

# STATES OF JERSEY

## OFFICIAL REPORT

**TUESDAY, 16th JUNE 2020**

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[9:33]

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

## **COMMUNICATIONS BY THE PRESIDING OFFICER**

### **The Bailiff:**

#### **1.1 Welcome to His Excellency the Lieutenant Governor**

On behalf of Members I would like to welcome His Excellency the Lieutenant Governor to the Chamber this morning.

## **QUESTIONS**

### **2. Written Questions**

#### **2.1 Deputy J.H. Perchard of St. Saviour of the Chief Minister regarding the approach of the Government of Jersey to controlling Covid-19 (WQ.212/2020):**

##### **Question**

Given that the Centres of Disease Control and Prevention (CDC) defines the ‘control’ of infectious disease as “the reduction of disease incidence, prevalence, morbidity or mortality to a locally acceptable level as a result of deliberate efforts [where] continued intervention measures are required to maintain the reduction”, will the Chief Minister advise –

- (a) whether this definition is the one that the Government of Jersey is using when describing their ‘control approach’ to Covid-19;
- (b) if not, what exact definition of ‘control’ is being used by the Government; and

if the CDC. definition is being used, what the Government deems to be a locally ‘acceptable level’ of the ‘incidence, prevalence, morbidity or mortality’ of Covid-19 in Jersey?

##### **Answer**

- (a) No, the CDC definition in the question is not being used, as the WHO articulation is understood to be more recent and tailored to COVID-19.
- (b) Jersey’s control approach is aligned to the WHO’s overarching goal for COVID-19, which is for all “...countries to control the pandemic by slowing down the transmission and reducing mortality associated with COVID-19” as outlined in the most recent Covid-19 Strategy Update (WHO, Apr. 2020 update, retrieved from [https://www.who.int/docs/default-source/coronaviruse/covid-strategy-update-14april2020.pdf?sfvrsn=29da3ba0\\_19&download=true](https://www.who.int/docs/default-source/coronaviruse/covid-strategy-update-14april2020.pdf?sfvrsn=29da3ba0_19&download=true)).

This strategy outlines several objectives, one being **control**:

*Control sporadic cases and clusters and prevent community transmission by rapidly finding and isolating all cases, providing them with appropriate care, and tracing, quarantining, and supporting all contacts.*

- (c) As identified in (a) above, the CDC definition is not being used.

#### **2.2 Deputy L.M.C. Doublet of St. Saviour of the Chair of the States Employment Board regarding non-disclosure agreements signed since 2000 (WQ.213/2020):**

## **Question**

Will the Chair advise how many non-disclosure agreements have been signed since 2000 between either individuals or companies and (i) each of the Government Departments and (ii) non-Ministerial bodies?

## **Answer**

With regret, the response to this question is unable to be provided within the timescale requested.

Non-disclosure agreements (NDAs) exist in commercial contracts, external investigators, employees undertaking certain sensitive work and in settlement arrangements such as compromise agreements. These are not held centrally.

Searching for an accurate answer from the past twenty years from multiple departments and non-Ministerial bodies will be a time-intensive exercise requiring people to be present in offices to search manual records. Most Government offices are not open to administrative employees currently. A request has been made to each Department for this activity to be completed by the end of June 2020.

### **2.3 Deputy of St. Peter of the Minister for Home Affairs regarding passengers travelling to Jersey during the Covid-19 pandemic (WQ.214/2020):**

## **Question**

Since the travel restrictions to and from Jersey were enforced and a 14-day self-isolation period imposed on arrival, will the Minister advise –

- (a) how many passengers have arrived in the Island on the Government of Jersey / Blue Island Air Service 'lifeline' flights;
- (b) whether there have been any passengers who have arrived multiple times in Jersey and, if so, how many such passengers there have been and how many journeys they have each made; and
- (c) whether there have been any occasions when passengers have not been required to self-isolate for 14 days on arrival in Jersey and, if so, how many passengers this has applied to and what the justification for the exemption was in each case?

## **Answer**

(a) Since the 20th April 2020, when the Jersey Customs and Immigration Service (JCIS) officially commenced operational management of pre-travel authorisation, a total of 822 passengers have travelled into the Island across the categories of essential worker (Private and Governmental), for repatriation and compassionate reasons. There have also been a total of 163 medical patients travelling into the Island. JCIS has authorised 790 passengers travelling outbound across the categories and 131 medical patients have also travelled outbound.

(b) This is not something that can be determined. However, passengers apply for each single leg of travel and must meet the necessary travel criteria each time before being authorised.

(c) JCIS have issued 99 self-isolation exemptions since 20th April and in the main these have been granted to essential workers. For example those passengers working on the Nightingale Hospital were

granted exemption and also those maintaining critical island infrastructure. Exemption is granted solely for the purpose of carrying out the essential work and at all other times must self-isolate. To apply for an exemption the worker/employer must demonstrate why it is essential they carry out the work immediately and detail the mitigation that will be put in place to minimise any risk.

## **2.4 Deputy R.J. Ward of St. Helier of the Chair of the States Employment Board regarding the resourcing approval panel (WQ.215/2020):**

### **Question**

Will the Chair –

- (a) state who the members of the Government’s resourcing approval panel are;
- (b) outline the process of recruitment from identification of the post to employment; and provide both the mean average time taken for recruitment to a post through this process and the range of time it can take to complete this process (from shortest to longest); and
- (c) advise what relationship, if any, there is between the States Employment Board and the resourcing approval panel during the recruitment process?

### **Answer**

- (a) The resourcing panel comprises of:
  - Group Director for People and Corporate Services (Chair)
  - Chief of Staff
  - Director General, Customer and Local Services
  - Group Director for External Affairs
  - Group Director, Performance Accounting and Reporting
- (b) The length of time for approval processes will vary depending on the type of role being requested, as set out below. For the majority of the roles, the line manager submits a request to recruit (Vacancy authorisation request (VAR) or Workforce Expenditure Approval Form (WEAR)).
  - The VAR (for education posts) is reviewed by the Director for Education and the Director General for Children, Young People, Education and Skills.
  - The WEAR is reviewed by the Finance Business Partner against the establishment and the relevant Director General for approval.
  - Departmental posts are then passed to the Resourcing Panel in a).

The shortest time from submission to the resourcing panel is one week as the panel meet weekly and consider all requests. The panel may request further information which depends on the line manager in terms of response time.

The average time is more likely to be three weeks, given the departmental approval process. Some have taken longer, due to the new process being put in place and a pause on approvals.

The longest time depends on a number of factors throughout the challenge process to ensure the correct contracting arrangements are in place, that there are no alternatives to the recruitment (including redeploying those displaced within other parts of the Government), the long-term configuration of services and suggestions to reduce duplication of activities across the Government.

Once approved, advertising takes between one and four weeks. An additional two weeks to confirm interview arrangements. For the successful candidate(s) pre-employment checks such as references, health reference and safeguarding checks are undertaken. This can take between one and four weeks depending on the response times of the referees and/or agencies involved. Once an offer of employment is made and accepted, the length of time until an individual starts in their role depends on their notice period. Usually one month for most roles, or three months for more senior roles. For teachers, the notice period is normally a term, subject to official deadlines for resignations.

- (c) The States Employment Board approves the Code of Practice for recruitment. It does not have any direct involvement in operational matters or recruitment other than senior, interim and contractor recruitment through the P59 approvals policy.

The States Employment Board endorsed greater scrutiny of recruitment commitments during this time of financial uncertainty to be assured that long-term commitments are not being made without consideration of the current and likely future financial position of the Government.

## **2.5 Deputy R.J. Ward of St. Helier of the Minister for Social Security regarding the impact of the Covid-19 economic recovery plan on Income Support payments (WQ.216/2020)**

### **Question**

Will the Minister advise what discussions, if any, have taken place regarding the prospect of cuts to Income Support payments as part of the post-Covid-19 economic recovery plan?

### **Answer**

All Ministers have been asked to review the expenditure under their political responsibility. As Minister for Social Security this includes the budget allocated to Income Support payments.

I have been involved in high level discussions and I can confirm that there are no plans being discussed that would lead to cuts in Income Support payments as part of the post-Covid-19 economic recovery plan.

## **2.6 Deputy R.J. Ward of St. Helier of the Chair of the States Employment Board regarding incidents of racist abuse towards public sector employees (WQ.217/2020)**

### **Question**

Will the Chair advise –

- (a) how many incidents of racist abuse towards employees, if any, have been recorded since 2018;
- (b) what the process is for recording such incidents;
- (c) what the process is for dealing with such incidents; and
- (d) what ongoing support, if any, is given to the victims of such abuse?

### **Answer**

- (a) Four incidents of race discrimination have been recorded since 2018.
- (b) Cases are recorded on Expolink and the Case Management system. Every case is investigated.
- (c) The Bullying and Harassment Policy is followed for dealing with allegations of race discrimination. Racial discrimination is considered a matter of gross misconduct.
- (d) Line manager support, mediation, counselling and occupational referrals are offered to any employees impacted by any allegations of Bullying and or Harassment.

Where appropriate, a link with the case management team, unconnected to the case investigations provides additional assurance for our duty of care to maintain communication.

### **2.7 Deputy R.J. Ward of St. Helier of the Minister for Treasury and Resources regarding the classification of States expenditure (WQ.218/2020):**

#### **Question**

In light of the Assembly's adoption of 'States' expenditure: classification in accordance with international best practice' (P.94/2019), will the Minister provide an update on the actions taken in Quarters 1 and 2 of this year to implement this decision, given the need to classify expenditure from 2021 in accordance with the proposition?

#### **Answer**

Further to the response to the Deputy's oral question on 21<sup>st</sup> January, the Minister can confirm that the States of Jersey Annual Report and Accounts 2019 were signed off on 17<sup>th</sup> March 2020 (1 month earlier than 2018) and subsequently published on 1<sup>st</sup> April 2020 (over 3 weeks earlier than 2018).

The Deputy will note the slight delay between signing the Accounts and publishing them which was primarily the result of resources being re-focussed on to preparing for and responding to the impacts of the emerging COVID-19 pandemic (the WHO declared COVID-19 a pandemic on 11 March 2020).

Since this time, Treasury officers have been working with colleagues across the organisation to manage the impacts of COVID-19 on Government finances. This work is ongoing and significant in scale with unprecedented impacts on Government finances, the local and global economies. The impacts of this global pandemic on Government finances will continue to be a Treasury priority in the short term and are likely to continue to occupy a considerable amount of officer resource for the remainder of 2020.

In light of this, the Minister is sure the Deputy appreciates that the work to determine the resources and actions required to implement UN expenditure classifications has not been prioritised and it is therefore possible the classification from 2021 will have to be delayed.

Should the opportunity arise to allocate officer time to this work, it will of course be progressed and the Minister remains happy for the Deputy to contact her to discuss a practical way forward in light of the circumstances and commitments made in the Proposition.

**2.8 Deputy R.J. Ward of St. Helier of the Minister for the Environment regarding the monitoring of air pollution (WQ.219/2020):**

**Question**

Further to my numerous written questions on this subject, most recently Written Question 54/2020, will the Minister provide an update on the progress of the technical evaluation of air pollution in the Island, and give a date for when the roll-out of real-time air pollution monitoring will take place?

**Answer**

Since my last response to the Deputy on 4 February 2020 (WQ 54/2020), the team who were tasked with analysing the results have, since mid-March, been redeployed to assist with the Government's COVID response. This therefore means that no significant progress has been made regarding the technical evaluation of air pollution in the Island for 2020 or on the roll-out of real-time air pollution. Unfortunately, this will continue to be the case until members of the Environmental Health return to business as usual. Although I would like to give the Deputy a clearer and more definitive timeframe for delivery, I am unable to do so as I do not yet know when the team will be returning to their 'normal' roles.

However, I can confirm that the 2019 Air Quality Report is close to completion and will be made available in the coming weeks, and that our air quality monitoring has shown a 45% reduction in NO<sub>x</sub> and 44% decrease in NO<sub>2</sub> levels following lockdown.

[http://jerseyair.ricardo-aea.com/assets/reports/Jersey\\_report\\_covid\\_analysis.html](http://jerseyair.ricardo-aea.com/assets/reports/Jersey_report_covid_analysis.html)

**2.9 Deputy C.S. Alves of St. Helier of the Minister for Home Affairs regarding the provision of personal protective equipment (P.P.E.) to the States of Jersey Police (WQ.220/2020):**

**Question**

Given that the Minister stated in his response to Oral Question 140/2020 that "the States of Jersey Police are following local and national guidance on the use of personal protection equipment (P.P.E.)" and one of the main elements of that guidance was "having P.P.E. available when Covid-19 is suspected", will the Minister –

- (a) state when the police received the local guidance;
- (b) state how this guidance was communicated to officers;
- (c) advise whether this guidance was the same as that published on the gov.je website in respect of P.P.E. for essential workers;
- (d) if the guidance was the same as that published on gov.je, explain whether and how Table 3 of the guidance on the website has been adhered to and, if that is not the case, explain why not; and

- (e) if the guidance provided to the States of Jersey Police was different in any way from that published on the website, provide a copy of the version that was issued and explain why it differs?

### **Answer**

- (a) Police received initial *local* guidance on 2<sup>nd</sup> April. National Policing and Public Health England guidance (including a clear table) was issued to all officers and staff on 4<sup>th</sup> April 2020.
- (b) Further updated guidance, incorporating *local* guidance was communicated to officers & staff via personal email titled “Daily Update” which all officers & staff received on 7<sup>th</sup> April.
- (c) The guidance was not the same as published on the gov.je website in respect of PPE for essential workers. However, the recommendations made by the Medical Officer of Health were incorporated in the bespoke National Policing and Public Health England guidance that was sent to all officers.
- (d) Due to the nature of operational Policing, the SoJP adopted the table and guidance being issued at a National UK level – the Deputy has I understand now been provided with a copy of the latest version of the specific PPE guidance for police officers & staff.
- (e) The guidance (which has evolved through COVID-19 pandemic) differed to that which was published on the website in that cotton masks were recommended when cleaning of police stations, cars and equipment (column 1), when in contact with Police Colleagues and suppliers – social distancing available (column 2) and when contact with the public was likely – but with social distancing measures available (column 4).

### **2.10 Deputy C.S. Alves of St. Helier of the Minister for Health and Social Services regarding guidance in respect of personal protective equipment (P.P.E.) (WQ.221/2020):**

#### **Question**

Will the Minister confirm –

- (a) the date when Personal Protective Equipment (P.P.E.) guidance in response to the Covid-19 crisis was issued to the Emergency Services;
- (b) details of any changes to the guidance since it was first published; and
- (c) what monitoring activity, if any, is in place to ensure all Emergency Services have sufficient P.P.E. and are using it in accordance with the issued guidance?

#### **Answer**

- a) Local guidance on PPE for health care and other essential workers was first released on the 2nd April; this explicitly included PPE for the emergency services.
- b) The guidance was updated and released for circulation on the 7<sup>th</sup> April to take account of national practice guidance that was updated from Public Health England.

The rationale for the updates was to support the provision of information in a clearer infographic format, as well as to provide further clarity on different scenarios where specific PPE use may slightly differ.

The guidance was then updated on the 24<sup>th</sup> of April when the table for emergency services was updated to reflect the position and consistency with the national guidelines for the same professional emergency groups.

The last up-date to PPE guidance was made on the 21<sup>st</sup> of May. At this time, an update to the guidance for emergency services was an addition approving the use of additional mask types to increase the range of masks available to use to FFP2 and N95 type masks. The same changes were made across all healthcare groups. The PPE infographic was also updated to reflect this change. In addition, the generic list of guidance on Aerosol Generating Procedures was also added to include 'swallowing assessment'.

c) Supported by the government-issued guidance referred to above, it is the responsibility of each organisation to ensure that it holds sufficient levels of products to meet its individual business needs. However, to support and assure this, the PPE Cell continues to monitor the demand for and usage of a 'prescribed list' of PPE products for healthcare and essential workers across the island. This assists with stock control and procurement needs as the Island transitions through the Safe Exit Strategy.

The management and use of Personal Protective Equipment (PPE) is routine activity for emergency services, and Respiratory Protection Equipment (RPE) is routine activity for fire and rescue services. This means that no additional measures for monitoring and supervision were required or implemented. Updated guidance is shared with staff and regular reminder e-mails are sent out within each service, alongside notices/posters displayed around the stations.

## **2.11 Deputy C.S. Alves of St. Helier of the Minister for Health and Social Services regarding the provision of psychology, psychiatry and 'talking therapies' services (WQ.222/2020):**

### **Question**

Will the Minister advise –

- (a) what checks, if any, the psychology, psychiatry and talking therapies departments are currently undertaking on those patients who were having on-going treatment prior to the Covid-19 pandemic, but whose treatment had to stop;
- (b) whether contact has been maintained with these patients since the 'Stay at Home' restrictions began;
- (c) if such contact has been maintained, by which channels it has been maintained and what percentage of patients have been contacted on more than one occasion; and
- (d) if no action was taken to maintain contact with patients, why that was the case?

### **Answer**

(a) The Mental Health Service (MHS) was reconfigured to provide an emergency service during Health and Community Service's (HCS) response to Covid-19. The Mental Health Service was tasked with ensuring that the needs of clients could be met if 50% of staff were unable to attend work



because of illness or self-isolation. Each client within the MHS was reviewed in terms of level of acuity.

The Jersey Talking Therapies (JTT) Service was paused during the initial Covid-19 response as part of an HCS-wide decision to pause outpatient services. JTT staff were redeployed to maintain acute services and the wellbeing provision for HCS staff. The Psychology Service was also redeployed, except within both the Inpatient and Alcohol and Drug services where they are part of multi-disciplinary teams. The MHS also restructured specialist mental health services including psychiatric services as detailed in (b) below.

When the JTT and Psychology Services were paused on the 20<sup>th</sup> of March 2020, there were 402 JTT and Psychology clients open to the Mental Health Service. After clinical review, 59 of these clients were stepped up and offered telephone/video conferencing contact in response to need through the Mental Health Contact Team. This service was initially available between 8am to 8pm but was reduced following a review of demand. It is now available 9am to 5pm, 7 days per week.

Paused clients were contacted and given advice, including information about the Listening Lounge Service and directed towards their GP if they experienced any deterioration, to ensure appropriate medical review. On the 27<sup>th</sup> of April, after a review of capacity, the MHS wrote to all paused JTT and Psychology clients offering them contact with the Mental Health Contact Team if required.

b) Contact was maintained with patients using the mechanisms below:

Service	Covid emergency response Lockdown	Phase 1 – Level 2-3 Soft lockdown
<b>Inpatient Units</b>  <b>Essential service</b>	Business as usual.  Some community-based staff redeployed to support inpatient units.  Bed base reduction on Orchard House, Cedar and Oak to enable single room provision to manage potential/actual Covid outbreaks.	Business as usual.  Release community-based staff to enable phase 1 achievement.  Maintain bed base at Covid-19 levels to manage potential outbreaks
<b>All Age Home Treatment Team (HTT)</b>  <b>Essential Service</b>  Introduced as a key element of the initial Covid response	<i>‘The HTT has been established to help facilitate early discharge from hospital and provide short term intensive support post discharge.’</i>  The Home Treatment Team was developed to support existing service users from Adult and Older Adult community-based MH teams who required urgent intervention/monitoring, without which mental health crisis would result. This includes maintenance of depot and	Adult (18-65) Home treatment team to continue  Release of staff from psychology teams to support phased return of activity in JTT/psychology.

	clozaril treatments without which deterioration is almost certain.	
<b>Mental Health Contact Team (MHCT)</b>  Introduced as a key element of the initial Covid response	<p>The Mental Health Contact Team was introduced to ensure that existing patients who were assessed as being stable or at reduced risk could have a proactive contact point with the service.</p> <p>Staff with underlying health conditions were utilised to work from Le Bas with strict adherence to public health guidance or working remotely.</p> <p>The contact team was designed to make and respond to calls to/from people on an existing MH caseload and provide:</p> <p>Response to non-urgent call; proactive reviews to prevent relapse/deterioration; remote appointments with Drs for medication reviews / provision of ongoing prescriptions.</p> <p>The service was provided by a full range of the Multi-Disciplinary Team.</p>	<p>Release of identified staff redeployed from 'paused' teams to enable phased return of psychology, JTT. Memory Assessment Service (MAS) activity.</p> <p>MHCT activity will be reintegrated with original teams for those continuing to work remotely.</p>
<b>Adult Community Mental Health Team (CMHT)</b>	<p>During the Covid-19 emergency planning response, CMHT staff were deployed to the newly formed Liaison, HTT and Mental Health Contact Team, or to inpatient units to support workforce challenges. Existing patients were allocated to one of the community-based teams based on level of risk.</p> <p>Limited CAMHS interface re-introduced after one month to support an identified cohort of care leavers.</p>	<p>With release of staff from the HTT, CMHT activity will recommence.</p> <p>Communication technology to be utilised where-ever possible.</p> <p>Depot / clozaril clinics to return to original team (Adult CMHT)</p>
<b>Jersey Talking</b>	<p>The JTT Service was 'paused' during the initial Covid-19 response with</p>	<p>JTT staff to be released from current redeployment wherever practicable to</p>

<b>Therapies (JTT)</b>	<p>staff redeployed to maintain essential services, and the wellbeing provision for HCS staff.</p> <p>JTT open cases have been restarted as part of the MH Contact Team towards the end of this period using remote options.</p>	<p>return to JTT provision using virtual/remote interface.</p> <p>JTT staff to continue to progress paused interventions, review waiting lists and allocate available interventions, produce an outline plan and pilot the CCBT ‘SilverCloud’ course.</p>
<b>Psychology</b>	<p>The Psychology Service was ‘paused’ during the initial Covid-19 response except for inpatient services. Staff were redeployed to maintain essential services and the wellbeing provision for HCS staff.</p> <p>Psychology open cases have been restarted as part of the MH Contact Team towards the end of this period using remote options.</p>	<p>Psychology staff to be released from current redeployment wherever practicable to return to Psychology provision using virtual/remote interface.</p> <p>Psychology staff to continue to progress paused interventions, review waiting lists and allocate available interventions.</p>

(c) The data available is as follows:

- There were 117 JTT/Psychology client contacts with the Mental Health Contact Team in April and 141 contacts in May.
- 75% of all adult MHS current clients have been contacted more than once (on separate days) during the Covid-19 response.

(d) Action was taken to ensure contact with clients, as detailed above. The restructuring and change in mental health service provision took place in the context of HCS actions to manage the impact of Covid-19.

**2.12 Deputy C.S. Alves of St. Helier of the Minister for Treasury and Resources regarding the plans to construct Building 3, 4, 5 and 6 of the International Finance Centre (WQ.223/2020)**

**Question**

Given that the current situation with Coronavirus suggests that companies may seek to downsize their office accommodation because of the ability, and desire, of employees and employers to work from home more regularly, will the Minister state what changes, if any, have been considered in respect of the plans to construct Buildings 3, 4, 5 and 6 of the International Finance Centre (I.F.C.)?

**Answer**

Whilst it is early days, there is an expectation that flexibility on financial services employees' working arrangements will continue and this could translate into a reduction in floor space required by businesses going forward. However, businesses are also assessing whether more space is required between employees in the workplace which would have a compensating effect on those employees that are able to work from home.

There is currently 3 million square feet of office accommodation in St. Helier of which only 600,000 square feet meets environmental assessment BREEAM rated Grade A space. With the Island's commitment to achieve carbon neutrality by 2030 and businesses and investors focusing on sustainability, the motivation for companies to operate from modern, efficient and environmentally friendly office accommodation is forecast to continue.

Most businesses operating out of physically obsolete office accommodation will take the opportunity at the expiry of their lease to seek improved, environmentally-efficient accommodation. It is therefore expected that whilst there may be a reduction in the total volume of office accommodation over time, there will continue to be a demand for new modern accommodation with older offices being converted to residential use.

IFC 1 and 5 have been built, let and sold. IFC 6 has full planning consent that SoJDC will only bring forward for construction once it has secured a sufficient level of legally binding pre-lets. SoJDC has also designed the fourth IFC building (IFC 2) that will complete the quartet of buildings around Trenton Square. The remainder of the IFC development site falls within Key Opportunity Site 1 of the Southwest St. Helier Planning Framework and the future of this area will be the subject of extensive public consultation.

### **2.13 Deputy G.P. Southern of St. Helier of the Minister for Health and Social Services regarding patient waiting lists (WQ.224/2020):**

#### **Question**

Given the Minister's aim to produce validated waiting lists by the end of Quarter 1 in 2020 through Patient Tracking Lists (P.T.L.s) and using Interim Management and Support (I.M.A.S.) modelling to generate a recovery plan by the end of Quarter 2, will the Minister –

- (a) advise what progress has been made to date in producing effective and accurate waiting lists;
- (b) publish waiting lists for inpatient and outpatient secondary care and indicate what impact the Covid-19 pandemic has had on waiting times, especially in specialisms where any shortfall in capacity has been identified; and
- (c) state what new targets, if any, he has for the production of accurate and effective waiting list data?

#### **Answer**

- (a) Health and Community Services (HCS) currently has clinically and operationally validated outpatient and inpatient waiting lists and has confidence in its waiting time data. Validation is a continuous process and is now being handed over to the data quality team which validates a specialty per week in a cyclical process. Inpatient validation will become the responsibility of the

listing consultants. Waiting lists are now available internally in electronic format and appear daily in consultants' inboxes, reducing reliance on paper records.

(b) While waiting times have been impacted by Covid-19, HCS is working on a recovery plan.

Converting to phone/virtual clinics has seen waiting times improve amongst specialties that do not physically need to assess the patient. However, specialties which require a physical assessment have been impacted adversely by Covid-19.

(c) The Inpatient PTL has grown by approximately 600 patients during Covid-19. This has stabilised now elective day surgery has recommenced. Assessments of overall demand and capacity have been completed (using the IMAS modelling referred to in the question), with a revised operating timetable helping to remove historic imbalances.

(d) All day theatre sessions per speciality will assist in increasing operational efficiency. Furthermore, the Minor Operating Suite will see increased utilisation, freeing up capacity in the day surgery and main theatres. This will result in an extra 6 operating sessions per week when compared to the previous timetable.

(e) Subject to further work, the intention is to re-commence the publication of waiting time data – on a more accurate and effective basis – early in July 2020.

## **2.14 Deputy G.P. Southern of St. Helier of the Minister for Treasury and Resources regarding the delivery of savings through contract efficiencies (WQ.225/2020):**

### **Question**

Further to the presentation of 'Efficiencies Plan 2020–23' (R.130/2019), what progress, if any, has been made under efficiency saving 1.3, 'Commercial Operations: contract efficiency', towards the savings target of £2.08 million by 2020 in the categories of –

- (a) Information Technology;
- (b) Contract facilities management;
- (c) Purchase of care; and
- (d) Agency;

and what impact, if any, has the development of a living wage in the Island had on any renegotiation of contracts undertaken in respect of this savings area?

### **Answer**

Specific opportunities have been identified in all of these areas and project plans have been developed to deliver these. However work to realise them has been paused as resources are redeployed to respond to COVID pressures.

Departmental budgets have been reduced to reflect the values set out in the Efficiencies Plan 2020, and referenced in this question, and performance will continue to be tracked through the monthly budget monitor process and reported at the half year.

There are a number of measures being implemented to ensure the Jersey Living Wage is and will be paid as Government contracts are reviewed. To date, the impacts of the living wage are being assessed on a case by case basis, the commitment was to be complete by 2024

Note:

- 1) All Government standard terms and conditions contain a clause requiring the Jersey Living Wage is paid to “relevant staff”,
  - a. Contractors employed on Government Premises for more than 2 hours a day, or more than 8 hours a week for 8 consecutive weeks, will be paid the Jersey Living Wage by 2024 in relation to the following:
    - If the premises are leased out commercially but the Government continue to the repair and maintenance responsibility, then work undertaken to the premises leased e.g. cleaning or security services would be covered unless the work was a one off.
    - Cleaners who are employed to clean our buildings
    - Gardeners who are employed to cut our grass and weed our flower beds
    - Security guards or caretakers who work in our buildings – either looking after our buildings or managing people’s access to them (e.g. by sitting in the foyer giving out passes)
    - Central Market, although leased out the overall cleaning maintenance and security is still the States responsibility

#### **What is out of scope?**

- Construction workers working on the hospital project would be excluded as during construction the site is not GOJ premises.
- Beach cafes and other premises leased by the States to third parties are not be included
- Private schools
- When G4S are moving money around or transporting prisoners, this is outside of scope as they are not working on State’s premises.
- Plumbers or carpenters who come into our buildings for a couple of hours, as required, to fix a broken equipment or put up a shelf – they are not working here for more than 8 hours per week
- Where the service is being delivered on a personal property e.g. A person’s home.

#### **2.15 Deputy G.P. Southern of St. Helier of the Chief Minister regarding the 2019/2020 Income Distribution Survey (WQ.226/2020):**

##### **Question**

Given that one of the impacts of the Covid-19 pandemic has been the diversion of resources from the completion of the 2019/20 Income Distribution / Household Expenditure Surveys (I.D.S. / H.E.S.), will the Chief Member state when a report on the I.D.S., showing pre-Covid-19 pandemic income distribution, will be published and will he confirm that the report will be used by the Government when assessing the delivery of Common Strategic Policy objectives to reduce income inequality?

##### **Answer**

The 2019/20 round of the household Living Costs and Income Survey (formerly the Household Spending and Income Survey) commenced in July 2019 and was due to run continuously over the subsequent twelve-month period. However, the developing Covid-19 situation led the Chief

Statistician to decide to pause the fieldwork (data-gathering) in March 2020, with a view to re-starting when on-Island conditions were appropriate.

The Chief Statistician anticipates that the results of the analysis of the household income data collected during the pre-Covid nine-month period from July 2019 to March 2020 will be published in Q4 2020.

The results are expected to be reflected in the affordable living indicators within Jersey's Performance Framework. The results will be available to Government and Islanders more widely to assess how Jersey is progressing against the strategic priority of reducing income inequality and improving the standard of living.

**2.16 Deputy G.P. Southern of St. Helier of the Minister for Health and Social Services regarding the delivery of nursing and residential care under the Jersey Care Model (WQ.227/2020):**

**Question**

Will the Minister advise how he proposes to reduce both the number of people aged over 65 who are in nursing or residential care (around 400 per 10,000 population) and the consequential expenditure on Long-Term Care (around £50m annually) in order to deliver the Jersey Care Model in the context of an ageing population?

**Answer**

There are several levers for reducing demand for residential care. However, we must also bear in mind that with the demographic changes over the next decade and growth in real terms of the over-65 population, the levers will only reduce demand growth, but not necessarily actual placement numbers.

These are areas for development that we have highlighted in the Jersey Care Model:

- Invest in public health schemes to keep people healthier for longer
- Build intermediate care services that a) help people manage conditions in their own home for longer and b) assist in their recovery in their own home (rather than place them into residential care)
- Develop a more robust domiciliary care market to supply demand for home care which helps people live at home for longer
- Improve discharge processes so people do not deteriorate physically during long periods in hospital
- Continue to develop social care practices to support early intervention and out of hours support to help people stay in their own home rather than default into residential care.

During the response to COVID-19, we have already started to make changes that positively improve the choices people have in the way they receive their care. We have introduced an out of hours social care service, which supports people that may otherwise have moved into residential care. Many new staff from the hospitality industry have been trained as Health Care Assistants, supporting community care. The hospital discharge process has been greatly improved and is better coordinated with social care. Even before COVID-19, the social care team were working on early intervention practices, which have been shown to avoid hospital and residential care admissions.

There is still much to do, but we will continue to invest in high quality care services to facilitate choice for Islanders.

**2.17 Deputy G.P. Southern of St. Helier of the Minister for Health and Social Services regarding the contractual arrangements between the Department of Health and Community Services and the Island's G.P.s (WQ.228/2020):**

**Question**

Will the Minister advise –

- (a) whether it is his assessment that the current contracts that were negotiated with G.P.s during the Covid-19 pandemic will ensure sufficient improvement in the access to primary care by financially, clinically, or socially vulnerable groups in the Island;
- (b) what further measures, if any, he has under consideration to provide additional improvements; and
- (c) when he proposes to enter into renegotiation with G.P.s regarding the content of future contracts?

**Answer**

- (a) whether it is his assessment that the current contracts that were negotiated with G.P.s during the Covid-19 pandemic will ensure sufficient improvement in the access to primary care by financially, clinically, or socially vulnerable groups in the Island;

In terms of access, this has been a difficult time for all, with many of the usual channels of access being changed or people being hesitant to use them. General Practice has been very pro-active in ensuring continuity of care for those with long-term conditions and those in higher-risk categories (clinically vulnerable), with a strong drive from early on in the pandemic to ensure that people were safe, had care plans in place and appropriate medication supplied.

Routes of access were also modified, with a rapid deployment of teleconsultation capability to enable access was kept open for those that needed care. Those that could not be managed via teleconsultation were still cared for face to face. This has provided GP access for the socially vulnerable and people shielding from COVID.

In terms of reducing the financial barriers to access, a number of changes have been implemented. All GP consultations are set at a flat fee of £20 (reduced from ~£40 pre-covid). All covid and end of life- related consultations are free. Consultations for under 5s are also free universally, and fees for under 10s reduced to a flat rate of £10. Repeat consultations for the same issues, and face to face follow-ups after teleconsultations, are now free.

Whilst the health and care system is still a long way from operating normally, a number of measures have been put in place to help maintain access to primary care given the priority attached to the long-term health and care of Islanders.



The principles behind this change are in line with the new Jersey Care Model announced in October last year – an integrated health system that works better together for Islanders. This is a significant step forward in ensuring a resilient health service that is prepared and able to save lives.

- (b) what further measures, if any, he has under consideration to provide additional improvements;

An integrated health system that works better for Islanders is our main objective. The steps we have taken over the past few months under difficult and pressured circumstances have moved us closer to that goal. We now need to sustain that momentum and work with our primary care partners to design integrated services as we move into this next phase.

The past few months has shown us that the ambitions we had in the Care Model can be realised through taking a different, united approach to service delivery. The GP contract has enabled this to happen. Officers are working with GPs in developing those new ways of working, many of which are still embryonic, but growing stronger. These will all be taken into consideration when we look at how we negotiate with the GPs. To improve access, we must build in flexibility, encourage collaboration and promote service innovation as has been apparent over the last few months.

Access for all to primary care is key to the ongoing health of all Islanders and remains a high priority as we progress.

- (c) when he proposes to enter into renegotiation with G.P.s regarding the content of future contracts?

The renegotiation process started in May and is actively being worked on by officers.

**2.18 Deputy M.R. Higgins of St. Helier of the Chair of the States Employment Board tabled an answer to a question asked by regarding compromise agreements with ex-public sector employees (WQ.228/2020):**

**Question**

Will the Chair explain –

- (a) what justification is used for entering into compromise agreements with ex-employees;
- (b) how many compromise agreements the States Employment Board has entered into with ex-employees in each of the last five years and the total amount of money expended on them; and
- (c) how much money was expended on legal advice regarding these agreements and whether such advice was obtained from the Law Officers' Department or from private legal practice?

**Answer**

- (a) Compromise agreements (in the most common usage of that term) are used when the Employer is seeking to settle claims or potential claims. Such agreements are actively considered where the terms are proportionate to (and do not exceed) any potential liability.

Similar agreements may also be entered into in cases of redundancy/severance, where the Employer wishes to be protected from any future claim that may arise.

- (b) Those entered into with ex-employees since 2016 where legal proceedings were in train are as follows:

Year	Number of ex-employees compromise agreements	Approx. Cost
2016/17	5	£13,000
2018	7	£113,000
2019	5	£50,000

Notes:

- It is only since 2018 that the information for compromise agreements has been held centrally, therefore 2016 and 2017 may not be a true reflection of numbers or costs.
  - The 2016/2017 data is merged for confidentiality purposes.
  - The 2020 data is not included due to being part year – further data can be provided at year-end if required.
  - Compromise agreements are typically subject to confidentiality obligations.
  - Financial data in the table is rounded to the nearest £1,000.
  - The table above does not include data in relation to employees leaving by mutual consent where legal proceedings were not in train.
- (c) For such agreements to be legally enforceable pursuant to the Employment (Jersey) Law 2003, it is necessary for each individual to receive independent advice from a law firm, JACS or a trade union. The Employer will make a small monetary contribution (typically in the region of £500, depending on complexity) where an individual is advised by a law firm. This would equate to approximately £8,500 if applied to each of the cases in the table.

Since 2018, information for compromise agreements has been held centrally, with legal advice to the States Employment Board being provided from within the internal resources of the Law Officers' Department. Any such legal advice benefits from legal privilege, which is not waived. Whilst officers' time will also have a cost, it is not feasible to provide a breakdown of such costs in respect of these agreements in detail, albeit these costs will be part of agreed Government and Department expenditure.

**2.19 Deputy M.R. Higgins of St. Helier of the Chair of the States Employment Board regarding the costs of the 'Alwitry case' (WQ.230/2020):**

## Question

As Dr. Alwitary's case against the States Employment Board has now run its course through the legal system, following the most recent judgement by the Privy Council, will the Chair –

- (a) set out the timeline of the case and explain the rationale for each of the actions taken by the Board at each stage of the legal proceedings;
- (b) state the total cost to the States of the proceedings, breaking this information down into the cost of each stage of the action; and
- (c) state the cost of the legal advice received by the Board at each stage of the action and from whom the advice was obtained?

## Answer

It is not correct to say that Mr Alwitary's case has "now run its course." The Royal Court, on 22 July 2018, gave a direction that the trial in September 2018 would be limited to the issue of liability, and the issue of quantum of damages would be determined at a later date.

It is the issue of liability for the breach of contract which has now been concluded but the issue of quantum remains for the Royal Court to determine and therefore the matter remains *sub-judice*. It would not be appropriate to make any comment on (a) of the question.

As regards (b) and (c), the external legal advice provided to the Board in respect of Mr Alwitary's Order of Justice of January 2017 is approximately £140,000.

This includes legal advice on aspects of Mr Alwitary's case which failed (allegations that he was dismissed due to raising patient safety concerns, and claim for exemplary or punitive damages) or claims which were withdrawn (defamation of character, tortious conspiracy/inducement to breach contract).

Otherwise, the majority of the legal advice, and all of the advocacy, has been provided by the Law Officers' Department within existing budgets and with no further cost to the SEB and or Health Department.

To date, the SEB has paid approximately £100,000 towards Mr Alwitary's legal costs, with some costs unresolved and outstanding pending the resolution of the matters described above.

### **2.20 Deputy M.R. Higgins of St. Helier of the Minister for Health and Social Services regarding the lessons learnt from the 'Alwitary case' (WQ.231/2020):**

## Question

Will the Minister state what lessons he and his Department have learnt from the 'Alwitary case' and what steps, if any, have been taken to prevent a repeat of such a case from happening in the future?

## Answer

The case in answer remains *sub judice* and has not yet been concluded.

In terms of avoiding and preventing other such disputes, the Government as a whole has established improved policies and procedures for the hiring of all staff, and for the procedures to deal with any concerns over an employee. These are subject to continuous improvement and review. This includes ensuring that new starters have an induction, are set objectives, and have a probationary period to assess their suitability to undertake their role. Where this is not the case, including for clinicians, there are specified routes on how to address this.

My predecessor made a statement in 2016 on the subject which deals with this in more detail and it can be found here: <https://www.gov.je/News/2016/Pages/MinisterRespondsToComplaintsBoardReport.aspx>

**2.21 Deputy M.R. Higgins of St. Helier of the Chair of the States Employment Board regarding the dismissal of public sector employees (WQ.232/2020):**

**Question**

Will the Chair state how many public servants have been dismissed by the States Employment Board over the last five years and the reasons why they were dismissed, including the nature of any offences that led to their dismissal?

**Answer**

The reasons for dismissal include disciplinary matters that constitute gross misconduct, capability and absence.

The nature of the disciplinary dismissal matters below includes, fraud, data protection, bullying, safeguarding, health and safety and criminal offences.

<b>Year</b>	<b>Disciplinary</b>	<b>Capability</b>	<b>Absence</b>
2016	1	1	
2017	2	3	
2018	5		5
2019	9	4	2
2020	4		

**3. Oral Questions**

**3.1 Deputy G.P. Southern of St. Helier of the Minister for Health and Social Services regarding contracts between the Island’s G.P.s and the Department of Health and Community Services (OQ.158/2020):**

Is it the Minister's assessment that the current contracts between G.P.s (general practitioners) and his Department (that were introduced to enable the Island to cope with the COVID-19 pandemic) fully meet the terms detailed in P.125/2019, agreed by the Assembly in January 2020; and if not, what further provisions, if any, does he have under consideration for when these contracts end?

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

I refer Members to my answer to today's Written Question 228 from Deputy Southern. That question covers similar ground to this. The current G.P. contract was put in place rapidly when the pandemic meant that the market for primary care may have collapsed and action was taken to ensure that a vital part of the health system was not incapacitated. Our current contract for G.P.s, while not achieving all that P.125 might have wanted to achieve, took us much further than we have ever been towards fulfilling its principles. Barriers to access to the service were dropped so, for example, direct proactive fee consultations for clinically vulnerable groups and cost barriers were lowered universally and standard rates applied. Socially vulnerable groups also benefited from the rapid deployment of tele and video consultations and from G.P.s being more active in community settings. With the expiry of the temporary G.P. contract in August, officers are currently working with G.P. colleagues to learn lessons on the real practical experience we have all had of working differently. As negotiations for the next phase are under way we cannot prejudge the outcome but the principles of P.125 in the Jersey Care model will be addressed.

**3.1.1 Deputy G.P. Southern:**

When is it his intention to sit down with G.P.s on the Island and discuss what comes after this August? Can he explain what he sees as the next stages because I understand G.P.s have asked to talk to the department but have yet to receive a date.

**The Deputy of St. Ouen:**

Negotiations have started. Negotiations are going on at this moment. They started in May and they are active so I do not know what the Deputy has been hearing. I know meetings have been taking place. We want to achieve a better integrated service between primary and secondary care. I believe that objective is shared and we will try and move towards that goal.

**3.2 Connétable A.S. Crowcroft of St. Helier of the Minister for Infrastructure regarding the signage in areas where cyclists and pedestrians mixed (OQ.161/2020):**

Will the Minister state whether it is his assessment that there is currently sufficient signage in those areas where cyclists and pedestrians mix and, furthermore, whether the principle of pedestrian priority in such areas is sufficiently robust in law for it to be enforced?

**Deputy K.C. Lewis of St. Saviour (The Minister for Infrastructure):**

While we keep this under continuous review using onsite observations and excellent statistics for established routes I am satisfied that signage is sufficient.

[9:45]

This can be a very subjective matter to the lay person. There are always people who will want more signs and there are people who do not like excessive signage clutter. As with all road safety initiatives, continuous reinforcement of the message is required through messages such as bike ability training and the police's annual "Let's take care of one another". In areas where pedestrians have priority there are well-established provisions in our rules that allow for these areas to be enforced, if required.

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

I am surprised the Minister believes that the signage is adequate because the cycling and pedestrian promenade from town to St. Aubin, as far as I know, there is nowhere there that tells cyclists that

they must give pedestrians priority and indeed we are all aware of reports of a minority of cyclists unfortunately cycling extremely fast endangering children, elderly people and the like who happen to stray into the path of oncoming cyclists.

**Deputy K.C. Lewis:**

There will always be people who disobey the laws but I think it is quite clear to everybody who is cycling that they must watch out for pedestrians and ignorance of the law is no excuse and cyclists should always give way to pedestrians and cycle at a reasonable speed when there are pedestrians around.

**The Connétable of St. Helier:**

Could I ask the Minister to answer my question because there is no signage that says cyclists should give way to pedestrians on the shared space. Is he willing to provide some?

**Deputy K.C. Lewis:**

I am more than happy to look at that again but, as I say, there are signs around, especially from the harbour area right the way around where it is literally a shared space; not space side by side. But people are aware of the rules that they must keep in the cycle lanes and not stray into the pedestrian areas. But I will of course ask officers to look at that again.

**3.3 Deputy S.M. Ahier of St. Helier of the Chief Minister regarding the provision of funding to ensure all Island properties were connected to mains water (OQ.166/2020):**

Will the Chief Minister advise the Assembly whether the Council of Ministers will make £30 million available as part of the Government's fiscal stimulus package in order to ensure all Island properties are connected to mains water?

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

I am happy to look at some form of expansion of the mains water, and I would suggest mains drains network, as part of the fiscal stimulus measures. That would need to be properly evaluated in terms of what achieves the best stimulus in the economy, as a whole, relative to the amount of money involved. Achieving good water quality is therefore an aim which I would support. I would just make the point that mains water, in particular infrastructure rollout, is obviously the responsibility of Jersey Water and so usually funding decisions and how longer-term infrastructure investments are paid for is initially a matter for them. But whether, in other words, the objective that the Deputy is referring to is best achieved, for example, through some form of Government assistance, whether by grant or by loan, I would be very happy to look at as part of the process of the Government Recovery Plan over the coming few months. I know it is a long shot, just before he gets too excited though, I would point out that obviously £30 million cannot be delivered in the timeframe available. It would be one of the evaluations to rightly stimulate the economy. On the other hand, if it was something that could be phased through over a number of years but we put some commitments in that would be something I would be very willing to look at. I think that is all I can say at this stage. So very happy to look at and then we would come back.

**3.3.1 Deputy S.M. Ahier:**

A number of Jersey households rely on boreholes and wells for their water supply. These are susceptible to pollution from pesticides and can have high levels of nitrates. After the comment of the Chief Minister, would he be willing to supply a loan for the full sum of £30 million to Jersey Water?

**Senator J.A.N. Le Fondré:**

What I said is I would be very happy to look at it, and it no doubt will come out in some of the other questions that are being asked today as well, is we must be under no illusions as to the size of the

financial challenge, which we are still just trying to put more flesh on, if that makes sense, over the coming year, 18 months going forward. That is within the context when we start dealing with additional sums of £30 million and how best to spend it, that is where I would be cautious. But within the context of that, I could certainly see some scope but please bear in mind this is also then subject to Treasury and other competing challenges for finite resources. I can certainly see scope for phasing in some form of funding to get this back into train again because I know in various parts of the Island, in fact many parts of the Island, and I understand St. Helier would be one of the biggest beneficiaries in terms of people who are not connected to mains water, that in the 21st century would seem very reasonable, that we should try and do what we can on that area. What I would just add is that the £30 million basically gets, as I understand it, the mains water to the foot of the drive. So effectively to the road in where the house is located. Then it would be a matter also of personal choice as to whether the householder wishes to connect or not.

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

The Chief Minister has already talked about the fact that Jersey Water is a private company. They are responsible for the water supply and connection but the Government of Jersey, the States of Jersey, are responsible for connection to the sewer network. Does the Chief Minister think that there is some way of streamlining that so that one organisation could be responsible for both?

### **Senator J.A.N. Le Fondré:**

I think I have always said there is nothing off the table and everything is on the table at this stage. Anything that we look at, which makes our services more efficient, I would be delighted to investigate and obviously make a conclusion thereon. If that is something the Deputy thinks we should be looking at I would certainly be very happy to do so if we are not already doing so.

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

The Chief Minister has previously committed to ensuring that the future economy of Jersey will focus on well-being as well as economy. Given that ensuring the quality of water supplies to every household in the Island is a matter of well-being will he commit to looking at this issue through that lens? Also will he commit to providing a framework for developing fiscal stimulus packages in the very near future?

### **Senator J.A.N. Le Fondré:**

In answer to the first part of the question, I have already done that. The second part, yes, there is already an initial framework which is the targeted, timely and temporary is the usual milestones that we apply, as the Senator will no doubt recall from previous times when we have been facing these types of issues. Essentially, that framework basically exists but it does need a slight finesse, which is in the process of happening.

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

An answer to an exact date would be helpful I think to the Assembly and also focus the minds of the Government.

### **The Bailiff:**

Are you able to provide a date, Chief Minister?

### **Senator J.A.N. Le Fondré:**

I think the early indications would be after the summer recess and probably in September. The question is coming down to understanding the various parallel pieces of work of what we call the Government Recovery Plan and getting that in play and where the fiscal stimulus sits or the economic stimulus sits, that is a lot of work which is going to be going on over the next obviously few weeks, June/July. If there are some certain fiscal stimulus elements that can be done earlier they will be. It

will always be based on the advice as to timing where we think the best value will arrive and when in relation to the pressures that are going to arise on the economy.

### **3.3.5 Deputy R.J. Ward of St. Helier:**

Given that one of the products of not having mains water is water require nitrate levels, which disproportionately affect young babies and young children and prevent uptake in oxygen in their red blood cells; what has happened to putting children first?

#### **Senator J.A.N. Le Fondré:**

There are 2 or 3 answers to that. I would make the point that I am supportive of looking at this issue and we have to bear in mind that we are facing the biggest economic shock potentially that this Island has seen in many, many decades. Therefore that is one of the issues we have to deal with. As other Members have rightly pointed out, it is also about well-being. It is also around personal choice. If people are aware that they have higher nitrate levels they either can make the connections themselves, which some people have done, they can put a filter on or they can, in certain circumstances, use bottled water. I am not too sure what else I can say. I do believe that the number of impacted houses is very much at the lower end in terms of numbers.

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

Can I surmise from this that the economic shock may mean that we lose the notion of putting children first?

#### **Senator J.A.N. Le Fondré:**

No.

#### **Deputy S.M. Ahier:**

I am pleased that the Chief Minister is considering making funding available to Jersey Water to connect the 3,000 remaining properties and I thank him for his response.

#### **The Bailiff:**

That was not really a question, Deputy, and that is what the opportunity is there for.

### **3.4 Deputy M.R. Higgins of St. Helier of the Chair of the States Employment Board regarding the breach-of-contract dispute with Dr. Amar Alwitry (OQ.151/2020):**

Following the decisions made against the position of the States Employment Board at each of the legal and administrative stages of the breach of contract dispute with Dr. Amar Alwitry, what evaluation of the matter, if any, has the Board undertaken and what lessons have been learnt as a result?

#### **Senator J.A.N. Le Fondré (Chair, States Employment Board):**

Unfortunately I am somewhat limited in my ability to answer a matter that is and remains *sub judice*. What I can say is the Government does continue to review the effectiveness of its employment policies. As a generic answer, the Government should not put itself in the position of any breach of contract when applying established policies and procedures. These are regularly reviewed in line with changing case law, regulatory updates and any lessons learned from cases. In terms of the legal stages of the case, the Law Officers' Department has provided advice throughout.

#### **3.4.1 Deputy M.R. Higgins:**

First of all, could I ask a question regarding *sub judice*? As this case, the only thing that is remaining is the quantum of damages because Dr. Alwitry has won at every other stage, is it true to say it is *sub judice* at this stage if the only matter outstanding is the quantum of damages?

#### **Senator J.A.N. Le Fondré:**



That is my advice, that until that final aspect is determined, and I believe that is in September or, sorry, I believe the next stage in that process is in September. Until then I am still limited in what I can comment on.

### **3.5 Deputy R.J. Ward of the Chief Minister regarding the role of Ministers in decision-making in respect of possible departmental savings (OQ.156/2020):**

Following reports of 20 per cent cuts to departmental budgets, and in light of the role of the Chief Executive and Directors General as accountable officers for such budgets, will the Chief Minister explain how Ministers, within their own departments and portfolios, influence decision-making in respect of possible savings?

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

Unfortunately quite a complicated question with a slightly longish answer. We are actively reviewing the Government's financial position obviously in light of the COVID situation and, as I have alluded to already, in preparation for the Government Recovery Plan. That is what you would expect given particularly as we are in a developing situation and one that will require significant action going forward by individual Ministers and the Council of Ministers. At this stage, there are no specific targets proposed for departmental budgets. Departments are seeking to identify options for Ministers to rebalance the finances in order to address all the various issues that we are facing. The departments are going to be working to generate those options over the next few months.

[10:00]

Those options will include zero-based budgeting, that was referred to in the last Government Plan, rethinking the drivers demand, for example, through prevention, re-examining funding models and scenario modelling to look at how best to prioritise public expenditure and obviously those proposals then come forward as part of the Government Plan and, after due consideration, by the Council of Ministers. Ministers will have to approve all possible savings and it is also incumbent both on officers and on Ministers to ensure that Ministers are proactively engaging in discussions on this area as early as possible. I should comment on the 20 per cent but I realise I have taken quite a long time to answer the question so far.

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

Following the advent of P.1 in March 2018 is it not the case that with the Chief Executive as principal accounting officer and a target operating model Directors General have created, these decisions on spend have been effectively outsourced from his Government?

#### **Senator J.A.N. Le Fondré:**

No, Ministers still control what goes into the Government Plan and, as I have just said in my answer, I am expecting both officers and Ministers to proactively be engaging at as early event as possible on this to make sure that all options are being properly considered. I would just like to take the opportunity to address the other parts that Deputy Ward referred to in his question, which is the 20 per cent. I just need to emphasise there has been no requirement or target set for that level of budget change. What has happened as part of the scenario planning is essentially departments have looked through various options and, in essence, they have arrived at a figure which happens to equate to a percentage. It is not at a percentage that has driven it and I emphasise that is an option that has developed for the Minister and then the Council of Ministers to consider. That process is taking place and is going to continue taking place over the next few weeks.

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

I have already heard the Chief Minister mention the 3 Ts, targeted, timely and temporary, when talking about fiscal stimulus and potential of supporting the economy. What about the threesome

that reads a halt, defer and reduce? Is that not a more realistic policy that points towards greater austerity rather than fiscal stimulus?

**Senator J.A.N. Le Fondré:**

I think we are conflating 2 issues there. The fiscal stimulus is obviously around boosting the economy as a whole. We do need to look at our expenditure in terms of growth and other funding pressures as anyone would rightly expect us to be doing. To defer a project is not an indication of austerity. It is just saying we might need to look at the timing and there are those 3 measures he has suggested. We are in very different circumstances to where we were at the end of last year. On that basis we do need to consider everything. I have continually reiterated, everything is on the table and nothing is off at this stage. But that does not automatically mean austerity. But we do need to recognise we have challenges ahead and, as I said, they are solvable challenges but we need to have everything on the table at this stage. The measures he has referred to will be one of the ways we evaluate and consider projects and expenditure that we have committed to do.

**3.5.3 Deputy G.P. Southern:**

Will the Chief Minister answer the question please? Do the words “halt, defer and reduce” point towards austerity rather than any other solution?

**Senator J.A.N. Le Fondré:**

I thought I had answered the question. I am saying I do not consider they do automatically point to austerity.

**Deputy G.P. Southern:**

Would he mind giving us his definition of austerity then?

**Senator J.A.N. Le Fondré:**

I would suggest that the Deputy’s definition of austerity from his perspective will be swingeing cuts throughout the public sector and an economy that probably stagnates as a result of that. My view is that we have always committed to and will always be aiming to maintain front line public services as far as we possibly can. That is a caveat because at this stage, because of the challenges we have ahead, it depends on the effectiveness of certain measures that we can consider at this stage as to what else we need to do. That is what Ministers are now considering but that consideration, those deliberations, will take a few weeks.

**3.5.4 Deputy R.J. Ward:**

I do not know what to say, there are a lot of words there but I am not entirely sure. But I will ask a simple question to finish. Has the Chief Minister not replaced silos with unaccountable powerful civil servants that make these sort of decisions on spending and therefore rendered his Government irrelevant?

**Senator J.A.N. Le Fondré:**

Lovely turn of phrase. No, I fundamentally disagree. Bear in mind the nature of all the Ministers we have around the table, I do not think any of those Ministers would consider themselves to be irrelevant. I certainly would not do so either. As I have reiterated again and again and again, ultimately what goes into the Government Plan, this is then lodged in front of the Assembly, is initially a matter for Ministers. In other words, Ministers have to decide and agree on what goes in there. The Council of Ministers, as a majority position, have to agree the Government Plan. It is then obviously a matter for the Assembly as to whether they support it and/or whether they amend it and ultimately whether they vote for it.

### **3.6 Deputy C.S. Alves of St. Helier of the Chief Minister regarding communications in different languages during the Covid-19 pandemic (OQ.162/2020):**

What consideration, if any, was given to sending texts out in different languages in order to ensure that all sectors of the Island's community were made aware of the support and information available to them during the COVID-19 crisis?

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

The Communications Team has regularly communicated with Islanders in a number of languages. But using languages other than English in text messages was considered but discounted because, for example, it would have meant sending out at least probably 5 types of text messages. In essence, it would have been English, Polish, Portuguese, Romanian and Bulgarian. It was felt that would be excessive. Also, upon clarification of the telecom companies, the team had been informed that they do not hold lists of nationalities in their database and so one would not be able to segment messages into individual languages tailored to the individual recipient. But other significant efforts were made in a different form to communicate effectively Islanders who do not speak English as a first language.

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

Just picking up on what the Chief Minister said there, that the telecommunications companies do not hold less of those who cannot communicate in English, was there any communication made with the Consuls, for example, to distribute any information to Islanders who they might hold contact information for, who may not be able to communicate in English?

#### **Senator J.A.N. Le Fondré:**

My understanding is that the Consuls have been very helpful and supportive in all of this area. Essentially there was co-ordination of distribution of translated documentation and relevant to community specific settings, and they were distributed to key figureheads within communities. That would obviously have included the Consuls and we have worked very well with the entire consular network in Jersey, which we are very lucky to have. Just to give an example, leaflets and posters with things around hygiene measures, social distancing, precautionary measures and support available were translated into Polish, Portuguese, Romanian, Jèrriais and also more recently Bulgarian.

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

Could I ask the Chief Minister what would have been the problem of sending multiple text messages out in different languages?

#### **Senator J.A.N. Le Fondré:**

I suspect it is all about effectiveness. It was whether sending what would have been 5 texts out to where any one recipient would probably have only been able to receive one or, at best, 2 of the texts being received. There is always this balance between the effectiveness of the text, and that is usually about trying to use it relatively sparingly. So to increase the number of texts received by a factor of 5 would probably have lost that effectiveness, given that there were alternative communication methods undertaken to deal with those who did not speak English.

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

Deputy Southern, I believe I have asked for a question on this.

#### **The Bailiff:**

Yes, you have, that follows on from Deputy Tadier. I was going to ask Deputy Tadier if he wanted to ask a supplemental question.

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

I did, Sir. I do not know if this is too far off the mark but seeing as the Chief Minister has already spoken about getting the balance in not wanting to annoy the public versus informing them, could I ask when the matter of Government sending out text messages to the public became a thing because clearly there is an issue there about informing the public versus bothering them? When did this become a thing that Government would send out what some would see as propaganda messages to the public?

**The Bailiff:**

I think you were right to highlight the fact it might be a little wide of the mark, Deputy. The question relates to sending things out in different languages to ensure all sectors of the Island's community were made aware, not the general policy as to sending texts. Did you wish to ask a different question or shall I move on?

**Deputy M. Tadier:**

Thank you, I will let Deputy Southern ask a question.

**3.6.4 Deputy G.P. Southern:**

Was this decision made on grounds of convenience or on grounds of costs?

**Senator J.A.N. Le Fondré:**

One thing I can say is that to the best of my knowledge there have been no issues dealing with the COVID-19 crisis that have been put off because of issues around costs. We have been very clear, as Ministers, that all resources have been applied, always based on the best advice we have.

**3.6.5 Deputy C.S. Alves:**

The Chief Minister states that he was concerned of the loss of effectiveness of sending out so many messages. However, 4insight recently did a survey where it was stated ... one of the findings was that text messages was the best way to communicate amongst everyone. Is the Chief Minister aware of how many individuals are still coming forward who have not received that information and have potentially been weeks without any income, as I am still getting phone calls to this effect?

**Senator J.A.N. Le Fondré:**

I do not have details on that. All I would say is if the Deputy is receiving individual issues either refer them through to the Helpline or, alternatively, obviously to C.L.S. (Customer and Local Services), depending on the nature of the issue, would be the best approach. I still believe that, in terms of the overall penetration of communications messages throughout the Island, overall the comms [communications] message has been well put together.

**3.7 Deputy M. Tadier of St. Brelade of H.M. Attorney General regarding legislation preventing the display of racist or otherwise offensive language in public places OQ.164/2020):**

I am slightly caught short here because I do not have the question up. I thought we were earlier on the Order Paper.

**The Bailiff:**

You do not know what it is, Deputy?

**Deputy M. Tadier:**

I know the subject is to do with the Community Relations Trust.

**The Bailiff:**

Shall I read it on your behalf, Deputy?

**Deputy M. Tadier:**

If that is all right, Sir. I am sorry to do this.

**The Bailiff:**

Not at all. What legislation exists, if any, to prevent the display of racist or otherwise offensive language in public places; and in the case of the Memorial Bench at Bouley Bay, was the Law Officers' Department ever approached for advice when the existence of the plaque was raised as an issue with the Connétable of Trinity and the Chief Minister in 2015?

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

Article 2 of the Crime (Disorderly Conduct and Harassment) Law 2008 contains a potential jurisdiction to prosecute that sort of offence provided that the words used are threatening or abusive or that there is behaviour in a threatening or abusive way or there is disorderly behaviour. However, when the draft form of that Law was debated by the States Assembly in 2007, the States Assembly decided to omit the additional subparagraph (d), which was intended to prohibit the display of writing signs or other visible representations that are threatening or abusive or insulting. So it would not be appropriate to prosecute written displays of racist or offensive language in public places under Article 2 of that 2008 law.

[10:15]

However, I would note that as regards future legislation, the draft Crime (Prejudice and Public Disorder) (Jersey) Law has been prepared, it is in draft, it has been through a public consultation process at the end of last year and that law would provide that crimes of prejudice, which is often referred to as hate crime, can be prosecuted and Article 3 provides an offence, which includes displaying any written material that is threatening, abusive or insulting. As regards to the second part of the Deputy's question concerning the Memorial Bench at Bouley Bay. I am unable to give an answer to that part of the question either way because the fact of whether or not someone took legal advice from Law Officers is legally privileged.

**3.7.1 Deputy M. Tadier:**

I thank the Attorney General for his answer but the prime thing that I am concerned about is that as things stand today in 2020, if somebody wanted to put up a plaque, for example, in a public place with something that was necessarily grossly offensive, it could be on racial or sexual orientation grounds, would that be permissible to put that up?

**The Attorney General:**

As regards a written offensive or racist comment, I could not prosecute that under the current Article 2 of the 2008 law. I would have to consider customary law offences such as acting in a manner that is likely to cause a breach of the peace or public nuisance offence. So there are customary law offences that I could consider but the new draft law, which has been through consultation, which has not been brought to the Assembly as yet, would provide a clear jurisdiction for prosecuting that sort of offence or that sort of behaviour.

**The Bailiff:**

We then come to question 8 but before I move on I would just like to clarify the issues that are appearing in the chat concerning the Order Paper. So if Members will bear with me for a moment. It appears that there is a slight anomaly in that Deputy Tadier's question was not switched as he expected, but my understanding is that otherwise the Consolidated Order Paper is as expected.

**3.8 Deputy K.G. Pamplin of St. Saviour of the Minister for Health and Social Services regarding the number of healthcare and social care workers employed by the Government of Jersey (OQ.154/2020):**

Will the Minister provide details of the total number of healthcare and social care workers currently employed by the Government of Jersey?

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

Health and Community Services employs 2,104 people within the categories of healthcare and social care workers. A further 53 employees are within Children's social care. These figures do not include bank nurses, locums or agency workers.

**3.8.1 Deputy K.G. Pamplin:**

Given the issues that we highlighted last year in September that the Department was working on in terms of recruitment, can the Minister give us an update on how they have been affected because of the pandemic from the last 3 months?

**The Deputy of St. Ouen:**

Permanent staff have remained and have been redeployed to do other work dealing with the COVID emergency. It is probably the case that recruitment efforts have been affected by COVID but we will be trying to resume them as soon as possible. We have of course also had an amazing response from people who wish to return to practice and they have picked up their training and qualifications once again. We have had a number of employees who previously worked in the hospitality industry who have rapidly been trained as healthcare assistants. We have had a number of volunteers come forward and receive training when the Nightingale Hospital was built.

**3.8.2 Deputy G.P. Southern:**

Can the Minister inform Members how many Agency nurses he is currently employing and how many care assistants have been employed but are on zero-hours contracts awaiting being deployed following the building of the new temporary hospital?

**The Deputy of St. Ouen:**

I do not have the precise figure of the number of Agency nurses currently employed but I will let Members have that figure as soon as I can obtain it. The Deputy also asked how many care assistants are on zero-hour contracts. The fact of the matter is that every healthcare worker working on the bank is employed for bank work under zero-hour contracts because that is the only way a bank can work, I believe. I will do my best to answer that question by making enquiries and we will see what information can be obtained. So it may be how many care assistants are registered on the bank. I will try and get that information to Members.

**3.8.3 Deputy K.G. Pamplin:**

Last September we discussed the situation as described as being in the Red Zone when almost 200 positions at the hospital were unfulfilled. That number slightly decreased given some effort towards the end of the year. Is the Minister concerned that because of the COVID situation that if a situation is not discovered to substantially recruit and support staff across not just the hospital, all of healthcare, by the end of this year we could find ourselves in a tricky position?

**The Deputy of St. Ouen:**

We have good numbers of permanent staff in the hospital services. With such a vast number of staff there will always be vacancies. There will be a turnaround of staff on a continual basis. But we are not in a bad position. We are in a better position than so many N.H.S. (National Health Service) Trusts in the U.K. (United Kingdom) and, as I outlined in my first answer, we have that initial capacity from people who have come forward in the Island for which we are immensely grateful.

**Deputy G.P. Southern:**

Deputy Southern again. I am afraid I have got a technical problem. I failed to engage my microphone when I was seeking to ask a supplementary. Is it possible to still do it?

**The Bailiff:**

I am afraid not, Deputy. We have called the final supplementary and that has to bring this question to an end. But of course you do have questions without notice to all Ministers and you can renew your enquiry at that point.

**Deputy G.P. Southern:**

I have got 6 on that list already.

**3.9 Connétable K. Shenton-Stone of St. Martin of the Chief Minister regarding the establishment of a public working group dedicated to improving public knowledge and understanding of Jersey's history (OQ.153/2020):**

Will the Chief Minister advise what consideration, if any, has been given to establishing a public working group dedicated to improving the public's knowledge and understanding of Jersey's history in general, including Jersey's historical links to slavery and colonialism?

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

My Assistant Minister, the Deputy of Grouville, is taking this question.

**Deputy C.F. Labey of Grouville (Assistant Chief Minister - rapporteur):**

Jersey has much to be proud of in its past but, like every country, we also have darker passages in our Island's story. Members will have heard the old aphorism: "Those who do not remember their history are condemned to repeat it." It is this Government's firm view that the public should indeed have a better understanding of the events and characters which shaped us, warts and all. Furthermore, long before the current protest began, we have been doing something about it. Last October the Chief Minister established an Island Identity Policy Development Board, which I chair. This has tasked a group of citizens and politicians with investigating what makes us Jersey and what we can do to preserve and nurture a strong and inclusive sense of community. We will publish an interim report later in the summer but one of the key recommendations of this report is not only that our children are giving greater opportunity to learn more about their Island but so too are newcomers, civil servants, hospitality workers and other members of our diverse community. Yes, in common with almost all nations, this history will include elements of slavery and colonialism.

**The Connétable of St. Martin:**

I did have some supplementaries but I thank the Deputy of Grouville for her very reassuring answer, so I do not have a supplementary.

**3.9.1 Deputy M. Tadier:**

Does the Minister agree that in order to teach Jersey's colonial history first of all it is necessary to teach the nature of the colonialist projects, and that includes the manufacturing of difference between the races by the European colonialists versus the rest of the world, which allowed the Europeans to portray the rest of the world as savages? Does she agree that it is necessary to teach youngsters, in particular, that that synthetic racism which was produced hundreds of years ago still has a legacy effect everywhere, including Jersey, to this day?

**The Deputy of Grouville:**

When history is taught, history is about facts and I would like to think - I am not a teacher - a factual subject is taught in a factual manner. As I alluded to in my initial answer that it is taught all elements of it, warts and all.

**3.9.2 Deputy M. Tadier:**

I would ask the Minister whether she agrees that history is not just about facts, it is also about narrative, it is also about plural narratives existing alongside each other and it is about who gets to tell and make up the initial narrative versus the story which is now told in the 21st century. Does she agree that it is more than fact and that power play, when it comes history and narratives, is an important aspect as well?

**The Bailiff:**

I am afraid that is asking the Assistant Minister for an opinion as to the nature of history, Deputy. It is not asking for information within her remit, nor is it asking for action to be taken, so that is not technically an allowable question.

**3.9.3 Deputy K.F. Morel of St. Lawrence:**

Following on from the Assistant Chief Minister's assertion about history being about facts. Would the Assistant Chief Minister please advise the Assembly as to which people will be deciding upon these facts? Who will be the people teaching this history that she has referred to?

**The Deputy of Grouville:**

In schools teachers, but one of the recommendations of the report is that we open up the opportunities for newcomers to the Island to learn and people who make Jersey their permanent home to learn about the Island. All elements of it; the good and the bad. There is quite a lot that can be celebrated here as well. I would like to think that there is a whole range of people, not only in the schools but in the community that are able to impart and give opportunities to people moving to the Island, to workers, customer-facing, it gives them the opportunity to learn about the place they have chosen to make their home.

[10:30]

**3.9.4 Deputy K.F. Morel:**

As well as there being some basic facts in any history that need to be agreed upon, given that there is a need for basic facts to be agreed upon, will the Assistant Chief Minister confirm to the Assembly that any history that is being taught will in fact, rather than being taught as a list of facts, be taught as a subject for debate; Jersey's history with the different narratives alluded to by Deputy Tadier being discussed and argued upon in the appropriate manner?

**The Deputy of Grouville:**

Yes. I do not really know what ... different teachers have different styles of teaching. You have to have the facts, you have to put them in context and build the narrative.

**3.9.5 Deputy R.J. Ward:**

Would consultation be taken with other areas who have dealt with their slave and colonial past? For example, the Museum of Slavery in Liverpool is an incredibly poignant visit and they do an enormous amount of outreach work in the ways to deal with the past in the most informed way.

**The Deputy of Grouville:**

I really do not know what form these lessons are going to take in the school classroom or to, as I have said, civil servants, hospitality workers and other members of the public who choose to make Jersey their home or choose to work here. The Deputy is talking about one particular element like teaching children in schools. I would like to hope that they are taught in the most diverse, interesting way possible.

**Deputy R.J. Ward:**



Sorry, I was asking what consultation would be taken with those areas in the world that have addressed these issues significantly well and whether we could take advice from them, for us as an Island, for us all to understand where we are; our past and our place in the world.

**The Deputy of Grouville:**

The question then for the Deputy of Grouville is: will there be any consultation process with people with relevant knowledge and experience from outside of the Island who have dealt with slavery issues?

**Deputy R.J. Ward:**

Yes, Sir, because there are some incredible places ...

**The Bailiff:**

Yes, I am sorry, I was rephrasing your question to the Deputy of Grouville.

**Deputy R.J. Ward:**

Thank you, that absolutely sums it up.

**The Deputy of Grouville:**

I would like to think that when a subject is taught we can rely on or we can source the materials from all manner of sources.

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

I thank the Deputy of Grouville for her answers. I have a large amount to say about history and interpreting it.

**The Bailiff:**

This does have to be a question, Connétable.

**The Connétable of St. Martin:**

Yes, how important it is not to erase the past, but to face up to it and learn by it. Unfortunately I cannot frame this into a question, so I will contact the Deputy of Grouville, thank you.

**3.10 Deputy K.F. Morel of St. Lawrence of the Chief Minister regarding the prospect of cuts to departmental budgets (OQ.153/2020):**

Has the Council of Ministers decided upon any level of cuts to departmental budgets following the COVID-19 crisis and, if so, what is it?

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

The short answer is no. The longer answer, obviously I need to refer to my earlier answer I gave to Deputy Ward; that is in the interests of trying to be relatively brief. At this stage there are no specific targets proposed for departmental budgets, but obviously we are seeking to identify options to allow Ministers to rebalance the public finances for all the reasons I have already alluded to. Just to reiterate, those options include zero-based budgeting. That was identified in the Government Plan of last year. It is about looking at the drivers of demand. Part of that could be through the experiences that we have had through COVID-19, about how people can access our services in different ways, and might be looking at re-examining funding models and also scenario modelling. I think that is probably enough on that, other than to reiterate no decisions have been made. All decisions have to come to the Council of Ministers to then go into the Government Plan, as lodged with the Assembly, and ultimately it is a matter for approval or not by the Assembly.

**3.10.1 Deputy K.F. Morel:**

Would the Chief Minister advise the Assembly as to whether any particular departments will be expected to make cuts and whether any departments have been protected from cuts?

**Senator J.A.N. Le Fondré:**

At this stage, as I keep reiterating, nothing is off the table, everything is on the table, so as far as I am concerned no one gets a special dispensation at this stage. It may well be that we might be talking about differing things versus cuts to services or delivering services in different ways, which goes back to the point of more efficient methodologies. All of that, still discussions are ongoing or still have to be had. That is where we are in terms of our level of work and our pieces of work that we have to do over the next few weeks.

**3.10.2 Deputy G.P. Southern:**

I have got a document in front of me from the Government which says: "Stop and not start, including a recruitment freeze." Is there going to be a recruitment freeze and across which departments?

**Senator J.A.N. Le Fondré:**

At this stage all posts that are sought through the S.E.B. (States Employment Board) - in fact, I think it is alluded to in one of the written questions of this week - do go through a process to ensure that that post is absolutely necessary at this stage, so there is no definitive recruitment freeze at this stage, but we are, where necessary, challenging whether a post is necessary. There will have been delays in the recruitment process anyway because of the COVID-19 crisis and the ability to recruit generally, to advertise, to have interviews. I suspect that will start to ease, if it has not already, but I do again reiterate the sheer challenge of what we have in front of us will mean at this stage I cannot give any guarantees in any area and everything remains on the table. My priority is not to see the provision of front line services reduced, but we may have to look at how we provide them and we may have to look at, as I said, the most efficient way of delivering those services.

**The Bailiff:**

I have had a note from Deputy Ward, who wishes a point of clarification. That is not possible during questions, Deputy. Questions can be asked of course, but points of ...

**Deputy R.J. Ward:**

Sorry, Sir, I have made that mistake before. Thank you.

**The Bailiff:**

Very well. Deputy Southern, you have a supplementary. Before you ask it though I have questions from Deputy Ward, Deputy Tadier, the Deputy of St. Martin and Deputy Gardiner and then I will call final supplementary. Yes, Deputy Southern, your supplementary.

**3.10.3 Deputy G.P. Southern:**

Between the end of March and current time, how many posts have been accepted across the Government and how many posts have been turned down by S.E.B.?

**Senator J.A.N. Le Fondré:**

I do not have that detail with me today. I can make the enquiry and come back to the Deputy.

**Deputy G.P. Southern:**

Please do.

**3.10.4 Deputy R.J. Ward:**

May I ask the Minister, just so that we get a clarification of process here regards any possible cuts to department budgets, do the ideas for changes to department budgets come from the Minister or

officers to work on or do they come from officers for the Ministers to accept or not? I hope that is a clear question.

**The Bailiff:**

It is.

**Senator J.A.N. Le Fondré:**

I think the short answer is it will depend very much on the style of the Minister, but I would expect it to be both.

**3.10.5 Deputy R.J. Ward:**

In the written answer the Chief Minister referred to, it said that the S.E.B. approves the code of practice. It does not have any direct involvement in operational matters of recruitment, other than senior or interim or contract recruitment. How does the S.E.B. keep track of posts which may be integral to any decisions on cuts in departments?

**Senator J.A.N. Le Fondré:**

Sorry, I am just trying to find the written question in hand. I cannot lay my hands on it. My recollection is that somewhere in one of the questions we have answered either today or recently we had said that we are also looking at ... while the Deputy is absolutely right that it is generally operational, we have been challenging, under my vice-chair, recruitment posts just to make sure they are absolutely necessary.

**Deputy R.J. Ward:**

To help the Minister, the question is in the chat.

**3.10.6 Deputy M. Tadier:**

The Chief Minister said that nothing is off the table. Does this include consideration of a higher than 20 per cent tax rate for the Island's wealthiest residents?

**The Bailiff:**

I am sorry, Deputy, this is a question about cuts to departmental budgets. I am not sure it can be to do with general tax policy in the face of the crisis, but you can of course ask that question during the question period without notice that we have.

**Deputy M. Tadier:**

Can I ask for a ruling? It does relate because cuts are incumbent. I mean, you can either cut or you can spend and so if we are being told that cuts are off the table, there must be other ways to raise revenue, so I think it is a reasonable question in the context.

**The Bailiff:**

That may be an economic consequence, about which I express no view, but I do not think it falls within the context of the question.

**3.10.7 Deputy S.G. Luce of St. Martin:**

In every government people have to look at efficiencies within departments, but is the Chief Minister aware that in the previous Government, both the Infrastructure and the Environment Department made massive efficiencies, something getting close to 30 per cent, and will he bear that in mind as he moves forward?

**Senator J.A.N. Le Fondré:**

I am aware that a number of departments made huge efficiencies the last time around. What I am also aware is that some departments that in the past have said they could not achieve efficiencies are now doing so, but as I keep saying, in the initial stages everything has to remain on the table but I do take the points the Deputy has made. If I can also just take the point of clarification Deputy Ward referred to, he has to read the last paragraph in the question he has sent around.

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

The Chief Minister indicated that his priority for cuts will not come from the front line services. I would like to check, with our health, education and social security being the biggest spenders, where will the substantial cuts be coming from if not from front line services?

**Senator J.A.N. Le Fondré:**

That is a very short question requiring a very long answer. What I am trying to say is that within the large departments there will be services we do provide which are not necessarily provided by front line, or to rephrase that, if efficiencies can be made which can be done without jeopardising front line jobs. I think that would be the way I would put it, but certainly within larger departments ... I have to praise particularly the Health Department, who have - certainly in the last 18 months I would suggest - put forward different ways of working and improving the services they provide in a more effective and efficient manner. I think also we need to reference the significant investment in I.T. (information technology) which we did propose and which was finally approved by the Assembly in the last Government Plan. That is going to generate efficiencies in the longer term of quite a significant order.

**3.10.9 Deputy I. Gardiner:**

Following the answer, the majority of spend, as has been indicated, is on staff so are we cutting people's jobs?

**Senator J.A.N. Le Fondré:**

As I keep saying, we do need to protect the front line services, but we have to remember that we still have the ageing demographic within the organisation. Over the next 10 years I think 2,000 of our employees will retire and there is also the issue that has previously been identified around vacancy management. That is around making sure that every post we take on does achieve what it is meant to be doing.

**3.10.10 Deputy K.F. Morel:**

Given the electorate, the Islanders who vote for us, have clearly stated on several occasions that education, health and environment are their key priorities will the Chief Minister confirm to the Assembly that he would seek to enhance investment and certainly not reduce investment in these 3 key areas for Islanders?

[10:45]

**Senator J.A.N. Le Fondré:**

There is a difference between reducing investment versus making a service more efficient, so we might have to increase capital investment, for example, to achieve a revenue reduction, but I think that the Deputy and I, certainly in spirit, are in the same place.

**3.11 Senator S.Y. Mézec of the Chair of the Comité des Connétables regarding the equality and diversity training offered to Parish employees and honorary personnel (OQ.160/2020):**

What equality and diversity training, if any, are Parish employees and honorary personnel required to undertake and, if none, will the Comité bring forward proposals to provide such training?

**Connétable D.W. Mezbourian of St. Lawrence (Chair, Comité des Connétables):**

I thank the Senator for his question. As he will know, there is no requirement in the Employment (Jersey) Law 2008 for any employer to provide equality and diversity training. However, I understand that it is referred to as part of staff induction processes within Parishes, which also refer to other legislation such as data protection and it is referenced in staff handbooks. In 2017 training was provided by Law at Work to the Honorary Police on the Discrimination (Jersey) Law 2013 and this was attended in some Parishes by other members of the municipality. In November 2017 all members of the Honorary Police were invited to meet with the Attorney General, at which time he outlined the scope of the law and how it applied to them. The Honorary Police are required to adhere to the Honorary Police Discipline Code, which sets the standard of conduct that is expected of them. The Code refers to, among other things, honesty and integrity, fairness and impartiality and politeness and tolerance. The Constables will be meeting again on 22nd June, at which time we will consider the question from the Senator. In recognising that there is always room for improvement, we will consider how we manage equality and diversity with not only Parish staff but across the municipality. That consideration will cover any future training that may be required to avoid the risk of discrimination.

**3.11.1 Senator S.Y. Mézec:**

Can I thank the Chair for that very helpful answer? Could I ask her if she would be willing to provide an update after the meeting takes place which she has referred to that the Comité will hold to discuss this? Could I also ask if she would give consideration when the Comité is considering this issue and if there is any more they think they can be doing, if they would be prepared to be involved in discussions with some of the groups that already exist in our community that are doing brilliant work to promote equality and diversity and understanding of the issues that go alongside with that, groups like, for example, Liberate?

**The Connétable of St. Lawrence:**

Yes, I have absolutely no problem in agreeing to provide an update following our meeting. I will provide that update to all Members of the States. Certainly what I am thinking about is possibly setting up a sub-committee of Constables to look at this. In March 2007 the then Connétables agreed to sign the Jersey Anti-Discrimination Promise, which was promoted at that time by the Community Relations Trust. In considering the way forward, since I have seen the question from the Senator, it occurs to me that we probably do need to have some form of liaison with the J.C.R.T. (Jersey Community Relations Trust) and with other groups such as the Senator has just mentioned. But clearly this will be on the table for Monday and will be referred to when I report back to the States following our meeting. I will do that by way of a report.

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

The Senator asked most of what I wanted to ask, but just to add to that, as well as communicating with groups such as the J.C.R.T. and Liberate, would the Constable agree to talk to individuals that have interacted with the Honorary Police and in the Parish system? Because I think hearing directly from those individuals as to how they felt they were treated and whether they had any suggestions, I think that would be valuable.

**The Connétable of St. Lawrence:**

Again, yes. All of these comments are helpful because we endeavour to act in all ways to the appropriate standards and I am aware of complaints against certain States Members that have been made to me by people who feel that they have not been treated with the respect and dignity that they deserve. It is clear that we can all make improvements whether we are States Members, Parish staff or members of municipalities. I think we all have to make our best endeavours to ensure that we do not discriminate and that we treat everyone with dignity and respect.

**Senator S.Y. Mézec:**

Just to thank the Chair for her helpful answers. I am looking forward to hearing about the work when she reports back.

**3.12 Deputy R.J. Ward of St. Helier of the Assistant Chief Minister regarding the provision of I.T. to Islanders as part of the response to Covid-19 (OQ.157/2020):**

May I ask the Assistant Chief Minister, will the Minister advise what work, if any, is being undertaken with regards to increasing the provision of and access to I.T. for Islanders as part of the response to COVID-19, with particular reference to school and college students?

**Deputy S.M. Wickenden of St. Helier (Assistant Chief Minister):**

With reference to schools and college students, the Minister for Education is best placed to provide details. The Government have worked with local telecommunication companies to provide free broadband for schoolchildren, adult learners and those leaving care who do not currently have broadband connections. The Government have also loaned over 300 devices out to families. Further devices have been purchased and provided where necessary, where families are still without a device.

**3.12.1 Deputy R.J. Ward:**

That is an answer I have heard before from the Minister for Education, so let me ask something to try to prompt a new answer. Given the significant budgets put aside for this impact of I.T. and the fact that Teams is not available across schools and staff are working on ancient equipment, should there not be a priority given to the current situation with the backing of the budget from I.T., which is obviously not adequate in Education, because the Education budget is not adequate full stop?

**Deputy S.M. Wickenden:**

I have had no request. Obviously Education have their own I.T. department and their own I.T. budget, as the Deputy will know, as the Chairman of the Scrutiny Panel that scrutinises Education. As far as any request we have had for support from Education has been looked into and dealt with, but we have no requests for any more additional support. I believe that Teams will be completed across the schools by the end of the week for the final email accounts, so that has happened.

**3.12.2 Deputy G.P. Southern:**

Yes, could I just expand the question to talk about liaison between the Health Department and the I.T. Department in terms of getting rid of what still exists, I believe paper records in the hospital, and what co-operation is taking place between these 2 august departments?

**The Bailiff:**

I am afraid that is outside the ambit of the question, Deputy Southern, which relates to I.T. for Islanders in the response to COVID-19 with reference to school and colleges in particular, so I am afraid that might be a question that will have to be posed later on in the morning.

**3.12.3 Deputy R.J. Ward:**

Can I ask the Assistant Minister just to remind the Assembly and the public listening of the level of spend that is available in the Government Plan for improving I.T. and ask what is being done proactively to find areas that would benefit from support such as education, and I would add things such as health, which I think is relevant, given it is all Islanders that are affected?

**Deputy S.M. Wickenden:**

I would say that that would be a question for the Minister for Health and Social Services and the Minister for Education, as it is within their remits.

**Deputy R.J. Ward:**

The amount of money available for the I.T. development? That is, I think, directly relevant to the Assistant Minister.

**Deputy S.M. Wickenden:**

For development, there are a number of different areas within the Government Plan for I.T. For replacement of equipment, there is a £5 million budget per annum in there, but there are particular projects that go on like the cybersecurity. Over the span of the Government Plan has got £109 million in it.

**3.13 Deputy C.S. Alves of St. Helier of the Minister for Health and Social Services regarding the number of complaints received about a lack of adhere to Covid-19 Regulations on workplace restrictions (OQ.163/2020):**

How many complaints, if any, have there been regarding a lack of adherence to the COVID-19 Regulations on workplace restrictions both in respect of construction sites and other workplaces?

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

To date there have been a total of 265 complaints, of which 225 were made directly to gov.je addresses and 40 to the Health and Safety Inspectorate. Building Control have received a further 9 enquiries which they have followed up with construction sites, but they were not formally recorded as complaints.

**3.13.1 Deputy C.S. Alves:**

Have there been any consequences as a result of the complaints? For example, have there been any permits revoked on construction sites?

**The Deputy of St. Ouen:**

I have not been advised of the revocation of any permits, but Building Control inspectors are keeping a watching brief on construction sites and when complaints have been received, they are educating, encouraging and explaining the advice as required and it would appear that matters have been remedied on that basis.

**3.13.2 The Deputy of St. Martin:**

While construction sites are less visible to the public, cafés are not. Is the Minister aware of any cases where officers have intervened? Because there seems to me and many others to be a huge discrepancy between the ways cafés and restaurants - cafés particularly those with alfresco - are looking at the Regulations. Which officers would be responsible for policing that?

**The Deputy of St. Ouen:**

Yes, the majority of complaints have been about the lack of social distancing within both hospitality and retail and those are followed up by Environmental Health officers, who discuss the requirements with the businesses concerned and ensure that matters are rectified.

**3.13.3 The Deputy of St. Martin:**

I just ask the Minister, I am sure he is, but is he aware that it is incredibly unfair? Some cafés are spending a huge amount of money, time and resource of making sure they do the right thing, while others appear to be taking little notice.

**The Deputy of St. Ouen:**

They should of course be taking proper notice of the guidance and complaints can be made and complaints will be followed up. It is important that that guidance is observed for the health of all Islanders and I hope Islanders would not frequent places which are obviously breaching the guidance on social distancing.

**3.13.4 Deputy M. Tadier:**

Is there an evidential test that is used to look at the quality of the evidence submitted by, for example, members of the public? If someone thinks that a workplace or, for example, a building site which might be 100 metres away and are not social distancing, what evidence is required before the Inspectorate would intervene?

**The Bailiff:**

Minister, are you able to assist?

**The Deputy of St. Ouen:**

I am advised that in the case of building sites, Building Control inspectors or the Health and Safety Inspectorate would attend. In the case of other workplaces, Environmental Health officers would attend and would give advice, no doubt inform operators of the nature of the complaint and see what is being done to rectify the problem.

[11:00]

They would be looking with their eyes at the evidence that they can see and acting accordingly.

**3.13.5 Deputy G.P. Southern:**

How many of these 200plus complaints have been upheld and remedial action taken immediately?

**The Deputy of St. Ouen:**

It is a case always before officers proceed to enforcement action, they will engage and educate and encourage. That is by far the better approach, rather than keeping a record of how much is upheld and how many are not upheld. In any workplace it is always good to be reminded of the rules and to have a review of them by somebody coming in from outside and just checking on what is going on.

**3.13.6 Deputy G.P. Southern:**

But there is, I assume - if the Minister would please tell us - a record of each of these complaints and an outcome, surely?

**The Deputy of St. Ouen:**

Yes, there is a record of the complaints being made which are then passed to relevant officers, who I am sure would make a record of how they have engaged with the workplace.

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

Would the Minister confirm that the Environmental Health and Health and Safety Inspectorates have sufficient manpower to apply the laws presently prevailing?

**The Deputy of St. Ouen:**

I am advised that 12 Environmental Health officers are engaged in this task. The Building Control Inspectorate, I am not aware of the numbers there. It is no doubt an additional part of their workload but complaints are followed up and I am not aware of pressure on their numbers.

**The Connétable of St. Brelade:**

I thank the Minister.

**3.13.8 Deputy C.S. Alves:**

Is there a programme of regular monitoring or unscheduled visits of workplaces without complaints being submitted?

**The Deputy of St. Ouen:**



I believe that was the case in respect of construction sites, that when the Regulations were introduced and the Permit Scheme put in place, there was provision made for Building Control inspectors and for Health and Safety inspectors to conduct unannounced visits, so I trust that work is going on. I do not believe there is any formal arrangement for other inspectors to visit, say, retail or hospitality premises, but insofar as these inspectors are at work and moving around the Island, they will no doubt be keeping their eyes and ears open.

**3.14 Deputy G.P. Southern of St. Helier of the Chief Minister regarding the publication of the results of the Income Distribution and Household Expenditure Surveys (OQ.159/2020):**

What assurances, if any, can the Chief Minister give to Members that the results, whether partial or complete, of the Income Distribution and Household Expenditure surveys will be published in sufficient time to enable a debate on the reduction of income inequality in the upcoming Government Plan?

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

As set out in the answer to Written Question 226, the estimated completion date for the surveys is quarter 4 of this year, 2020. Statistics Jersey is an independent body and, as such, it is a matter for the chief statistician to decide the release date when he deems the results are ready for publication. Given the extent of the complex analysis that is required, that is the best estimate the chief statistician can currently provide us.

**3.14.1 Deputy G.P. Southern:**

That may be the best estimate, but it is not an answer to the question, in that what we need to do is assess what is going to be the new Government Plan in terms of our primary aim to reduce income inequality. There is an enormous difference between receiving that information so we can have an informed debate on this issue, either on 1st October or on 31st December. That is all quarter 4, and if it does not come in October, we are not going to be able to have this debate.

**The Bailiff:**

This is rather a speech. It does have to be a question.

**Deputy G.P. Southern:**

The question is: can he not do better than sometime in quarter 4, because that simply will not enable a proper debate?

**Senator J.A.N. Le Fondré:**

As I am sure the Deputy and other Members are aware, Stats [Statistics] Jersey are an independent body as far as I am concerned and as we treat them. In particular, given the impact of COVID-19 on the work that Stats Jersey have been doing, that is the best estimate they can give me at this stage. I can certainly undertake to sit down with the chief statistician and see what else can be done, but this is the problem. It is not deliberate, it is the consequence of the COVID-19 crisis that we have been facing and the impact on, shall we say, business as usual. I will in fact just take the opportunity to praise the Statistics Department for the sterling work they have been doing providing objective information to Ministers, Members and the public. We must not lose sight of that.

**3.14.2 Deputy R.J. Ward:**

Would this not leave a gap in the formative information that is being used, particularly to the groups ... and forgive me, but I have forgotten the name of the groups that have been set up for recovery now and there seem to be a number of them, but is this survey not an integral part of the information that must be considered when planning for any recovery? How will you respond if it is not there?

**Senator J.A.N. Le Fondré:**

The trouble is to an extent I agree with the Deputy in the ideal world, but we are not in an ideal world; we are dealing in a world of uncertainty and of imperfect information. That is not through any deliberate act. That is because for the last 2 to 3 months - I think we are in week 14 now - the Island has been in effective lockdown and that has had major impacts on all sorts of programmes of work. That will continue to be a knock-on effect through the rest of this year at least. So although I have sympathy for the Deputy's comments, there is very little one can do. Part of the issue, if it was a matter of, say, throwing resource, is one that then has the issue of experience in terms of recruitment time, bringing someone in who then understands where all the data has been coming through. It is, I would suspect, in the hands of one or 2 members of that department who are very skilled in what they do and any change in additional resource would not necessarily achieve the benefits that we are trying to achieve. Although I am sympathetic to what the Deputy is stating, it is one of the unfortunate consequences - of which I am sure there are going to be many others - as a result of the crisis we have been in and still remain in.

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

Given the fact the Chief Minister has stated that they may be working with not an ideal situation and imperfect information, does this mean that we will necessarily have poor judgments being made on what the nature of the recovery would be, not through anybody's fault, but just simply because we are asking the wrong questions perhaps of the wrong people without the right information?

### **Senator J.A.N. Le Fondré:**

I was tempted to make reference to playing all the right notes but just in the wrong order. I think the point is that all decisions made will be based on the best information we can get at that point in time. There is always a risk in all worlds that we very rarely have perfect information, certainly not in the real world, and I think in this particular point in time we are going to have more that is going to come more to the fore than would normally be the case. We are dealing with fast-moving events and changes in information and research and data and everyone would be doing the best they can based on the best professional advice that we can get and based on the best data we have at the time. That data continues to shift.

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

The Chief Minister mentioned that it was a matter of resource and it is indeed, because the expert, the officer who deals with this area, has been moved to different tasks. Now, it is possible, I understand, that the first 9 months through to March has been resourced and could be published. Will he discuss with the Stats Department the publishing of a 9-month report and leaving the remaining 3 months of COVID up to further analysis? Would he at least do that so we can have a decent debate?

### **Senator J.A.N. Le Fondré:**

I am very happy and always look forward to having a discussion with the chief statistician and I will very happily undertake to do that. But what I will say is that the Stats Department absolutely and rightly pride themselves on the quality of the information they produce. For the sake of argument, if the suggestion the Deputy has made, which sounds reasonable, would have some flawed impact on the interpretation of the data and if the chief statistician was of the view that was not an appropriate methodology to follow, I would certainly report that back to the Assembly that that would be his professional advice as Head of an independent body, but I am very happy to have that discussion.

### **3.15 Deputy M. Tadier of St. Brelade of the States Trustee of the Jersey Community Relations Trust regarding the discussions of the Trust in respect of prospective actions to address racial prejudice in Jersey (OQ.165/2020):**

Following on from the recent Black Lives Matter event that took place in People's Park on 6th June 2020, will the trustee advise what discussions, if any, the J.C.R.T. [Jersey Community Relations

Trust] has had as to what further action, if any, should be pursued by Jersey authorities with regard to addressing racial prejudice in the Island?

**Deputy L.M.C. Doublet (States Trustee of the Jersey Community Relations Trust):**

I thank the Deputy for his question. The Trustees meet monthly and our scheduled meeting was yesterday, so we have had a chance to discuss this. We were established in 2004 and through our work we seek to address issues of discrimination and promote equality, diversity and inclusion on the Island. The main way that we do that is by commissioning research and making recommendations. Our current project centres around social mobility and there is a large body of research which shows that socio-economic status and race are linked, so we would expect to be addressing race within this. In terms of what we would like to see from the Government, who we are working collaboratively with on this, we would expect that the outcomes and recommendations of that Report should be taken seriously and acted upon. The Trustees also yesterday finalised a letter to the Chief Minister specifically about the COVID-19 emergency and how different groups are being disproportionately affected at this time. Within this letter we talk about one of these groups being ethnic minorities and we refer to some research that has been carried out in the U.K. and our specific request in this area is to immediately collate and publish data on the ethnicity of those suffering with and recovering from the virus and on any associated fatalities. If any inequalities are revealed, we ask that the Government acts to research the reasons why and work to mitigate them. I can give more general ideas as well if there are any supplementaries.

**3.15.1 Deputy M. Tadier:**

Yes. First of all to thank the Deputy for that comprehensive response. Does the Deputy agree that no one is born racist and that racism is a learnt attitude and a learnt behaviour and therefore education is key if we are to teach people who may have become racist to become non-racist?

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

I thank the Deputy for the question. Our conversations yesterday did centre largely around education and training, and not just education in terms of schools, but everybody on the Island educating themselves. I think it is fair to say personally I have been researching and educating myself a lot and I believe personally that everybody has a responsibility to do this, but also the J.C.R.T., we feel that we would like to help people with this. In terms of specific actions, we have been made aware of training for teachers. It has started. There is an online module, I think, but more needs to be done there so that it is not just a tick-box exercise. So for teachers and all staff that are interacting with the public, that culture change that the Deputy is referring to of being anti-racist, we would really like to see that ... Sir, I think ...

[11:15]

**The Bailiff:**

I think that is Deputy Southern. If you could switch off your microphone, Deputy. Thank you very much.

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

Would the States representative on the J.C.R.T. acknowledge the support that minorities in Jersey receive, particularly from the Catholic Church, but also from the Parishes through the twinning relationships that all the Parishes have with French communities, and in the case of St. Helier, the twinning relationships established with Germany and Madeira, which go a long way to promote racial harmony locally, particularly because of the community events that are organised and the celebration of National days, especially for the Polish and Romanian communities?

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

Absolutely. I personally think that these events are really, really important and I think perhaps the next step is to make those events ... Jersey people who maybe are not part of those communities to attend those events a bit more and just for everybody to be understanding each other better by talking to each other. Yes, I think they are really important events and I personally would support them and thank the Constable for the ones that he organises.

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

If I could just press the Deputy on the issue of twinning, because clearly twinning relationships involve local people in a relationship with members of the immigrant community and that seems to me where the particular value lies. Does the Deputy agree with me that twinning relationships in particular need to be supported in the way they do break down barriers and they bring this collective approach to organising things and celebrating things in our community?

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

Yes. I do not see anything to disagree with there.

**3.15.4 Deputy R.J. Ward:**

Can I ask the Deputy, would she feel that the work of the J.C.R.T. would be assisted if we had an Equalities Commissioner?

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

Yes, thank you. I thank the Deputy for that question. One of the things on the list of ideas that came up in our discussion was that the Trustees would like equality and diversity to be considered as a matter of course by all departments. The fact that this question is being asked to me in my role as the States Trustee for a trust which does marvellous work but is essentially a group of volunteers, it does rather highlight that there is not a Minister with specific responsibility for this area, so perhaps a Minister or a Commissioner in this area I firmly believe would be of great value.

**The Bailiff:**

A supplementary, Deputy Ward?

**Deputy R.J. Ward:**

No, Sir, that answered the question.

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

The Representative said that educating oneself is the best place to start. Would the Representative agree with me that the history A-level curriculum does cover the British colonial past and the slave trade and this would be a good resource for people to start who are interested in this subject?

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

I do not have personal knowledge of the history A-level curriculum so I cannot really comment on that.

**Deputy J.M. Maçon:**

I will forward the Representative the curriculum for her to peruse. It is a good one.

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

Thank you.

**The Bailiff:**

A final supplementary, Deputy Tadier. No final supplementary? Very well.

**Deputy M. Tadier:**

Yes, please. Sorry, Sir, I think it dropped out there.

**The Bailiff:**

A final supplementary, Deputy?

**3.15.6 Deputy M. Tadier:**

Does the Deputy agree with me that racism is a psychological disorder and it is an acquired behaviour and that part of the remedy for it in our teaching, whether for children or adults, is to use psychological methodologies such as, for example, the blue eye/brown eye test to put people in the shoes of others so that they can feel what it is like to experience discrimination and prejudice so that they might change their behaviour?

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

Interesting question. I have studied psychology at university myself, so I always advocate the use of research methods to help educate children, so yes, I think that is a good idea. One idea that the Trustees did have was a project that we would like to resurrect, which was not supported by the previous Chief Officer of Education, but we are hoping that if we bring it forward again it might be supported because we do think that racism is a learnt behaviour and educating human beings about being fair to each other does start very, very young. We would like to resurrect a project which we had worked on previously to donate some books to the Island's schools which would address issues of equality, diversity and inclusion. With this simple gesture, we would hope to add something positive to young people in Jersey and of course to their families as well.

**3.16 Deputy M.R. Higgins of St. Helier of the Minister for the Environment regarding the backlog of enforcement actions (OQ.152/2020):**

Further to the Minister's answer to Oral Question 130/2020, will he update Members on the actions he has taken, if any, to address the backlog of enforcement actions and will he investigate why Enforcement and Planning officers have not responded to emails from members of the public and States Members, including some which are over 7 months old and have been repeatedly pursued?

**Deputy J.H. Young of St. Brelade (The Minister for the Environment):**

Since the Deputy's question I have certainly looked at the case records myself and also met with the Director General and the officer in the Planning Department. Of course the situation is remaining that there is a backlog, mainly because I think on the last answer there was 163. That backlog is now 87. The problem of course is that the numbers of new cases that are arising have dramatically increased during the period of the lockdown; 24 new cases in May and 64 since the beginning of the year. What I have asked the Director General to do is to transfer a member of staff from the Development Control Planning Team into the enforcement that will help and prepare a case to the S.E.B. [States Employment Board] to put the team back to where it used to be. There are 3 people at the moment. It was reduced to 3 as a result of the cuts that were made previous to my ministership. Those are the actions I have taken. On the question of the communication issues, there is no question that the disruption is because the team have had to move offices several times in recent months because of displacing COVID tracing work. The department is running at 50 per cent at the moment. There are communication issues and I myself am picking up a lot of those myself, daily emails, daily phone calls, so I am doing that. But it is something that I do not think it is true to say that people are not getting emails, but I think the standards that some people are expecting are too high. We are doing our best and I shall keep on top of it.

**3.16.1 Deputy M.R. Higgins:**

Will the Minister ensure that the ones that have been outstanding for so long, including the correspondence of 7 months, will be answered within the next week or 2? We have to get this

department moving forward because it has been criticised by the Comptroller and Auditor General, the Complaints Board and lots of others, myself included, because of its failure to do its job properly.

**Deputy J.H. Young:**

Thank you. Of course I know the Deputy has very high expectations, and we all share that, but my concern about that report is it completely failed to address the issue of resourcing. The Deputy will know that that was stripped down badly under previous administrations and I am desperate to get the resource back. The problem is now we have got a very high rate of transgressions in planning matters. I have looked at the list myself. There are 112 active cases at the moment, of which 17 are extremely difficult and will probably involve going to the courts and so on. Yes, I think those are the cases that get priority, particularly where we have got a mixture of planning breaches and Environmental Health nuisance cases, which are causing a lot of issues for people at the moment. I would prefer to concentrate on the priority cases and solve them.

**3.16.2 Deputy K.F. Morel:**

Would the Minister please explain his comment that people's expectations of standards are too high, when all members of the public are asking for is for the Planning Department and the Planning Enforcement arm of that department to be doing its job?

**Deputy J.H. Young:**

I think there is a common misunderstanding about what the planning enforcement team can do. If Members or some members of the public - and not all do - see them as a kind of private police force to be wheeled in to take a one-sided view of their complaints, that is not correct. The Enforcement team has to look at both sides of the story - there are always 2 sides to the case - and has to go through proper procedures to investigate and allow full rights of appeal and the other side of the party to be heard. That takes time. I have found the situation where some members of the public seem to have a situation, they look for instant action and they look, for example, for the service of injunctions and so on, as if we had those powers. It has to be a service that performs that balance. Now, I am not saying everybody has those expectations, but I am afraid there are some cases that do. What we try to do is do what is possible within the law.

**3.16.3 Deputy K.F. Morel:**

Given that the Minister has claimed a lack of resources is the problem due to the COVID-19 crisis, does the Minister believe that with only 5 infections in the Island that the use of those resources on COVID-19 contact tracing is the most suitable use of resources and that in fact they should be brought back into the Planning Enforcement team?

**Deputy J.H. Young:**

Yes, I think there is a strong case for bringing back those teams. I think at the moment, my understanding is there is currently 30 members of the Regulatory team that have effectively been moved from their day jobs into this area. The Director General is actively working to try to release those skilled professional staff in all areas, in Environmental Health, Planning officers, Enforcement Building Control, Trading Standards and so on to get them back, but that is taking time and it is linked into the recruitment process for contact tracing. Personally I believe contact tracing is the highest, highest, most important priority to make sure that we keep COVID under control as we leave the lockdown, so I have been supportive of that.

**3.16.4 Deputy R.E. Huelin of St. Peter:**

There was a lot of data given to us there, but I did not hear - if I missed it, I apologise - are there any planning enforcements currently in the process of prosecution and, if so, how many?

**Deputy J.H. Young:**

I cannot say how many are subject to Enforcement Notices being served, which I think is the Deputy's question, but I can say, having looked through myself, there are 17 very difficult cases which will involve matters I think potentially of that sort of nature or potentially. Of course the Deputy and I both know that one of those cases is in his district. I do not want to get into the specific, but I can tell you that that particular case is consuming a huge amount of attention at the moment and will continue to do so.

**3.16.5 The Deputy of St. Peter:**

I see you mentioned there are 17, as you say, difficult cases and I am sure they are very testing for the department, but also if you go to the C. and A.G.'s (Comptroller and Auditor General) report, I think there has been one prosecution since 2015 on any planning enforcement cases. Is the bite big enough to try to bring some controls to these many unfortunate situations?

**Deputy J.H. Young:**

Yes, I think there are 2 issues there. First, the question I ask is do the procedures that you have to follow, defined in the Planning Law, are they sufficiently flexible to be used fast enough and do they allow excessive periods of appeal and so on which can stymie enforcement? I think the answer is the law does need changed. I have got work in progress which I am still waiting to come through the system. The other thing of course is we are in the hands of legal officers in this and I cannot at the moment say how many are in that pipeline awaiting Services of Notice. I will have to provide the Deputy that information later.

**Deputy M.R. Higgins:**

The Minister has ...

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

I have asked for a question. It is the Constable of St. John.

**The Bailiff:**

I beg your pardon, Constable, you are quite right and you did come before the Deputy of St. Peter, so I will let you ask your question and then it will be final supplementary after that.

**3.16.6 The Connétable of St. John:**

Here in St. John, an Enforcement Notice was issued in July last year. The actions have not been taken and my emails have gone unanswered by officers and I find it a very unsatisfactory position. Can I ask the Minister to give this his urgent attention because my parishioners concerned are very, very worried?

[11:30]

**Deputy J.H. Young:**

Yes, I will certainly go through and see if I can find out about Constable Taylor's case. I certainly was not aware of that at this moment, but I will follow it up.

**3.16.7 Deputy M.R. Higgins:**

The Minister says people have great expectations of his Department. Many of the cases that I have been pursuing and he is aware of have lasted over a year. When will these cases be dealt with?

**Deputy J.H. Young:**

I think if the Deputy is referring to the case which I think he is pursuing very strongly and has been for a long time, the advice I have had is that the case has been dealt with sufficiently under our powers, if I have got that correct. If I am wrong, I will have to correct myself later, but my recollection is that that case has been dealt with but I think this is probably a case where the Deputy

will disagree. I do not know that I can continue because I would have to go into the specifics of the case but, as far as I am concerned, if there are outstanding cases where there are things that have to be done and should be done, they will be done and I will give that undertaking.

**Deputy M.R. Higgins:**

I will say to the Minister you have been misinformed by your staff.

**The Bailiff:**

I am sorry, Deputy, this is an exchange to be taken outside of the Assembly. That was the final supplementary and the answers. We are running out of time.

**3.17 Deputy K.G. Pamplin of St. Saviour of the Minister for Children and Housing regarding the number of people who were homeless or using emergency housing (OQ.155/2020):**

Following comments from the Jersey Shelter Trust last week about the current unprecedented demand for its services, will the Minister provide an update of the number of people who are homeless or currently using emergency housing?

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

With reference to Shelter Trust itself, I can let Members know that last night the Trust slept 114 persons and they have got a capacity level of 125 spaces. Throughout the pandemic, alongside the Emergency Housing team, the Trust has been supported to open 2 new sites to provide them with greater capacity, so they are now operating across 8 sites. There are a further 42 people who are being supported by Shelter Trust's Outreach Service and the Jersey Homeless Outreach Group. Of those 42 people, there are 2 that we are aware of who could be said to be sleeping rough who have declined an offer of bed space. From the perspective of the Emergency Housing Team, which was set up at the beginning of the pandemic, they have received 196 enquiries to that service. I can provide Members with a full breakdown of that if they wish, but some of the headlines from that has involved assisting 66 individuals to be placed in some form of temporary accommodation, which can be hotel rooms, guesthouses or accommodation that has been temporarily made available to us; 27 have been able to be assisted into permanent social housing accommodation and there are still some cases that are outstanding that the team are working on.

**3.17.1 Deputy K.G. Pamplin:**

I thank the Minister for the answer. It is going to be, obviously, a complicated answer, but does he also have numbers for other such providers like Women's Refuge, Sanctuary Trust, the J.Y.Y.F (sic.) about the combined number currently, right now, across this Island of people who are living in temporary accommodation? Equally, what will the plan be to help these Islanders when the guesthouses and other emergency accommodation are suddenly not available again?

**Senator S.Y. Mézec:**

In terms of the exact number of all of the homelessness provision in the Island, I would have to find that out for him because it has changed throughout the pandemic, not just because of Shelter Trust being assisted to have extra capacity. I know the Women's Refuge has received some support from outside Government to be able to increase the number of people that they are able to help as well. Looking to the future as we hopefully leave the risk crisis, from our side in Government we have to manage that very carefully, bearing in mind that there are plenty of people out there who are facing precarious housing positions that are not anything to do with the pandemic itself. There are other things that are causing difficulty with their housing situations. At this point, we have recently moved to returning to deal with band 1 cases on the Housing Gateway, which were suspended for a period of time while the focus was on purely COVID-related emergency moves. As time goes on, we will have to look at returning to supporting those in other bandings as well, but that has to be done in a careful way that tries to mitigate homelessness as much as possible.



**The Bailiff:**

**I have questions to be asked by Deputy Gardiner, Deputy Morel, Deputy Wickenden, Deputy Le Hegarat before the final supplementary and we may run out of time as they presently ...**

**3.17.2 Deputy I. Gardiner:**

Would the Minister advise if he has data detailing the residential status and ethnic background of people seeking emergency help for housing? If he has, can this information be shared with the Assembly, please?

**Senator S.Y. Mézec:**

In terms of ethnic background, I do not know but that is, of course, a very good question. For residential status, if I can find that out and let the Deputy know, but I do know, and this is something that Deputy Gardiner and I have discussed before, that it has been very, very difficult, unfortunately, finding homes for those without residential qualifications. That is something that our Island will need to take a good long look at in the future. Given the extra barrier that those people face and other vulnerabilities they have as well, it was not an ideal situation to be in.

**3.17.3 Deputy K.F. Morel:**

Would the Minister please advise as to what actions he has taken to reduce homelessness in Jersey since he became Minister for Children and Housing in 2018?

**Senator S.Y. Mézec:**

There is a combination of things that still need to be done and that have been going on over the last 2 years. One of the most important things we can do is to improve the supply of homes in the Island. For years now there have been long waiting lists on the Housing Gateway and that causes people real anxieties while they are on those lists, knowing that they are either living somewhere that is just unsuitable for them or at risk of homelessness. Throughout this crisis we have been able to increase capacity for the charities that are assisting people who are facing homelessness. About 1½ years ago, I and others initiated the Homelessness Review. We were hoping to have published that by now but that has had to be delayed because of the crisis, so we are probably looking at about September for that. But in the meantime we did set up a Homelessness Cluster Group, we were calling it, where we brought different agencies around the table so that they could work to try to provide solutions for particularly complex cases as they arose. I know that they have had some success because of the communication streams that were open to them before that were previously unco-ordinated and probably meant some cases taking far too long to have solutions provided for them.

**3.17.4 Deputy K.F. Morel:**

Since he was elected Minister for Children and Housing 2 years ago, could the Minister please advise the Assembly as to how much the numbers of homeless people in Jersey have fallen?

**Senator S.Y. Mézec:**

No, I cannot do that because the numbers have previously never been kept and because there is no agreed definition of what constitutes homelessness. That is part of what the Homelessness Review is trying to tackle, because homelessness is not just about people sleeping on the streets. It can be anything up to people who are sofa surfing and it is very difficult to get those sorts of statistics, but it can include people who do live in a home but it is unsuitable for them for whatever reason, whether that is because of extreme overcrowding or they are facing domestic violence there and that is affecting their ability to move to somewhere safer for them and everything that goes with that. There have not been statistics that have been gathered before and the lack of a definition makes that difficult but part of the Homelessness Review, which I initiated, was about trying to deal with that and get a

clearer picture of what the state of these affairs is in the Island so that they can be dealt with more effectively.

**The Bailiff:**

I am afraid that brings the question time allocated for these purposes to an end and we now move to questions without notice. The first period of questions is for the Minister for International Development.

**4. Questions to Ministers without notice - The Minister for International Development**

**4.1 Deputy S.M. Ahier:**

Every year Jersey residents are given the opportunity to volunteer overseas for community work projects. What impact has the COVID-19 pandemic had on such schemes this year and could the Minister update us on such opportunities being made available for next year?

**The Deputy of Grouville (The Minister for International Development):**

Thank you for the question. It is a strange thing, the Community Work projects are probably the smallest part of our budget but it is probably the best known to Islanders because over 1,000 Islanders have participated in one of them. Unfortunately we had to postpone to next year. We were due to send 30 volunteers from Jersey to Lebanon this year and it was going to be one of our biggest ever projects. This provides one-to-one care to underprivileged guests with physical and mental disabilities. It was with extreme reluctance we had to cancel but hopefully we will be able to put that on next May. We are due to be sending a team to Nepal to work with the Gurkha Welfare Trust in November and we will be watching that very carefully and waiting for Government travel advice, both locally and internationally, as well as our usual rigorous risk assessments. We hope to go ahead with this and obviously it is disappointing to have to make the decision to postpone projects. I know I can count on the ongoing support and generosity of Islanders in this particular field. We do now offer other opportunities, as well as the Community Work projects. We have other opportunities in internships and bursaries. We have set up the Jersey International Development Network, which brings like-minded people together to communicate, and we do outreach in the schools. That obviously will continue as much as possible.

**The Bailiff:**

Minister, I have to ask you to bring your answer to an end. You are well over the normal time.

**The Deputy of Grouville:**

I am sorry, Sir. Just to finish up, I am delighted to report that we have just appointed our fourth intern.

**4.1.1 Deputy S.M. Ahier:**

What other opportunities, if any, does Jersey Overseas Aid offer to Jersey residents?

**The Deputy of Grouville:**

To Jersey residents it is more or less what I alluded to in my original answer: the internships, the bursaries, the education programmes. Anyone with a specialist skill, if they come to us with a business case, we consider supporting them. There are plenty of opportunities and I would encourage all members of the public, and I would indeed encourage my colleagues, to get involved with the Community Work projects.

[11:45]

**4.2 Deputy M. Tadier:**

I am sure the Minister, like Members, occasionally gets sent emails or contacts asking for the Overseas Aid budget to be cut and the money to be spent locally. Would she take this opportunity in the jubilee year of the Liberation to emphasise the strong message that Jersey was a recipient of Overseas Aid in 1944, without which many Islanders would have starved to death, and that we have a moral imperative to make sure that we do not just maintain the Overseas Aid budget but that we increase to 0.7 per cent, which is the U.N. (United Nations) target for donations and it has been since 1970?

**The Deputy of Grouville:**

Absolutely. It is very tempting to look at my budget, as the good Deputy has just said. I do get calls on my budget, but I think most people in the Island recognise where we stand. We are a developed country, we are an international player and it is important for Jersey to undertake the responsibilities as well as the benefits of this role. We also have a moral duty, in my opinion, to help those in poverty and, as the Deputy said, this year we were going to do a big project with the Red Cross to celebrate the aid that we indeed received ourselves. Unfortunately we have redeployed those monies and they are going to help with the COVID assistance but we do hope to do something next year.

**4.2.1 Deputy M. Tadier:**

I appreciate the spirit of what the Minister said. We have spoken about this before. The target of the U.N., which is 0.7 per cent of a country's, I think it is, G.D.P. (gross domestic product) or the equivalent, we are not meeting that yet. Is it still the aim that Jersey at some point should meet that target and, if so, by when?

**The Deputy of Grouville:**

It would be wonderful if we met that target but we are proud of the fact that our aid is very effective and we play to Jersey's strengths, so what we do give we can account for and the measures that we put in, we know that our projects are very efficient and effective. Our current G.V.A. (gross value added) giving is 0.26 per cent. The aim obviously is 0.7 per cent. The O.E.C.D. (Organisation for Economic Co-operation and Development) average - and I would be quite happy to make even the average - is 0.31 per cent. But we recognise where we are here and as from next year our budget is going to be linked with our G.V.A., so it will proportionately go up and down as the economy changes.

**4.3 The Deputy of St. Peter:**

I think the majority of this question has been answered already as a result of the previous questions. But I would like to ask specifically, given the negative impacts that COVID will have on the Island's economy, can the Minister really justify such an aid budget when there are plenty of Islanders facing hardship?

**The Deputy of Grouville:**

Yes, is the answer to that one. I believe that Jersey, as I alluded to previously, is, believe it or not, a wealthy, developed jurisdiction and we made an agreement to help the world's poorest. That agreement has been reaffirmed since the 1970s many times by many nations. As a wealthy jurisdiction and, as I say, an international player, it is important for Jersey to undertake the responsibilities as well as the benefits in this role. In my opinion, we have a moral duty to help these people. Let us not forget that 1 million people in the world remain malnourished, 2 billion people lack access to basic sanitation and over 5 million children still die before their fifth birthday each year. So I believe we should play our part.

**The Deputy of St. Peter:**

I thank the Minister for her great answers.

#### **4.4 The Connétable of St. John:**

I think Members know my affection for the Jersey cow and my love of the Jersey cow. Jersey Overseas Aid has a fantastic project in Africa, in particular Rwanda. How has COVID affected the dairy sector and their work in Africa?

#### **The Deputy of Grouville:**

We have more than one dairy project in Rwanda. In fact, we have 7 existing projects in Africa and one in Nepal, but alas the 3 flagship projects we have with the R.J.A. and H.S. (Royal Jersey Agricultural and Horticultural Society) in Malawi, Rwanda and Ethiopia have all been affected, with some key activities being postponed due to varying levels of lockdown and social distancing. While some project frameworks have been affected, none are in danger of closing prematurely or failing due to COVID, which is really good news. We had planned, because of the success of the projects that we have, 2 new dairy projects, one in Rwanda and one in Zambia, both of which need scoping and preparation work, but we have postponed those until the end of the year.

#### **4.4.1 The Connétable of St. John:**

With one Jersey calf being born on average every 27 minutes in Africa as a result of this work, can you give us any indication of how this is going to improve over the coming years?

#### **The Deputy of Grouville:**

As we go into more countries, because this is really working so well in Africa because cows are almost sacred animals there, it is no exaggeration to say that these projects are transforming the lives of many poor families. They give nutrition, which enables children to go to school, learn and increases their opportunities to get work later in life and sustain themselves. At the last count, our project in Rwanda we are helping 12,000 smallholder farmers, 6,000 in Malawi, of which 43 per cent are women. It makes up 93 per cent of the production in Malawi's raw milk. We moved into Ethiopia last year and, as I say, we were hoping to move into Zambia this year. It is fair to say that we are transforming milk yields in these countries with the Jersey cow.

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

Has the Minister been asked to make cuts of up to 20 per cent to her budget or even look at the impact of those cuts?

#### **The Deputy of Grouville:**

I have been asked to look at my budget, yes.

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

Has there been an analysis of what impact that may have on the very projects that we have talked about and the establishment, which I was pleased to hear, of the importance of our role overseas in this way?

#### **The Deputy of Grouville:**

Yes, indeed. We have looked at the budgets and our projects. As I just explained to the Constable of St. John, we identified 2 projects, one that was going to start in Rwanda and one that was going to start in Zambia at the beginning of this year, and because of travel restrictions and everything else, we have managed to identify those 2 and we have delayed them to the end of the year. We were also going to do a big project with the Red Cross, which we have put on hold and will hopefully do next year, but those monies that would have otherwise been used in these particular projects we have used for our initial response to COVID.

#### **The Bailiff:**

That brings the time available for questions to this Minister to an end. The next question period is directed at the Minister for Home Affairs. Depending upon the number of questions, I will consider whether or not supplementaries should be asked.

## **5. Questions to Ministers without notice - The Minister for Home Affairs**

### **5.1 Deputy G.J. Truscott of St. Brelade:**

Littering has been a problem for some time in the Island and I was wondering if the Minister could advise what more could be done to effectively stop the drop?

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

This is something that has concerned all of us for a long time - and when I say "all of us", I am talking about the Constables and the police - but it has never been a mega priority because it is very difficult to catch people in the act of dropping litter. It is like dog fouling on a public highway or elsewhere; when people are around it does not happen. It is only when folk are not there. Without a concerted policing effort, and quite honestly at the present time I think that the police have got other things to be concerned about, there is very little that can be done about it. I know with fly-tipping, for example, the Environment people take a very strong view and that is tackled quite vigorously but for normal littering, as it were, I am not sure what else we can do. I do know that many people who came to this Island, when we used to have visitors, were always very impressed with the cleanliness, so sometimes I think we do over-exaggerate the problems that we have. I am sorry I cannot be more helpful at this time.

#### **5.1.1 Deputy G.J. Truscott:**

Littering is an offence and I think there is a maximum penalty of £1,000. There are calls from the community for the Government and the police to get tough on this issue. Will the Minister agree to consult with senior police officers and fellow Constables and come back with some firm proposals of how to deal with the matter?

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

I am certainly prepared to consult with the police, with the Constables and report back.

### **5.2 The Deputy of St. Martin:**

Given the efforts being made by all Ministers to save money and make efficiencies, I am mindful of the Minister's responsibility under Article 9 of the Fire and Rescue Service (Jersey) Law 2011. Will the Minister reassure the Assembly that he remains committed to Jersey Fire and Rescue providing an inshore rescue boat?

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

I thank the Deputy for that question. It reminds me of a wonderful, exhilarating and exciting experience I had last year when I spent a day training with the Fire Service and one of the exercises we did was to go out in the inshore rescue boat in what felt like a force 10, but despite that I thoroughly enjoyed the experience and I could not help but be impressed with the skills and professionalism of the firefighters who were manning the particular boat. I think I have answered a similar question from the Deputy in the past. I really do think that that facility, the Fire and Rescue Service boat, is one of the jewels in our crown for our emergency services, but at the same time one cannot get too emotional and romantic about it and we have to look to see what we are actually getting from those vessels. I reflect on the fact it is the only boat, the only rescue vessel that is able to deploy in a few minutes anywhere in the Island, at any time, 24 hours a day, 7 days a week, 365 days a year. It can get to places where other rescue vessels cannot.

[12:00]

Funnily enough, we were talking about this at the Home Affairs meeting yesterday. The service costs us £19,000 a year. Now, if someone can provide that facility cheaper we might look at it but I do not think that is very likely, so I think you can say that the Fire and Rescue Service inshore rescue boat is secure.

### **5.2.1 The Deputy of St. Martin:**

I thank the Minister for his comprehensive answer. That particular vessel is, of course, our most utilised search and rescue asset. Does he agree with me that it would not be a saving at all but if it was withdrawn it well might cost us a huge amount more money?

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

That is right. That is what I was saying. I do not think you could get such a fantastic service for such a small price in terms of cash.

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

I wanted to come back on my St. Brelade colleague's question about littering. I wanted to ask if the Minister would refresh his memory of the Scrutiny Report from a few years ago, which was called *Policing of Beach and Parks* from 2011, which talked about littering being a low police priority. Could the Minister confirm that still to date there has never been a prosecution or a fine issued for the offence of littering in Jersey?

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

I am not aware whether there has or has not been a fine in the past. I do know that 2 or 3 years ago the Honorary Police, in conjunction with the States Police, did conduct a combined effort to try to reduce the incidence of this sort of offence, littering and dog fouling. Unfortunately it was not terribly successful because the moment people see police around the offence does not happen. It is a crime and I think the Deputy is quite right, the maximum fine is £1,000 or it might even be higher. It is not an easy crime to detect and get a prosecution from, otherwise there would have been more prosecutions. I will refresh myself, refresh my memory of the 2011 report that the Deputy referred to.

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

Would the Minister perhaps speak to the police? It is not a case of creating new laws. It is just simply of policing and enforcing the current laws. It does not even have to be heavy-handed. It could just be simply: "Excuse me, Sir, excuse me, Madam, I notice you have dropped something. Would you pick it up?" and then clearly if they do not maybe the matter could be escalated.

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

Yes, that is absolutely right. It would be escalated to a Parish Hall Inquiry in the first instance but, as I say, it is a matter of catching people actually perpetrating the offence at the time.

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

Has the Minister been asked to make cuts of up to 20 per cent to his budget or is he considering cuts of up to 20 per cent to his budget?

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

Absolutely not. Clearly, and it would irresponsible if they did not because of our current financial position, the Council of Ministers and each individual Minister has to have a look at his budget to see what items can be deferred or where savings could be made. But this talk of 20 per cent is absolutely ridiculous as far as my Department is concerned because 90 per cent of the budget at Home Affairs is made up of staff costs. If we were looking at a 20 per cent reduction in costs, that means we would have to lose 40 police officers, we would have to lose 30 fire officers, goodness

knows how many paramedics. I give the Deputy, the States and the people of Jersey my assurance that that will not happen under my watch.

**5.5 Deputy K.F. Morel:**

Is the Minister satisfied that the police complaints processes are operating satisfactorily and that all complaints being made against the police are being heard in the appropriate format and forwarded and processed in the proper way?

**The Connétable of St. Clement:**

If I can refer the Deputy to the Police Complaints Authority's Annual Report, he will see that it is a very positive report. While some improvements will be made in the legal status of the Police Complaints Authority in the near future, yes, I am satisfied that complaints against the police are handled in a totally appropriate, fair and proper manner.

**5.5.1 Deputy K.F. Morel:**

Is the Minister aware of any situations where the police themselves have not forwarded on complaints that have been made and passed to the police?

**The Connétable of St. Clement:**

Forwarded on to who?

**Deputy K.F. Morel:**

To the Police Complaints Authority.

**The Connétable of St. Clement:**

Complaints are dealt with by the Professional Standards Department at the States of Jersey Police and overseen by the Police Complaints Authority.

**5.6 Deputy S.M. Wickenden:**

Following on from Deputy Ward's question, can the Minister confirm whether at all he has been asked to make cuts of a percentage value or is he aware of anyone else that has been asked to look at making cuts in a percentage value, please?

**The Connétable of St. Clement:**

I have not been asked to look for cuts with a certain percentage value. I have been asked to look at our budget to see where reasonable savings could be made, and that is the right and proper thing to do, but certainly no specific percentage or number has been mentioned.

**5.6.1 Deputy S.M. Wickenden:**

I did ask: is he aware of any other department that has been asked to make a percentage cut either, please?

**The Connétable of St. Clement:**

No, I am not.

**5.7 Deputy M.R. Higgins:**

Following on from what the Minister said earlier, as far as the Police Complaints Authority is concerned, can you elaborate on what changes you are going to make to it at this time? It has been researched for quite some time and a long time coming to the Assembly.

**The Connétable of St. Clement:**

It is basically to give the Authority the right to employ their own legal advice and their own investigators if they think it is appropriate.

#### **5.7.1 Deputy M.R. Higgins:**

When does the Minister expect this to come before the States?

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

It is being drafted, as are a number of the other laws that I am hoping to bring forward later on this year. I would have hoped to have done in the autumn. I think it is probably going to be a little later than that now because there are clearly a number of law drafting priorities that have to be dealt with, but certainly I would hope and expect to be able to do it this year.

#### **5.8 Deputy K.F. Morel:**

If the Minister is being asked to make reasonable savings and the department operates efficiently as is, why were these reasonable savings not brought forward sooner and where does he expect to see these savings made?

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

I expect to see some savings in the centre in the way that contracts and so on are issued, in general administration but certainly not on front line services. We have seen some savings this year because of the COVID situation where officers from the Fire Service and States of Jersey Police have not been able to go on training exercises in the U.K. where they would normally go, so there would be some savings there. Some capital projects will probably be deferred. Perhaps replacement of the turntable ladder for the Fire Service will be delayed because there is no possibility of getting it in for this year now and redevelopment of the S.A.R.C. (Sexual Assault Referral Centre), which the States agreed in the last Government Plan, will probably be deferred for 12 months. These are the sort of things that we are going to be seeing, and there might be some roles. We lost some posts at the prison service last year that had not been filled for 2 or 3 years. I think if you do not fill a post for 2 or 3 years it is probably not necessary and there may be a small number of posts like that that we could take out of the budget.

#### **5.8.1 Deputy K.F. Morel:**

Let me rephrase it. If the Minister believes reasonable savings are achievable, does that mean that the Home Affairs Department is not operating as efficiently as possible?

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

I think the efficiency of the Home Affairs Department would stand up to the most serious scrutiny. Certainly the officers over the last couple of months have been looking at all sorts of possibilities but I think it is more deferring expenditure than stopping expenditure at this present time.

#### **5.9 Deputy M.R. Higgins:**

Following up again on the Police Complaints Authority, will the Minister share his proposals at the present time with the Scrutiny Panel?

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

Yes, absolutely. The Scrutiny Panel can have all the information they want from me and my Department.

#### **Deputy M.R. Higgins:**

We will ask for it shortly. Thank you.

#### **The Bailiff:**



That brings the time allocated for questions to this Minister to an end and we now move on to the general one hour of questions to Ministers without notice. As usual, I will ask Members to indicate in the chat whether they wish to ask a question and which Minister they wish to pose the question of. In default of specifying such a Minister, the Chief Minister will be the first port of call but he can delegate that to the appropriate Minister in the appropriate circumstances. I will call all Members with their first questions and then if there is time move on to second and third questions and will allow one supplemental question for each questioner.

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

### **6.1 Deputy G.J. Truscott:**

As of yesterday, it became mandatory in the U.K. to wear face masks while travelling on public transport. With COVID-19 still active in our community and with the pressure to open our borders again, does the Minister not agree that we too should be considering making the wearing of face masks compulsory, not only on public transport but within enclosed spaces such as shops?

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

We would strongly recommend, that is the current advice, the wearing of face masks, which would be particularly effective indoors in such places as retail spaces and the like where crowds might gather indoors. That constantly, like so much other advice, is under review but our recommendation is strong at the moment to do so.

#### **6.1.1 Deputy G.J. Truscott:**

Personally, I feel the official advice on wearing a face mask has been at best patchy and should be revised. Will the Minister give an undertaking to give this matter some serious consideration, have the discussion with the experts and report back to the Assembly in due course?

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

I do not know why the Deputy thinks that the advice has been patchy because the advice has remained constant that it is something that is strongly recommended, but I will discuss it once again with the Medical Officer of Health at my meetings with officers. These things are always kept constantly under review.

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

On the issue of SMSs [Short Message Service] that are being sent out in any governmental context, would the Chief Minister give an undertaking to make sure that at least Jersey's second-most spoken language of Portuguese is included automatically so that text messages will be sent out in English and Portuguese from now on?

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

I will discuss the matter with the Communications Department. What I would just emphasise is as we are moving back into the new normal it is about having the most effective impact of messaging. As I said, it was a balance between essentially making sure that the majority of Islanders do take note of texts and that is why keeping them to a minimum was most important, sorry, not overusing that facility. Therefore, if Islanders suddenly start getting 2 text messages on exactly the same subject within 3 seconds apart, for the sake of argument, one in one language, one in another, that might conceivably not achieve the impact we are trying to achieve. What I will say is I will absolutely speak to the Comms Department, and I have no problem on that. I do not know how many more texts are intended to be put out at this stage. What I would also say is that the Deputy's colleague in the Reform Party was part of the Comms Panel that was working on getting communications into people, particularly those who did not necessarily have English as their first language.

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

It is not a case of sending out more than one text message. I am suggesting that a bilingual text message be sent out on a single subject so that at least the recipients who get it are much more likely to be able to understand it.

[12:15]

Currently, we are sending out in only one language, which will not be understood by potentially large sections of the population or some sections. Would the Chief Minister bear that in mind in his future deliberations?

**Senator J.A.N. Le Fondré:**

We have always borne in mind how we communicate with everybody on the Island. What I will say, although the idea that the Deputy is referring to sounds laudable, I believe it would halve the number of characters that we have available to communicate any message. I cannot remember the exact limit but it would significantly impact on the message that we do in either language. That has been the issue all the way through these things is how you get an effective message into what is quite a short amount of space in terms of the text message, but I am happy to talk to Comms about it.

**6.3 Deputy S.M. Ahier:**

Will the Minister advise the Assembly whether she has considered offering more financial support to the airline Blue Islands to ensure air connectivity to Jersey in these turbulent times?

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

Yes, this has been considered, as the Deputy will be aware, in the form of a convertible loan of up to £10 million. The connectivity to the Island, of course, as the Assembly will totally understand, is of vital importance. Blue Islands is dealing with the lifeline flights at the moment, 3 times a week to Southampton and once to Gatwick for essential travel. We are talking with them about what they can offer Jersey in the future on the basis that British Airways and EasyJet have not yet confirmed future flights to Jersey.

**6.3.1 Deputy S.M. Ahier:**

Commercial financing would not be an option for an airline company in the current climate. Is this loan a reckless step to take considering the unprecedented crisis facing the airline industry?

**Deputy S.J. Pinel:**

No, I do not think it is reckless at all. It is all being looked at with the usual due diligence that we always do but we have to maintain our connectivity and Blue Islands offer that at the moment. Also we are talking about increasing flights into Europe with Blue Islands in the future.

**6.4 Deputy K.F. Morel:**

I was recently contacted by a young parishioner in his early 20s who has lost his job and is unable to claim any funding from the Government because he still lives at home. Will the Minister please explain why young people, while still living with their parents, who need the recognition and the self-respect of earning their own way, are not being looked after by the Social Security Department during this time?

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

I thank the Deputy for his question. Yes, we have had a few people who are under 25. The majority of people under 25 who have already set up home are helped by the department. Again, Income Support is means tested. We would look at the parents' income. Where we have had to stretch the budget to C.R.E.S.S. (COVID-19 Related Emergency Support Scheme) and everything else, unfortunately there are certain groups - probably the young man that the Deputy has been contacted by - who at this time we hope that they are in a safe environment, they are at home with their parents

and that the parents are helping with the upkeep of the person. That is because we are stretching the budget. We have so many more unemployed, we have C.R.E.S.S., and we are trying to put the money exactly to keep people in homes and fed.

#### **6.4.1 Deputy K.F. Morel:**

Given that the age of adulthood is 18 years old, would the Minister explain why people between the age of 18 and 25 are treated differently to all other adults in the Island?

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

The age of adult is 25. I know the Minister for Children and Housing and the Minister for Education have always been: "Let us push that up." How many people are really ready at 18, are your own children, are my own children ready at 18, to stand on their own 2 feet? This has always been a question. I understand it comes to light when things like this happen. The majority of the time under-25s are okay, they are working, they have probably got a really good disposable income and maybe contributing a little bit towards the household income, and then it comes to light. I can look at it again. It would just probably push the thin budget we have to more people and, as I say, all the youngsters who are in income support homes are protected and get the adult component.

#### **6.5 Deputy I. Gardiner:**

The World Health Organization suggested that you need a minimum of 70 per cent alcohol content in antiviral gel to kill the virus. The wrong type of hand sanitisers are being used in the majority of Island stores. Will the Minister undertake to publish the proper advice about the type of sanitiser that should be used in retail and hospitality?

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

Yes, I am aware of the issue and we will look at ways of reinforcing that message. I believe the Deputy is quite right, there needs to be 70 per cent alcohol concentration in the gel to be effective.

#### **6.5.1 Deputy I. Gardiner:**

Thank you, Minister. Can the Minister reconfirm that the guidance will be published specifically for retail and hospitality to use this type of sanitiser?

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

My understanding is that that is the type that is required and, therefore, it will be put in guidance, subject to speaking with the medics once again, but I see no reason why they cannot be made absolutely clear in guidance.

#### **6.6 Deputy M.R. Le Hegarat of St. Helier:**

How long will the temporary accommodation that is being provided by the Shelter Trust be available for?

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

The Shelter Trust provides lots of temporary accommodation, which I hope will continue to be an important part of our safety net for people in the Island for many years to come. The extra provision that is being provided at the moment, I am not aware of any deadline for removing that. We are in a situation where we know that with the Homelessness Review coming through at some point soon that we, at that point, will have to take stock and think about our wider homelessness support in the Island and think about specifically what state support homelessness charities get, on what conditions they get that support. There will need to be a wider think about that. I know there are areas of room for improvement, particularly the interaction between those charities and Andium, but as far as I am concerned I would say that I would not be prepared to see any support they are currently getting

because of the COVID period taken away if there were any negative consequences for the people who are benefiting from that support.

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

Can I ask the Minister to ensure, as a matter of urgency, that he engages with the Shelter Trust to make sure that those individuals who have been housed during this pandemic do not find themselves going back to being homeless thereafter?

**Senator S.Y. Mézec:**

Members of my team are in contact with the Shelter Trust I think virtually every day, certainly several times a week. I am absolutely prepared to give an undertaking that I would not make any decisions that I think would exacerbate homelessness at this time.

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

In the light of significant global changes and increased pressures on our budget, while not wishing to denigrate the motivation, would the Minister confirm whether he is still disposed to spend £200,000 of public money on a care memorial?

**Senator S.Y. Mézec:**

The memorial project is not just about a physical memorial but is about more than that. It is about providing further support for care leavers, it is about looking at what restorative work can be done with some of the sites around the Island, the Haut de la Garenne being an obvious one. I appreciate that that part of the project has become divisive and what I am not prepared to do is to say to the Citizen's Panel, who have worked very hard on that project, that I will disregard that work at the first sign of some concerns about the project. What I have said is that at some point when options have been presented for what a memorial space could look like, that that ought to go to some sort of public engagement so that the wider community could have a look at it. I have to say that there is a significant amount of misinformation about this project that I think is harming having a constructive discourse on it. For example, I see lots of people talking about a statue when the word "statue" does not appear once in the report outlining this project, apart from in reference to what another country has done. I think when the picture is a bit clearer about what it could look like there ought to be some wider public engagement and I do not see a reason to go against the previous Council of Ministers' decision on this at this point.

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

I am grateful to the Minister for his answer. Would he be in a position to give Members a timeline on the proposals on the table at present?

**Senator S.Y. Mézec:**

The invitation for proposals for what the memorial space could look like was extended because of this COVID period. I very recently wrote to the Citizen's Panel to try to bring us together to decide on what those next steps will be and what timeline could be associated with that, but a meeting to decide upon that has not yet taken place. It does depend, I think, largely on what work they are able to do on this, so I cannot give a timeline for the start of the phase that we want to see about public engagement just yet.

**The Connétable of St. Brelade:**

I thank the Minister.

**6.8 Deputy S.M. Wickenden:**

Could I ask the Minister, since the COVID-19 pandemic, what has the Minister specifically done to ensure that all of our Island's homeless have a safe place to stay not just in the evenings but also through the daytime?

**Senator S.Y. Mézec:**

The Emergency Housing team has dealt with many cases that have come to them throughout this period and lots of those cases look very different. A proportion of those people have been able to be helped into what will become permanent accommodation and, therefore, hopefully resolve their homelessness issue altogether. Some have been helped to move into temporary accommodation that they have freedom over and are able to spend as much as time as they like in there, whether that is in the form of ... I know there are some cottages that were made available that people were able to temporarily take advantage of. There are people who have been placed in hotel accommodation and there may be times where they are not able to spend all of their time there or, quite understandably, would not want to and that has been difficult to manage. But unfortunately this whole situation is very difficult and it has not been possible to provide everyone with a perfect long-term solution upfront. We just have to try our best to make sure people have flexibility and freedom to be able to make choices about where they are that are as safe as possible.

**6.9 Deputy G.P. Southern:**

In consideration of the renegotiation of contracts for goods and services, what attention has been given to consideration of living wage among tenderers?

[12:30]

**Deputy S.J. Pinel:**

The living wage is considered all the time with tenderers. It is not an obligation, because it cannot be, but certainly any tenderer to the States of Jersey or Government of Jersey is asked to commit to the living wage.

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

Would the Minister for Health and Social Services confirm whether the Assisted Reproduction Unit has been closed for 18 months due to COVID-19? Time is imperative if you are undergoing this type of treatment. Would he agree with me that this closure is totally unacceptable?

**The Deputy of St. Ouen:**

The Assisted Reproduction Unit has been closed during the COVID emergency but it has not been closed for 18 months. It will form part of our planning that this service is resumed as soon as we can safely do so within the hospital.

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

Would the Minister for Health and Social Services be able to give me some kind of timeframe for this? Could he keep me informed, please?

**The Deputy of St. Ouen:**

I will certainly keep the Connétable informed. Unfortunately, I cannot give a timeframe at the moment. I continue to ask about this and other services, but we are moving cautiously but safely into resuming services. We cannot give precise timeframes for the end of that movement but we are beginning to reopen services at the moment.

**6.11 Deputy R.J. Ward:**

What advice has the Minister received from I do not know if it is S.T.A.C. (Scientific, Technical and Advisory Committee) or the S.T.A.C. re reduction of physical distancing to one metre?

**The Deputy of St. Ouen:**

The formal advice has not yet been received and it may still be a matter for consideration by the Medical Officer of Health and S.T.A.C. It has been alluded to in a report that I have filed today with the States Greffe for States Members in which Dr. Muscat anticipates that public health advice may be amended to recommend that people should maintain at least one metre distance from other people who are not members of the same household but 2 metres wherever possible. It is possible that that advice may be amended to come into effect within the next fortnight, subject of course to monitoring of the spread of infection within the Island. That is under consideration. It is not yet any part of formal advice.

**6.11.1 Deputy R.J. Ward:**

Will he bring that to the Assembly or will he advise Members in advance through briefings? It is a significant change and there is some confusion at times.

**The Deputy of St. Ouen:**

I agree it is a significant change. I will attempt to organise a Members' briefing. I do not think it needs legislation to be brought before the Assembly. It would be a matter for public health guidance.

**6.12 Senator K.L. Moore:**

Could the Minister tell the Assembly what target she has set her Ministers for making savings in this year and next?

**Deputy S.J. Pinel:**

We have not. The 20 per cent that was reported was in an answer from the Minister for the Environment to a Scrutiny Panel but there have not been targets set now because it was in the Government Plan, as the Senator will know, but that has had to change because of the current situation. There has not been the 20 per cent target set across the departmental areas.

**6.12.1 Senator K.L. Moore:**

Rather than a percentage figure has a numerate figure, a number, been allocated as savings for this year?

**Deputy S.J. Pinel:**

Not yet, but it will be in the Government Plan, which as the Senator will know will be lodged in September, so we are working on how we can make savings in a time when expenditure has got to be quite high because of the situation we are in and in order to aid fiscal stimulus and the economic recovery.

**6.13 Deputy M.R. Higgins:**

Going back to a question that Deputy Southern asked the Minister with regard to the living wage: is the Minister aware of any company that has been applying for a States contract that has refused to pay the living wage? If so, what action did she take?

**Deputy S.J. Pinel:**

No, I am not aware of a company that has refused to pay the living wage, but there are several areas of trade that do pay it, not that it is not obligatory, but they do pay it, but I am not aware of anybody that has refused to pay the living wage.

**6.13.1 Deputy M.R. Higgins:**

Would the Minister not contract with a firm that would want to not pay the living wage?

**Deputy S.J. Pinel:**

I think I answered that in Deputy Southern's question. That any tenderer to the Government or the States of Jersey are not obliged but very much encouraged to pay the living wage and any tenders that come before the Government are ... "judged" is the wrong word, but reviewed as to what their complete tender is, including the price and the delivery be it goods or services.

#### **6.14 Deputy K.F. Morel:**

As the Government is no longer holding scheduled press conferences but the Emergencies Council is still sitting and, by the Chief Minister's own admission, we are not out of the woods yet and have a long way to go before this crisis will have ended, will the Chief Minister agree to meet with journalists on a weekly basis for a live session of questions and answers so that Islanders can have the confidence that their Government is acting in their best interests, transparently and are willing to be publicly held to account?

#### **Senator J.A.N. Le Fondré:**

Basically while I have said we are still in a crisis, which we are, we are slowly moving back down to a new normal, which is why we said essentially the format for press conferences is going to change. We have also said we will make sure that as anything important comes through there will obviously be a press conference. That means moving to a different form of ensuring we communicate. For example, I will be on "Hot Seat", I cannot remember if it is this Friday or the following Friday. I have a media interview with one set of the press later this week and I have a further interview session that I suspect will be another hour with another branch of the media next week. It is not a case of we are not doing communication and are not being challenged by journalists. I am sure I am going to be challenged and the main democratic means of challenging all Ministers is through this Assembly, but obviously in terms of keeping the public informed we will still be doing that. It does not mean that there will not be any press conferences. It is just we are moving away from the format of a weekly Friday one in the absence, necessarily, of having more information to put through. It is notable that certainly in the last conference the viewing rate on social media is dropping down as people return to the new normal but we are still doing press conferences, just not necessarily on a weekly basis. Obviously we are going to keep that under review.

#### **6.14.1 Deputy K.F. Morel:**

We have discussed before the importance of having a regular weekly engagement so that all Islanders know when to tune in. Would the Minister review his communications arrangement and commit to a single half hour, 45 minutes, with journalists at the same time every week?

#### **Senator J.A.N. Le Fondré:**

Firstly, I am not going to give that commitment. We will monitor it and review it. It depends what the Deputy is trying to achieve. If it is holding us to account, that is rightly the main responsibility of States Members in sessions like this. We have gone to the nth degree in making sure that States Members are kept very well-informed through, for example, the weekly briefings that we have been giving them, generally on a confidential basis. That is all part of being held to account during the middle of dealing with the issues that we are dealing with. As we move through into a new normal and a more business as usual approach what we are saying is we will need to look at what is the best use and the most effective way of communicating with Islanders. On the viewing and monitoring information that we have, the impact of that press conference was starting to wane slightly. That was the data we were getting. As I have said, we will continue to monitor that and as we have important announcements to make we will be doing them. In terms of being held to account on a weekly basis, as I said I am doing a one-hour interview on the radio and I believe it is this Friday on something called the "Hot Seat" that I am sure the Deputy will be familiar with. By that I am not trying to be sarcastic, but what I am trying to say is we are going to a different format but the accountability to journalists is still there.

## **6.15 The Deputy of St. Peter:**

The Co-funded Payroll Scheme has obviously been a great success and a lifeline for many of the struggling businesses here. However I notice in the papers in the U.K. a heading: “Employers are to be given 30 days to own up to furlough fraud.” I am not suggesting anything untoward is happening over here, but I would like to ask the Minister for Social Security what measures she is taking to ensure that every single penny is going into the pockets of those that need it and is designed to go?

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

It is the C.L.S. [Customer and Local Services] who do the payroll scheme but I was one of the Ministers who helped set it up. I read that and this came to me via the Deputy as well. It is an interesting concept. I think like the U.K. we do it on 2 Social Security payments in arrears, so we know that these people have been paid. Again, the Deputy may be right and we meet again to discuss where the Payroll Scheme goes. We could maybe bring in a similar scheme. I am assured that there are as many checks as there can be and hopefully the money is getting into the people. I have heard nothing from the people who I have known that their company is on the payroll scheme saying they have not got the money, and that would be the red light for us. Thank you.

### **6.15.1 The Deputy of St. Peter:**

All I can say is that in an Island like this it is typical that the rumours are out all over the place, the chatter in classes might suggest slightly differently, so I ask the Minister to look deeper into it and thank her very much for her answer.

## **LUNCHEON ADJOURNMENT PROPOSED**

### **The Bailiff:**

We have now reached that time where it is for me to raise the question of the adjournment. There will be approximately half an hour of questions if we adjourn now to continue after the adjournment. Is the adjournment proposed? The adjournment is proposed and the Assembly stands adjourned now until 2.15 p.m.

[12:43]

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[14:17]

**The Bailiff:**

We have approximately 27 minutes of questions remaining.

**6.16 Deputy I. Gardiner:**

I was not expecting to be first. While we recognise how difficult the pandemic has been for all age groups, would the Minister inform the Assembly how the Youth Service has been adapted to meet the needs of our young people during the lockdown, and what plans are in place for enhanced summer programmes to re-engage and restore the youth programme following this period of limited or no interaction?

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

I thank the Deputy for her question. In April the Jersey Youth Service started virtual youth club sessions with youth workers posting sessions and delivering activities such as debates, quizzes and even show rehearsals. Of course they do many other things such as the Youth Enquiry Service where they have employed a number of creative solutions to change working practice, such as a new free phone number, changes to opening hours, new part-time counsellor, redeployment of Jersey Youth Service staff from other projects to support Y.E.S. (Youth Enquiry Service) opening hours, and ongoing online counselling using various platforms. They have also reprovisioned the Youth Service and My Time project team, which has had 1,000 interventions for My Time for young carers relating to support needs of young carers during COVID-19. We have also had street work and visiting areas that young people gather while out on the street, listening to concerns, dealing with any worries and signposting when appropriate. Of course we have the inclusion project and Jersey Youth Service Short Breaks which have provided 2 online Zoom sessions per week to those who wish to participate. In terms of the summer offering, their plans are currently being developed and I am sure it will be just as innovative and impressive as the reprovisioning service we have seen throughout COVID.

**6.16.1 Deputy I. Gardiner:**

I thank the Minister for her answer and it is reassuring that it has been addressed. Would the Minister agree that the need for youth programmes is greater this summer than in the previous 20 or so years because of the minimal amounts of school and Youth Service over the last 3 months?

**Senator T.A. Vallois:**



Yes, absolutely and of course our Youth Service absolutely recognise that and we, as a department, recognise the importance of being able to provide some form of interaction and trying to return to some form of normality, bearing in mind the health advice that we receive and how we will do that. Hence the reason why the Youth Service are currently developing their plans for the summer and we hope to be able to have some form of normality but will continue to provide, where is necessary and needed to do, so the reprovision services that have been welcomed by many of our young people.

**6.17 Deputy J.M. Maçon:**

Given that the Carbon Neutral Strategy is on the Council of Ministers agenda I wonder whether anything has been learnt during the COVID period around travel and transport or working from home practices that the Minister would like to see incorporated going further into the future, post COVID?

**Senator J.A.N. Le Fondré:**

I thank the Deputy for his question. I think there are lots of opportunities about changing behaviour as a result of what we have seen out of COVID-19, including the way we work, that the Deputy has referred to. I think also, in particular, following the Carbon Neutral Strategy and the well-being side, it is around changing behaviour and opportunities in terms of how we travel. I might just reference the Proposition from Deputy Ward and just say we are slightly ahead of him in our thinking in respect that I have been talking to the Minister for Infrastructure for at least the last 2 or 3 weeks, if not slightly longer, around what we can be doing. The Minister and his team are coming up with some wonderful suggestions around, for example, the al fresco stuff that can be done in town, for example, the closure of Broad Street is a kind of precursor to some of this work and that is about challenging behaviour we have seen up until now. I would say that within the Regeneration Steering Group, again there are some opportunities we can take around this area to deliver benefits within St. Helier but again to change that flow and access of people walking and cycling, et cetera. Speaking very personally, and all the conversations have not yet been completed on this, I would love to put a challenge out there to say, you know, on a Sunday, for example, could we close 2, 3, 4 roads within the Island just to through traffic so that it is a priority very much for cyclists, riders and walkers. Just before anyone wonders where I am coming from with that, just to establish my credentials on the matter, and something the Connétable of St. Lawrence may wish to remember, is that 20 years ago last Saturday was the opening of the Millennium footpath in St. Lawrence, of which I was the volunteer project manager. We had 60 volunteers on that. It just goes to show the community spirit that you can tap into if you can do these things right. I would love to see that kind of spread of what we offer on a much more holistic basis across the Island. I think that is something we should be learning from the COVID-19 crisis and how we can improve our offering on the Island. I very much welcome that question and the answer is yes.

**6.17.1 Deputy J.M. Maçon:**

I thank the Chief Minister for his response. I wonder if I can tease out, more from his role as States Employment Board Chair, about the working from home and whether going forward we will see more part-time or full-time working from home posts from the Government or States Assembly?

**Senator J.A. Le Fondré:**

I think at this stage it is too early to be definitive but what we are likely to see is a drive perhaps to encourage people to work from home for all the sorts of benefits and reasons we have seen. I think, even though it has been somewhat of a shock to a lot of people's systems, a lot of people, while welcoming the company of co-working colleagues, do rather enjoy the flexibility that does come through. We already do offer that kind of flexible working and I think this is going to increase. That will be something that will come through the S.E.B.[States Employment Board] and obviously through the wider States system.

**6.18 Deputy K.G. Pamplin:**

Can the Minister update us on the situation of the lottery due to COVID-19 and also the work that was going on about distributing the money to charities under the scheme that was previously lodged and then withdrawn.

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

This is still a work in progress and I will bring a report to the Assembly as soon as possible. We are currently discussing the options we have. I have nothing further to add at this stage other than to reassure Members it is a priority and we are working to continue to secure a stable future for the lottery. Thank you.

**6.18.1 Deputy K.G. Pamplin:**

Does that mean that there is a chance that the lottery this year will not go ahead? Just going on the basis of what the Minister has just said there?

**Senator L.J. Farnham:**

No, it is business as usual for the lottery. At the moment we are looking at ways we might be able to improve its distribution and the business model into the future. We are also looking at options as to how we might distribute funds. It has been an aspiration to broaden the recipient base of lottery funding and that is at the centre of the discussions.

**The Bailiff:**

The Deputy of St. John has a question for the Minister for Health and Social Services. The Deputy of St. John? Very well, I will move on now to the next question. The Deputy of St. John was to have asked his first question so he was taking priority, other questions left I have coming from Deputy Truscott, Deputy Tadier, the Connétable of St. Brelade and a third question from Deputy Morel notified so far. Deputy Truscott, with your second question.

**6.19 Deputy G.J. Truscott:**

It is for the Minister for Economic Development, Tourism, Sport and Culture but with his responsibility for the hospital project. Firstly, I would like to congratulate the Minister on the recent appointment of a design and build partner. At last it feels like progress has been made. With regard site selection for our new hospital, could the Minister provide an update as to what progress has been made so far to date and could he also briefly outline the next steps in the process. Thank you.

**Senator L.J. Farnham:**

Can I thank the Deputy for his kind words, which, of course, are very much due to the excellent team of colleagues and officers we have working on the project? The site evaluation and selection processes are well-advanced and the political oversight group will be getting a full report and recommendation of a shortlist of sites at its next meeting. Following that we remain on schedule to bring a shortlist of sites or inform the Assembly of the shortlist of sites as soon as it is available in July. At that stage the new design and build partner will start some further and more detailed site evaluation with a view to enabling us to bring, as previously announced, on schedule a proposition to the States to choose a final site in November of this year.

**6.19.1 Deputy G.J. Truscott:**

I am sure the Minister will agree that site selection is key. Having read the comprehensive Supplementary Planning Guidance paper provided by the Minister for the Environment, I can understand why it is proving so difficult to come up with suitable sites. The last time potential future hospital sites were presented to the Assembly they were presented in a points rated format with People's Park being ranked as first. Can the Minister confirm if he will be following a similar points weighted process when presenting the sites in July?

**Senator L.J. Farnham:**

We have been working with a number of partners, including the Citizen's Panel who set the criteria for the site selection. That is a detailed criteria which prioritises all of the points, that criteria of course includes size, accessibility, technical requirements environmental impact, impact on the timeline, utilities, infrastructure, all those kind of considerations are being very carefully considered. That is the process we are following, and it is very robust. I think the challenging part will be finding agreement because there are a number of sectors of society that will have different ideas of where the hospital should be built.

[14:30]

What I can reassure Members is that I and the Political Oversight Group remain very confident of the procedure that has been followed to date. When we do come to the Assembly with our final choice, Members will see it as being very, very carefully considered and will be our representation of the very best site available.

**6.20 Deputy M. Tadier:**

Would the Minister confirm that there will be no cuts to language assistants in primary schools next year?

**Senator T.A. Vallois:**

At the moment there is a process that is being gone through in terms of defer, halt and reduce. Lines have been put forward by officers. I have requested appropriate impact assessments to be arrived at. I also recognise that we already have a structural problem with our funding within Education and so in terms of the requests around looking at funding and how we fill the hole with regards to the position we now find ourselves in with regards to finances is no easy feat. In terms of language assistants, of course we offer a broad and balanced curriculum in which language assistants play an extremely important and vital role in.

**6.20.1 Deputy M. Tadier:**

I would just probably ask the question again, in a slightly different way. Will the Minister give me an assurance that language assistants in primary school, and indeed, I guess, in all schools, will not be part of the cuts that she is looking at?

**Senator T.A. Vallois:**

I cannot give that assurance because I am having to look at everything. As the Chief Minister stated, everything is on the table. So like I already stated to the Deputy, I am looking across all the board and requesting appropriate assessment impacts to be done against those lines that have been put forward by officers to ensure there is no detrimental effect on education for our children and young people.

**The Bailiff:**

We will try again with the Deputy of St. John. Deputy of St. John, do you have a question for the Minister for Health and Social Services and are you able to ask it?

**6.21 Deputy T. Pointon of St. John:**

Thank you for your patience. Yes, I would like to ask a question to the Minister for Health and Social Services about the closure of Samarès Ward, the stroke rehabilitation unit. Could the Minister please explain why the stroke rehabilitation unit has been closed?

**The Deputy of St. Ouen:**

I am pleased to hear from the Deputy. The facility at Overdale was closed for the purposes of redeploying the service to deal with the COVID emergency but those who needed the services have

been supplied in serious cases, in an emergency case, within the General Hospital. The service will continue within the General Hospital for the time being and in the community. Our ultimate aim is to carry out within people's homes and community settings much of what was done within the Samarès Ward at Overdale, but we do recognise that there will be cases as well which would need rehabilitation in a ward setting and that will always be in place.

**6.21.1 The Deputy of St. John:**

What is happening to the staff who are currently employed at Samarès, are they being redeployed into the community?

**The Deputy of St. Ouen:**

In time they will return to some sort of work dealing with rehabilitation but the staff were repurposed to deal with the COVID emergency and as long as we can keep the infection rates suppressed we can plan the return of our staff to their former jobs. It may be that we have learnt during this emergency that we can do things a little different, so those staff will be operating more within people's homes quite possibly than they did previously.

**The Connétable of St. Brelade:**

Would the Minister enlarge on the reasons behind the restriction by passengers for sailing on the Clipper; given the size of the vessel it seems to be a disproportionate restriction?

**The Bailiff:**

The Minister for Economic Development, Tourism, Sport and Culture? I am afraid, Connétable, we will move to the next question, which might result in your question not being answered, given the time available. Your third question, Deputy Morel?

**6.22 Deputy K.F. Morel:**

Thank you, it is for the Minister for Treasury and Resources. Given the smaller than expected uptake from the payroll scheme and also lower costs envisaged in other areas of the COVID-19 pandemic response, does the Minister expect to use all of the £500 million of the funds available to the Government via the revolving credit facilities that it has arranged with 5 banks?

**Deputy S.J. Pinel:**

Just to be clear, the £500 million revolving credit facility was not just in entirety to support the payroll co-funding. The Deputy refers to the low take up but that was only in phase 1 where we had estimated £3.8 million and about £2 million was used for phase 1, which was only the last 2 weeks of March. With regards to the second phase, there has been a take up of quite a considerable amount more and we have also, as the Deputy will know, extended it to the end of August. It is not quite clear yet what will be used in that time as to whether people will want to get back to where they were beforehand or build up to where they were beforehand, or whether they will still require the support of the Payroll Scheme.

**6.22.1 Deputy K.F. Morel:**

My question was about whether they would expect to use £500 million, all of it, from the revolving credit facility?

**Deputy S.J. Pinel:**

I think I did answer it in my opening remarks, inasmuch as I said the £500 million of the revolving credit facility was not entirely for the payroll scheme, it was for support of the whole of the COVID situation. So not just for the Payroll Scheme and I think I explained what has been demanded so far by the Payroll Scheme.

**Deputy K.F. Morel:**

The Minister has misunderstood my question entirely. If the Minister does not use all £500 million of the revolving credit facilities, how much does she expect to pay in non-drawdown charges to the 5 banks that she has arranged the loans with?

**Deputy S.J. Pinel:**

We have arranged a credit facility with the 5 banks and the drawdown charges are, as I have mentioned before in answer to another question, of a confidential nature with the banks so I cannot say what it will be. In the same way as I cannot say what the drawdowns will be either. It depends what we need for the fiscal stimulus and the economic recovery, not just the Payroll Scheme.

**The Bailiff:**

Very well, that brings the period of questions allowed to Ministers without notice to an end. In answer to the chat question posed by Senator Farnham; yes, a question was asked, Senator, but we could not get any response so we moved on to the next question. There is nothing under J or K so we come on to L, Public Business.

**PUBLIC BUSINESS**

**7. Draft Taxation (Implementation) (International Tax Compliance) (Mandatory Disclosure Rules for C.R.S. Avoidance Arrangements and Opaque Offshore Structures) (Jersey) Regulations 202- (P.129/2019)**

**The Bailiff:**

The first item of Public Business is the Draft Taxation (Implementation) (International Tax Compliance) (Mandatory Disclosure Rules for CRS Avoidance Arrangements and Opaque Offshore Structures) (Jersey) Regulations, P.129, lodged by the Minister for External Relations. I ask the Greffier to read the citation.

**The Greffier of the States:**

Draft Taxation (Implementation) (International Tax Compliance) (Mandatory Disclosure Rules for C.R.S. (common reporting standards) Avoidance Arrangements and Opaque Offshore Structures) (Jersey) Regulations 202-. The States make these Regulations under Article 2 of the Taxation (Implementation) (Jersey) Law 2004, and following the decision of the States, taken on the day these Regulations are made, to adopt P.129/2019.

**7.1 Senator I.J. Gorst (The Minister for External Relations):**

This perhaps is a rare occasion when it is a piece of legislation that does what it says on the tin. This is a Regulation that requires mandatory disclosure rules to ensure that no one is using Jersey to avoid the common reporting standard that either avoidance, almost one could say on purpose, or by using an opaque offshore structure. The Government of Jersey gave commitments to the European Union Code of Conduct Group ... Members will recall that we were asked further questions by the Code of Conduct Group, we answered those questions by introducing a substance law in Jersey and at that point we gave a further political commitment that we would introduce mandatory disclosure regimes to ensure that the Island was not being used to avoid the common reporting standards. We do that here by using the O.E.C.D. [Organisation for Economic Cooperation and Development] model rules. Under step one all intermediaries, being firms in Jersey that provide services to clients must consider if based on the information they hold there is a C.R.S. [Common Reporting Standard] avoidance arrangement or alternatively there is a passive vehicle in an opaque ... and it is really important that word “opaque”, so it is where someone may not know of an offshore structure, and these are described in the Regulations under step 2 that firms will have to disclose unless they can reasonably conclude that this is not an arrangement or a structure designed to circumvent the Common Reporting Standard by the client or any other firm involved in the details of the relevant scheme of arrangements. There has been a little bit of disquiet about this piece of legislation and meeting this international obligation.

But as I propose this to Members today I am confident - and as confident as one can or should be - that we can reasonably conclude that Jersey is not being used to avoid the Common Reporting Standard requirements. We were an early mover in adopting the Common Reporting Standards. That has been broadly welcomed across the Island and, of course, it has been welcomed globally, and it has continued to show that we meet the very highest international standards when it comes to the provision of financial services around the globe in Jersey. I am grateful - and I want to say this at this point - to the work that my Scrutiny Panel does in holding me and my officials to account for what we bring forward. I think it is fair to say at this point in time we have not quite been able to answer all of their questions perhaps in the way that they might have liked. I gave an obligation to, as I say, the Code Group that these Regulations would be lodged with the Jersey Parliament and they would start the parliamentary process. Therefore, I fully accept that the Scrutiny Panel will wish to pull these Regulations in for a formal review.

[14:45]

For my part, I hope that we will, in due course, be able to answer all of the Scrutiny Panel's questions and in doing so is the parliamentary process working. I hope that Members will recognise that this is a continuing step forward, meeting out international obligations and commitments. Members, of course, will be only too aware now of the importance of us being whitelisted by the European Union Code of Conduct Group in all of that work. This will allow us to continue to remain on that White List working in a co-operative way but, as I say, I do look forward to continuing to work with Scrutiny on this piece of legislation and answering those questions. I propose this Regulation in First Reading.

**The Bailiff:**

Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles? If no Member wishes to speak on the principles, then I ask the Greffier to place a vote link in the chat box. I ask Members to open the link and to vote in the normal way.

<b>POUR: 39</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 0</b>
Senator I.J. Gorst				
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. 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 K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				

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

**The Bailiff:**

Deputy Morel, does your Scrutiny Panel wish to scrutinise this matter?

**Deputy K.F. Morel (Chair, Economic and International Affairs Scrutiny Panel):**

Yes, Sir, we do.

**The Bailiff:**

Very well, matter is called to Scrutiny. Pursuant to Standing Order 72(5), we must now set a date in which the Second Reading will take place. That date being in no more than 4 meetings' time. Do you suggest a date, Deputy Morel?

**Deputy K.F. Morel:**

Yes, 8th September, Sir.

**The Bailiff:**

8th September.

**Deputy K.F. Morel:**

Three meetings' time.

**The Bailiff:**

Very well. That is set then, 8th September is set for the matter to return for Second Reading.

**8. Draft Air Navigation (Rules of the Air) (Amendment No. 2) (Jersey) Regulations 202- (P.55/202)**

**The Bailiff:**

The next item of Public Business is the Draft Air Navigation (Rules of the Air) (Amendment No. 2) (Jersey) Regulations, P.55, also lodged by the Minister for External Relations. I ask the Greffier to read the citation.

**The Greffier of the States:**

Draft Air Navigation (Rules of the Air) (Amendment No. 2) (Jersey) Regulations 202-. The States make these Regulations under Article 46 of the Air Navigation (Jersey) Law 2014.

**8.1 Senator I.J. Gorst (The Minister for External Relations):**

These Regulations make a small amendment to the Air Navigation (Rules of the Air) (Jersey) Regulations 2017. The Amendment expands the definition of safety sensitive personnel prohibiting a wider range of personnel working at the airport from being under the influence of psychoactive substances that might endanger the safety of aviation. During a recent review of various regulations, the standardised European rules of the air, it became clear that this particular provision needed expanding to cover further personnel and those personnel include aerodrome operation personnel, rescue, firefighting and maintenance personnel and personnel allowed unescorted access to the movement area. This is in addition to others who were already covered by those provisions. I ask Members to support the principles.

**The Bailiff:**

Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles? Deputy Morel, yes, if any other Members could please indicate in the chat in the normal way?

**8.1.1 Deputy K.F. Morel:**

Apologies for not using chat. It was just to say from a Scrutiny perspective we were briefed on these Regulations and, unlike the previous P.129, we actually received answers to our questions and so we, as a panel, are happy to support these Regulations as proposed.

**The Bailiff:**

Thank you very much indeed. Does any other Member wish to speak on the principles? Then I call upon the Minister to respond?

**8.1.2 Senator I.J. Gorst:**

I am grateful for the work that Scrutiny have done in asking questions about these Regulations, as they do with all the work that is brought forward from my various Ministries and we should not underestimate the importance of legislative scrutiny. I, for one, think that my panel are doing a particular job in that regard. We may not always agree but they are doing their job well and I am very grateful to them. I ask Members to support this Amendment in principle.

**The Bailiff:**

Very well, I ask the Greffier then to put a voting link in the box for a vote on the principles. The link is now there and I ask the Greffier to open the vote and ask Members to vote in what has now become the new normal.

<b>POUR: 45</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 0</b>
Senator I.J. Gorst				
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. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				



Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

**The Bailiff:**

I take it from your speech earlier, Deputy Morel, the Scrutiny Panel does not wish to scrutinise the matter?

**Deputy K.F. Morel (Chair, Economic and International Affairs Scrutiny Panel):**

That is correct, Sir.

**The Bailiff:**

Thank you very much. Minister, how do you wish to deal with the matter in Second Reading?

**8.2 Senator I.J. Gorst:**

Considering there are only 2 Articles and one is the citation, I will take them *en bloc*. It is very straightforward and hopefully Members will not have questions but I will endeavour to answer them if they have. Thank you.

**The Bailiff:**

Are the Regulations in Second Reading seconded? [**Seconded**] Does any Member wish to speak in Second Reading? If no Member wishes to speak in Second Reading then I will ask the Greffier, once again, to put a link into the chat page, ask the Greffier to open the voting and ask Members to vote in the usual way.

<b>POUR: 43</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 0</b>
Senator I.J. Gorst				
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				
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Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

**The Bailiff:**

How do you propose the matter in Third Reading, Minister?

**8.3 Senator I.J. Gorst:**

*En bloc*, if I may.

**The Bailiff:**

Are they seconded in Third Reading? [**Seconded**] Does any Member wish to speak in Third Reading? If no Member wishes to speak on the Regulations in Third Reading, I ask the Greffier to

place a link to the vote in the chat box. I ask the Greffier to open the voting and for Members to vote in the normal way on Third Reading.

<b>POUR: 43</b>	<b>CONTRE: 0</b>	<b>ABSTAIN: 0</b>
Senator I.J. Gorst		
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. Brelade		
Connétable of Grouville		
Connétable of St. John		
Connétable of Trinity		
Connétable of St. Mary		
Connétable of St. Ouen		
Connétable of St. Martin		
Deputy J.A. Martin (H)		
Deputy of Grouville		
Deputy K.C. Lewis (S)		
Deputy M. Tadier (B)		
Deputy M.R. Higgins (H)		
Deputy J.M. Maçon (S)		
Deputy S.J. Pinel (C)		
Deputy of St. Martin		
Deputy of St. Ouen		
Deputy L.M.C. Doublet (S)		
Deputy S.M. Wickenden (H)		
Deputy of St. Mary		
Deputy G.J. Truscott (B)		
Deputy J.H. Young (B)		
Deputy L.B.E. Ash (C)		
Deputy K.F. Morel (L)		
Deputy G.C.U. Guida (L)		
Deputy of St. Peter		
Deputy of Trinity		
Deputy of St. John		
Deputy M.R. Le Hegarat (H)		
Deputy S.M. Ahier (H)		
Deputy J.H. Perchard (S)		
Deputy R.J. Ward (H)		
Deputy C.S. Alves (H)		
Deputy K.G. Pamplin (S)		

**9. Putting Jersey Businesses First (P.56/2020) - as amended (P.56/2020 Amd.(2).Amd.)**

**The Bailiff:**

Very well, the next item of business is Putting Jersey Business First, P.56, lodged by Deputy Morel of St. Lawrence. There are a number of amendments. There is an Amendment from the Council of Ministers. Deputy Morel, am I correct in my understanding that you have accepted that Amendment?

**Deputy K.F. Morel:**

That is correct.

**The Bailiff:**

Thank you. Chief Minister, are you accepting the Amendment of Deputy Morel to your Council of Ministers' Amendment?

**Senator J.A. Le Fondré:**

Yes, Sir.

**The Bailiff:**

Very well. Can I take it then that the Proposition can be read as amended? If Members are not content with that could they indicate in the chat box? Very well, we will take the Proposition as amended and I ask the Greffier to read the Proposition.

**The Greffier of the States:**

The States are asked to decide whether they are of opinion: (a) that the States of Jersey will continue to support the Island's social and economic recovery from the COVID-19 crisis by seeking to maximise the amount of goods and services that the States of Jersey procures from on-Island suppliers where it is legal and practical to do so; (b) to request the Minister for Treasury and Resources to ensure that the States of Jersey procurement processes and guidelines include positive weighting within a balanced assessment of the contribution of the economic, social and environmental benefits to Jersey, in particular on-Island employment, this reflects the need at this particular time to stimulate and recover Jersey's economy (subject to exemptions for specialist services that can only be purchased from off-Island suppliers, legal restrictions and meeting minimum acceptable quality and other thresholds); (c) to request the Minister for Treasury and Resources to present a report by the 31st August 2020 setting out the amended procurement policies and evaluation criteria, with further and future amendments published on the gov.je website in accordance with our Public Finances Manual processes; (d) to request the Minister for Treasury and Resources to present an annual Procurement Report to the States Assembly detailing expenditure by the States of Jersey of the top 100 Suppliers by value across goods and services, identifying those with an on-Island presence, from off-Island suppliers, with the first such report to be published no later than 31st March 2021, in order to provide a full 12 calendar month view; (e) to request the Minister for Economic Development, Tourism, Sport and Culture to commit to develop supply-use tables for Jersey as part of the evidence base building phase of the Future Economy Programme.

[15:00]

**9.1 Deputy K.F. Morel:**

I have brought this Proposition before the Assembly for a number of reasons. Firstly, there is the simple fact that the Government of Jersey is the single largest buyer of goods and services in the Island - apologies, Sir, that may have been my phone too close to the microphone - so it is better placed than any other organisation in Jersey to use its spending power to help stimulate the Island's economic recovery. Secondly, I have brought the Proposition with a view to shedding light on the purchasing decisions made by the Island's Government. Part (c) of the proposition requires the Minister for Treasury and Resources to report to this Assembly with facts and figures that will help us Islanders understand just how much business is being sent off-Island and whether or not some of that could have been kept here, doing that which the Government should, supporting people by

supporting their jobs. I am sure that most, if not all, of my colleagues here today will at some point have been contacted by Islanders concerned about contracts for goods or services that have been sent off-Island but which could have remained here. Some of these concerns will have been fully justified, others may have been less so but the simple fact is that because the Government has not reported on its purchasing in any formulaic manner it has been impossible to know the truth. Indeed, it was only at the last Assembly that we learnt of the overall sums that the Government spends on procurement, £241 million last year, over 25 per cent of the Government's annual budget, or one-sixteenth of the Island's G.V.A.[Gross Value Added] by my own calculation. It was pleasing to learn that the majority had been spent on-Island. A good news story indeed, but it is one that the powers that be should have been telling us for time and again over the past years. It is, however, the case that while we have all recently learned that nearly 70 per cent of Government spending stays here in Jersey, the £73 million that leaked off-Island represents a 50 per cent increase on the £49 million that was spent off-Island in 2018. That is quite a staggering increase and it is, I believe, the sudden acceleration in such spending that has led to many Islanders having concerns as to the ultimate destination of our tax pounds. I ask Members to imagine for a moment that they are a local supplier of musical instruments who employ staff locally, pays G.S.T. (goods and services tax), social security contributions and, of course, income tax. If we were that person imagine the sense of dismay that we would feel when we unexpectedly and accidentally discover a delivery of new musical instruments, worth up to £90,000, that has been ordered by a division of the Education Department but we know that we have not even been asked to supply a price to the Government for the supply of those goods. Instead an unknown off-Island supplier has been given the order, despite the fact that they will not pay a penny to help our Island's community. Or we could be the leader of an Island business that supplies cleaning products but despite our enquiries we still have not been told why we were beaten to a contract worth 7 figures by a U.K. business. Instead all we are told is that their tender was better, without being given the chance to learn and improve our offer how will we be able to compete in the future? As States Members we hear such accounts on too regular a basis. It is because of stories like these that I have brought this Proposition. Indeed, as we begin to get to grips with the beginning of an economic crisis that one day could dwarf the problems we faced in the aftermath of the credit crunch, I can think of no better sign of support for our Island's businesses than the States Assembly standing together and saying that we will do everything we can to make sure the Government of Jersey sources goods and services from local suppliers wherever it can. Just as the city of Preston in the U.K. or the city of Madison, Wisconsin in the U.S. (United States) has done, and, indeed, countless others have done. If Members were to look at the addendum to my report, kindly put together by staff from the new Members Services Division, they will see some of the places that are already using these types of prioritisation for their procurement. What does that support mean in practice? The Proposition has at its heart the implementation of a system of weighting that will genuinely attribute the value gained by sourcing goods and services from within the Island so that when the numbers are crunched the economic, social and environmental value that comes with buying locally is factored into the purchasing analysis. I am grateful to the Minister for Treasury and Resources and her officers for including the development of a weighting system into the Amendment that they have brought and which I have accepted. If you remember my displeasure at the original Amendment proposed by the Government, that discontent was driven not only by the short timeframe for lodging but also the fact that there was no mention of a weighting system in that Amendment. That original Amendment gutted my Proposition. Today we have a new Amendment which appears to hold true to my original intention. However, in having accepted the Council of Ministers' Amendment I do so on the understanding that I will be monitoring the situation to ensure that the value of using Jersey-based businesses is properly included in new procurement procedures. This Proposition is as much about gathering data as it is about valuing Jersey businesses. I have already mentioned the report which the Minister for Treasury and Resources will bring to the Assembly on an annual basis should this Proposition be adopted. I would also like to bring your attention to part (e) of the Proposition, which, in its amended form, will require the Minister for Economic Development, Tourism, Sport and

Culture to develop supply use tables for the various sectors of the Island's economy. This is a vital piece of work that will ultimately enable Islanders and policy makers to understand the multiplier effect of spending a pound within a particular sector in the Island. This is a large and complicated piece of work but I have had the pleasure of speaking with the chief economist, who incidentally is Senator Farnham's favourite economist. He indeed ranks him above Adam Smith, John Maynard Keynes and Friedrich Hayek. If the chief economist does complete this piece of work, and I have no reason to doubt that he will, then he may well become my favourite economist too. But once complete you would have a picture of the Jersey economy that is far more refined than the one we have now so we, and future generations of States Members, will be able to view the Island's economic activity with the clarity that will enable them to make truly informed decisions. Before I finish, I just want to say a word to all the business owners in Jersey. I know, and many States Members know, just how hard they work, how valuable that work is to the Island and how difficult we know these times are. It is the people who take on the risk of investing in, starting up and operating businesses who are the driving force of our Island's economy. I believe to my core that Jersey is an enterprising Island and it is this spirit of free enterprise that has carried us successfully through the centuries. This Proposition is just one small part of helping to support those businesses through this crisis and I make no apologies for it. If the people who take those risks, that provide employment, that ultimately fill the public coffers, do not feel valued or supported by this Assembly then Jersey's future will indeed be a bleak one. I hope that States Members will ensure that this never becomes the case and they can do so by showing their support for Jersey businesses today. There is no doubt in my mind that one of the simplest and easiest ways for the Government of Jersey to support Islanders' livelihoods, at least in part, is to heed the words of Mrs. Collins of St. Clement who called me a couple of weeks ago to say she had a campaign in a small town in Scotland where the local business group was using the slogan "Keep your town in business by keeping your business in town." I say to my colleagues, let us make sure the Government of Jersey takes the simplest of actions to support the local economy and keep people in work. Let us take the opportunity today to say with one voice, as one Assembly, that from now on we will keep our Island in business by keeping out business in the Island. Thank you, I maintain the Proposition.

**The Bailiff:**

Is the proposition seconded? **[Seconded]** Does any Member wish to speak on the proposition?

**9.1.1 Deputy S.J. Pinel:**

It is not a speech, I just wanted to express my thanks and those of my officers to Deputy Morel for his time and consideration of our amendments and for accepting them as we amended our amendments in taking this proposition forward, which we are very, very keen to support now and with an ongoing promise to include the Deputy in further consultation about this Proposition and the way forward. Thank you.

**9.1.2 Deputy J.H. Young:**

I just wanted to say: "Well done" to Deputy Morel for this Proposition because I think it set a new visionary approach on having evidence-based government. I have thought for a very long time, in fact decades, that the Island should be prepared to invest in an economic model, an economic model which would enable us to understand rather better the various sectors of our economy and help us develop tax policies and so on. The proposal that Deputy Morel has given to us, I think, provides for quite a very substantial input into that. I am absolutely 100 per cent behind this but I think it is possible to be able to develop it further into a more sophisticated arrangement, including in that of course it will enable not just economic activities to be assessed financially but we would also have the ability to lock into that model the social and environmental impacts. A bit of perhaps a long vision there, it is what I would probably describe as could be done over the 3 years and that is the aim but I think here we have a really good direction of travel and I am very much supporting it. I

make those points because that is something which I think has gone off the agenda for a long time and if we do not have that model and we start to change our tax policies and our tax structures and so on we run risks, but nonetheless a really good move.

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

Deputy Morel does, I believe, bring a very sensible proposition which is stimulated, I perceive, by what many residents believe is something that has got completely out of hand. Businesses in Jersey are immediately disadvantaged by the G.S.T. [Goods and Service Tax] element which will be added to any contract and our higher cost of living will always work against us. I take the view that excessive job cutting by Government in all sectors has resulted in a reduction in many of the specialist skills which have subsequently needed to be brought or indeed bought in. There is a tendency for what I might call, with due respect, for imported senior Government staff to lean towards the encouragement of former U.K. colleagues to apply for positions in Jersey. I fully respect that many have moved their entire families to the Island and are fully committed but sadly there are others who have no ties and are here simply for their own betterment and have scant regard for Jersey and its traditions. They will be gone at the first opportunity at a cost to the Island. They will have done their job, no doubt, to the specified standard but there is far more to being a supply of goods or services in Jersey. We do not want so-called essential workers rushing back to the U.K. every weekend and we do not want to house essential workers because we failed to train our own. In conclusion, my message is that we should skill up our local workforce, encourage local goods suppliers to be competitive and not put ourselves in a situation whereby a Member is having to bring such a proposition. I urge, therefore, that Members support it. Thank you.

### **9.1.4 Deputy J.M. Maçon:**

I think that is a really good point from the Constable. Often banging my Skills drum, I think that is a great suggestion that when we do look at the guidance that the Minister will be formulating, when we look at the services side of things, certainly any opportunity for internships or secondments or any type of skills development is definitely something which we should explore to the full. I absolutely agree with that point. The only thing - and I have made this point previously in the States about this Proposition and I am glad to see it is amended - I just want to add that in the guidance there needs to be some form of evaluation because, while I agree with Deputy Morel the economic benefits of the multipliers of having the money circulating in our own economy is good, of course what we should not do at the same time ... and yet I know some business are working very, very hard but on the other hand we should not let them exploit the situation either and there needs to be some cognisance of the prices before the COVID crisis hit and what we are going to pay as well. I do not think that opportunity should be exploited. I just hope that when the Minister formulates her guidance policies that will be taken into account. One other point which I want to mention ... there is a lot you can learn on the planning bus from Members who have been on the Planning Committee. I believe we were out in a car park in St. John at some point, while out of site visit, and I remember one of the - how should I put it? - more seasoned Members talking and having a similar discussion about procurement. I remember him saying that back in the day what used to happen is whenever the States used to tender for a contract you would have ... say builders or plumbers would meet up for their bacon butty and they would discuss the opportunities to put in for tender.

[15:15]

What they used to do is they would sit around and say: "Right, who needs the work, all right, you over there, fine. So I put in for £20,000, you put in for £10,000, you put in for £8,000 and we will ensure that you get the job." I think when we talk about procurement we also have to remember that there are forces outside of the States when we just play in to the local market which, again, may inflate prices as well. I am broadly supportive of the Proposition brought by Deputy Morel but I think we just need to have that market savvy behind us as well. Thank you.

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

I would like to thank Deputy Morel for engaging with my Department, especially the Chief Economic Adviser, to agree the amendment for part (e) of his proposition. I would just like to speak for 3 or 4 minutes to explain some of the context around the decision to use supply-use tables to analyse the different sectors of Jersey's economy. That is where it is going to be even more important now as we plan the economic recovery from the COVID-19 pandemic. Before the arrival of COVID-19 the economy team were in the early stages of preparing the future economy programme, a major piece of work to assess how the Island could achieve a thriving economy and strong employment in the future. That was on the back of the challenges we were facing before the pandemic in relation to population, skills and productivity. Developing the supply-use tables for Jersey was already identified as an important part of the evidence-building phase of the future economy programme. Supply-use tables will create the knowledge base Deputy Morel is seeking and, more so, reveal how local procurement supports the whole of our economy. I am happy to provide some brief rationale for Members. It is possible, of course, to have an overview of each individual sector of the economy, which we do to some extent; for example, information on the finance sector, the hospitality sector, the agriculture sector and others reported each year by Statistics Jersey in the Government's annual accounts. However, supply-use tables will not just provide basic data about how many people are employed in one industry and how much it contributes overall to the Island's G.V.A. They will provide a much more detailed understanding of how the different sectors of our economy relate and impact on each other. The richer detail provided by supply-use tables will reveal the complex interdependencies in Jersey's economic ecosystem, and this is information that we do not currently possess and it is, as I said before, going to be very important. In short, they produce a more comprehensive and useful picture of how our economy works and, vitally, how sectors interact. Once we have the ability to use supply-use tables, we will be able to look and assess our economy in the round as a whole rather than by sector. It is also important to understand the supply chain of Jersey businesses and the importance of domestic production and procurement in the local economy. The supply table will achieve this. It describes the goods and services that are either produced in the domestic economy or imported. The use table shows where and how goods and services are used in the economy. They may be part of the production of something else; for example, when restaurants purchase food and drink from their suppliers or in the final use when restaurants have hospitality directly to their customers. So the tables illustrate the linkages and the dependencies between the various sectors and will show how income is generated. They are necessary to help us understand how activity in one sector - for example, finance - drives demand in other sectors, in hospitality, construction, and indeed across the whole economy. They will also provide an estimate of the direct and indirect demand generated by each sector. In theory, this knowledge can be used in turn to calculate what skills staff will need and what training should be put in place. Supply-use tables will enable us to analyse all of those interconnections. In developing a strategy for the economic recovery and renewal, this analysis will help to inform strategic decisions to renew the economy and how Government can best support the development of the future economy post-COVID. Our statisticians and economists believe that supply-use tables will be the most effective and analytical tool in providing the data intelligence we need to make the right evidence-based decisions. Work is already under way, as we explained to Deputy Morel when he came to see us, on the production of a set of tables for Jersey and, of course, I look forward to working with the Deputy and other Members as we move forward. In relation to this proposition, which I support, while reminding Members that the vast majority of the taxpayer pound is spent on-Island and the taxpayer would expect us to deliver the best value for money, that does involve sometimes going outside of the local economy to find skills and products and services that might not be available. It is important we do spend in the months and years ahead as much of our budget as possible on-Island to help the local economy and I am very pleased to support the amended Proposition.

### **9.1.6 The Connétable of St. John:**



I would like to endorse everything the Minister has just said, but I think it is also important that we, as members of the public, spend our money here on the Island. Last Christmas, I made a pledge that I would do all my Christmas shopping here on the Island, which I did. I caveat that in that I have children in the U.K. and I purchased their goods in the U.K. because it was easier to deliver and so on. I make an appeal really I think to the public of the Island because this is not just for Government to spend money, it is for all of us on the Island to support our own economy here on the Island. Everybody should try and buy what they can locally. Moving on to locally produced produce, naturally agriculture comes to mind, and as a former dairy farmer I plead that people when they go into the supermarkets look at the Jersey produce first and try and buy local as and where you can. I strongly support this Proposition and I encourage all Members to support it.

**The Greffier of the States (in the Chair):**

Does any other Member wish to speak on the Proposition? If nobody else wishes to speak, I will close the debate and call Deputy Morel.

**9.1.7 Deputy K.F. Morel:**

I would like to ... oh, I do not like seeing my hair in the camera there. I would like to thank all Members who have spoken and thank them for their support because they all seemed to be supportive, which is wonderful to hear. I am sure the Island's businesses will be grateful for that support. I would also like to thank particularly the Minister for Treasury and Resources for the work her officers have done and their engagement with me and for her invitation to work with them on the processes and guidelines that will come from this Proposition. I agree with Deputy Young about the need for a comprehensive economic model. He is absolutely right, and in that respect I believe Senator Farnham has explained very clearly the importance of the work that his department is doing to develop exactly such a model. The Island will be better off for having a clear view of the way its economy works and a detailed view of the way its economy works. The Connétable of St. Brelade is absolutely right about skilling up our workers and I know, as Deputy Maçon said, he is very pleased to hear somebody raise that. Having a skilled workforce within and outside of Government is a vital element of Jersey supporting itself and building a prosperous future, and we need the Government to lead in this area. So, I cannot say enough, although this is a slight departure from the proposition itself, how important it is that we train our staff within Government and we train Islanders, because otherwise again our future will be limited. For Deputy Maçon I can say that I have full confidence. I understand his concern and I have full confidence that the Minister's procedures will not be open to the exploitation that he suggests could be there. I understand why he said that and I know he is talking about a minority, but I believe the Minister and her officers have that concern close to them. Just finishing with the Connétable of St. John; I fully support his appeal to Islanders. When we spend our money in Jersey, we are supporting ourselves and it is really important that we do this. It is too easy to buy things with the click of a button off Island now. The temptation to do that and, in fact, because of the lockdown many people have got used to doing that because it was so difficult to go to town, and even now queueing for shops, queueing outside for shops, is a disincentive to use our money here. But alongside the Connétable of St. John, I really do appeal to Islanders to please make that extra effort and please support local businesses because by doing that you are literally supporting yourselves or we are literally supporting ourselves. With that, I would like to thank everybody again and I maintain the Proposition and call for the *appel* if you do not mind.

**The Greffier of the States (in the Chair):**

Thank you very much. We now come to the vote on the proposition as amended. In a moment, the Greffier will publish a link in the chat channel for the vote. The link is there, so the vote will be open, if Members could try to use the link to vote.

<b>POUR: 44</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 0</b>
Senator I.J. Gorst				

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

**10. Regulation of COVID-19 testing undertaken by private entities (P.62/2020) - as amended (P.62/2020 Amd.)**

**The Greffier of the States (in the Chair):**

So we now move on to the next Proposition, also from Deputy Morel, entitled Regulation of COVID-19 testing undertaken by private entities, P.62/2020. Deputy Morel, do you want to have this Proposition read as amended, as there is an Amendment which you have lodged to this Proposition?

**Deputy K.F. Morel:**

Yes, that would be great. It was purely to clarify something for the department's sake, so yes, please.

**The Greffier of the States (in the Chair):**

Is there any objection to the Proposition being read as amended? I will just leave a few seconds if anybody wants to object in the chat. I would not expect any objections. I do not see any objections, so in that case I will ask the Greffier to read the proposition as amended.

**The Assistant Greffier of the States:**

The States are asked to decide whether they are of opinion - (a) that a regulatory regime should be introduced to govern the quality, supply and use of COVID-19 testing made available by private (non-governmental) entities for public purchase in Jersey, with the regime to cover both polymerase chain reaction (P.C.R.) testing and antibody (serology) testing; and (b) to request the Minister for Health and Social Services to bring forward the necessary legislation for debate by the States Assembly, with the draft legislation to be lodged no later than 1st July 2020 and with the debate to take place no later than the Assembly's meeting on 14th July 2020.

**10.1 Deputy K.F. Morel:**

I believe this Proposition is necessary to ensure Islanders are given a basic level of confidence with regard to the private sector provision of COVID-19 testing facilities. There is nothing in this Proposition that is aimed at preventing private suppliers from offering testing for COVID-19, but as we saw when the first test centre opened, it is clear that there is a need for the Island's authorities to have the means by which to ensure that those facilities are safe and the testing equipment used is reliable. A reminder of the uncertainty that remains in the COVID-19 testing market appears in today's international media. The *F.T. (Financial Times)* reports on the subject, saying although tests are available to detect whether a past infection has generated an immune response, the ones that many people have secured are not wholly reliable. I have drafted the Proposition in such a way as to give the Minister for Health and Social Services and his officers total freedom as to the level of regulation that they feel is appropriate, and I would like to thank the Minister and his Department's officers for their work in designing a regulatory regime that they believe suits the department, that I believe answers this Proposition and, most importantly, which will give Islanders peace of mind that when they pay for a test, the test will be conducted in a safe and clean environment and the test itself will have a minimum level of reliability.

[15:30]

I will not prolong this debate with an extensive speech and I will be happy to respond to any questions my colleagues have about the Proposition.

**The Greffier of the States (in the Chair):**

Is the proposition seconded? [**Seconded**] Does any Member wish to speak on the Proposition?

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

Yes, we have been very happy to work with Deputy Morel on this and we wish to accept his Proposition and I hope it will be carried by Members. As the Proposition suggests, we believe we will be in a position to lodge a Proposition by 1st July, which would introduce some regulation, a reasonably light touch but sufficient regulation around the testing. So, what would be proposed, what I believe is coming forward, is in 2 stages or 2 pieces of legislation. Firstly, there will be a minor amendment to the Consumer Safety (Jersey) Law 2006, which will be brought forward by the Minister for Economic Development, Tourism, Sport and Culture, and that is to include products or goods used to test whether a person has or may have had COVID-19. That will cover over-the-counter testing kits or kits purchased online as well as testing procedures that may be undertaken by individual firms in Jersey. We can by a minor amendment use the existing Consumer Safety Law, but in addition we would propose to bring new standalone regulations, which would give powers to

the Medical Officer of Health to publish standards that a service must adhere to, and they would include, for example, whether the test is used or analysed in accordance with the manufacturer's instructions. They would govern the quality and accuracy of the advice provided to a customer who asked for a test, and there would be standards around hygiene and infection control associated with the premises where the test is applied and analysed. In addition, under those new regulations we are proposing that health officers appointed under the Public Health Law 1934 [Loi (1934) sur la Sante Publique] will have the power to inspect all aspects of a testing service to ensure that the standards imposed by the Medical Officer of Health are adhered to. That would include, as is usual in these sort of regulatory environments, power to access and inspect documents, to check apparatus, to interview either the provider of the test or the customer, even to witness the test where the customer consents. They will go on to provide that if the testing service does not accord with standards a Health Officer may make recommendations for improvements or, as a last resort, I as Minister may request the Chief Minister, under the Control of Housing and Work (Jersey) Law 2012, to give one month's notice of an intention to revoke the existing testing service's business licence or, if immediate action is needed, to require the immediate cessation of a testing service. Then under the Control of Housing and Work Law, the appeals process in that law would then apply. Finally, we would be making a tweak to the notifiable disease provisions in the Public Health Law. That will be amended to set out that the testing service must notify the Medical Officer of Health of any person who tests positive for COVID-19. As it stands at the moment, the legal requirement to notify the medical officer of health only extends to doctors or people who have the care or custody of a patient. It does not extend to testing service providers but, of course, they are in a position to learn whether somebody may have COVID at the present time and they would be put under an obligation to notify that to the Medical Officer of Health. So, that is how we would propose to bring forward legislation and the Proposition asks that it be debated at the States sitting on 14th July, which I would be very happy to do, and also Senator Farnham, as long as the Assembly is content to abridge the necessary lodging period. We have begun to engage with the Scrutiny Panel on this and we have sent them our law drafting instructions. We will continue to engage with them over the next 2 weeks and, indeed, up until the debate on 14th July. I hope that helps Members to understand what will be coming forward.

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

Just very briefly to endorse the comments of the Minister for Health and Social Services and say the Proposition and the planned course of action has my full support and commitment to bring forward the necessary Proposition in relation to my commitment. I just wanted to make sure Members were reassured that I undertake to do that.

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

Could I speak, please? It is the Deputy of St. Mary.

#### **The Greffier of the States (in the Chair):**

Yes. It is helpful if you could put it in the chat from now on.

#### **10.1.3 The Deputy of St. Mary:**

I very much support the Proposition but I wonder if you could help us, Sir, on a procedural point. Given that an abridged lodging period will have to be agreed to, can we take it that this Proposition itself will constitute that consent or will it be necessary to agree another shortened period on the day of the debate?

#### **The Greffier of the States (in the Chair):**

It would be necessary to agree a shortened period on the day of the debate for the legislation that comes through. That would not change as a result of this proposition being debated today.

**The Deputy of St. Mary:**

Just to follow up, that does not, therefore, present a problem as far as the precise wording of this proposition because we are resolving to debate it on a certain date, which technically the Assembly of the day might not accept?

**The Greffier of the States (in the Chair):**

Well, I think it is a request to the Minister to bring forward the legislation, to lodge it in time, and the Minister has the ability to specify the date on which he wishes the legislation to be debated. So I think it is an instruction, if you like, to the Minister to get this stuff lodged by 1st July and to say at that point that he wishes to have the legislation debated on 14th July, but none of that overrides the Assembly’s ... the Assembly still needs to formally reduce the lodgement period, although clearly, having agreed this and having had the debate today, I would imagine the Assembly is likely to reduce the lodgement period. But it would still be open to the Assembly to debate and come to a different view at that point in time if it wanted to.

**The Deputy of St. Mary:**

Thank you, Sir. I simply did not want there to be a problem on the day of the debate.

**The Greffier of the States (in the Chair):**

Does anybody else wish to speak in the debate? I have had no other indications to speak, so I will close the debate and call Deputy Morel.

**10.1.4 Deputy K.F. Morel:**

I would like to thank the Minister for Health and Social Services and his officers again for having approached this Proposition in an excellent and very practical way. I fully support the use of existing laws wherever possible, and I also believe that making COVID-19 a notifiable disease is a really important step. It is such matters which I had in mind when lodging this Proposition in the first place because we just need to understand that whoever is offering tests are working within a particular framework. I would like to thank Senator Farnham for his support and the Deputy of St. Mary, who I feared, despite being vice-chair of the Economic Affairs Scrutiny Panel, was about to scupper the Proposition at the last minute. Unintentionally I know but I had fears for a second. The lodging period, while I totally accept it is up to the Assembly on the day, was put into the Proposition because of the importance, as we know, of speed to dealing with this crisis situation. So, similarly in the way that the Government have had to move things quickly, I felt that we could not wait until September to debate these Regulations. By then, many people would be selling testing kits or setting up testing facilities in an unregulated fashion. So, I would just like to thank everybody who has spoken for their support and I maintain the Proposition and ask for the *appel*.

**The Greffier of the States (in the Chair):**

We now come to the vote on the proposition as amended, so the Greffier in a moment will post a link in the chat channel to the vote. The link is available, so Members can use that link to cast their vote.

<b>POUR: 44</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 0</b>
Senator I.J. Gorst				
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. 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 of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hégarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

**11. Draft Employment (Amendment No. 11) (Jersey) Law 2020 (Appointed Day) Act 202-(P.63/2020)**

**The Greffier of the States (in the Chair):**

We now move on to P.63/2020, which is the Draft Employment (Amendment No. 11) (Jersey) Law 2020 (Appointed Day) Act, lodged by the Minister for Social Security. I will ask the Greffier to read the citation.

**The Assistant Greffier of the States:**

Draft Employment (Amendment No. 11) (Jersey) Law 2020 (Appointed Day) Act 202-. The States makes this Act under Article 9 of the Employment (Amendment No. 11) (Jersey) Law 2020.

**11.1 Deputy J.A. Martin (The Minister for Social Security):**

Before I speak to the Proposition, Members will know that Deputy Morel, as Chair of the Economic Affairs Scrutiny Panel, wrote to me late last week, and I thank him and the Panel for that letter. The letter asked me to consider a delay of 8 weeks, 2 months, to this Appointed Day Act, and I am not

quite sure what the Deputy expected me to do. I did speak to his Panel and, of course, the Health Panel chaired by Deputy Le Hegarat earlier about my plans. If the Panel had wanted to debate a different date they could have lodged an amendment. They did not do that. So we are here today and I have a date. I am going to stick to that date as I always said I would. If I did delay this, you can bet somebody would come along again in a few weeks and for a few other reasons say: “Can we delay again?” Last October, I was delighted when Members voted through a comprehensive set of family-friendly employment rights for parents in the Island. It has taken us 10 years to get here, and a bit more. In June 2008, the Employment Forum made its first recommendations on maternity, paternity and family-friendly working. In June 2010, the then Minister for Social Security, a St. Clement Deputy, Ian Gorst, published his response to these recommendations, and 10 years later and finally here we are; 10 years of working closely with breastfeeding champions in this Assembly to give every mother the opportunity to breastfeed a new baby for as long as they wish, 10 years to give both parents the right to a decent amount of paid leave, 10 years to give all parents the right to choose to stay at home for that first crucial year of their baby’s life. I said once the Assembly agreed and voted this through, and have said it since, that these changes would come in in June or July 2020. I am putting a temporary scheme in place to help employers and that scheme will run until the new parental benefits are ready to go. I promised I would do this and help employers, and I am keeping that promise. This Appointed Day Act brings these new rights in from Sunday, 28th June. I have had people tell me now is not the time and that we should wait a little longer. These rights have been agreed by the Assembly and I am asking this Assembly to agree this date today, not put it off for any longer. As I said, 10 years, that is quite long enough. I propose the draft Act as a whole.

[15:45]

**The Greffier of the States (in the Chair):**

Thank you very much. Is the Appointed Day Act seconded? [**Seconded**] Does any Member wish to speak on the Appointed Day Act?

**11.1.1 The Deputy of St. Peter:**

I have listened to what Deputy Martin, the Minister for Social Security, just said carefully, but I will continue. We are beginning to come out of the worst of the effects of this awful pandemic. However, we have a long way to go before we will have any idea what our Island will look like both socially and financially in the months and years to come. What I know is we must offer all support to the self-employed and small businesses who we rely on to rebuild many of the economies that have been most badly affected. I may, as an example, quote from the *J.E.P. (Jersey Evening Post)* interview with the owner of Voisins last Saturday: “The Government can also help to create the right environment for local businesses and entrepreneurs not by throwing money at them but by reducing red tape and supporting the move from one-man bands to larger businesses.” I suggest the timing of this Appointed Day Act could not be worse. Any sole trader or small business owner will have to think long and hard about their recruitment and growth plans, let alone having the additional risk of staff taking elongated parental leave. Ideally - and the Minister has made it clear she will not delay - on behalf of the 4,430 sole traders and the 25 per cent of Jersey businesses who employ 2 to 9 members of staff, and these are pre-COVID stats, I urge you all to vote against.

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

I am amazed at the disconnect between Government and the practicalities and cost implications on business in the Island which will result if this Proposition is accepted. Government has stoically refused to accommodate a delay as a result of COVID and that I find very disappointing. I fear that this may lead to a lack of job opportunities and I can only hope that my apprehension will turn out to be unfounded. I regret I am unable to support this Proposition at this time.

**11.1.3 Deputy K.F. Morel:**

Yes, I would like to thank the Minister for referencing the letter the panel sent her. I just want to focus on really I think what has just been mentioned about the disconnect between Government and the Island in terms of understanding the difficulties that people are going through. Part of that I think is down to problems that the Government still seems to have with regard to consultation. So, we heard the Minister for Social Security just a few weeks ago. When asked in the Assembly had she spoken with businesses or business representative groups at the time, she said that she had not but she would do, and the Chamber of Commerce was last on her list. I find that attitude quite concerning. Putting aside any rights or wrongs of the law, the law has been passed and I totally agree with it, but it is clear that this law affects a certain group of people in one way and, therefore, I think it is only fair that when you are bringing in a law, especially during a period of crisis in which that group of people have been severely affected, that it is right to enter into a proper and decent consultation, not leaving them to the last minute and answering them with: "I will consider what you said" and then very much the next morning turning around to say: "I have considered it. No, I am not going to change my mind." When the panel wrote to the Minister, it was knowing that she was not planning to change her mind. Yes, we could have brought an amendment and almost certainly lost the amendment because the Government would have backed the Minister and we know how those votes go. I did not want to fight, the panel did not want to fight over this. I think we can see that one of the problems that this Government has is consultation, and this piece of legislation has been plagued from the beginning, since 2017, by a lack of proper consultation. Indeed, our review found quite clearly that there was a proper lack of consultation in the creation of these laws in the first place. So I just would like to say that I ask the Minister, going forward for any future laws, regardless of who the stakeholders are, please engage in proper, decent and dignified consultation in which those stakeholders are given a real opportunity to express their views and to feed into the legislation or the policies that the Government is bringing, because not doing so does create a disconnect between the Government and Islanders. Sadly, I do feel here we can see that disconnect in action.

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

This does place Members in a very difficult position because, as we all know, timing in life is everything. As previous speakers have pointed out, the timing of this Appointed Day Act is a very difficult thing for businesses to cope with. The Minister rightly pointed out that we have as an Assembly and previous Assemblies been working very hard to improve the lot of parents in the Island with the aim of putting children first and improving such important health aspects as the breastfeeding rate. Of course, I fully endorse any efforts to improve breastfeeding in the Island. I also feel that such considerable work has been done that there is a really significant increase and improvement and awareness among employers now, who are more open to making adaptations and assisting their employees to breastfeed following the birth of a child. However, as Members have said, this is a very difficult time and there are further practical implications to introducing this piece of legislation, such as for employers to bring in temporary skilled workers, often from overseas, in order to fill the places of those staff who would be taking leave at this time. In the present circumstances, with the difficulties of travel and accommodation that goes with it, it is very difficult to see how an employer would, for example, be able to find and bring to the Island somebody with, say, for example, technical skills in heating engineering. That is something that is simply not obvious to Members that the department has taken into account. They have not, seemingly, consulted with industries on how they would cope with this situation at the current time and, of course, we are all aware that there are a considerable number of people actively seeking work, over 1,000 more than there were at this time last year. Given the statistics from other countries and the general direction of travel, it is not likely that that is going to improve significantly at this time. Therefore, it is somewhat with a heavy heart that I really would struggle to support this today.

#### **11.1.5 Deputy J.M. Maçon:**



Here today we are talking about the Appointed Day Act and we are talking about whether this law should come into force. I do not want to reopen the issues around the merits of the law. I do feel that for some people, particularly in the business sector, this law will never be good, it will never be something which they will be able to bring themselves to support, but we have had that debate. Also, what I want to mention, which I think Members need to bear in mind, is obviously Members have represented the views of business, which of course the Minister does understand, but the balance, of course, is the view of families. As the Minister said in her opening speech, out there in the public there was this timeline given and many have been preparing their family lives accordingly and really are expecting this law to be in place in order that they can grow their families, which they want to do. I think it would be unfortunate, more than unfortunate, if the Assembly did not support this Appointed Day Act because it is not just about creating that benefit for fathers so that it can be shared between partners; what that will do for the gender pay gap for women in particular, who lose time when they do have that maternity support and the impact it has on their careers, but also, of course, within this legislation it is also the breastfeeding breaks and how important that is for families and the rights around that and how that is enhanced in this legislation. I remember we had done a lot of work with the business community trying to identify places where breastfeeding breaks could happen, and I think it is so important for families that this ... and we are talking very, very small numbers of children, and then the assumption is that they will also fall on small businesses as well. We know if they are States employees they will have their rights. If there are many large organisations in this Island, they will have those rights already. So I think 10 years is waiting long enough and this is just something where we just have to get on and do it. The alternative is wait a few months, kick it down the road. Will the situation be that much different? We really do not know, and yet again I am sure those calls from the business community will be the same, so what really changes? We need, I think, to support families in this one and support this Appointed Day Act.

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

I am quite alarmed at some of the speeches that Members have made today. In fact, Deputy Maçon I am pleased to follow because he made some similar points that had been coming to my mind. He mentioned balance. In terms of balance, I think that the Government are doing a great job of supporting businesses at the moment. I think that the Minister for Economic Development, Tourism, Sport and Culture has done some fantastic work. It is really important work and it is really necessary that we support businesses but the first speaker in this debate mentioned how businesses are struggling. Families are desperately struggling at the moment. I am getting so many phone calls and emails and text messages, sometimes at all hours of the day, from people who are just becoming more and more desperate. I have had mothers on the phone to me who have had to give up their jobs, who are having to take unpaid leave and do not know if they can pay their mortgages because they are on maternity leave. What can they do? They are home schooling their children and stuck at home. We need to do something to help families as well, and I am absolutely horrified at the thought that we might delay this any longer. We absolutely must approve this today. Deputy Maçon mentioned families planning for this and he also said that it only affected a small number of children. Yes, it is a relatively small number in terms of it will not affect many businesses, but I think it is around 120 babies that will be born in 2 months. So delaying this for another 2 months, those 120 children really matter to me. I do not think that they are a small thing or an insignificant thing. Those 120 children are important and we cannot forget their needs. Sorry, I am quite unhappy about some of the opposition to this. Breastfeeding rights, it is absolutely critical that we have the breastfeeding rights as soon as possible. It is not enough to rely on the goodwill of an employer. If it was, we would not have put those rights into the legislation at all. I think everybody needs clarity. Families need clarity and employers need clarity. I really hope that Members will just think about that balance because I think the balance of this legislation, in my mind, almost does not go far enough. The Minister for Social Security, well done to her for forging on with this because I can see that she has been lobbied

and she has had pressure to not bring it forward, but she has quite rightly stuck to her principles. I know also that she has consulted and she has listened to people.

[16:00]

She does read her emails and I have seen her responding to people and taking their concerns on board. So I really thank her for listening to businesses and families and she has come forward with something that is balanced. Because the fact is this is not the entire package. This was supposed to be brought alongside an increase in the social security payments for parents so that fathers, or the second parent, would also have the 18 weeks of payment. That is not happening at the moment, so families are missing out on that. I have not opposed that because I do understand the reasons why the Minister has done that, and I know she will be bringing that as soon as possible and I will certainly be holding her to that. But businesses are receiving additional money to help them at this time, so I think businesses are really being supported because that extra money for businesses was not going to be there. That is something additional that businesses are getting at this time. So, I really urge Members to support this today. We have already had the debate on the balance of this legislation and we have approved it. I really do think it is critical because families are struggling as well. They need this. Senator Moore said that timing is everything, and absolutely those 120 babies, I am afraid that we cannot delay them. There is nothing we can do to stop those babies arriving. They are going to be born and those babies deserve to have both of their parents having equal rights to care for them. The fathers of those babies, the second parents of those babies, they deserve to have equal rights to care for their children and to have an input into their child's life. So, I urge Members, even those who have said that they would not support this because of the sake of businesses, consider changing your mind because I hope that I have shown that there is balance there and that businesses are being supported and that families also need our support today and we can do that by approving this Appointed Day Act.

#### **11.1.7 Senator S.Y. Mézec:**

I slightly regret asking to speak after Deputy Doublet and Deputy Maçon because I think they have both made some really important points in their speeches, which I agree with wholeheartedly. I want to speak in absolute full support for the Minister for Social Security for sticking to her guns on this one, which I think is the right thing to do. I think Deputy Doublet has really powerfully made the points about the impact that a delay on these proposals coming into force will have on those families and, most importantly, those children. We know that early part of their life is so important for their own development and having parents with that flexibility able to look after them and not having to worry about many of the things that if this does not go through they will worry about, and will probably worry about more because of the unexpected nature of it. It is the case that through this very difficult period businesses in Jersey have received an unprecedented amount of support, support that, frankly, we ought to be proud of how we have done things that we have never done before, providing direct financial support for businesses, engaging with them every step along the way. It is right, purely in the interests of balance, that those families and soon to be young children have their support as well and we think about the impact it may have on them if this does not go through. I wanted to address the point on consultation that some of the previous speakers have said has not adequately happened in this instance. When you look at the history of consultations in Jersey, it is very clear that while they can be used as a really important exercise to strengthen a piece of work and to acquire information and a perspective which is genuinely helpful in moving forward together on an issue, I am afraid to say it is the case that consultations can be used to kill something. A positive thing for improving life for ordinary Islanders can be held back by people digging their heels in the sand and using an opportunity to slow down the inevitable from happening. I do not think that that would have been right to be done in this instance. If I want to perhaps annoy some people by giving another example of this argument, it has been on the Rented Dwellings Law [Public Health and Safety (Rented Dwellings) (Jersey) law 2018] where, frankly, some people will just never be

convinced. If they truly cannot be convinced and they think parental leave provisions are going too far, even though we are years and years behind many of our neighbours in Europe, then by all means vote against and have your say and that is fine and that is democratic, but it would have been wrong, given everything that is going on right now, to allow an opportunity to slow something down which there has been plenty of notice on, which would not have provided those families with an adequate opportunity to have their voice heard in it and to have the impact that it would have on them understood and heard through this process. So I urge Members to take this important and, frankly, historic step in improving family-friendly rights for people in Jersey who have not had the level of rights and support when having children that many people across some comparable jurisdictions to Jersey and in our neighbouring jurisdictions have had for a long time. Because the more support we can provide for those families and those children in the early part of their life is an investment in the future of those children, for which in the future we will all benefit from. I urge Members to support the Minister for Social Security on this and vote in favour of it and take that important step in putting children first.

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

It is always difficult for me, these sort of debates, being the Minister with responsibility for the business sector, and, of course, we are in the middle of a business emergency, but it is important that we align the needs of business with the people they employ because they are crucial to each other. I think if this crisis has shown us anything, it has shown us a great deal of unity among the community. I have been particularly impressed with the way staff and businesses have worked together, have been flexible and have really made decisions to help each other based on the medium to long term. I urge people to continue to look to the future. I know there have been some instances and examples where that has not happened, but the vast majority of examples have been excellent and commendable. So, we have discussed this at the Council of Ministers. I am supporting the Minister for Social Security today, but I would remind Members that we do have a duty to listen to our businesses, especially in times of economic catastrophe, which it has been for some sectors. I am working closely with the Minister for Social Security and the Minister for Treasury and Resources and Senator Gorst and Senator Vallois on the fiscal stimulus support programmes. We are looking at developing those right now and refining them as we get further into the crisis and beyond because it is important we keep that support to business going. I would like to ask the Minister ... I know she is supportive. I have seen the work she is doing. Her Department has done a superb job of administering the Payroll Support Scheme. I would like to ask her when she is summing up just to reassure the business community that she is with them and she will listen and continue to listen to their future requirements and continue to support them throughout the crisis and continue to put her Department at the disposal of the economic recovery programme to continue the very good work they have been doing. So, I would like to support the Minister today with this Appointed Day Act and I look forward to her continued support in the future.

#### **11.1.9 Deputy S.M. Wickenden:**

I have been shocked by some of the comments that have come out again to try and kick this can down the road even further. We have been waiting 10 years to try and get this stuff together and we have heard things like: "Just a little bit of a delay." Well, how much more is a delay? Do we want another 10 years? Do we want another 10 years for breastfeeding rights? It is all good and well saying that business is more open to making the changes without the legislation, but as Deputy Doublet said, if that was the case it would not be a problem. We would not have to legislate to start with. We did not sign a pledge that said consider children first; we said put them first, and this is exactly what it is doing to support children and families. The extension amounts to an extra 4 weeks for a second parent. That is what we are talking about, an extra 4 weeks. To say there was no consultation really does not spring true. The Employment Forum took one year to produce recommendations. They had over 300 responses to consultation. The Minister or any Minister has not had any businesses calling

in now to ask for a delay, so this is not coming from that level. We have absolutely supported small and medium businesses throughout this crisis. In fact, by bringing forward this at the moment the Minister for Social Security made sure, with the Minister for Treasury and Resources, that there was funding in place to cover the costs so that the small and medium businesses did not have to cover the costs. So we are doing everything we possibly can to make sure that we support the community and we have from the moment of this crisis. Sorry, I am just going to look at my notes that have come off my screen. J.A.C.S. (Jersey Advisory and Conciliation Service) have been doing training courses with the likes of agriculture, construction, , hospitality and law firms. They have put up a lot of the information to change handbooks for businesses on their websites, so it is a case of cutting and pasting. They are there to support if there do need to be any other changes. Businesses have known about this change going forward and the day that it was going to be put forward, which the Minister for Social Security has stuck to for a very long time now. They would have been preparing not in the last 3 months when the crisis that we are currently in started, but they will have been working on this for the last year and getting ready and preparing for it. I do not want to see this Proposition and these changes kicked down the road any further than they already have anymore. I think that there is plenty of consultation. There has been plenty of work. We have been listening and it is time now to finally put this last nail in the cabinet. I really do hope that Members will support this.

**11.1.10 Deputy K.C. Lewis:**

Most of what I was going to say has been said by Senator Farnham, but I will just say that we have had this debate. The debate has been had. We must do all we can, of course, to support businesses, especially smaller business, but we have had the debate. This is the Appointed Day Act. We cannot delay it any further and we must support this.

**11.1.11 Deputy R.J. Ward:**

So much has been said already to cover the ground that I would like to, but I am really concerned that a false dichotomy is set up between business and parenting. Because so many people are working and are also parents and have to have that balance. Anything that we can do as a Government and as a society to support parenting, we know the research, how important early years are. We know the research to say how important parenting is. We know the research to say how important fathers are to their children, particularly to boys, the research in that and their growing up. Therefore, anything that we do must be put in place. It is slightly Dickensian in the way that we look at this at times, as though if you going to have a child check with your employer first. I think we have moved away from that, and in a modern business and in a modern, thoughtful society, employers will know that this is part of the loyalty of their employees and the hard work that they put in and their commitment. It is ironic that I think it was Dickens ... I think it is David Copperfield where the phrase is that: "Procrastination is the thief of time." You only get one chance to be a parent to a small child, and if that time is taken away from you, you do not get it back. So we should be supporting this. We have had the debate. Now let us just vote and let us move on, please.

[16:15]

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

I am pleased to follow the Deputy. I would just like to remind the Assembly that we did all sign the pledge to put children first and we should never forget that. I also would just like to remind the Assembly of what Senator Farnham said in his speech, that not only has support for businesses been there in this pandemic but it will continue to be there. I think that is very important. The Government is very committed to bringing our businesses out of this and as many of them as we can in one piece. This piece of legislation is important from my point of view because I think we must not forget from a business perspective that a motivated workforce is a productive workforce. We have talked a lot about the new reality and for me part of the new reality is a much better working environment for families that gives them the flexibility to not only have families but also participate in work as they

can and suits their lifestyle. There is no doubt that this legislation takes us a long way towards that, and certainly speaking as a member of the States Employment Board, we very much welcomed it and we have already started to embrace it. We can look at the downsides in terms of the cost to business and how much it will cost to implement this, but let us also look at the upsides. There is no doubt that if the workforce, people who are working, feel that they can also participate in family life to a much greater extent than perhaps they have done in the past, they will go to work feeling much more motivated and as a result, from a business perspective, be much more motivated. I would urge everyone to support this. This is the Appointed Day Act. We do not want to have the debate in detail again, but for me it is very important to ensure that we achieve things like redressing the gender pay gap and knocking out the glass ceiling and allow everyone who participates in work to have the ability to do the best they can and achieve the best they can. For me, this very much does that. I would urge everyone very strongly to support this.

#### **11.1.13 The Deputy of St. Martin:**

I am not going to support this today and before I push the button to do that I just want to explain to Members that I agree that we have had the debate and I agree that we are moving forward and it is right that we do. I have just been very disappointed during this debate at what I see as lack of recognition of some Members of how tragic and desperate some of the effects of this COVID lockdown have been to businesses. I know people who have businesses and they have contacted me and I listened to Deputy Doublet and the people who are calling her with their problems, and I get similar issues from people with businesses at all times of the weekend and day and night. I was speaking to businesses throughout the family-friendly legislation and the challenges they faced and how they were coming to terms with it and facing up to it and getting on and doing it because they realise it is good and they realise it is coming. But many of these businesses have just come to a brick wall 2 or 3 months ago, their staff went home, they could not operate, and they have been literally pulling their hair out trying to figure out how they get back up and running again if they can. Only this week many of these businesses have come out of lockdown and are starting to try to find ways to bring some money back in through the door and some of those members of staff that we are talking about here are not coming back, they are being phoned up and they are saying: “We are starting to open up again” and some staff are making decisions, which they would not have done before this all happened, some are saying: “We are not coming back”; some are preferring to stay at home. Businesses are really up against it and I am not unsupportive of this legislation and it is absolutely right that we do it, I am just very frustrated that we must recognise we have put a lot of our Government work completely on hold while we address this COVID crisis and many, many businesses have had to do exactly the same. Just not allowing them an extra few weeks to prepare again while they bring their staff back in, while they see which staff members they still have coming back into work, I find quite disappointing. But the Deputy had just focused quite rightly, the debate has been had, this legislation is coming forward. I would just like to think that we might be a little bit more sympathetic towards some of these businesses that have had so much to put up with in the last couple of months. I accept that the population have had a huge amount to put up with as well, but surely there should be a compromise and some tolerance here somewhere. I am not not supportive but I just wanted to say that before I push the button.

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

I do feel sorry sometimes for Deputy Martin. I know that there are occasions where politically we might disagree but I think there is a respect there and I can see that she has a very difficult job in trying to steer the Social Security ship through the expectations of the hard-right wing in the Assembly with the rest of the centre-right expectations from the rest of the Assembly and she has been doing a pretty good job so far in doing that. I can imagine she would be frustrated. It is not often that Marx ... I do not think Marx gets quoted enough in this Assembly given what a wordsmith he was, but I will quote Marx and it applies to some people unfortunately and he said: “Those are my

principles and if you do not like them, well, I have others.” I would be bemused as a Minister bringing this proposition to hear previous Ministers of this Assembly who have championed, for example, the 1,001 Days, the importance of children, when they were Ministers saying it is really important that we get this family legislation through. Then, at the last minute, even though we have had a democratic decision in the past and debated thoroughly and scrutinised thoroughly, again we are getting these people who seem to have principles when they are out of Government because they seem to think that having a go at the current administration is more important than the principles, which they previously espoused. So I am quite happy to support this and it is really unfair to suggest that this is an either/or. We know that our department at Economic Development has been doing some really great and difficult work since this whole thing began and we all know that because we have all been receiving the emails and the calls, and that is what Government has been there to steer these small businesses, but also other businesses, through during this really difficult course. But it does not come at the cost of doing the right thing by families because these are not clearly demarked. The people who benefit from the support we give to small businesses will also be the people who are benefiting from the support we give to young families. So, let us not try to make this into a false dichotomy; we can and should be passing this today. It would be preferable that we did it unanimously but let us give the Minister our support on this occasion.

**11.1.15 Deputy I. Gardiner:**

I did not plan to speak at this debate. At the same time I felt that I would like to contribute a couple of sentences. I know that businesses are struggling; I have 2 small businesses and it is not easy. At the same time, if we would discuss this law as the law now I might have different views. The law has been adopted; if somebody is going to give birth now it is 9 months at least to go so businesses knew and probably were prepared to give maternity/paternity leave before COVID started. Government does give support to businesses to help them to give maternity and paternity leave. So, I would think that at this point the 8 weeks to postpone it, it will not help much. Let us just get on with it; let us just do it because it is just there and people are waiting and businesses should be ready and they have support.

**11.1.16 Deputy J.H. Young:**

I just want to, very briefly, strongly support the Minister. When I was previously a Deputy back in 2011, I think it was, I remember Senator Le Gresley, the Minister for Social Security, bringing in the revolutionary change that we should have family-friendly rights in our laws. But of course there were enormous long delays about that; we had to bring in regulations and the years passed and there were always these arguments against doing so came up all of the time. I can remember one case clearly where a constituent came to me and asked for help about an unfair dismissal case and they were in the situation where an employee had been dismissed because they were pregnant. That part of the law may well be in but nonetheless our journey on this has been far too long and it cannot be put off. It is years and years and everybody knows what we all know, the importance of families, and we are a civilised society and we need to have these arrangements in place and I believe that we should have faith in the Minister and these arrangements and I support it. I would ask Ministers please support her.

**The Greffier of the States (in the Chair):**

Does any other Member wish to speak in the debate? I have seen no other requests to speak in the debate and therefore I close the debate and I call Deputy Martin.

**11.1.17 Deputy J.A. Martin:**

The first couple of speakers, the Deputy of St. Peter and the Constable of St. Brelade, were sort of reliving the debate and said this is definitely not the time. But when would be a good time? We have had this debate, people are waiting, they want this knowledge that they can take this time off with

their children. Deputy Morel made a comment that if he had brought an amendment it would have got lost because everyone was behind the Minister. I have to say I am so grateful to this Council because from day one, and these rules and the thing on family-friendly has been close to my heart, and the Council have supported me all the way along and I cannot thank them enough. But, if Deputy Morel had brought that amendment, at least we would have the debate on which date and we then would have had certainty, it would have been 28th June or it would have been 1st September. If people do not vote this through today again we have no certainty for the children, the babies being born and their parents, who are going through a lot. I really take offence that I am not listening to business; that this Government has a disconnect. I have been in Broad Street until midnight for many, many nights getting the Co-funded Payroll Scheme up and running. There have been deferrals in social security payments and G.S.T. payments. We are doing everything we can and there is more to come; there will be a lot more to come. In the scheme of things this is a little thing, an enabling law that will let parents take a little bit more time. Again, listening to business, if the second partner takes 2 weeks now or 4 weeks, the employer must pay him or her but they get nothing back. My scheme, and I must thank my officers for doing this so quickly, and we found out we could do things quickly because we have put millions and millions into the payroll scheme and other things, so I have to thank them. So we know we can do these things and I did listen to business. It was not Chamber were the last people I thought I would speak to; Chamber, it was so tight and I had to speak to Chamber but I wanted to tell the Assembly first. I wanted to tell the Assembly, States Members, which is always the right way to go, what my plans were. I did this with a statement. Even Chamber thought that it is a good law, it should come in, but could I delay it 8 weeks. I had to think about that. I had to think about all the support that there is now under Jersey Business, the new scheme I am bringing in that will help the smaller businesses where they can claim back nothing. So it is an enabling law, we have one date today, we really should, for all the great speeches we have had, from Deputy Doublet, the Minister for Children and Housing, and everyone else who has supported me, we literally need to give these parents the certainty of when this law is coming in and that is what we need to do. But before I do call for the *appel* I would like to thank both the Health Scrutiny Panel and the Economic and International Affairs Scrutiny Panel for their time over the past few weeks because they have come to speak to me and they have had the briefing on the new scheme from officers. They are very busy and I appreciate them having to take this time.

[16:30]

I have other thanks, again for Deputy Doublet and Senator Moore, because they have been the breastfeeding champions for a long, long time and I plead with Senator Moore, please do not vote against this, this has much more good in it than it has wrong with it; it really, really has. I have spoken to Chamber and, as I said, they are supportive. There will be help from Jersey Business, there is help from J.A.C.S., and as soon as this gets passed today we will be getting the message out there, if there is help people need, small businesses need, we have the people in place at the moment, they are in place at the moment to help them. So I ask everyone please get behind this, give the certainty to the families who are having the new babies, who then can do all the things that they are enabled to do under this law. People will make choices; at the same time we will be doing that 2-year review that was voted in alongside this that Deputy Doublet brought. We will start that very shortly. I maintain the Appointed Day Act and I call for the *appel*.

**The Greffier of the States (in the Chair):**

Now we come to the vote on the Appointed Day Act and I will ask the Greffier to post the link in the chat function. The link is now available so Members can use that to cast their votes.

<b>POUR: 37</b>		<b>CONTRE: 2</b>		<b>ABSTAIN: 3</b>
Senator I.J. Gorst		Connétable of St. Brelade		Senator K.L. Moore
Senator L.J. Farnham		Deputy of St. Peter		Deputy of St. Martin
Senator J.A.N. Le Fondré				Deputy of St. Mary

Senator T.A. Vallois				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy G.C.U. Guida (L)				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

## **12. Banning the sale of single-use carrier bags (P.64/2020)**

### **The Greffier of the States (in the Chair):**

If we can now move on to the next Proposition, which is banning the sale of single-use carrier bags, which has been lodged by Deputy Gardiner, it is P.64. If I can ask the Greffier to read the Proposition.

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

The States are asked to decide whether they are of opinion - (a) that the supply and distribution of plastic bags as defined in section 3.1 of the appendix to the accompanying report by all retailers to consumers at the point of sale of goods or products in Jersey should be prohibited, subject to the exemptions specified in section 3.2 of the appendix to the accompanying report; (b) that the supply and distribution of paper carrier bags as defined in section 3.1 of the appendix to the accompanying report by all retailers to consumers at the point of sale of goods or products in Jersey should be prohibited, subject to the exemptions specified in section 3.2 of the appendix to the accompanying report; (c) that a minimum price should be set for the sale of bags for life as defined in section 3.2 of the appendix to the accompanying report by the Minister for the Environment following a consultation with stakeholders; (d) that the effect of Ministerial Decision MD-PE-2008-0055 should



be replaced with legislation to ensure that all retailers are required to gift any profits raised through sales of plastic carrier bags to local environmental charities, with such legislation to include effective monitoring and enforcement tools, and that the implementation of such legislation should be accompanied by an education and engagement programme; and (e) that the Council of Ministers should bring forward draft legislation by February 2021 to give effect to this Proposition, including provision for an implementation period of up to 6 months before the prohibition and minimum price come into force.

### **12.1 Deputy I. Gardiner:**

It has been a busy period for everyone and I hope this Proposition gives us a short period of business as normal, or as normal as the present conditions will allow. I feel it is important to ensure the regular business of the Assembly also gets done, so I would like to start by stating my approach to this Proposition. Every small practical change is worth making and will result in big changes. As Members are probably aware, this Proposition was prompted by my attendance at the Commonwealth Parliamentary Association workshop in Malta for Sustainable Economic Development. We all know this portal - hopefully we still use it in our day-to-day life here when we are not in the Assembly - so during this C.P.A. (Commonwealth Parliamentary Association) workshop in Malta I used our States eco-active 100 per cent plant-based plastic bottle with our motto: reuse, refill, refresh. Other parliamentarians really loved the idea and took photos. As our conversation progressed, I learned that single-use bags have been banned by the jurisdictions that were fascinated by our bottles and I realised that Jersey is ahead of many of other jurisdictions in some areas of environmental protection and behind other jurisdictions in other areas. Also in January, before the Malta workshop, Helen Morgan lodged a petition to ban all new plastic carrier bags from being given out or sold in Jersey and I felt it is right just to start to do a small practical change and take it forward. As Members will be aware, I have replaced my original P.11, a generalised proposition lodged in February, which bans all plastic bags, with the current, more detailed one, and I would like to give to Members some background and explain what has happened. After my initial Proposition, I met with the recycling manager at Housing and Environment to create a more in-depth technical report to support my original proposition, which was developed, and we developed specifically for Jersey technical specifications based upon international standards and current data and ideas for banning single-use bags. Members can find this in the appendix to the proposition report and I really want to thank Emma Richardson-Calladine for helping me to get this proposition report to the level of the detail you see today. I also had conversations with Members of the Assembly, public, shop owners, farmers, parents, over the last approximately 5 months since I lodged my original proposition and it was the general consensus understanding why we should ban single-use plastic bags. I hope Members saw my email. I realised the report is really long and I sent the short email basically with the types of bag that will be banned and types of bag that will be excluded from the ban and why I did it, because I continue to get questions about especially the post. It was the main question that they got, but you have this table in your emails and it is clearly stating what type of bag we are talking about. What has happened during the research, I have learned something that I had no idea myself when I lodged my Proposition back in February, and I have learned that single-use paper bags, the one that we buy in Boots for 10p or 20p and Morrisons, they are not better in many respects than single-use plastic bags, which I assumed 5 months ago it would be the best solution and I was wrong. In this respect, my current Proposition is now more environmentally friendly than it was before when I went away and did more research and it was interesting. When I looked for this proposition and I tried to find to demonstrate that there would be in the States, probably I would put all possible bags there, I found single-use plastic bags but I could not find at home and I remember that I was buying in Boots single-use paper bags. One of the reasons, because they are not durable enough because of potential moisture damage and they just disappear. I will state 5 points about paper bags because we know all about plastic bags but paper bags, it was a big surprise I think for a lot of Members when I lodged this Proposition. First of all, it takes 4 times as much energy to manufacture a paper bag as a

plastic bag. Second, paper bags are bulky to store, both before use and as waste, and use more energy to transport. Third, it takes 91 per cent less energy to recycle a pound of plastic than it takes to recycle a pound of paper. The fifth and the very important point, a paper carrier bag would have to be reused at least 3 times to be environmentally friendly as a single-use plastic carrier bag. The latest report from the Island shows that paper bags are not reused. So basically paper carrier bags are single-use and do not support behaviour shift intended by this proposition. They could be used as an alternative to plastic bags, which would undermine the aim of this proposition. Banning both single-use plastic and paper carrier bags will create a bring-your-own-bag culture, which can be supported by delivering clear guidance to retailers and consumers. Financial implications, the total cost is the cost of law drafting and education. It will not cost extra to businesses, they will need to adapt but it will not cost more because they will be charging for bags, and it will not be any cost to public if they remember to bring their own bag. I have been asked several times why we should charge for a bag for life, why should somebody who forgets their bag have to pay? Studies have shown the result of the ban-only model were very disappointing and the ban/fee hybrid model worked much better. Studies showed when the customers are asked: "Would you like to purchase a bag for that?" bag consumption dropped dramatically. Paragraph (c) addresses this point, so the minimum cost per bag should be decided during the consultation with the stakeholders. Now I would like to move to paragraph (d). Following the voluntary scheme where profits from the bag sales were redistributed to the charity, I have suggested all profits from the sale of single-use bags should go to the charity. Again, it is profits, so the company will pay for the bag and they will take money for administration because it is still time to administrate and the remaining profit should be distributed to the charity to go back to the profit of the community. At least when you pay this 70p or £1 for a bag for life you feel: "I am making a donation to the charity." I have had communication with the Minister for the Environment, Assistant Ministers, and the team 2 weeks ago and we discussed where profits should go, if it is an environmental charity or any charity or Climate Emergency Fund, it might be 50:50, and from my perspective I know that it should be redistributed; I agreed that it would be sensible to leave this decision to the Government and we might need these revenues elsewhere. I was expecting to see a Government amendment, which would delete paragraph (d) and add a profit distribution as an additional point for the consultation at paragraph (c) as discussed. I was surprised with the comment paper at 6.00 p.m. on Friday night, I understand there is something lost in communication between Ministers; I realised we are in different working environments.

[16:45]

I cannot say that it was not disappointing, I was disappointed because I was expecting an amendment and if I would know that it is not I would bring an amendment myself, but obviously Friday, 6.00 p.m., it is not the time. So, I decided to concentrate today on the main goal of this Proposition and I hope the Minister will address this point during the law and policy development. I always can bring this point back as a standalone proposition or amendment later on. So, let us move forward today with paragraphs (a), (b), (c) and (e), and I withdraw paragraph (d). Again, I will move to Members what part should be included because I am minded that we cannot take all paper bags and plastic bags out of the shop, we still need things to carry. At some stage I hope we also find a way to cut down on items such as single-use takeaway containers, cups, and other single-use plastic consumables and we introduce compostables and more recycling options into our economy. I would like to pursue a circulatory recycling economy as much as possible. This Proposition will help us to reduce our carbon footprint, cut environmental pollution, and raise awareness with very little cost or effort. I invite Members to look at this ban as a first ban of 2 items, the first 2 items. We will learn from this debate what the appetite for environmental protection is like at this Assembly and this has to be the first of many similar propositions, which will come before us. We will need to build a step-by-step programme and pathway to gradually reduce the local plastic and single-use items consumption, especially we had the Scrutiny report last year. So the Proposition fills this area and I make the Proposition.

## **The Greffier of the States (in the Chair):**

Thank you very much, Deputy. Is the proposition seconded? **[Seconded]**

### **12.1.1 Deputy J.H. Young:**

I would like to give Deputy Gardiner full marks here because here we have an example of a practical start on the journey, which the Environment Scrutiny Panel started out in 2019, in March, an excellent report on waste management. The Deputy was not a member of that panel at that time; the Deputy probably joined later. But what that panel did, they came out with some excellent recommendations, one of which is that the Minister for the Environment and Minister for Infrastructure jointly should work together and produce a waste management strategy by the end of this year. They had pointed out that the waste management strategy that the Island has goes right back to 2005 and has not been revised. So there is a workstream but, like everything else in where we are now, resources are not easy to come by in progressing these projects; it is a major project and what the Deputy has offered us is a very focused proposal, which the Deputy has worked up with the officers in detail, to ensure that any potential snags in the passion that the community has to do something about plastic pollution, those snags that potentially might have been there in drawing something that is too wide have been avoided. So we have a very focused and workable proposal, which takes us towards achieving the legislation by 2021. That is a really good example of backbench leadership. This issue of waste is not an easy matter for Government to handle because, as the Deputy said, it crosses over ministries, it crosses over both myself as the Minister for the Environment and the Minister for Infrastructure, who has the responsibility for the whole logistics and operation of Government managing waste. The Minister for the Environment at the moment is within the law, the law that deals with waste regulation, of disposal, and waste treatment and so on, licensing. That is within that, so there are gaps, quite big gaps. Of course obviously you will remember that report by the Scrutiny Panel followed very much the Blue Planet series and the dreadful situation, which has been exposed worldwide, about the effects of plastic pollution. That is something that all of us are determined to deal with. I was fortunate enough to attend the British-Irish Council on Marine Environment last year in Glasgow and that was very high, if not top, of the agenda, dealing with plastic pollution. Of course plastic bags are dangerous, they are dangerous to marine animals, they are dangerous to mammals, and we all have seen that, and seabirds, and it has almost become endemic that this material is in the environment. Of course, it is not just the bags, they do not generally biodegrade but what they do is they fragment into microplastics and those microplastics emit toxic materials and those microplastics get into our food chain. So this is a worldwide phenomenon and this Proposition brings Jersey up to speed, if not ahead of, local jurisdictions, but very much following the initiatives throughout the world, including many developing countries who have done so, and it is time now for us to do so. I was personally quite puzzled when the proposition came in about the paper bag issue but, like the Deputy, I have looked at that and I have taken advice and the environmental position is that paper bags, although they are seen as a favourable substitute, they do have a big carbon footprint and they are generally not reused, and so environmentally it is right to include them within the proposition. When this subject came up, people asked: "What law can we use to control this?" We could have used the Customs and Excise (Jersey) Law 1999 but nobody thought that was the right way to go, so here we have the commitment to new legislation. The paragraph (d) issue is more difficult. Yes, there probably has been a miscommunication, and I am guilty of that because I personally did wonder whether we needed paragraph (d) about legislation to tell retailers what they should do with monies and profits, but the view that I was given, and I think this is right, there is no need really for (d) because both (d) and (e) refer to legislation and it is clear that is an issue that would obviously be included in the consultation with stakeholders and we would have a chance to deal with that in terms of the proposals coming forward, so we do not necessarily need paragraph (d). Now in fact the Deputy has withdrawn that, so that probably helps us. But certainly I support the remaining paragraphs, including (b), and we should give this a go. I congratulate the Deputy and I support it.

### 12.1.2 Deputy M. Tadier:

Likewise, I would like to congratulate Deputy Gardiner. She has done something, she has been focused, she has clearly been away to one of these conferences at the C.P.A. and I know exactly what it is like that they can be really inspiring and it is a good way to focus on specific issues. What I am not going to engage in is what I have been subject to sometimes in this Assembly, is finding reasons not to vote for something and looking at the whataboutisms, so generally in terms of this Proposition I am very supportive. Because it is right on occasions to find quickly resolvable issues, which most people are in agreement on but for some reason have not been done yet, especially when it is not a priority of any particular one department for whatever reason. So I congratulate the Deputy on that. I am going to speak personally for a moment because I do need to be convinced about part (b) of the paper bags and the reason for this is that, while I accept the arguments about energy, I have done some of my research as well, which shows that you need to use a paper bag 4 times to make it worthwhile, but I would say that there is a key difference between what we call single-use plastic bags and single-use paper bags. First of all I need to caveat that, we do not genuinely know what a single-use plastic bag or a single-use paper bag is because we do not know how many times any one individual reuses what we would term as a single-use carrier bag. It is entirely possible to use one of these thin plastic bags several times if you are minded to do it. I know that some people, especially if you live in a place, for example, where you do not have your own large internal bin that you might use the single-use plastic bags as a refuse bag and lots of people will do that and they will dispose of it; instead of buying black bin liners they will use single-use plastic bags to put in a bin, so in that sense they are not single use at all; they are being reused already, they are double-use ones. One of my key concerns about plastic bags, and there are clearly lots of issues, is that they can end up in the ocean, so we have seen the terrible footage where sea life, whether they are turtles or other perhaps mammals, they eat the plastic bags because they think they are jellyfish and I do not know all the statistics but we have seen that they end up inside the stomachs of sea turtles of different sizes and they die as a consequence, and that is really tragic. That is just one example of how humans have really not been good custodians of the planet. That does not happen if you use a paper bag. A paper bag, if it blows away into the sea, is just going to deteriorate and become part of nature, so there are key differences between plastic bags and paper bags. The other thing is that paper bags essentially come from a renewable source; they come from trees, and it is entirely possible that an ethical supermarket would want to use paper bags entirely rather than plastic bags for that very reason, because they replant trees for every paper bag they use, whatever the ratio would be. Whereas plastic bags are essentially made from a fossil fuel, which we need to move away from and there is no way to recycle a plastic bag in Jersey, whereas there is a way to recycle paper bags, so that is why I do not think I can support part (b). There are key differentials, which are not just to do with the amount of energy that is used but the way that they are disposed of. What I do want to touch on, and I will be very quick, because what we need to then have a conversation about is the other forms of waste that go on with this, and so there will be an opportunity in the Environment Department that I am involved with, and I am sure the D.f.I. (Department for Infrastructure) and perhaps other interested ministries, including Economic Development, to look at other areas of waste. Can I just give one last example? When I go to a supermarket I try to use one of the cardboard boxes from the supermarket. There are a few reasons for that but one of them is that they are there and available, so if I have not put my own cardboard box in the car, and I normally do, but I will go to the wine section of my preferred supermarket, I will get one of the empty boxes, and I will fill it up. It is easy to fill up a rectangular or square box with your items, it is easy to carry because it is sturdy. But the point is those cardboard boxes are single-use cardboard boxes, they come with whatever, wine, biscuits, and then the company will fold them up and they will put them to be recycled, but they are single-use. We need to have a conversation with those providers of waste, those ones who import what end up becoming waste products, so that they have to take responsibility for their waste products. This is something that other countries, I know Deputy Gardiner mentioned this in the opening statement,

there are some things that Jersey does well and there are some things that we can learn from other countries, and that is why those conferences are so critical for our Members to attend.

[17:00]

When I lived in Germany many years ago they had a system already called the *pfand* system, which is basically the refund, and it existed in Jersey with the bottle, the bottle-backs, when we had glass bottles and you would get your 10 pence back on whichever fizzy drink it was. That was already in the past so that conversation needs to happen very quickly about supermarkets taking responsibility for their own packaging. I would encourage people, next time they go to a supermarket, and you are faced with the choice of do you buy a locally-grown cucumber which is wrapped in plastic or do you buy a non-plastic-wrapped imported cucumber, or do you buy your organic not-Jersey produce or do you buy your non-organic Jersey produce? There are all these kinds of issues. So next time you go to a supermarket take off all the wrapping that you do not need, put it in your cardboard box, which you can use 10, 20 times, and leave all of your wrapping at the checkout point and tell them: "This is yours; it is not mine; it is not my problem, you deal with it please." If we all start doing that supermarkets will very quickly start changing their behaviour. So I do commend Deputy Gardiner, she will forgive me if I cannot immediately vote for part (b) but I will listen to her points, but I certainly support the direction that she is pushing for.

### **12.1.3 Deputy K.C. Lewis:**

Although the last Solid Waste Strategy was published in 2005, the principles still hold true today. Back then we were using the waste hierarchy as a guide for our management of waste. At the top of that hierarchy was the most desirable, the prevention of waste, then the minimisation, then reduce, then reuse, then recycle, then energy recovery, and then finally the least desirable, disposal. More recently Members will have seen the slogan "Reduce, reuse, recycle," which encapsulates how we would like the public to think about waste. Clearly this Proposition supports these principles. Islanders have adopted better practices since 2005 and people are thinking more about the waste they produce. There is certainly much more publicity given to the detrimental effect of waste on our environment in more recent years. Members have mentioned the Blue Planet and the turtles, et cetera, but we are quite fortunate inasmuch as in Jersey we do not use landfill, which is where an awful lot of the plastic comes from, because we use incineration and thereby generating steam for electricity there is an element of recycling there, so that tends not to go into the sea. But obviously with what goes down the loo, shall we say, people use cotton buds and other items containing plastics, which should not go there at all, and there is an element of that which will go out to sea, which is an argument for another day, but that is something we need to look at in the future. Clearly Islanders have adopted much better practices and a new - I think I can just about get away with calling it "new" - household reuse and recycling centre has played a great part in facilitating waste reduction, as have our local green banks. But kerbside collection of recycling by the Parishes is probably the most important measure. Back in 2005 we acknowledged that without Island-wide kerbside recycling we would not be able to reach our recycling targets. We undertook to work with the Parishes to introduce recycling collections in addition to the glass collections that they were already doing. We have done so and I would like to thank the 8 Parishes that have come on board from St. John - the first one - to St. Saviour - the most recent - and we are still talking to the others and are hopeful that we can achieve full coverage across the Island in the not-too-distant future. However, despite having made progress, there is so much more Islanders could and should do. Earlier this year in March the Environment, Housing and Infrastructure Scrutiny Panel issued a report entitled *Reducing Use of Plastic in Jersey*. I welcomed that report. In my response to this report I explained that I intended to put forward measures to reduce plastic waste as part of our new solid waste strategy, which was to be developed this year. I said we would explore tools and approaches used elsewhere to maximise plastic recycling. However though, increasing the recycling rate would be a positive achievement, it would not reduce the Island's waste or address the issue of single-use plastics. We needed to apply the waste hierarchy

I have already described so that waste minimisation tools are prioritised. I am delighted that Deputy Gardiner has brought this through, the original proposition could have been open to misinterpretation, for instance we would not wish to lose the plastic liners of our waste bins or indeed doggy bags, so the fact it is now back in a more focused manner is terrific. We signposted that regulatory tools would be explored in a new waste strategy but we also believe that a really sustainable approach is to look to change behaviour so that single-use packaging is no longer desirable to the consumer who can use sustainable alternatives. Of course we must acknowledge that some businesses have taken steps themselves to reduce the amount of plastic packaging involved in the goods they sell, in particular reducing or eliminating the free provision of single-use carrier bags. However, there is still a long way to go to make a significant impact. We believe we need to work with businesses to share best practice, discuss challenges, and provide advice. You can see from Deputy Gardiner's report that accompanies her Proposition that it is not practicable to just blanketly ban the use of plastic bags. There are many different types of plastic bags put to various different uses. I am grateful to the Deputy for withdrawing her original proposition, as I mentioned, and rewording it. I am also grateful that she has subdivided her proposition into 5 parts and I understand she is happy to have them voted on separately. I note that Deputy Gardiner has allowed time for further consultation with the retail industry, which is really important when drawing up any legislation. We need to understand the issues and the opportunities and it is vital that we work with the retail sector for this to be successful. That engagement needs to not stop there, continued liaison is needed with the retail industry during the implementation phase as well as public awareness campaign. As I mentioned earlier, this type of work was intended to be carried out as part of the development of the solid waste strategy. COVID-19 has disrupted our original work programme. We are now giving thought to resetting that programme. At this moment I do not know when the new Solid Waste Strategy will be able to get resourced; that decision has not been made. Of course the Environmental Policy team will also be working on the Sustainable Transport Policy and the Carbon Neutral Strategy. Deputy Gardiner has said in her report that the required resources can be absorbed from departmental budgets as a Waste Management Strategy is under development in 2020. Therefore at this stage I have to say that there is likely to be a resourcing issue but I am unable to say to what extent. I have mentioned the policy team implications and I would think the same would apply to the legislative team. Although I would have liked this to have been considered as part of the broader Solid Waste Strategy rather than being considered on a piecemeal basis, I do acknowledge that it has been perceived to need to show that we are doing something sooner rather than later, so I am looking favourably on this Proposition for the most part. Turning to the Proposition in more detail, part (a), I can see the merits in withdrawing single-use plastic bags as described in the report. It will help reduce waste. Cleaning is also within my remit and these are primarily the ones you see discarded as litter, sometimes blowing about or stuck in trees and hedgerows. They are normally provided free by retailers. However, if retailers changed to providing sturdier bags for life at a price, they will have a value to the customer and are less likely to be discarded after one use; hopefully they will continue to be used until they are worn out or damaged, so part (a) I could recommend to Members to support. Part (b), this relates to the banning of paper bags, which are supplied as an alternative to single-use plastic bags. This is slightly more controversial. I understand why Deputy Gardiner wanted to include it in her Proposition, however I would prefer a more phased approach and make a start with just the plastic bags for now, so my recommendation for part (b) is basically for States Members, as an open vote, and to vote as your conscience dictates. Part (c), this is about setting a minimum price for bags for life. I fully support this element of the Proposition. It should be set in liaison with retailers and it should be set at a level that encourages shoppers to see a value in the bag and therefore be less likely to throw it away after one use. Of course Deputy Gardiner has withdrawn part (d). Part (e) is about the timeline for implementation. While we are still in these abnormal times, it is difficult to be able to predict the ongoing effects that COVID-19 will have on workloads. The proposed timeline for implementation and the required new legislation is ambitious but normally would be achievable. It aims for draft legislation to be completed by February 2021 with a 6-month

implementation period to follow. The ban would therefore come into force in the summer of 2021. I will be supporting this part and it is a target to aim for but, in doing so, I must highlight again that this is unplanned work and will have to be delivered alongside other demands on the Environmental Policy team's time and that of the law officers and law draftsmen. Finally, I would like to thank Deputy Gardiner for consulting with our recycling manager who has done an absolutely sterling job when drawing up this revised proposition. The information provided is very helpful for us to understand the nuances of packaging and the implications of the Proposition.

#### **12.1.4 The Connétable of St. John:**

Two years ago, when the new Council of Ministers first sat, this was a subject, single-use of plastic, that I broached with the Minister for the Environment and I said we must have a quick win, let us get on and ban plastics. Sadly, little has happened and we have now got to the stage where a Backbencher is bringing the Proposition I would like to have seen the Minister for the Environment bring. I am delighted to support Deputy Gardiner in this proposition of banning plastics. The real issue to me is the pollution that plastics can produce and you see them in fields blowing around, you see them stuck in trees, you see plastics stuck in the oceans and elsewhere. This is just not acceptable and we must try to stop this as quickly as possible. This is the first step on a long journey of banning plastics and I urge Members to support the Proposition.

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

I am pleased to be able to support Deputy Gardiner with her Proposition. I was also pleased to hear the response of the Minister for the Environment and the Minister for Infrastructure. Plastic is a scourge on our society and while there are jurisdictions in the world that pay scant attention to the effects of waste plastic in the environment, we are duty bound to play our part and encourage residents in Jersey to align with sensible guidance. It did occur to me that the acceptance of this proposition may stimulate another industry in the wrapping of goods in shops as occurred in times past, shopkeepers used to be quite speedy and good at it. But one thing I would like the Deputy to enlighten us on would be the evidence perhaps of consultation regarding financial implications with the suppliers of bags in the Island as we need the comfort to know that they are not going to be drastically affected.

[17:15]

#### **12.1.6 The Connétable of St. Ouen:**

Firstly, I would like to thank Deputy Gardiner for bringing this proposal. In my view, plastic is the scourge of our modern world, the pictures we see on television of sea animals wrapped in plastic are frankly a shame on all of us, so anything we can do to reduce the use of single-use plastic in our society has to be good. There are some horrific statistics about how the small polymer plastics used in some of the cosmetics that are sold have got into our bodies and if you start digging into it deeply the whole plastics scenario is something that we need to control and we need to control quickly before it controls us. So I thank Deputy Gardiner for this proposal, it is well thought out, hopefully it will go some way to reducing single-use plastics. I am with Deputy Tadier on this. I have to say whenever I get a single-use bag it gets used for something else and then used for something else and then ultimately used in my pedal-bin liner and ends up in the dustbin after at least 3 or 4 uses. The only issue I have is with the paper bag issue. In my mind I find it difficult to see why this should be included, certainly in the first stage, because it is a useful way of allowing retailers to get away from plastic and use a material that we know can be produced from recycled materials. Those of us involved in Parishes who have looked into recycling have been down to the recycling centre and seen what excellent work we do in recycling cardboard and paper in this Island and how it can be turned into paper yet again. I realise there is an energy cost but at the end of the day paper bags are much more friendly towards our environment and I have to say in St. Ouen, perhaps because we live in the west and we get more rain, seem remarkably resilient to water and certainly the ones that I have had

from my local shop I have been able to use at least 3 or 4 times before they have had to be thrown out. I find myself in great difficulty voting against this and not least because we know that in the very worst instance if they do not go to be re-pulped they can go into the Energy from Waste [facility] that replaces the energy that was used to make them. I think also we need to think about those industries such as the takeaway industry. Those of us who have been locked up in the distant parts of the Island have got used to having takeaways and seeing them delivered in those horrible reusable plastic bags, but then we have to think how they are going to cope with change when it comes in and give us our takeaways in a format that is not going to leave the container sitting on the pavement or give us a bag for life, which would be even worse. I find myself unable to support that part of the Proposition, but the rest of the Proposition I totally agree with. It is very much part of our carbon-friendly strategy and we need to move quickly on this otherwise we are not going to get to our target. I will be supporting all the proposal apart from part (b) and I would like to commend Deputy Gardiner for all her hard work in bringing this to the Assembly. It is not an easy job for a backbencher. I think she has done a brilliant job, so I will certainly be supporting everything apart from part (b).

**The Bailiff:**

Thank you very much, Connétable. Does any other Member wish to speak on the proposition? If no other Member wishes to speak on the proposition then I close the debate and call on Deputy Gardiner to respond.

**12.1.7 Deputy I. Gardiner:**

Thank you very much everybody who contributed to this debate. It seems that we all support the goal of protecting the environment and there are some cases of conflict of region, conflict of choosing the path we might take. There is no way we can put a perfect plan in place. Our plan will develop over time as the new technology develops and we will add to this plan as we go. I would like to take slow steps, as small and as large as possible and I will try my very best to give 2 more arguments about the paper bags following the concerns that were raised by Deputy Tadier and the Connétable of St. Ouen and the Connétable of St. John. Everybody understood the environmental impact. Let us put that to one side. It is about a shift away from the habits of a throwaway culture. It has allowed retailers to continue to provide paper carrier bags and means that the consumer will start using more carrier bags even than before, rather than encourage the switch to a bring-your-own-bag culture. It is really important. Again, it was new for me. I did not plan to do it in February and I probably passed the process over 4 months and now I am more certain about it, and 100 per cent thinking about it. It is important to have a consistent message, bring your own bag, supported by delivering clear guidance to retailers and to consumers. This is where the shift of bad habits will happen. It will avoid confusion because if you say there is no single use carrier bags for shopping it is clear that you need to bring your own bag. If it is not, if you are still allowed to buy a 10 pence paper bag it will just increase the use. The second point, and this is something that I would like Members to reflect on, to keep sales of paper bags we just export the environmental damage. We are to be held basically morally responsible for benefiting from economic activities elsewhere, which I do not think is ethical. It is environmental damage elsewhere because we are not producing these paper bags, so our carbon footprint is low because we are not producing them. So we basically clean our oceans at the expense of other jurisdictions' carbon footprint bringing in the paper bags. Let us do this move. I understand the concerns. We will have to move away at some point from the single use carrier bags one day and why not take this opportunity today to push it in the future? I do not think there is real benefit of postponing the single use of carrier bags but I understand the concerns. I would like to address the question from the Constable of St. Brelade regarding the suppliers. First of all, all bags for life will need to be imported. This is the reason that there will be a consultation and it is not part of the Proposition. It is part of my report. The big shops, supermarkets and retailers, will have their own arrangements. We have 3 suppliers to the Island and from my communication with the department they will engage with these suppliers and the suppliers will know what they can supply and how they



will supply because the price here is not an issue. They will bring them and they will be sold to the small corner shops, the takeaways, whatever the people who will need these bags, they can be brought to the Island as any other bags are brought to the Island and it should be definitely developed together with businesses such as retailers, small retailers and with the suppliers of the bag. We all know them, Allied Trade, Mercury and PAK-N-Wrap, I hope I did not forget anybody. As the Minister for Infrastructure, Deputy Lewis, said, we moved to reduce, reuse and recycle and this Proposition is exactly that: reduce, reuse and recycle. I would also like to thank Deputy Young, the Minister for the Environment because I did have the Minister's support in the development of this Proposition, which was really important. It was different stages but generally we have worked well together. I would like to propose the *appel* and for different paragraphs of this Proposition. Thank you.

**The Bailiff:**

The various paragraphs put separately and you have withdrawn paragraph (d), is that correct?

**Deputy I. Gardiner:**

Correct, yes.

**The Bailiff:**

Very well. Then I would ask the Greffier to put a voting link for paragraph (a) of the proposition into the chat. This is for paragraph (a) and I ask the Greffier to open voting and Members to vote in the usual way.

<b>POUR: 45</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 0</b>
Senator I.J. Gorst				
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. 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 M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				

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

**The Bailiff:**

We now come to paragraph (b) and I ask the Greffier to place a link for voting for paragraph (b) in the chat box. The link is in the chat box. The vote is on paragraph (b). I ask the Greffier to open the voting and Members to cast their votes in the usual way.

<b>POUR: 26</b>		<b>CONTRE: 18</b>		<b>ABSTAIN: 0</b>
Senator S.W. Pallett		Senator I.J. Gorst		
Senator S.Y. Mézec		Senator L.J. Farnham		
Connétable of St. Helier		Senator J.A.N. Le Fondré		
Connétable of St. Clement		Senator K.L. Moore		
Connétable of St. Lawrence		Connétable of St. John		
Connétable of St. Brelade		Connétable of St. Ouen		
Connétable of Grouville		Deputy J.A. Martin (H)		
Connétable of Trinity		Deputy K.C. Lewis (S)		
Connétable of St. Martin		Deputy M. Tadier (B)		
Deputy G.P. Southern (H)		Deputy M.R. Higgins (H)		
Deputy of Grouville		Deputy S.J. Pinel (C)		
Deputy J.M. Maçon (S)		Deputy of St. Ouen		
Deputy of St. Martin		Deputy of St. Mary		
Deputy L.M.C. Doublet (S)		Deputy G.J. Truscott (B)		
Deputy R. Labey (H)		Deputy L.B.E. Ash (C)		
Deputy S.M. Wickenden (H)		Deputy of St. Peter		
Deputy J.H. Young (B)		Deputy M.R. Le Hegarat (H)		
Deputy K.F. Morel (L)		Deputy S.M. Ahier (H)		
Deputy G.C.U. Guida (L)				
Deputy of Trinity				
Deputy of St. John				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

**The Bailiff:**

We now come to paragraph (c) and I ask the Greffier to put the link to paragraph (c) into the chat. I ask the Greffier to open the voting and Members to cast their vote in the usual way.

<b>POUR: 41</b>		<b>CONTRE: 2</b>		<b>ABSTAIN: 0</b>
Senator I.J. Gorst		Connétable of St. Clement		
Senator L.J. Farnham		Deputy S.M. Ahier (H)		
Senator S.C. Ferguson				
Senator J.A.N. Le Fondré				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of 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 M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

**The Bailiff:**

Lastly, paragraph (e) and I ask the Greffier to place a link within the chat for paragraph (e). The link for paragraph (e) is in and I ask the Greffier to open the voting and Members to cast their votes in the usual way.

<b>POUR: 45</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 0</b>
Senator I.J. Gorst				
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. 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 M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

[17:30]

**The Bailiff:**

Very well. We are now at the last part of Public Business today but there requires to be consent of the Assembly to take this item with a lesser lodging period than provided. It is now 5.30 p.m.

**Senator K.L. Moore:**

Sir, may I ask for the adjournment, please?

**The Bailiff:**

I think Deputy Tadier proposed it first. It is therefore seconded. **[Seconded]** No Member is making any indication to the contrary, so I will assume that the adjournment is accepted. Deputy Lewis, did you indicate a desire to speak?

**Deputy K.C. Lewis:**

Sir, we just have P.77 with the Minister for Home Affairs. I am not sure if the Minister would indicate what he would like to do with that.

**The Bailiff:**

The Minister still needs the consent of the Assembly to take it tomorrow in any event because it will be taken within the normal lodging period. I am assuming that the Minister wishes to proceed with it, but, Minister, if that is not the case please do indicate.

**The Connétable of St. Clement:**

Sir, I would like to proceed with it. I would like to get a decision this evening or this afternoon about when we take it, at this sitting or not, because it would be rather silly to come in tomorrow morning and decide not to take it and then we all go home again. Well, we are at home of course. It is up to States Members but this Proposition if they agree to take it should be very quick. It has the support from the Scrutiny Panel. I would like to decide whether we take it or not at this sitting and then decide whether we adjourn and come back tomorrow morning. It should be quite a short debate, Sir.

### **13. Reduction of lodging period**

**The Bailiff:**

Very well. The Proposition for the adjournment has been withdrawn, so the next proposition indicated is the Proposition of the Minister and therefore, Minister, you make the Proposition to take the matter?

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

Yes, please, Sir. Weddings and civil partnerships are due to start again on 1st July and it would be sensible to have these regulations in place before that happens. I will be very grateful to the States if they agree to take this Proposition at this sitting. **[Seconded]**.

**The Bailiff:**

Does any Member wish to speak on the question of whether this matter is taken at this sitting? Deputy Tadier, is that you wishing to speak or you agreeing to take it?

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

I wish to speak very quickly. The Minister I think is probably pushing on an open door but I think the case has not been made yet that this is in the public interest, so I would like to hear from Members as to why the public interest is worth reducing the lodging period versus not reducing it and allowing the usual requisite time for everyone to ponder the matter.

**The Bailiff:**

Very well. Does anyone else wish to speak? If no one else wishes to speak, then do you wish to respond, Minister?

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

Yes, all I would say to Deputy Tadier is, as I mentioned just now, weddings and civil partnership ceremonies are due to restart on 1st July. I think as an Assembly we have a duty to ensure that not only are these ceremonies conducted in a solemn and dignified manner but also in a safe manner, bearing in mind the current difficulties that we are in regarding physical distancing and so on. I maintain the proposition.

**The Bailiff:**

Very well. I have put a vote in the voting box as to whether the Assembly agrees to take the matter at this sitting. The Greffier has put a link in there. I ask the Greffier to open the voting and ask Members to indicate their vote in the normal way.

<b>POUR: 41</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 0</b>
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator J.A.N. Le Fondré				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
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 K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

**The Bailiff:**

So the next question is whether the Assembly wishes to continue this evening in order to deal with it or to adjourn until tomorrow morning.

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

Can I make the Proposition that we continue and deal with this I am sure very short item this evening?

**The Bailiff:**

Is that seconded? **[Seconded]** Does any Member wish to speak? If they do, could they please indicate in the chat?

**Senator J.A.N. Le Fondré:**

I hesitate to set this one going, but we go through this every time. Somebody has proposed the Adjournment. I would be delighted to carry on for another half hour, but frankly if we are going to stick to a rule let us stick to it and adjourn, because otherwise ...

**The Bailiff:**

Sorry, if I could interrupt you, Chief Minister, the position was the Adjournment was proposed then the proposer withdrew the request for the Adjournment in the light of what had been said by the Minister, and so no one has yet proposed the Adjournment, so the next proposition before us is whether or not to proceed, because that was made by the Minister for Home Affairs. I believe that is the next question.

**Senator J.A.N. Le Fondré:**

Am I in the position to propose the adjournment? Sorry, I thought I heard Deputy Labey propose carrying on.

**The Bailiff:**

Yes, Deputy Labey has proposed carrying on, so the correct thing for you to do is if you do not want to carry on to vote against that, then you can propose the adjournment if you are successful in voting against.

**Senator J.A.N. Le Fondré:**

That is what I was speaking against. I do support the principle that when we have small items of business we should be able to finish, but the Assembly over the last 2 or 3 times has made these notional rules that we stop at 5.30 p.m. so I think if we are going to stick to it we stick to it, otherwise we retain the flexibility, which I am highly supportive of, of carrying on to finish small items. If we are sticking with these rules I am suggesting we finish now, Sir, and I will be voting against it.

**The Deputy of St. John:**

I would most definitely want to carry on with this. I know being part of the Scrutiny Panel that has looked at it that it is only going to take a very short time to debate. It is an essential part of the arrangements that are needed because of COVID and we should really get on and do it. We will only be half an hour over, if that.

**The Bailiff:**

Does any other Member wish to speak on this question as to whether it is taken immediately or we adjourn? If no other Member wishes to speak then the Minister for Home Affairs ... people keep making comment in the chat but no one is indicating a desire to speak so, Minister for Home Affairs, if you would like to respond. I beg your pardon, the Chair of P.P.C. (Privileges and Procedures Committee), Deputy Labey, you made the Proposition to carry on.

**Deputy R. Labey:**

I maintain the Proposition, Sir.

**The Bailiff:**

I ask the Greffier to put a vote in the voting box and I ask the Greffier to open the voting and Members to vote in the normal way.

<b>POUR: 28</b>	<b>CONTRE: 8</b>	<b>ABSTAIN: 1</b>
Senator I.J. Gorst	Senator J.A.N. Le Fondré	Deputy L.B.E. Ash (C)
Senator L.J. Farnham	Senator S.Y. Mézec	
Connétable of St. Helier	Connétable of St. Brelade	
Connétable of St. Clement	Connétable of Grouville	
Connétable of St. Lawrence	Deputy M.R. Higgins (H)	
Connétable of St. John	Deputy L.M.C. Doublet (S)	
Connétable of Trinity	Deputy R.J. Ward (H)	
Connétable of St. Martin	Deputy C.S. Alves (H)	
Deputy J.A. Martin (H)		
Deputy K.C. Lewis (S)		
Deputy M. Tadier (B)		
Deputy J.M. Maçon (S)		
Deputy S.J. Pinel (C)		
Deputy of St. Martin		
Deputy of St. Ouen		
Deputy R. Labey (H)		
Deputy of St. Mary		
Deputy G.J. Truscott (B)		
Deputy J.H. Young (B)		
Deputy K.F. Morel (L)		
Deputy G.C.U. Guida (L)		
Deputy of St. Peter		
Deputy of Trinity		
Deputy of St. John		
Deputy M.R. Le Hegarat (H)		
Deputy S.M. Ahier (H)		
Deputy K.G. Pamplin (S)		
Deputy I. Gardiner (H)		

**The Greffier of the States:**

Members voting contre were: the Constable of Grouville, Deputy Ward, Senator Le Fondré, Senator Mézec, Deputy Doublet, the Constable of St. Brelade, Deputy Alves, Deputy Higgins.

**14. Draft COVID-19 (Civil Partnership and Marriage No. 2) (Jersey) Regulations 202-(P.77/2020)**

**The Bailiff:**

Then the last item of Public Business is the Draft COVID-19 (Civil Partnership and Marriage No. 2) (Jersey) Regulations lodged by the Minister for Home Affairs and I ask the Greffier to read the citation.

**The Greffier of the States:**

Draft COVID-19 (Civil Partnership and Marriage No. 2) (Jersey) Regulations 202-. The States make these Regulations under Article 2 of the COVID-19 (Enabling Provisions) (Jersey) Law 2020.

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

I shall be brief and I thank Members for allowing this to be taken at the sitting. As I said just now, weddings and civil partnerships can recommence on 1st July and these Regulations will ensure that the ceremonies are safe for the couple, for the celebrant and for guests. To ensure this happens in



these difficult times these draft Regulations do 4 things. They temporarily suspend the right of the public to attend ceremonies because if a lot of people turned up that could break the social distancing guidelines. However, raising a lawful objection to a marriage or civil partnership is an important safeguard that should remain. Therefore these draft Regulations require that all notices placed outside the location of the ceremony contain a telephone number where a member of the public could register an objection directly with the Superintendent Registrar. The Regulations also require a marriage celebrant to be sure that the ceremony complies with the guidance that is going to be issued by the Superintendent Registrar that will be updated in accordance with the current public health guidelines but amended if there are any changes. Thirdly, the draft Regulations, if approved, will reduce the minimum period required to change the location of a marriage from 25 clear days to 10 clear days prior to the wedding. This will provide couples with an extra 2 weeks and extra flexibility in case their first venue becomes unavailable due to the uncertainties that currently exist. Finally, as Members will know, the Office of the Superintendent Registrar is currently closed to the public to safeguard the Island's civil registration function. This does mean that the public cannot access, view or search the registers and indexes located at that office. The draft Regulations would allow a member of the public to require the Superintendent Registrar to perform the search on their behalf upon payment of an agreed fee. Members will know that these are temporary Regulations that will expire in any event on 30th September this year. I propose this citation.

**The Bailiff:**

Is it seconded in First Reading? [**Seconded**] Does any Member wish to speak on the principles?

**14.1.1 Deputy R.J. Ward:**

To quickly say that the Scrutiny Panel have looked at this and we had no issues with it. There was a comment made and I put it in the chat so it should have been circulated, so there is not a problem from Scrutiny on this.

**14.1.2 Deputy M. Tadier:**

The question is about I think it is under 26(h) about searching the register. The Minister said that there is a fee that is required to be paid. Is that fee normally in place anyway and if so what is the fee, if he knows it offhand?

**The Bailiff:**

Does any other Member wish to speak on the principles? If no other Member wishes to speak on the principles I close the debate and I ask the Minister to respond.

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

Once again I express my gratitude to the Scrutiny Panel for their very supportive comment. To Deputy Tadier, yes, the facility for getting the superintendent registrar to search the indexes and the registry already exists. The fee I understand is normally £20 or £30, a very rarely used facility because the majority of people who use the register are doing family history research rather than looking for marriage situations. It is a facility that already exists and I maintain the Proposition.

[17:45]

**The Bailiff:**

I am going to ask the Greffier to put a link in the chat. The link is there. I ask the Greffier to open the voting and I ask Members to cast their votes in the normal way.

<b>POUR: 37</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 0</b>
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator J.A.N. Le Fondré				

Senator K.L. Moore				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

**The Bailiff:**

I assume, Deputy Ward, in the light of what you said that you do not wish to call this in for Scrutiny?

**Deputy R.J. Ward (Chair, Education and Home Affairs Scrutiny Panel):**

No, Sir, thank you very much.

**The Bailiff:**

Thank you very much indeed. How do you wish to deal with the matter in Second Reading, Minister?

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

I would like to propose the Regulation be taken as read, the proposal as read and take them *en bloc* and I will attempt to answer any questions. I make the Proposition.

**The Bailiff:**

Are the Regulations seconded in Second Reading? [**Seconded**] Does any Member wish to speak in Second Reading?

**14.2.1 Deputy J.H. Young:**

I thought I would ask the Minister to cover what is in this law about approving a change of location of the marriage, to explain that in common-sense terms. I see that there is a function in there for the Environmental Health team on the nuisance law about locations, which looks as if it means people's gardens and all that type of thing. I can see the point but I would like the Minister to elaborate a little bit on how that would work.

**The Bailiff:**

Does any other Member wish to speak in Second Reading? If no other Member wishes to speak in Second Reading then I close the debate and I call upon the Minister to respond.

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

The location for a wedding is normally approved by the Constable of the Parish but in the current circumstances it will be the Superintendent Registrar in the shortened period who will make the approval with the advice from whichever department she feels is appropriate and that really is what will happen. It will enable her to do it quickly if there are any difficulties for the couple who wish to get married.

**The Bailiff:**

I ask the Greffier to put a vote in the voting box for the Second Reading. I ask the Greffier to open the voting and Members to vote in the normal way.

<b>POUR: 38</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 0</b>
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator J.A.N. Le Fondré				
Senator K.L. Moore				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy R. Labey (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				

Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

**The Bailiff:**

How do you wish to deal with the matter in Third Reading, Minister?

**14.3 The Connétable of St. Ouen:**

I propose the Regulation to Third Reading.

**The Bailiff:**

Are they seconded? [**Seconded**] Does any Member wish to speak in Third Reading? If no Member wishes to speak in Third Reading then I ask the Greffier to place a vote in the chat and I ask the Greffier to open the voting and Members to vote in the normal way.

<b>POUR: 38</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 0</b>
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator J.A.N. Le Fondré				
Senator K.L. Moore				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy R. Labey (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				

Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

## **ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS**

### **The Bailiff:**

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

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

My computer has just gone off. The changes to the Consolidated Order Paper are as follows. Extended limits of co-payments for G.P. consultations: young people and pregnant women, P.80, has been lodged today by Deputy Alves and listed for 14th July. Following its referral to Scrutiny today P.129 is now listed for 8th September. We have 2 other propositions for 14th July lodged today, G.P. fees and income support, P.81 lodged by Deputy Southern and Investigation into the establishment of a digital register of landlords and tenants, P.82, lodged by the Deputy of St. Peter. Looking at the next meeting on 30th June I think the Assembly should expect to meet on the Wednesday as well. The meeting on 14th July looks longer, and with that I propose the arrangement of Public Business.

### **The Bailiff:**

Does any Member wish to speak on the arrangements for Public Business?

### **15.1 Deputy J.H. Young:**

I think at this stage it is only fair to put a flag up about the Island Plan in-committee debate, which is scheduled for the next sitting. At the moment I am not proposing to move that but I have to say I cannot rule out that may be necessary before that, because we have got only 14 days and there is a huge amount of work to do on it, and I am loath to move it to 14th July with the extra material. I want Members to be aware of that, that at the moment I cannot be confident that will go ahead but that is the situation.

### **The Bailiff:**

Thank you very much, Deputy. Does any other Member wish to make any observations on the arrangements for future business? Very well, unless Members indicate to the contrary I will assume that the arrangements for future business have been accepted and that concludes the business of the Assembly at this sitting and the Assembly stands adjourned until 30th June at the usual time.

## **ADJOURNMENT**

[17:52]