplementary. Are teachers, who are required to still be in school for example teaching G.C.S.E.s (General Certificate of Secondary Education), classed as essential workers and can their children access this free child care?

**Senator T.A. Vallois:**

I can confirm that to the Deputy once I get back. I am sure that she can understand that there has been a lot going on, but we will also be ensuring that any teachers within our schools are practising social distancing and will have more rooms in those schools, particularly for the examinations, just to give some reassurance to those that are going in and we recognise there are underlying symptoms, so we would encourage, where we can, in terms of working from home, using technology and supporting our students in the most appropriate way.

**2.27 Deputy R.J. Ward:**

There are a number of questions, but I think, given that Condor Ferries ...

**The Bailiff:**

Can I ask who you are asking?

**Deputy R.J. Ward:**

I would imagine for the Minister for Economic Development, Tourism, Sport and Culture, but I am not entirely sure. Perhaps I will let the Chief Minister decide on that. Given that Condor Ferries have suspended their services for a month and it does look like airlines will be down-rating the amount of service we have here, what actions are being taken to ensure that we have some form of link? For example, there may well be many students, who will come back to the Island for good, including moving their possessions back, for example and they usually have to take the ferry to do that, but if there is not a service then we could have a situation that is arising into the future, as the situation changes in the U.K.

**Senator L.J. Farnham:**

I am sure that the Deputy did not realise, but there are no passenger sailings to the U.K. for 9 days and they have done that simply because they would have been sailing empty boats, so they are going to put a passenger service on in line with demand and the boat stands ready to deal with other situations. We have a permanent year-round ferry service that will be intermittent during the height of the crisis. The situation on the southern route is slightly different, because France has closed its borders, although France - following intervention from Condor and I understand Senator Gorst's team - have given permission for repatriation of Islanders from France and Condor have put on extra sailings, this Thursday and this Sunday, to bring some 2,500 Islanders back home. I am sorry, was there any part of the question I have not answered?

**2.27.1 Deputy R.J. Ward:**

I have a supplementary that might help with that question as well. If there are boats available would the Government consider, I do not think the word is "requisitioning", but chartering, if there was a need to return a number of young people, for example, from the U.K., given the closing of universities? I know, for example, some universities have closed for the academic year and students will need to come home at some point.

**Senator L.J. Farnham:**

I think that is unlikely, but if that were the case then, yes, we certainly would consider providing financial support to bring our people home.

**2.28 Deputy K.G. Pamplin:**

I believe my question is for the Minister for Economic Development, Tourism, Sport and Culture but we will see how we go. Because we are following public health advice in the protection of lives in spreading transmission, his advice currently ranges due to the modelling he shared with us today, which explains how we are trying to flatten the curve. At the moment, social isolation for the elderly. That may change to all of us, social distancing, thank you very much everybody. The key question I was going to say, because there is no public health advice to shut pubs, clubs and restaurants, at the same time, the quandary local businesses are finding to maintain Island life for this process. We saw the U.K. Chancellor announce extraordinary measures to keep U.K. life and businesses going through these extraordinary measures in flattening the curve. Therefore, I ask the Minister for Economic Development, Tourism, Sport and Culture what other extraordinary measures can we take, like calling on dividends from various reserves, so we can further help businesses of all measures?

**Senator L.J. Farnham:**

I will take this. It is one I would like to share with the Minister for Health and Social Services, but we are currently taking advice on that. Businesses, especially in the hospitality sector, have been following medical advice on making it easy for their customers to observe social distancing. I know a number of restaurants have limited the number of covers and spread tables apart and so on and so forth, because, during these difficult times, when members of our community are self-isolating, or social distancing, I think it is important that there are options for entertainment for people. People do need to go out to eat, they do need to go out to socialise, of course while following the appropriate and the very best and up-to-date medical advice and guidelines. As I said in my previous statements, it is always we value life, no matter how challenging we value life, before profit or lack of it in these circumstances. I think there are meetings tomorrow. We are monitoring the situation very closely. It may well change, but I hope we can find a way to keep as much normality in our daily life as possible, without putting lives at risk.

**2.29 Deputy M. Tadier:**

I would like to ask this to the Minister for the Environment, or the Assistant Minister, if he is OK with that. This is not in any way to underplay the severity of the virus, which is obviously unfolding, but if there is to be any silver lining, does the Minister agree that it has underlined certain areas of modern western life that are unsustainable? For example, in achieving our climate change goals ...

[15:45]

**The Bailiff:**

Deputy, I am sorry, I have to stop you. You will see, under the Order Paper, questions are permitted on the subject of the Government of Jersey's response to the current coronavirus situation. That has to be the Government's response to the situation. It cannot be a general political question, or anything of that nature. I just wanted to remind you of that, so that you can reframe your question if necessary.

**Deputy M. Tadier:**

Thank you, Sir. That is helpful. Does the Assistant Minister for the Environment agree that the response given to the coronavirus by Government in general will be a basis for ongoing best practice in the future to make us more resilient as a society for similar crises that may ensue, either viral or societal?

**Deputy G.C. Guida (Assistant Minister for the Environment):**

That is a big question. It is a very big question and unfortunately it is something that I can answer, but it would take quite a long time. Basically, all the efforts that we are making now can be used in

many different situations, so it is a good exercise. It is just a shame that it is such an intense one and one that is going to cost us so much, so I would not call it a preparation. We would call it the real thing. However, I will take advantage of talking now to add something to the previous question that I did not think about at the time, but which I think is very important when we were talking about the fishermen. I would like to extend that to all the local producers and say that if we do want to change, one of the ways that we are behaving to help in this particular situation and, in general, it is the way that we are buying and now is the time, or never, to buy local. So do not go to the supermarket and hoard, but please go to the fish market, go to our local town market and empty them and take everything that you can, because that will definitely help Jersey.

**The Bailiff:**

But your recommendation is not to panic buy fish from the fish market. Very well.

**2.30 Senator K.L. Moore:**

My question is for the Chief Minister, because it touches on the remits of both the Minister for Social Security, the Minister for Health and Social Services and the Minister for Economic Development, Tourism, Sport and Culture. Today we have heard many thoughts and suggestions, ideas, from Ministers but when, Chief Minister, will those thoughts and ideas be put into actions and give some clarity, both to the people and to the businesses of this Island? We were told, in a press briefing earlier this week, that planning has been taking place for this very occurrence since 31st December, yet there is no clear example of that planning being put into action. So when, Chief Minister, will those plans be put into action, because there are businesses this afternoon who are calling staff meetings to give bad news to their staff? There are businesses that have letters drafted to their staff to share bad news with them. They need clarity, so that they can take that action and change the current course of action that they are putting into place, because of the very difficult circumstances that they envisage will be coming their way. If the Council of Ministers have clear plans, what are they and when will they be delivered?

**Senator J.A.N. Le Fondré:**

I thank the Senator for her question. We have been, as I and many others have said, including the professionals from Health and other departments, preparing for this type of event for some time and, as we said, there was even the desk top exercise at the Town Hall before Christmas for pandemic flu. We also have to recognise that what has come through is, I think, extraordinary and also in its rapidity and, in fact, I ask the question as to when the Emergencies Council have previously met when the event it was preparing for was on-Island and to date nobody has told me when it last met. We have been preparing for Brexit, we have prepared for swine flu, for foot and mouth, but they never got here. So we are in an extraordinary time. What I can say, in terms of actions that have already taken place, is that something like 2 to 3 to 4 weeks ago, the Minister for Social Security immediately took action on things like the short-term income allowance, which was around self-isolation. That was put in place and we did the announcements on the deferral of social security. Those actions were taken very swiftly. We took action to ensure the supply line to this Island and that is about ensuring resilience in that supply line, that contracts have been signed. Some of the issues we face remain, as we have understood, from the experiences of other jurisdictions, what we need to prepare for, which may not have been quite what was envisaged in the original preparations. As Members will see, there is some emergency legislation coming through, so certain actions have been taken. We have always said we have had the reserves in place. We have taken actions in the last few days and today on things like the business support packages. Now what we have to do is to make sure that where there are any gaps in the overall preparation, that we have the resilience through income support and the social security mechanisms. If there are any gaps we are identifying, that is what we need to be filling. We do have some measures, which I can elaborate on separately, around zero hours contracts

within the States system. There are some positive steps being taken on that. Part of it is, I think, the extraordinary rapidity of how things have changed. Can I also take 30 seconds, I was going to do this at the end, but as I am standing on my feet, I do just want to say that, as an Assembly, we do have a significant responsibility to Islanders at this time and as a community, to all pull together, but I fundamentally believe we can do this. What I do want to say is 2 things. One is to formally thank the public sector, particularly the health team and also to just highlight, as well, support workers on things like the help line for all of their work to date. I think that is absolutely critical [**Approbation**] and we are going to be having more extraordinary demands on everybody's time in the days and weeks to come. To give an outline, yesterday the helpline took over 2,000 calls. What I would also say is that there are other pieces of work that do have to come down and as we say, it is on the best medical advice at the time and that is why, for example - and it is interesting that the communications team that, in the past, have taken some criticism about having that team in place, is working fundamentally as a team - and it is so interesting that at a time like now that is where communications are absolutely critical. We know there is always more we could be doing to highlight and, to clarify my answer to the Connétable of St. Brelade, there will be another drop to all households shortly. We have teams where it is all about supporting Islanders and protecting them and so there are teams at work. We have done the fundamentals, I think there is a lot of stuff in place and we are now down to that next level of getting other things in place, which is around the gaps in any social security support, financial support, charitable work, the communities that will come together. We are going to be issuing detailed guidelines on the social distancing, because I think it was someone behind me who was raising that point, that is fundamental to how we as a community and as an economy and as people all come together. There will be far more work coming through. Actions have been taken and further actions, so, as we said, do not forget last week we immediately put £800,000 into supporting 17,000 vulnerable Islanders and that is making sure they are well prepared for this. What I think we do need to do is perhaps, although we have informed ourselves here and we have also informed Islanders at the time, I think we need to reiterate that again and again, to say: "This is what we are doing" and again to keep washing our hands.

### **2.30.1 Senator K.L. Moore:**

I thank the Chief Minister for his response, but could the Chief Minister tell us when training will be put in place for personnel, who are in one sector at the moment, in order to enable them to work in another sector, say to take in caring posts, testing posts and other vital components that will be needed in the coming weeks?

### **Senator J.A.N. Le Fondré:**

I think that is probably more directed to the Minister for Health and Social Services, but some of that training is happening already, but as I think we understand the volume, or the magnitude of the task in front of us it will have to be extended. As we said, this is now, when we are getting right down to the granular work that needs to go on and that work is happening.

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

I return to the old theme, is this ...

### **The Bailiff:**

Sorry, who are you asking?

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

To the Chief Minister, I think. Is this the long-awaited rainy day? I have heard twice the Minister for Social Security say effectively we have not got enough money to meet the hardship that may well develop in the Island, so what guarantees, or assurances, can the Chief Minister give that we will ameliorate the hardship that may well be just round the corner and for a length of time?

**Senator J.A.N. Le Fondré:**

The magnitude of the financial challenge that we are facing is huge and, therefore, I, at this stage, cannot conceive that the Strategic Reserve will not need to be utilised and that will be, obviously, under the permission of this Assembly. In the meantime, we have already, as we have identified, reached into the General Reserve, the Consolidated Reserve, the Stabilisation Reserve and we are also looking at other measures around cash flow as a whole. That is the first steps. If, as the plans come together around further economic support, further social and Island support and the magnitude of funds that will be required on that and once we have greater clarity on the timeframe that we need to plan for, which is coming together and Members were briefed on that a bit today, that will give an indication of the magnitude of the challenge we have. As I said, as of today, I cannot conceive that we will not be requiring the permission of the Assembly at some point to do some extra and extraordinary funding, which is likely to either come from, or be supported by, the Strategic Reserve.

**2.32 The Connétable of St. Martin:**

I had quite a few questions and luckily most of them have been answered this afternoon. This one is for the Chief Minister. Will the accountabilities of senior medical officers, such as the Medical Officer of Health and the Deputy Medical Officer of Health be modified, so that they directly answer to the Chief Minister, rather than the Chief Executive, during the period of pandemic, or epidemic?

**Senator J.A.N. Le Fondré:**

There are 2 things. One is we, insofar as it is possible, make sure that the normal process and the normal decision process holds good. However, as matters develop, obviously we have the Emergencies Council, we have the competent authorities of the Ministers, there is a structure in place. As Members will see, there will be some additional legislation coming through from the Minister for Health and Social Services, so the short answer, I suppose, at this stage is there is no intention to change those reporting lines, but we are all working in sync. Therefore, whether it is us, as Council of Ministers, the individual teams of Ministers as we are all affected and in conjunction with the Chief Executive and the senior management team we are all working very closely together.

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

This is addressed to the Chief Minister. Following the cancellation of the Liberation75 celebrations, Occupation survivors, those who were deported and those who were evacuated are likely to be feeling particularly upset, as well as vulnerable at this time. Will the Chief Minister, on behalf of the Assembly, extend our best wishes to them and reassure them, in no uncertain terms, that every endeavour is being made to support them, to protect them and to provide for their needs?

**Senator J.A.N. Le Fondré:**

Absolutely and I do not need to say any more than that.

**PUBLIC BUSINESS**

**3. Draft Amendment (No. 46) of the Standing Orders of the States of Jersey (P.20/2020)**

**The Bailiff:**

Very well. That takes our period of questions and brings it to an end and we now move on to the next item, which is Public Business and it is the Draft Amendment (No. 46) of the Standing Orders of the States of Jersey (P.20/2020). You have an application to make, I think, Deputy, that the matter be dealt with within the lodging period?

**Deputy R. Labey:**

Yes, Sir. Obviously this is brought about by the exceptional circumstances and I think it is obvious to Members.

**The Bailiff:**

Yes. Is that seconded? [**Seconded**] Do Members agree that we may deal with this piece of legislation? Very well, then I will ask the Greffier to read the citation.

**The Greffier of the States:**

Draft Amendment (No. 46) of the Standing Orders of the States of Jersey. The States make the following Amendment to the Standing Orders of the States of Jersey under Article 48 of the States of Jersey Law 2005.

[16:00]

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

This is a new Standing Order brought forward in direct response to the exceptional circumstances we are currently facing. The States Assembly have a very high *quorum*; 50 per cent of us need to be present for the Assembly to function. If you look at the House of Commons, the *quorum* is 40 per cent and there are 659 M.P.s (Members of Parliament) in the House of Commons. There is a risk that as we chart a course through this epidemic, we might not be able to reach our 50 per cent *quorum*. We hope not, but Members might get ill, Members might decide to self-isolate and not just because of their age and I think, reading the signs, I do not have any prior knowledge of this, but reading the signs, it seems inevitable to me that there will be further directives on social distancing and perhaps the scale of public gatherings. I think it is vitally important for the States to continue to function, both as the body which passes laws and also as the place where Ministers come to explain their decisions and be held accountable by answering questions. I think it is important that we protect our democratic institutions, especially so during these difficult times. The States of Jersey Law sets out that the Assembly can function if at least one half of its Members are present. At the moment we define who is present at the roll call, of course. Members must be physically here in the Chamber. This Standing Order changes that in a way that I am confident is compliant with the Law, however I would ask the Attorney General, perhaps, to address the Assembly after I have finished my speech on just how *vires* we are here. The report sets out in detail how the Standing Order will work. The main points are these. The Standing Order only operates if a state of emergency has been called, or the Bailiff thinks there is a risk to the *quorum* because of a substantial risk to the health of States Members, or any other person. Members who are not attending can register their presence with the Greffier by email before the start of the sitting and the Bailiff will announce that they are present during the roll call. Members will still be under a duty to attend the Assemblies, unless they have a compelling reason not to do so, so Members should be present in the Chamber unless they are ill, or acting under best advice, official advice, to be self-isolating. Members who are present remotely are expected to follow the debate throughout the course of the debate, because, of course, they will be part of the *quorum*, so they will be trusted to do that at home. Members can follow the debate using a webcast, or the radio broadcast. Members not present will be able to vote by registering their vote with the Greffier by email. Their votes will be added to the votes of those physically present in the Chamber at the *appel*, in the normal way. We will also make arrangements for Members to “speak”. The Greffe are setting up new software, that Members at home can use to submit a question, a supplementary question, or make contributions to the debate and the Greffier will issue more guidelines on this further down the line on exactly how this will work. If agreed today, it will be possible to start these new arrangements at the sitting next Tuesday, if they are needed. Let us hope they are not, but it is sensible to make this contingency and to make this contingency we have to change the Standing Orders. As Members can see, the Greffe reorganised things here today and I thank them all for not one word of complaint about their change of seat and thank you. However, these arrangements are not ideal going forward. We are just about OK on one metre distances with

those more vulnerable, but from Tuesday onwards, the Greffe have made plans to move the Assembly to the Gloucester Hall in Fort Regent and the proceedings will still be live-streamed on line. Sir, I make the Proposition.

**The Bailiff:**

Is the Proposition seconded? **[Seconded]**

**Mr. M.H. Temple Q.C., H.M. Attorney General:**

I thank Deputy Labey for his invitation to speak. My advice to P.P.C. (Privileges and Procedures Committee) and to the Assembly more generally is in relation to the States of Jersey Law and in particular the *quorum* provision in Article 15 of the Law and also Article 16 of the Law, which also uses the word “present” for conducting the Assembly’s business. Obviously, I add that the detail of Standing Orders is obviously a matter for you, Sir, as President of the Assembly. In relation to my advice concerning Articles 15 and 16 of the States of Jersey Law, in summary I agree with the draft Standing Order as lodged and that is in view of the particular and extraordinary challenge that has been posed, or will be posed, by this virus. In terms of how I address the specifics of that advice, I do so under 3 headings. The first is the power of this Assembly to introduce the change by way of Standing Order, that is the first heading. The second heading is a question of construction of the States of Jersey Law, statutory construction and what is meant by the word “present” in Articles 15 and 16 of the 2005 Law and then finally, my advice is in relation to some of the more technical and practical measures that arise from my advice and, in particular, the right in Article 2 of the States of Jersey Law for Members to speak in the Assembly. I hope those headings are clear to all Members. In terms of the first, that is straightforward. The power to introduce this change by way of Standing Order is clearly present in Article 48 of the States of Jersey Law, which is the power to regulate the business of the Assembly by way of Standing Orders. The report to the Proposition, which introduced the States of Jersey Law in 2004, which is P.124/2004, said this in the report which formed part of the *projet*. It said: “As mentioned above, the Committee [which existed at that time] was keen to retain as much flexibility as possible by not including matters in the new Law that can be contained in Standing Orders. As a result, Part 3 [which includes Articles 15 and 16, which are the very Articles that are under consideration here] is, in some ways, notable for the things that are omitted when compared with the 1966 Law [which was its predecessor]. There are no provisions on the manner in which meetings of the States are convened, on matters such as recording the names of Members present, or keeping minutes of proceedings. These issues will all be covered in the new Standing Orders.” So, it is quite clear that the intention of the Assembly, when it approved the 2005 Law, was that in relation to those matters of detail, there would be a wide measure of business that would be covered by Standing Orders. That is a relevant fact, that arises in relation to the question that we face today. As a matter of the States Assembly’s power to make this change, or introduce this change, by way of Standing Order, my clear advice to the Assembly is that, yes, that power exists and it is appropriate for the Assembly to use that power in these circumstances. In terms of the second heading, the question of statutory construction and what is meant by the word “present” in Articles 15 and 16 of the 2005 Law, that is a fairly standard legal exercise, which is often faced by lawyers and the courts when they are dealing with legal issues. In terms there are a clear set of principles of statutory construction which are relevant to this question and there is a clear body of authorities that have come in terms of the courts’ decision making from cases that a purposive construction is to be used when it comes to considering legislation. That is particularly the case in relation to constitutional legislation, which the 2005 Law clearly is. There is a purposive construction to be adopted and that is relevant in this case, because in terms of what is the purpose of the 2005 Law, the clear purpose is furtherance of a democratic process. That is of relevance in this situation where we have a potential threat to the continuance of our democracy. We need to consider and construe what is meant in Articles 15 and 16 by the word “present”. Clearly, in the past, what was meant by the word “present” was physical presence, but in circumstances now where there have been technological



developments and we are in a situation where we are faced by a crisis imposed by the virus, which is a threat in terms of gatherings of people, which would clearly include the States Assembly, we need to construe the word “present” in a somewhat different way and we construe it in the light of that purposive construction of what is meant by the democratic process. In my view, having considered the matter very carefully, I have construed the Law as a whole and I note, in particular, the preamble to the Law, the 2 relevant parts of the preamble. It says in the preamble: “Whereas it is recognised that Jersey has autonomous capacity in domestic affairs” and it also says: “And whereas Jersey wishes to enhance and promote democratic, accountable and responsible governance in the Island and implement fair, effective and efficient policies, in accordance with the international principles of human rights.” In my view, those support the purposive construction and that “present” can be construed in a different way that is consistent with the proposed draft Standing Order and the arrangements therein. In terms of the third heading and the technical or practical measures, there is a degree of flexibility that is needed in these circumstances and the Standing Order, in my view, quite rightly preserves that degree of flexibility for the States Greffe. So, in terms of the practical arrangements that will be adopted, there clearly needs to be the best effective security in terms of remote voting that is available in this very short timescale that we have available to us and also in terms of the right of elected Members, all Members, to speak in this Assembly, that also needs to be interpreted in a flexible way in that we may need to use, in the unusual circumstances that we face, slightly more ... well, new, very new, arrangements to allow Members to participate in debates which they are not attending physically in this Chamber. So, in terms of the practical arrangements that the Greffe will adopt, those are something that the Greffe will clearly need to investigate.

[16:15]

I have no doubt that they will come up with the best practical arrangements to allow Members to participate as best they can in this debate, or in debates in the future, should we need to invoke this particular Standing Order. So, that is my advice to the Assembly. I am happy to take any further questions that arise from it, but I will sit down at this point.

**The Connétable of St. Brelade:**

Would the Attorney General be recommending a cut-off time for this particular change in the constitution?

**The Attorney General:**

At this stage, no, because we do not know how long this particular virus will last, or whether we might be faced by future waves of these sorts of viruses. So, at this stage, I do not recommend a particular cut-off. It is something that the Assembly will clearly need to keep under review, because clearly this is not a measure that is intended to be business as usual. This is clearly a very extraordinary situation and it is only to be invoked in fairly extreme circumstances.

**3.1.1 Deputy M. Tadier:**

First of all, can I commend the work P.P.C. and the Greffe - and, no doubt, the legal advice they have taken on this - for working so swiftly? It shows what can be done in an emergency situation. I thought I would ask the question, because clearly there is not the normal time for scrutinising this in-depth. One thing that does spring to mind is whether, or not, Members should need to be present in the Island when they are taking part remotely. That is an answer I have only given brief thought to, but it seems to me that if one is not in the Island, one would not normally be able to attend a States sitting anyway and one would be either excused, or just marked *défaut*. We could get into a scenario whereby people are phoning in from their holiday, to make up the numbers, so to speak and this could become ... it is difficult to imagine a scenario now, but clearly we are making it for a time which might be slightly apocalyptic, or very serious, so numbers could be critical. It would be useful to get some explanation from other Members, or the Chair of P.P.C. how that is envisaged, because clearly

it could also be that there might be scenarios where people need to phone in from the U.K., for example. So, if there was a scenario where future Members need to be isolated and perhaps outside of Jersey, for whatever reason, it could well be that there is a nuclear fallout in Cherbourg and that we have to vacate the whole of the Island, but that we still need to make decisions about how Jersey is run. Some of us could be doing that from underground in a bunker. Some of us could be doing that from another country. I think these are relevant questions that at least should be recorded on Hansard, so if and when that unfortunate eventuality might arise, or present itself, we have some answers, so that we are not arguing about who can and cannot take part in those debates.

### **3.1.2 Senator S.Y. Mézec:**

It is very brief. I am disappointed to hear Members sighing behind me, because it is a serious point that I want to make. It is firstly to say that I obviously wholeheartedly support this. It is clearly right that, in times like this, when there is a foreseeability that the Assembly would not be able to conduct its business in emergency circumstances, that we make some amendments to enable that to happen. That is absolutely right, but I do think that it is worth, at some point in the future, not today and possibly not soon, to consider when we return to normal times that democratic normality resumes as well. I, for one, would not want this to be seen as a mechanism for changing how parliamentary business is done ordinarily. When we get back to that point, we should re-engage that discussion, but for the purposes of getting through this as one community, it is absolutely the right thing to do to support this.

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

I am going to speak because I, too, find it disappointing that people are sighing, but we have to be really clear here, because this has taken us unawares and we could be in a situation, as was mentioned, that there are waves of pandemic and we may have some people stuck in the U.K., or stuck somewhere else, who would want to participate, so we have to really clearly define whether being present in Jersey is part of the criteria, or not. So, I just think that is a really important point that was raised and needs to be addressed.

### **The Bailiff:**

Does any other Member wish to speak? If no other Member wishes to speak, then I close the debate and I call upon the Chairman to respond.

### **3.1.4 Deputy R. Labey:**

Well, at the moment, whether Members are present on the Island, or present but off the Island digitally, electronically, is difficult to enforce. These measures are brought up by the exceptional circumstances of the virus and, at present, whether the Members are present on the Island, or off the Island is not really an issue, because we cannot get off the Island. Where are we going to go? So, can I thank the Attorney General for the thorough work he has done and for explaining it all to us and for the extra hours? I would like to echo, Sir, your comments in regard to the work that the Greffe has done. The Greffier himself whipped this up at lightning pace, this change and, of course, we know that the Deputy Greffier, Assistant Greffiers and all the Greffe staff are working very hard to make sure that the democratic process can continue. **[Approbation]** So, I maintain the Proposition and ask for the *appel*.

### **The Bailiff:**

The *appel* is called for ...

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

Can I ask for clarification? I felt the mover was too glib there and he dismissed what I think is a valid question that I had and may well arise in the future about who can dial in. Who ultimately makes the decision about somebody who is not in the Island to be able to participate in a debate that

they would not normally be able to participate in, if they were normally on holiday and we were sitting in an analogue capacity?

**The Bailiff:**

Well, that was a point of clarification you were seeking from the *rapporteur*?

**Deputy M. Tadier:**

Yes, I am seeking that clarification and my vote, frankly, depends on it. I do not think I got a satisfactory answer from the Chairman.

**The Bailiff:**

Well, it is a matter for the Chairman how he answers that. Do you wish to clarify that from your speech or do you wish to ...?

**Deputy R. Labey:**

Well, I think I did clarify it, Sir.

**The Bailiff:**

Very well. The *appel* is called for. The way we will work is we will deal with the electronic voting. People have been re-allocated, so their votes should be registered where they sit. When we finish the electronic voting, we will record the votes of those Members who are looking down at us from above and then we will know ... **[Laughter]**

**Senator L.J. Farnham:**

I was just going to suggest we should not forget Deputies Waldorf and Statler up there in the ... **[Laughter]**

**The Bailiff:**

Very well, I ask the Greffier to open the voting. The voting is on the adoption of Draft Amendment (No. 46) of the Standing Orders of the States of Jersey.

<b>POUR: 39</b>		<b>CONTRE: 1</b>		<b>ABSTAIN: 0</b>
Senator I.J. Gorst		Deputy M. Tadier (B)		
Senator L.J. Farnham				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				

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

**The Bailiff:**

Greffier, would you call for the votes for the ...

**The Greffier of the States:**

Deputy Ash?

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

*Pour.*

**The Greffier of the States:**

Deputy of Trinity?

**Deputy H.C. Raymond of Trinity:**

*Pour.*

**The Bailiff:**

Very well. Presumably, we resume again, Mr Chairman, at ... and, therefore, that brings the business of the Assembly to an end. The States stands adjourned until 9.30 a.m. on Tuesday next.

**Deputy J.M. Maçon:**

Where, Sir, here or Fort Regent?

**The Bailiff:**

Well, I think that the current decision is to the Gloucester Hall in Fort Regent, but that will be confirmed by the Greffe when they know if the arrangements can be put in place.

**Deputy C.F. Labey of Grouville:**

Are we going to discuss the order of business or the Propositions that ...

**The Bailiff:**

No, the order of business is as ... I am sorry, Deputy, I did not mean to talk across you unfairly. The order of business is as set out in the last business for the Assembly on that day, as has been discussed. It has already been decided and there are no obvious alterations to that, but any change to the order of business can be dealt with as and when it comes up on Tuesday of next week.

**Senator J.A.N. Le Fondré:**

Sorry, Sir, just for Members' assistance, what as Ministers we have done - and I have had some discussions with backbenchers as well - is we have tried to move any non-urgent business to other dates just to ensure that we can focus on the urgent and critical matters, given the events in front of us. I will just say there are one or 2 items, ministerial-wise, which are left, which I hope are uncontroversial, but particularly if they are not considered at the Assembly's next meeting, I understand that tribunals may not be able to meet in the future. That is why they are there. But anything else we have tried to move to some considerable distance from now, so that we can focus entirely on the issues in front of us.

**The Bailiff:**

So that Members do not prepare anything unnecessarily, Chief Minister, are you going to, or have you already, notified Members of what is not going to be proceeded with?

**Senator J.A.N. Le Fondré:**

Emails were sent at the beginning of this week on that front and I believe the list of business on the website has been updated.

**The Bailiff:**

Thank you very much. I hope that assists Members. Did you wish to say something, Senator?

**Senator L.J. Farnham:**

Just very briefly, in light of the possible fiscal measures announced today and subject to further discussions with the Minister for Treasury and Resources and her team, I think it might be likely that the States might be called upon to make some decisions at the next sitting as a matter of urgency.

**The Bailiff:**

That will be a matter to be dealt with when we sit next Tuesday and for matters to be brought forward and dealt with if the Assembly agrees to do so. Very well, the States stands adjourned until 9.30 a.m. on Tuesday next.

**ADJOURNMENT**

[16:26]