

STATES OF JERSEY

OFFICIAL REPORT

WEDNESDAY, 23rd OCTOBER 2024

PUBLIC BUSINESS - resumption	4
1. Marine Spatial Plan (P.44/2024): amendment (P.44/2024 Amd.) - resumption	4
1.1 Deputy J. Renouf of St. Brelade:	4
1.1.1 Deputy I. Gardiner of St. Helier North:	7
1.1.2 Deputy P.F.C. Ozouf of St. Saviour:	7
1.1.3 Deputy M. Tadier of St. Brelade:.....	10
1.1.4 Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter:.....	13
1.1.5 Deputy K.M. Wilson of St. Clement:	14
1.1.6 Connétable M.A. Labey of Grouville:	16
1.1.7 Connétable R.D. Johnson of St. Mary:	16
1.1.8 Deputy L.M.C. Doublet of St. Saviour:	17
1.1.9 Deputy P.M. Bailhache:	18
1.1.10 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:	19
1.2 Marine Spatial Plan (P.44/2024): second amendment (P.44/2024 Amd.(2))	26
1.2.1 Deputy H.L. Jeune (Chair, Environment, Housing and Infrastructure Scrutiny Panel): .	27
1.3 Marine Spatial Plan (P.44/2024): second amendment (P.44/2024 Amd.(2)) - amendment (P.44/2024 Amd.(2).Amd.)	27
1.3.1 Deputy J. Renouf:	28
1.3.2 Deputy C.D. Curtis:	30
1.3.3 Deputy R.J. Ward:.....	31
1.3.4 Deputy S.G. Luce:.....	32
1.3.5 Deputy M.R. Scott:	32
1.3.6 Deputy A.F. Curtis of St. Clement:.....	32
1.3.7 Connétable M.K. Jackson of St. Brelade:	33
1.3.8 Deputy H.L. Jeune:	33
1.3.9 Deputy T.A. Coles of St. Helier South:	34
1.3.10 Deputy J. Renouf:.....	35
1.4 Marine Spatial Plan (P.44/2024): second amendment (P.44/2024 Amd.(2)) - resumption	37
1.5 Marine Spatial Plan (P.44/2024) - as amended	37
1.5.1 Deputy T.A. Coles:	37
1.5.2 Deputy H.L. Jeune:	37
1.5.3 Deputy P.F.C. Ozouf:.....	38
1.5.4 Deputy M. Tadier:.....	40
1.5.5 Deputy M.R. Scott:	41
1.5.6 Deputy R.J. Ward:.....	41

1.5.7 Deputy C.F. Labey of Grouville and St. Martin:	41
1.5.8 Deputy J. Renouf:	42
1.5.9 Deputy S.G. Luce:.....	43
LUNCHEON ADJOURNMENT PROPOSED	46
LUNCHEON ADJOURNMENT	46
QUESTIONS - resumption	46
2. Urgent Oral Question	46
2.1 Deputy J. Renouf of St. Brelade of the Minister for Sustainable Economic Development regarding the removal of the Chief Officer of the Department for the Economy from the ferry tendering process.....	47
Deputy K.F. Morel of St. John, St. Lawrence and Trinity (The Minister for Sustainable Economic Development):	47
2.1.1 Deputy J. Renouf:	47
2.1.2 Deputy M. Tadier:.....	47
2.1.3 Deputy M. Tadier:.....	47
2.1.4 Deputy H.L. Jeune:	48
2.1.5 Deputy H.L. Jeune:	48
2.1.6 Deputy H.M. Miles of St. Brelade:	48
2.1.7 Deputy P.F.C. Ozouf:.....	48
2.1.8 Deputy P.F.C. Ozouf:.....	49
2.1.9 Deputy I. Gardiner:	49
2.1.10 Deputy I. Gardiner:	49
2.1.11 Deputy J. Renouf:.....	49
PUBLIC BUSINESS - resumption	50
3. Delivery of three bilingual primary schools (P.45/2024) - as amended (P.45/2024 Amd.)	50
3.1 Deputy P.M. Bailhache:	52
3.1.1 Deputy R.J. Ward:.....	54
3.1.2 Deputy M. Tadier:.....	59
3.1.3 Deputy C.D. Curtis:	62
3.1.4 Connétable K.C. Lewis of St. Saviour:.....	62
3.1.5 Deputy A.F. Curtis:.....	62
3.1.6 Deputy R.S. Kovacs of St. Saviour:.....	63
3.1.7 Connétable R.P. Vibert of St. Peter:	64
3.1.8 Deputy S.Y. Mézec of St. Helier South:	65
3.1.9 Deputy I. Gardiner:	67
3.1.10 Deputy D.J. Warr of St. Helier South:	68
3.1.11 Deputy S.G. Luce:	69
3.1.12 Deputy M.E. Millar of St. John, St. Lawrence and Trinity:.....	70
3.1.13 Deputy M.R. Scott:.....	70
3.1.14 Deputy T.A. Coles:.....	71
3.1.15 Deputy K.F. Morel:	73
3.1.16 Deputy M.B. Andrews of St. Helier North:	76
3.1.17 The Connétable of St. Mary:	77
3.1.18 Connétable A.S. Crowcroft of St. Helier:	78
3.1.19 Deputy L.V. Feltham of St. Helier Central:	79

3.1.20	The Connétable of St. Brelade:	80
3.1.21	Deputy C.S. Alves of St. Helier Central:	80

[9:30]

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

PUBLIC BUSINESS - resumption

1. Marine Spatial Plan (P.44/2024): amendment (P.44/2024 Amd.) - resumption

The Bailiff:

We continue now with the debate on the amendment; that is the Environment, Housing and Infrastructure Scrutiny Panel's first amendment to P.44.

1.1 Deputy J. Renouf of St. Brelade:

I want to start with a story with some ghostly echoes of the debate we are having today. I want to introduce you to James Hornell. In the early 1890s, the young James Hornell met and married a Jersey girl and moved to the Island. He happened to be an expert in fisheries and he was surprised to find that despite Jersey's rich marine environment, the fishing industry in Jersey was in decline. He did some research and realised that the Island's waters were overfished and therefore proposed better protection of the marine environment. His message was not popular with the fishers. Then around the turn of the century the fishery collapsed and the States acted. In 1901 they voted for a fisheries regulation law which introduced minimum fish sizes, restrictions on inshore trawling and closed season for certain species. Jersey now had one of the strongest protection regimes in the world. Over the next few years stocks of fish recovered so the fishing industry began to lobby to overturn the regulations. Hornell was closely associated with the law and was attacked regularly in the press and eventually, worn down by the conflict, he left the Island. In 1907 most of the fishing regulations were removed. Although Members will be pleased to know that our predecessors did vote to legalise the shooting of cormorants because they ate too many fish. So what happened? Well sad times for cormorants obviously, but for the fishing industry it was boom time, followed by a predictable collapse in the fishery. It took decades before there was a recovery. This is just one example of the tension that has always existed between conservation and fishing, between short-term pain and long-term gain. The fishing industry has often struggled to accept restrictions on its activities now in order to increase opportunities in the future, and I do not think that is surprising. It is human nature. A promise of more fish tomorrow is harder to believe in than the fish in your hand today. In fact, I would go further and say that this is a battle that has to be fought whenever the need for long-term sustainability ends up challenging existing short-term economic interests. That is why I want to put this debate in the context of a wider vision for the Island's future, which I will do at the end of my speech. But I want to say straight away that I am passionately committed to a sustainable fishing industry. Jersey needs fishing. I support fishing. I want a viable future for the industry. I have always listened to what fishers have to say and when I was Minister I met with them more than I met with any other stakeholders in any part of my portfolio. I have great respect for them. That does not mean I support everything that every part of the fleet asks for. Let me move on and talk about the O.S.P.A.R. (Oslo and Paris convention for the Protection of the Marine Environment of the North-East Atlantic) Convention, to which Jersey is a signatory. Under the O.S.P.A.R. Convention, we have an obligation to preserve and restore marine ecosystems. In particular, annex 5 includes a commitment to prevent degradation of and damage to species, habitats, and ecological processes following the precautionary principle. As Deputy Coles said, the precautionary principle is important. It means that if you have good reason to believe that something needs protecting you protect it first and then, if you turn out to be mistaken, you can always release it back to fishing. You cannot do it the other way around; no. Because by then it may be too late. Maerl is an O.S.P.A.R.-threatened habitat and we have an obligation to protect O.S.P.A.R.-threatened habitats when we identify them using the precautionary principle. The amendment would reinstate the precautionary principle. Let me try and tackle some of the arguments that Members used to justify not doing so. Some Members feared the day that they would not be able to buy Jersey scallops and we would have

to rely on the French. That was a revealing comment. First, because I think something like 80 per cent of our scallops are exported anyway, many of them to France, but also revealing because it rendered invisible a significant part of the industry; the scallop divers. Scallop divers can supply the Jersey market along with the dredgers as well, so long as we do not drive them out of business. My point is this is not Jersey scallops versus French scallops. It is about 2 different types of scallop fishing. Diving, which is sustainable, and dredging, which is destructive of maerl, but can be used elsewhere in less-sensitive areas. Logic would say that we should try and encourage scallop divers in the M.P.A.s (Marine Protected Areas), where they cause no damage, and shift the dredgers out of these sensitive areas. In area (d) or (4) in the amendment is where that conflict is at its most acute. The scallop divers have said that it is crucial for them. Which side should we take? It is not a case of being for or against Jersey scallops. It is about what kind of future we see for this industry. Where do the long-term interests of the Island lie? I have to say that in an O.S.P.A.R.-threatened habitat that we are obliged to protect, if it is a choice between scallop dredger and a scallop diver, I know where my vote will go. Wind farm; not really an issue. Yes, if a wind farm is built the area will be closed for the 2 years that it is built. It is standard practice to pay compensation in that situation and then it will be opened up to fishing again. The French opened Saint-Brieuc in July also to mobile gear, by the way. Perhaps the most worrying argument that has been advanced against the amendment is this. We have heard that up to 80 per cent of the dredgers' catch derives from the areas that the Scrutiny Panel want to reintroduce for protection. If this is true then we have a problem. Why? Because what is being said is that not only is the continued profitability of the dredging fleet entirely dependent on destroying the most valuable habitats we have, it also cannot last. How can I be sure? Because of what the Minister said. He has committed to introduce protection when he has proved that the further research areas are indeed maerl, and there is no one in the industry who seriously thinks that further research is going to remove huge areas that were put into those areas. Then the scallop dredgers will have to find new areas anyway. The most that turning down the amendment does is buy some time but at the expense of great damage in the meantime. But the biggest irony of all is this: we have heard so much about the precariousness of the fishing industry as a whole, and this is right. It is precarious but why do we think it is precarious?

[9:45]

It is precarious precisely because we have not paid enough attention to conservation. Almost all our commercial fish stocks are in decline. They are not in decline because we have protected them too much. They are in decline because we continually fudge the issue. We never learn. Scallops, by the way, are an exception at the moment. They are doing well for now, but if we carry on as we are we will fish out the scallops, and then ... well, there is not much left, is there? Deputy Mézec talked about a just transition and Deputy Morel talked about consent, but I would argue that neither of those arguments need to lead you to oppose the amendment. Let us take consent. Whose consent do we need? Scallop divers, conservationists, all those Islanders who have written to us pleading for us to do the right thing. What about those parts of the fishing industry that would benefit from the protection of these sensitive habitats, precisely because it will improve the health of other fisheries? I would respectfully say that we need a wider definition of consent. I believe there is a way out of the dilemma we face. On the one hand, we have the acknowledged need to protect sensitive areas in the long-term interests of a sustainable fishing industry. On the other, the need to ensure the short-term survival of the fleet, ensuring the just transition of which Deputy Mézec talked. The answer is not so difficult. This year, almost £7 million has been allocated to the farming and fishing thanks to the good work of the Minister, for which I commend him. That means there is money available to compensate affected dredgers. It could take the form of payments for fuel and time to reach scallop beds further afield, or to fish for longer in less prolific fishing grounds. The mechanism to make those payments is even discussed in the Economic Impact Assessment produced by the Government. As Deputy Bailhache is fond of saying, Ministers could return to Broad Street and make it happen with the strike of a pen. Vessels do not need to stop fishing if the amendment is passed. I do not

pretend it will be simple for the dredgers to move to new areas. That is why we must give them support. But I say again, in all likelihood, it is coming anyway. We need to start transitioning the industry into the less environmentally important areas now. Getting that transitional support in place is crucial. The money is there. Ministers should do it. Surely the answer is to support the most sustainable parts of the industry, help the unsustainable parts transition to new areas and protect the habitats that will support the replenishment of stocks for the rest of the commercial fishery. How much longer before we learn our lesson from history? Briefly mentioned France; it is true that the French fishing fleet does not want the M.P.A. Network to be extended and that leads to political pressure on Jersey, as we heard from the Minister. Yet the French also know about our obligations under the O.S.P.A.R. Convention. They know that these are buttressed by the T.C.A. (Trade and Co-operation Agreement) and they know we have the right to protect the maerl beds. I am sure there will be some strong language used, it will be uncomfortable, but the French objections do not have legal foundation and ultimately their Government knows this. Let me finish by placing this argument in a wider context. Jersey's economic future is inextricably linked to the environment. Sustainability is key. Meeting the needs of the present without compromising the ability of future generations to meet theirs. The opportunity for Jersey to build its future as a beacon of sustainability is huge. We have taken steps in this direction already through the Public Finances Law, which requires the Budget to consider the impact of measures on future generations. In fishing, sustainability means not destroying the most sensitive habitats because that does indeed compromise the ability of future generations to keep fishing. But we can also apply it to farming, to finance, to energy, to carbon neutrality. I think of it as "Green Growth Jersey", a lens through which everything we do is seen through its benefits for future generations because we know that is what will eventually enhance our economy. As the Chief Minister said in a radio interview talking about marine protection: "I would like to see Jersey held aloft as an example of what can be done." So would I. So would I. But you have to earn that respect. You do not do it by trashing 50 per cent of the most valuable marine habitat we have. I must say, I have been very heartened by the number of people who have written to us who get that very simple point. I am going to be voting for all parts of the amendment because I believe in evidence-based decision making and because of the precautionary principle. But if you feel you cannot do that then please at least vote for parts (b) and (d). Part (b) would reintroduce protection for by far the biggest area of maerl off the Anquettes and part (d), even though it is only a small area, would be of particular benefit to the scallop divers who fish sustainably even in Marine Protected Areas. They deserve to be given a boost, because hand-dived scallops is an industry that we should all want to support, and it could have a great future. We have an opportunity to send a powerful message today, that we believe in the long-term future of fishing in Jersey, based on principles of sustainability. A higher-value industry, orientated more to supplying the local market, supported through government investment and with transitional measures to allow the small number of scallop dredgers to adapt to the closure of a part of their fishing grounds. This amendment allows scallop dredging to continue but outside the most sensitive ecological habitats. Protecting those habitats will protect the future of the industry. It will boost the opportunities for scallop divers who fish sustainably. It will boost other parts of the industry by protecting nursery grounds and many other species. We can protect the livelihoods of the small number of fishers who will be affected through financial support. It will meet our commitments under the O.S.P.A.R. Convention and under the T.C.A., and it will boost Jersey as a community that is a beacon of sustainable development. Let us vote for the amendment, compensate fishers appropriately, and concentrate on building a brighter long-term future for the fishing industry.

Deputy C.D. Curtis of St. Helier Central:

Could I raise the *défaut* on Deputy Southern?

The Bailiff:

Yes, the *défaut* is raised on Deputy Southern. You did not want to speak, Deputy Bailhache?

Deputy P.M. Bailhache of St. Clement:

I beg your pardon, Sir, my light has a life of its own and it came on.

1.1.1 Deputy I. Gardiner of St. Helier North:

I am pleased to follow the previous speaker, and I will be very short. I did have a déjà vu moment, which took me back to 2019. I am looking around the States Chamber, around the Members who were in 2019, we did have private meeting with the Fishermen's Association down at the States Members room, I think 19, 20. We did discuss the rights and the influence and what would happen around Brexit and T.C.A. Why I did have this déjà vu moment, because I have heard the same things 5 years ago. I did remember that we asked questions. What will happen? What are you going to do different that in 5 years we will move into sustainable fisheries? Obviously it is a much longer process and it does need to have support. But it happened 5 years ago and the similar things we are hearing today. Personally, I do not call myself an environmentalist in the way it is sometimes understood and expressed in the public. In public, it is usually environment is more important than people and the livelihoods of local families. It is not me. I am an environmentalist in the way that we should not harm and continue to harm our environment in the short term, in an unsustainable way. It is clear for all Members in this Assembly that this is the way forward to protect our ocean and long-term stock and keep it for the future generation, and the Minister himself acknowledged it. The question is when. Now, we 100 per cent must do it; it is agreement. Where is the disagreement? If we really drill it down, 2 numbers jump through me through this debate. One number is we are actually debating between 4 to 6 per cent, an extra 4 to 6 per cent of very, very sensitive and very, very important part of our marine, of our waters, of our ocean. This is only 4 per cent. Think about it, but this is a very sensitive area which is important. The second number that I picked up from the debate, we are talking about 6 boats; 6 that are going to fish and dredge the seabeds out of the 11 that have licences. The Minister for External Relations yesterday raised compensation and Deputy Renouf said that we do need to support, and I do believe it is something that we must discuss, we must consider. We cannot say that these 6 boats ... there are people, there are family, there are employees, they are important, but we need to remember that this will be the very short cost to creating protection for future generations. There is always cost and if we want to protect nature it will cost and especially our seabeds. If this is the only cost for the future generation to ensure that family will fire fish in the future, will use the scallops, that we would have a stock, we need to consider. Just finishing my very short speech, think about this. I am really pleased to say that marine protections, our seabeds, will be the only States public assets that will thrive on neglect. We do not need to do anything. We just need to protect it. I think that our fishermen and fishing families need to be custodial of our oceans and I can support the amendment with assurance to great investment in our fishing industry and protecting of the fishing families.

1.1.2 Deputy P.F.C. Ozouf of St. Saviour:

It may be a surprise Deputy Mézec to hear that I must say I agreed with most of the remarks that he made in his comments about how and why he would be not accepting the amendment and voting against it. He spoke, I think, very wisely and thoughtfully about the importance of gaining the consent of fishers and that the industry actors, the industry whose lives, whose economic viability is important, and cannot, if I may say, be simply plugged by government subsidies, matters. Deputy Renouf also spoke of a historical event around the late 1800s and early 20th century. Now I know, Sir, you have commented about comments made by individuals in the gallery. I draw Members' attention to a plaque in the gallery that mentions the governorship of Walter Raleigh; and why do I particularly highlight that? I highlight that because of course it was Walter Raleigh that came up with the innovative solution or idea of giving Jersey and Guernsey boats neutrality in the important and massive opportunity of fishing off the land of the then New France, now Canada, and New England. At the time when England and France were at war, Jersey had the opportunity of getting that neutrality. We, in Jersey, did a great amount of activity in that area and fished cod, dried it, and

it was sent and benefited the economy of Jersey. The landmarks exist in terms of cod houses and many other industries that prospered because of it. I am wearing a Jersey French pin badge, not for any accidental reason. I am wearing it because of the importance of our Jersey and French relations. I inherited a situation at the beginning of this Assembly's term that was a difficult one.

[10:00]

That was the extraordinary situation which had been brought to the attention worldwide. Almost everybody I spoke to anywhere had heard of the fact that we had had a so-called invasion of Normandy fishermen. Why did that happen? Well, I think I have already previously confessed to the Assembly. I was actually not elected at the time but I was on the boat with the Normandy fishermen because I wanted to understand what their concerns were. I wanted to understand both sides of the argument and to work out what on earth had gone on and how this thing had got to that stage. Of course history and this Assembly knows that both Deputy Renouf and I, in his role as Minister for the Environment and me as the Minister for External Relations, got to work. I think we would both agree that we effectively found a solution to that licensing problem. It was not without a great deal of work. I made it my business to go to France, to speak to French fishers, speak to the local industry here and meet Government representatives at the highest level, which I happen to have met previously in other areas where I actually knew some of the Ministers personally from previous contacts. I make those observations because I am aware, and I asked the Minister for External Relations yesterday whether he was aware of the stance that the French fishing experts have in relation to the conservation of stocks and the way in which the international conventions that have been cited can be implemented and are implemented and are viewed by different sides of experts. They say to the economist, you get 2 economists in the room or 3 and you get 3 different answers and they are not all necessarily wrong. There are sometimes different approaches that are taken by different experts to achieve the same objective. Some on each side of those arguments, economic or fishing or otherwise, may simply disagree with the other person's view but both can be legitimate. What I would respectfully say, and in taking Deputy Mézec, and I think the underlying principles that he is making and others advancing against this amendment, and I think the Minister has done, which is why I will not be supporting the amendment, is that there has got to be in Jersey's case a solution which is based upon not just a British, Anglo, English approach to sea conservation and fisheries protection, but one that equally takes on board the respected and highly well-resourced experts from French universities and the French maritime experts. This is where I have not heard that that is being done by the bringers of this amendment. The previous Minister spoke about needing to have a precautionary principle. Well I spoke about the introduction of a regulatory matter concerning competition and the comments of Professor Sir John Vickers when he said that it was important to be both precautionary but pragmatic, and it is important to be pragmatic. I am not a short-term thinker, I believe in the long term, and I believe that it is important that if we are to maintain and grow and see our valued fishing sector survive, and I think we are now talking about survival sadly, and I disagree if I may, with Deputy Renouf's arguments that the fishing industry is in the state that it is in because of an inability to conserve stocks. I actually would suggest, respectfully, that it has been the commercial restrictions that Jersey fishers have faced with the landing of their catch and getting it into French markets. I lament. I do not understand why actions have not been taken more vociferously, with a more efficacious and strong line, to get that important sanitary station open in Granville. I always hesitate when I speak about fishing in this Assembly. I used to be holding the presidency of Environment and Public Services and I knew Members used to take great ... I am a farmer's son and I am not a fishing expert. But I do know that there is a different view taken by experts in England versus France in relation to dredging. I know that there is a general view that dredging is stopped and is bad and should not be done at all. Dredging causes significant damage. I understand that because it stirs up sediment. The consensus is that the dredging activity should stop. However, there is a view, which I heard myself in discussions with French fishers, and when I went to Normandy and Brittany and spoke with fishermen at length, I learned that they have

a slightly nuanced and different approach. That is that they understand that the impact of their activities can disturb the natural sea environment, but that their activities also, in the case of a seabed which is already disturbed or has already been damaged by natural events or from movements of tides or whatever, but they are not all perfect. That actually the activities of those French trawlers or whatever actually by receding can create the environment of a better long-term scallop fishery in the longer term,. Some Members may simply scoff at this and they may say no, but I know, and I am sure the Minister in his summing up will confirm, that there is a different view held by French experts in relation to this. As an Island I could address this Assembly in French and as an Island which is apparently proud of our French relations, then I think that we should be mindful and respectful and take on board the views of those French experts and they should be equally made clear and listened to and taken account of in the decisions that this Assembly has. I think I have got a 10-minute limit so that is where I have **[Interruption]** ... 15. I will not go on that much longer, I was going to finish then. But I will just say a couple more things. It really is the case that our fishing industry has suffered greatly by events that have prevented them from being able to easily land their catch. There are all sorts of unintended consequences of Brexit which have meant that the fishing waters for certain fishing activities have a different rating than the immediately adjacent and interflowing French waters. There are a whole myriad of issues that can be tackled. I am sorry to hear that there has not been so much progress during the period of time where I have not been active, sadly for personal reasons, in recent months. But I am disappointed - I am really disappointed - that the efforts that I had made to progress and get that Granville landing station open has not happened. If we are going to have a future of harmony, of close working with our French cousins, who we have always, over centuries, worked together in what has been regarded as an area where both French, Norman, Breton and Jersey fishers fish, then we should do more to get that common and that consensus approach. Jersey was regarded as a unique place. I know the Granville Bay Agreement, et cetera, needed updating because of the voting situations between Jersey and all the rest of it. But we have lost all that. Now we are going to be proposing some conservation measures, which the Minister does not want - if this Assembly approves the amendment - which will damage our French relations. It will damage our local fishers, and if it is already proving difficult, maybe the Minister for External Relations will ask me to give him a hand, because I am happy to do so as a Back-Bencher, to advance those issues in France and speaking in French to those people to advance those massively important issues. If we send out a message that we are going to hurt our local fishers and hurt the French fishers that are also going to be deprived of the ability to fish, I think we are doing ourselves a disservice. We are acting in the short term and we should be medium to long term, respecting the fact that there are experts in both France and the United Kingdom and Jersey that need to find a way of working together and finding solutions together. It is not, I am afraid, good enough simply for Members to say: "Oh, well, it is all alright because the Minister for Sustainable Economic Development said yesterday there is £1.1 million available for fishers." Well I am afraid subsidies and keeping our fishing industry reliant on subsidies is not a way forward. They have got to be economically viable and there are huge amounts of areas where there can be co-operation in terms of net zero, the use of carbon fishing. There are huge investments that are required and basically sending another message that we are not listening and we do not care and we know better and they know nothing and we do not respect French view I am afraid is going to send entirely the wrong message to our French cousins, of which we had made such a lot of progress in my time to get a much better relationship with. I am not going to support this amendment, I am not going to support any of the amendments that the Minister does not agree with and has not got consensus of. I must say that I am somewhat jaundiced and I have listened ... I have been out of this Assembly but I have listened to the Scrutiny Panel's work and I must say that I think it is really important that we are taking scrutiny in an entirely independent and really open-mind approach and we also listen to the experts that come from our French cousins. With those remarks I hope Members will agree that we should not vote in favour of something which will undermine the vitality of our fishing industry here and that of France and will

cause consequential damage, which will be difficult to repair because we have seen the impact of basically negative actions before and I do not want to see them again.

1.1.3 Deputy M. Tadier of St. Brelade:

I am pleased to follow that speaker. I have to say, I do not think it was for you to intervene with something that came very close to, I think, imputing improper motives to the whole of Scrutiny. The previous speaker said ... he easily imputed, I think, the coded ... not even coded, political message that he thinks Scrutiny is not being objective here. Although this is not my Scrutiny Panel, as a member of Scrutiny and a chair of a panel, I take extreme exception to that because I think actually what we are seeing here is a very evidence-led and very thorough review that has been taking place from a cross-section of members of this Assembly with different political hues, I would add. They all seem to be coming in the same direction with the same evidence. Sometimes that evidence is difficult to hear, but I think it is the job of this Assembly to consider all of the arguments. That is the first point I would make, is that we do not need to descend into those kind of unfounded insinuations.

Deputy P.F.C. Ozouf:

Will the Member give way?

Deputy M. Tadier:

I will not give way.

Deputy P.F.C. Ozouf:

I was just going to apologise if I had given that impression.

Deputy M. Tadier:

I will not give way. The Deputy also said that if you get 3 economists in a room you can get 3 different answers, however if you take 21 independent or mostly independent Jersey politicians and put them in a room, hey presto, you get one answer and that is what happens with the Council of Ministers, you could argue. But let us see if that is the case. Now the first thing to say is that it is absolutely correct that in debates like this we feel the public pressure. We often complain as politicians that the public do not want to engage in politics. I think we have seen over the last week that that is not true. I think we have been strongly ... I will call it lobbied - that is not a dirty word - and we have been emailed by many members of the public and it has to be said that those emails are very strongly, in terms of quantity, in favour of what the Scrutiny Panel is proposing. But we also know that we have a fishing industry in Jersey which I think is under difficulty, and it is absolutely right that the fishers, whether they are all here, have made a presence felt in the Assembly. I think we also need to pay tribute to that industry because I have friends who are fishermen - they are men as it happens - and in some cases they have paid a very physical toll for their profession. It is something which goes beyond just being about money but often it is in the blood and it is something of a lifestyle. We know that people get up early, work long days, and it is not for everybody.

[10:15]

I think it is important to recognise that. So we are dealing with a complicated issue here. I said it last week when we were welcoming some colleagues from Guernsey and the Isle of Man, is that often we are expected to vote one way or the other. We are expected to have an opinion which is informed and we try to do our best, and I think that is why we listen to all sides of the argument. I do not want to embarrass anybody but it is somebody we know very well, and that you will know well, was the late Deputy Duhamel who was a Minister for a while of the environment who cared very passionately and deeply about Jersey, its economy but also its environment. He used to talk to me because I sat next to him, where Deputy Miles is sitting now, for quite a few years and he would talk about the concept of fuzzy voting. He would say that it is often in this Assembly ... always in this Assembly we have to choose a pour or a contre, and that in his mind - his mind of a mathematician - sometimes

it would be nice to be able to vote 60 per cent in favour or 30 per cent against. Alas, we cannot do that. But what we can do is when it comes to the maerl beds, for example, we can actually take that nuanced approach. We can say that we want to vote 30 per cent in favour of the maerl beds or let us say 80 per cent in favour of the maerl beds, depending on which way we look at it. I have to admit I did not know what maerl was until about 2 weeks ago. I looked into both what it was and I looked into the etymology of it and I was interested to know that it comes from, I think, an old Breton word, so, hey, we all learn as we go along. But what interests me here really is the politics of this as much as anything else. So the humanity of it and the environmental impact, both of those do interest me. But I am interested in the politics and what is going on in this Assembly. If I read the following statement ... I was going to open with this but I thought people might mistake it for my own view; it is not necessarily not my view: "I am completely against a continuation of heavy duty trawling and dredging and that has to be stopped. It is pure vandalism on our seabed and it is destroying incredibly valuable habitats, potentially carbon-rich habitats that can be nurtured and make a huge difference to our contribution." Now that is a statement that could be made in this debate. It is a statement, if it were made, you would say: "Right, so at least we know where that person stands, he or she is going to support the Environment Scrutiny Panel. They are in favour of protecting the seabed and the maerl, presumably." But of course that does not seem to be the case because that is a statement that has been made by Deputy Farnham about 2 or 3 years ago. He is yet to speak so he can obviously talk to that if he wants to. It seems to me that having ... well, let us find out what the Chief Minister's position is, but I believe that it seems like the Council of Ministers are strongly encouraging some of their Members to vote against this. What I would say is that this issue is too big an issue to play politics with. It is something that we, as a party, recognise. We are not exercising a party whip on this. We recognise that there are many issues that need to be thought of on here. But the strange thing is, it seems like the Chief Minister is actually whipping himself in this particular one, because he is whipping himself to agree to a point and a proposition that he actually does not agree with, which is opposing Scrutiny's position. I am presuming when he brought the Blue Island Foundation and the idea for protecting our coastline, that this was not necessarily what he signed up to, to be part of this. I also have great respect for the Minister for the Environment and the Minister for Sustainable Economic Development, but I do think we need to point out, if we are talking about balance, it seems to me that we no longer have a Minister for the Environment. We have got 2 Ministers for Economic Development in the Assembly. I think we used to have a Minister for the Environment and we still have the same Minister for Sustainable Economic Development. In his speech that Deputy Warr made, and I do not always find myself on the same voting side as Deputy Warr, and I do not know if I will today, is that I think he made the slightly uncomfortable comment ... uncomfortable in the sense that there are no votes in it for him because the seabed and maerl cannot vote and they do not have a voice, but he said: who raises the voice for the protection of the seabed? I also think that is something that needs to be brought in and, of course, we have the former Minister for the Environment who has made the contribution to this I think that many others would want to be made. Where does that leave us in terms of going forward? I think it has to be recognised, first of all, that we do need to support the fishing industry. More to the point, it is no different to the agricultural industry in the sense that we also need to be mindful of sustainable practices in agriculture. We know that the way agriculture works in Jersey, for example, or the fisheries is that we cannot compete with these strong subsidies and perhaps the other types of support that big nations can give to their industries. But we can try, and I think we can start to do that. I think there is the uncomfortable question about where sustainability lies in that. I think we, as consumers, also have to be part of that. The first point is that ... I do not want to make any of these points glibly, but I think it is important that we are here to speak freely and openly, is that we are not dependent on scallops, for example, for our survival as humans. If we stopped eating scallops tomorrow, whether they are French or Jersey scallops, and I do not know if they taste any different. And I do not know if the scallops in these particular maerl beds have a nationality. I think they are probably neutral in that respect. Whether they are hand-dived or trawled, I think they probably taste the same. I certainly know that, as far as possible, I try

and buy my scallops directly from the harbour. I often get them at Bonne Nuit when I can, and they are as fresh as you can get. That is one of the privileges that we have of living in Jersey. I think there is a complicated issue. I think Government needs to get to grips with what we do. I think consumers generally need to actually get to the point where they accept that they have to pay more for food generally. I think we heard some comments yesterday in question time, because I think this is about a wider debate that is going on, about what we put into our bodies and what we are willing to pay for it. I think the irony is that people spend 40 per cent perhaps of their monthly income, just to survive here, to pay a rent or a mortgage. Actually then they go to a supermarket and they are looking for yellow-labelled produce to put in that may be highly processed because we cannot actually afford the basics in life. Good quality fish, good quality produce should be something that we are willing to pay for as Islanders, and we should be able to pay for that because we have got the money in the bank and in our back pocket to do that. So it is part of a wider cost-of-living issue, which of course also is circular and it affects those industries that we are talking about and those who work in them. The bottom line here is that when it comes to this particular vote, I do want to see a plan for sustainability. I also think it is just short-termism because if we vote for this today because we think it is an easy quick win and it might get some economic impact immediately, we find ourselves in a situation that we actually are destroying valuable pieces of our seabed, which once they are destroyed, cannot go back. I think the cautious approach has to be the right one. We have a period of time where we put the protection in wider and we can reduce it because if we put it in at a low level and then say: "Actually let us see how we go in 5 years' time" and in 5 years' time it did have an impact on the seabed, we cannot go back. But we can go back from this position. I think in the longer term, we do not need to be thinking in just terms of 5, 10 years' time. We need to be thinking about the 50, 100-year sustainability of our industry. Just because I do not want to be outdone on any historical fronts, is that I do not have the exact dates, but I am reminded of the great oyster wars that happened off the Bay of Grouville when oysters were not cultivated as they are today in a very sustainable way, and Jersey really leads when it comes to the oyster industry. We have got oysters that you can eat all year round and they are filtered and I have never once, I do not think, been ill off a Jersey oyster. Touch wood, so to speak. But I have been ill from other seafood elsewhere. But let us not go into that. We do have a fishing industry that we can be proud of. We have got an oyster industry that we can be proud of. But back in the day the oyster industry was decimated within the ... well, completely eradicated in the space of a couple of decades and there was great tension between the English and the French in that area. It is a shame the Governor is not here but even a governor died in the process when he tried to go out and resolve the issue. He was not shot, by the way, the weather was just so terrible that he caught cold and died of his symptoms. So he was the only victim of that tension. But I cannot help feeling, and Deputy Southern might appreciate this, it was definitely the case when I first started, the shroud-waving arguments: "If we do not do this today, if we do not vote against the Scrutiny Panel, that there is going to be a third world war that is going to happen between the French" and it seems that we ... as much as I am a Francophile, I think these are our territorial waters. The first and foremost thing that we need to protect is our industry and, secondly, our seabed. If it annoys some French people who cannot fish here for whatever reason I think we just say it is tough, the rules apply to Jersey fishers and to French fishers and whatever those rules are have to apply equally. I do not think there is going to be a diplomatic fallout from it. I think if there is a diplomatic fallout that should not be the pressure to which we give in, it should be the considerations which are both economic immediately for us but primarily environmental. I remind Members that we are debating here amendments that are brought forward by the Environment Scrutiny Panel and I think they have looked at it objectively. Not just themselves but they have got officers that work with them who keep them on the straight and narrow because if there is ... it certainly happens on my panel. If there is any risk that we are going over into politics, if you like - big "P" politics - our officers will very quickly bring us back and say: "You might want to be careful about that because the evidence does not necessarily say that." For my part, I am happy to go on balance with what the Environment Panel is saying. There is a bigger piece of

work to be done here. Because the fuzzy voting button is not available, I am probably going to be voting P this time, but with all those caveats that I have said during the speech.

1.1.4 Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter:

I might need 2 mics because I am at the risk of losing my voice at the moment. But I am pleased to follow Deputy Tadier and firstly remark on his comment that when you get 21 States Members in a room - quite often we do that in the Government because we include Assistant Ministers in our meeting - we all agree. That is definitely not the case. We do not agree on everything but this Government is now in a place where we do reach points of agreement by proper debate around the Council of Ministers table and while we do not agree I think we are all adult enough to follow the principle of democracy and the majority rule. I think this Assembly does, at large, the same thing and we are here having a good debate about an issue which has rights and wrongs on both sides of the argument. Referring to Deputy Tadier as well, I have fished out - excuse the pun - my amendment to the Island Plan in 2021 and Members will know, members of the fishing industry will know, I have always been a strong proponent of greater protection for our fisheries, producing a marine park environment for the economic and tourism and eco benefits that brings, and I am still in favour of that. This amendment to the Island Plan in 2021 advocated a phased approach to achieve these by 2025, which, had this been successful, we might be further down the road. But I have always advocated that we do it in a phased approach, managing the needs of our fishing industry. There are some good points made in here, I believe, but it was not approved in the debate 4 years ago. Excuse me, if I reiterate some points that other Members have made, not least the Minister for External Relations, but I am going to try and reinforce some general points because I think it is important. The vision of the Jersey Marine Spatial Plan is for a thriving marine environment, providing environmental, economic, cultural and social benefits. The economic benefits being largely for a sustained fishing industry and fishing fleet, and our fishers do not want handouts, they want help to have sustainable businesses. I am concerned about the environmental damage of dredging and trawling, and if we are to move away from those in due course we have to manage how we do that and manage how we look after the interests of those who are engaged in that activity. The plan has been developed, I would remind Members ... and I commend the Minister for the Environment for finding this balance with the industry and with other stakeholders. Following extensive review of existing equivalent Marine Spatial Plans from both large and small nations - this includes England and France - but also various small coastal and Island estates. Jersey has continuously consulted with relevant agencies in Brittany and Normandy, Paris and Brussels, as well as in the U.K. (United Kingdom) and the other Channel Islands. I was pleased to hear Deputy Ozouf's comments on that. Not many Members know more about our international relations in those areas than the Deputy, who has significant experience and knowledge from working diplomatically. He knows how challenging that is but I will come back to that.

[10:30]

Jersey has contributed to the French Marine Spatial Plan workshops and consultations to deliver a reciprocal consultation input and the Marine Plan touches on issues such as trade routes, energy production and highlights the need for a balanced and sustained system to manage competing interests linked to adjacent territories. The marine plan protected area recommendations will need to be given consideration in the light of the T.C.A. once finalised. The system for moving to protection of these sites must be considered for its impact on local and visiting fishing boats. It will take work to make the adaptations required for the fleet to be able to continue in a sustainable way. I am not sure I am going to continue in a sustainable way but I shall try. The vision of the Jersey Marine Spatial Plan is for a thriving marine environment, a thriving environmental environment, while maintaining its economic viability and cultural and social benefits to reinforce that point. The plan places values on the coast and sea as well as recreational space for the Island's residents and tourists. The plan looks to a sustainable commercial use from aquaculture to fishing, including current and potential

future activities such as offshore seaweed farming, offshore energy generation and many other aspects where we can develop our aquaculture sector. The plan highlights the need for space for infrastructure connections, be they cables or shipping. Development of offshore wind is referenced but not covered in detail as it is a parallel workstream. The objective is to dovetail any wind needs once clear into the next iteration of the marine plan. Of course, we are learning all the time about the ramifications of wind as that type of energy provision is starting to settle down, and there are consequences of that which we also need to understand. Bringing these elements together, the plan highlights the need to manage the spatial challenges in those areas in what is becoming increasingly a potentially busy sea. We have to manage those areas carefully to ensure that there is space for the traditional industry of fishing to continue and do well and be there a long time into the future. Of course, the diversification of fishing methods is also to be supported and developed. For the fishers the Rural Marine Support Scheme is therefore going to be an extremely vital tool to help them move towards more modern, sustainable fisheries, a model that will allow profitable, sustainable fisheries in an environment of much greater marine protection. But, as I reiterated before, I believe many fishers do not want handouts, they want to be able to have a regime and a structure that allows them to have a profitable and sustainable business. The Scrutiny Panel's first amendment proposing an immediate inclusion on all further research in phased areas of the M.P.A. Network will - not may but will - be met. Will not be met, I should say, will not be met with a positive response on the continent. I believe will - not could - result in wider repercussions to our overall relationship, not just with our friends and cousins in Normandy and Brittany but France and the E.U. (European Union), and is likely to have broader repercussions for the economic stability of the area. These issues are material considerations we have to take into account. Whether we like them or not, we have to take them into account in our deliberations. But if we have a phased approach, that will help us manage those relations because we probably want to get to the same place. France have committed to 30 by 30 although their marine protected spaces are managed differently and I see satellite representations of those Marine Protected Areas being fished regularly. I am not sure how they are policed but I want to reiterate the phased approach as recommended in the Minister's proposition will be hugely important helping us manage the transition with France. The whole thrust of the amendment is to remove that balanced and phased approach which will force some of our fishers headlong into a situation where they can no longer fish and we want to avoid that. I go back to my amendment and my previous work on Marine Park, it has always been about phased approach while working to improve the fisheries at the same time and although some progress has been made with that we still have a way to go in where that ends up. That said, the ambition of a 30 by 30 means many countries, large and small, are working to improve their Marine Protected Area coverage with many either designating new areas or upgrading existing M.P.A.s to be highly protected. The current plans that are on the table today, the roughly 22 per cent - I think it is - that we are proposing to protect now, will keep Jersey in the leading quarter of all Islands and nations worldwide. So we are ahead of the game. I urge Members to reject the amendments, to support the Minister and the Government in the proposed phased approach. A phased approach that will help manage our fisheries, help our local economy, be hugely important in maintaining our diplomatic relationships with our French neighbours and contribute to the overall political and economic stability of the region.

1.1.5 Deputy K.M. Wilson of St. Clement:

Like some others who have spoken before me, I come at this not from the position of being an expert in marine conservation, but as an interested Islander and as an elected Member charged with representing the interests of parishioners I serve. I care very much about what is happening to the marine environment and also to those who fish our waters. As the Minister has already said, the Marine Spatial Plan is not merely a document, it serves as the blueprint for how we will manage our marine resources, balance economic development with environmental stewardship and ensure that our waters remain vibrant and sustainable for generations to come. It is a matter of significant importance to our coastal communities, our marine ecosystems and our shared future that we

recognise the differing perspectives that have emerged in discussions surrounding this plan. These contrasting viewpoints highlight the complexity of marine governance and the diverse interests at play. On the one hand, the Minister's proposition that a more liberal interpretation of protected areas would deliver a balanced approach to the important matter of protecting biodiversity in our waters. Some would say this approach recognises the economic imperatives of our fishing industry and coastal communities, while still maintaining a commitment to environmental sustainability. However, the Environmental Scrutiny Panel presents a contrasting viewpoint. The panel has raised concerns about the potential risks associated with the plan, emphasising the importance of enhancing protection of our marine ecosystems, which are already under pressure from climate change, pollution and fishing activity. The Scrutiny Panel advocate for a precautionary principle, arguing that we must prioritise the health of our waters and the biodiversity they support, alongside supporting assertive economic development. The panel's perspective is one of caution, urging us to consider the long-term implications of our decisions on the marine environment and the communities that depend on it. This divergence is not merely a debate over policy. It reflects deeper values and priorities that shape our relationship with the sea. Both perspectives are valid and stem from a genuine desire to protect our shared resources and ensure a prosperous future. The waters that surround us are not just a resource to be exploited. They are a shared heritage that requires our careful and responsible stewardship. We must, therefore, strive to create an outcome that incorporates these insights and the concerns expressed by local fishermen and the views of Scrutiny. As have many others, most have received a lot of communication on this issue. Many of my constituents are seriously concerned about the plan and what might happen to maerl beds, in particular if Marine Protection Areas are reduced in size and geography. Equally, fishermen are concerned about their livelihood and that our fishing industry will be threatened by amending the plan produced by the Minister. If we are serious about sustainability, we do need to take action now in order to protect our precious marine environment for the longer term. The evidence shows protecting marine areas contributes to greater yields overall. It is a difficult choice to make, but when it comes to establishing what we have control over and what we do not, we have to make sure that our decisions are primarily guided by reliable evidence as well as the need to be pragmatic. One thing is for sure, whether it is the fishing industry or any other industry, we cannot fish the last fish or cut down the last tree and expect to keep thriving on this planet. Maybe we could look to other parts of the world for some additional inspiration. Take Australia, for example. Every day more Australians are demanding that the fish is not caught by fishing that damages its oceans or puts wildlife at risk. Australia's fishing industries and precious wildlife is considered sustainable when it has negligible impact on the ecology of sensitive marine habitats, selects targets, fish carefully, leaves fish behind to replenish stocks and has little or no bycatch. Given the number of emails I have received and the people I have spoken to, it seems local voices are becoming increasingly louder to secure the same here in Jersey. Sustainable fisheries are critical to the future of the sea. We do have control over what we can protect, the economic decisions we want to make, the management of our political relationships and the incentives we might introduce to safeguard livelihoods. I appreciate the Minister has attempted to reach a compromise in the plan, but I would ask if approaching this through compromise is actually serving us well. I agree with the Minister, it is a significant leadership challenge and no surprise to find that you cannot please all of the people all of the time. But the job of Government is to take difficult decisions and in the face of mounting evidence, both locally and internationally, it is clear that protection of our marine environment in the way suggested through this amendment is in the interest of securing a local sustainable fishing industry for the future. This may be difficult to hear but it would be in the interest of future generations if we are able to demonstrate that we are capable of making hard and difficult choices about the way forward, that we are able to set aside the culture war mentality - as Deputy Mézec alluded to yesterday - and work on a common purpose. I believe this is possible. Other Governments have managed it so why can we not? Fishers, Government, politicians, international partners, academics and environmentalists all working together to bring a new approach to fisheries management, constructive political engagement and protection of our

marine environment. We know there is a huge amount at stake and we can control the conditions necessary to ensure there is a sustainable future for our communities and protection of the wonderful biodiversity and ecosystems which sustain us. These control mechanisms have to be proportionate and relevant for the times we are in and, as nature adapts to changing circumstances, so must we. Nothing ever remains the same. I am in complete awe of the efforts our fishers go to to produce their catch, in particular those who already practice sustainable fishing practice. We need more of that. We are in a good place to set the standard for sustainable fishing. We need to make progress now to advance and transform our approach to food sustainability and using technology, research and collaboration to advance the sustainable fishing practice. If we do not act now, it will be more difficult to address the sustainability issues we face and lead to ecosystems becoming less resistant to climate change and offering fewer ecosystem benefits for future generations.

[10:45]

I do believe the proposed amendments to the plan take account of these issues and so will be supporting adoption of the amendment.

1.1.6 Connétable M.A. Labey of Grouville:

Over 20 years ago now, my dear brother-in-law perished at sea. He was a professional fisherman, and, sadly, as so many others have perished at Corbiere, he died there. I remember very well his words to me then. I know that was 20 years ago, I know technology has moved on considerably since then, G.P.S. (Global Positioning System) tracking, transponders and many other things that can actually bring errant fishermen to book, but he said to me then it does not matter how many protection areas you have, our neighbours will still fish them. Those are words that have resonated over the last couple of days. I would like, in the Minister's summing up, if he could give us a hint about what enforcement is going on throughout the industry now and whether he is willing to poke the bear. I will be supporting him and I will not be supporting these amendments for another reason. I am a great believer and supporter of food resilience in the Island. I am very concerned about that going forward. The words of Deputy Morel resonated very strongly with me yesterday when he said the Minister wants to bring the industry with him. That resonated for one reason, that I have noted over the skies of Jersey some wonderful buzzards and marsh harriers that are at the top of their food chain, and that is because the customer and the Government have brought the farmers with them. I believe the Minister is doing the same. He is bringing the fishermen with him and he is going to work with them going forward with our environmental issues. That is why I will not be supporting these amendments. I will be supporting the fourth, which will protect hand-dived scallops. Although, sadly, I am not able to eat them; my doctor has told me they are too high in cholesterol and so it is one of those things that is banned from my diet, but I did have some last week.

1.1.7 Connétable R.D. Johnson of St. Mary:

I am sorry to take a different view from that of my fellow Constable, but I feel that I should speak as the one member of the Scrutiny Panel who has not yet spoken. In that vein, there is probably very little original I can say. But there have been certain references by them and by others, which I think required clarification and renewed focus on what we are about. The first point I would make is that reference has been made to a composition of the Scrutiny Panel. I do not think it is made-up of what some might call traditional environmentalists. I was invited by the then chair - and indeed by the previous chair - to be a member of the panel, which covers not only the environment but infrastructure and housing. It is a very broad brief - I hope that the chair will not disillusion me - and I would like to think that I was invited because of a fairly wide interest and a pragmatic approach to matters. That is how all the panel viewed the evidence. I had no preconceived ideas as to the composition of the Marine Spatial Plan or how it was best enforced. We just took evidence from a variety of people, fishers of all kind, and that is what persuaded us, or me, to arrive at the conclusion we did. I think the starting point is the fact that we did not dream up these additional areas for the amendment, they

were there evidenced by the previous Government research. The maerl beds are vulnerable. That was the first port of call as to what we should be doing. So why are they now being taken out? It is suggested that further research might take place to determine whether they are as vulnerable as we might think but, as Deputy Coles said yesterday, we cannot leave them in and then decide to protect them later on. The damage will be done. The other way round is open to us. We complete the amendments, we protect them and should the evidence be not forthcoming, then they can be added back, but I doubt that that is the case. There appears to be sufficient evidence to show that they and the other areas discovered are now vulnerable and that immediate action needs to be taken. I also pick up or take up one of the points made by Deputy Tadier, which is that some of the speeches made yesterday seem to be on the basis that this is a good start to the proceedings. It is right, we do not need to arrive at our 30 per cent straight away, we can add to it at a later date. By doing that, we actually defer the painful decision on what we do with the fishing industry. That is simply kicking the can down the road. We need to take action now and address the problems of the fishing industry now. The Marine Spatial Plan anticipates dialogue as to diversification and, in the end, result in compensation to the fishing industry. That was made yesterday and I do not see why it should now be regarded as a no-go area. In other areas, we will have to compensate small businesses for helping them to meet the minimum wage. This is an example of that but hopefully it will not come to that. Hopefully negotiations and discussions will result in more diversification. The last thing that any of us want is a decreased fishing industry, but I fear that if we do not pass the amendment it will be simply a recipe for no action, maerl beds being destroyed and it would be too late to restore the situation when we eventually address the very points that we should be addressing now. I will support my panel with their amendments and I urge other Members to do likewise.

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

Other Members have mentioned that there are people present in the gallery today and I want to echo the words of previous speakers that they are very, very welcome and also to echo what Deputy Tadier said, that it is very important that Islanders engage with us in this way. We must listen and I have listened. I also consider who is not present in the gallery today and who will speak for them. For that, firstly, I have turned to the Scrutiny report. It is a very good piece of work and indeed contains and distils the voice of all fishers and, indeed, there were a range of views I believe. Some fishers are very concerned about the overfishing. Indeed the panel has a range of political views so I would like to place my trust in the conclusions of this panel. I believe it is based on a wide range of robust research and evidence. Another group not present in the gallery today is children and who will speak for children? I would like to do that in my speech today because, of course, children are all either in education or they are so young that they cannot engage independently with us and we do have a duty, every single one of us, not just myself but every single member of this Assembly, we have a duty to consider the rights of the children of this Island when we make decisions. The evidence is clear on this. It might be a difficult decision for many. I feel that today it is a very difficult decision and I can understand it must be difficult for those who are in Government. There has been mention of having the discussion at Council of Ministers before coming to the Assembly. I know that sometimes compromises are asked of individual Ministers who perhaps have values that slightly differ from the majority of the Council of Ministers. To those Members, I would say to them it is not too late to change your mind and vote in accordance with your values. I would ask that Members do that when they press the voting buttons today. Going back to children. So last month at the U.N. (United Nations) there was the latest in a series of talks around a U.N. declaration for future generations. So when I am asking Members to think about children, I am not just asking Members to think about the children who are alive today, our children on the Island today, but future children, our children's children's children and so on. Other jurisdictions I think are doing this better than us and I think it is something that we need to start doing more. In Wales, I think for a few years now, they have had a Minister for Future Generations, so they have that built into their decision-making processes, that person who is nominated to consider and speak up for the children of the future. I think we need to

do something like that. In fact I think our Minister for the Environment role should be Minister for the Environment and Future Generations. The 2 are inextricably linked. Having this conscious and intentional approach to the decisions we make and how they will impact on future generations is critical. The reason why it is so important to have a step in our decision-making as we do where we have to consider children's rights, and I believe considering future generations, it is important because our brains are not wired to think of the future in that way. Our brains are not wired to think about our own deaths and indeed not wired at all to be able to contemplate easily catastrophic situations like climate change and damage, long-term damage to our environment. This is widely accepted in the field of psychology and the theory is called terror management theory. There is a primitive part of our brain that we all have that still operates in every human brain, and it is the same part that would flood our bodies with adrenaline if we were faced with a present threat, like a sabre-toothed tiger or, indeed, Islanders saying to us that they are concerned about their livelihoods. That is a present threat that we are concerned about. But that same part of our brain that would help us to tackle that immediate threat actually also stops us from thinking about threats which are so big and so hard to actually conceptualise in our human brains that, if we were to think about them too deeply, the result would be an inability to function in the present day, which would affect our survival. So our brain plays tricks on us and we must attempt to overcome this. We are not cave people. This Assembly is filled with intelligent educated individuals and we are tasked with thinking through these complex problems on behalf of our population so that they do not have to do that complex psychological work of considering long-term catastrophic threats. We must intentionally not think with those primitive parts of our brain but use our higher reasoning skills and take the greatest care when making a decision on how to vote today. We must consider the fact that worldwide and in our Island we are facing a critical loss of biodiversity, and this includes in our waters. We must consider the fact that we all have a responsibility to make decisions with due regard to children's rights, and I include future children in that. We do also have a responsibility to ensure that those who work so hard in this noble profession, the fishers who are maintaining a cultural legacy, that if this profession can no longer provide a sufficient income to their families and to their own children, that these individuals who are so much a part of upholding our culture and history, they must be supported so that they can, in a way that preserves the marine environment, continue to forge a livelihood on the water. I would like, for example, to see local seafood being served as part of school meals. I believe that we do have solutions to this present threat and I think we can do both. I think we can find solutions to the present problems and I think we can make decisions which are in the long-term best interests of our population and future generations. I will be voting with the Scrutiny Panel today and I urge Members to take great care when they vote today and to consider the impact on future generations.

[11:00]

1.1.9 Deputy P.M. Bailhache:

This has been a good debate and I will not repeat the arguments made by other Members. Deputy Ozouf said that the precautionary principle needed to be applied with pragmatism, which is another way of saying that in this quite difficult debate, the interests of the environment clash with the interests of the fishing industry. While I might, in principle, be an environmentalist and keen to preserve the environment so far as one can, that principle, I think, has to acknowledge that the livelihoods of people who rely upon the sea for their income has also to be taken into account and balanced with it. I agreed with Deputy Tadier that the ripping up of the seabed is a practice which seems to me must be brought to a halt as soon as possible. In bringing it to a halt, the Minister has to take account of the interests of those whose livelihoods depend on it, whether it is compensation or assistance in some way to find other fishing grounds or other means of fishing, those things have to be dealt with. My real purpose in standing up is to ask the proposer of the amendment in her response to confirm the point that was made by Deputy Curtis in relation to area (d) shown on the diagram produced by the University of Plymouth. This is a very small area of the Écréhous, right in

the heart of the Écréhous, and Deputy Curtis said that it was fished by only one individual. It does seem to me, in principle, that that individual could be asked to move to another fishing ground if he is indeed the only person who is taking advantage of that area. I would just like the proposer to deal with that point in her response because it might move my vote to pour in relation to that particular area.

The Bailiff:

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

1.1.10 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:

Thank you to all those who have spoken during the debate. As I said in my opening speech, the panel encountered deep divisions on this issue of protection, both within the fishing industry and from Islanders who are asking us to protect a public good; our public good, your public good. I think there are many in this Assembly who have admitted in private or in public, like our Chief Minister, Deputy Farnham, has done in the past, that dredging destroys habitats. It is likened to cutting down an ancient woodland or virgin rainforest. Once it is damaged and destroyed it is gone and takes many generations, and only if that seabed is then protected, to flourish again. The amount of damage dredging creates just to harvest a few scallops is out of proportion. The environment does not have a voice but we have heard from those that dive those areas, the scallop divers and even Deputy Morel, that there is clear destruction. I find it particularly uncomfortable that there are Members who have stated that they are environmentalists and yet have declared that they will vote in favour of a method that destroys the environment. Because this is not an amendment asking you to vote against the fishing industry; far from it. The panel are showing you that, due to their hard work in scrutinising this piece of work, they are concerned that even though there is substantial evidence in these 5 areas that are sensitive habitats to protect - ones that we are obliged to protect as a signatory to the O.S.P.A.R. Convention - Deputy Luce has clearly stated that this is a short-term economic decision, trumping long-term viability of the fishing stock. This amendment will not stop fishers fishing or dredgers dredging in at least 73 per cent of our waters. Fishing can be done sustainably. In the paper yesterday there was a celebration that now locally-caught lobsters can be sold commercially with Marine Stewardship Council ecosystem status due to a local fisherman's innovation and hard work. This drive for sustainability should be celebrated and one which consumers, which are the ones that keep any industry alive are increasingly demanding. Scallops are no different. They can be harvested sustainably and there is money available now to help pay fishers to transition, to move to sustainable practices or move away from the protected areas. I am particularly surprised at Deputy Mézec's stance. Putting aside his shallow proclamation of being an environmentalist, he focuses on a just transition but why is he ignoring the scallop divers who are also trying to make a living and finding it increasingly hard to find areas to dive for scallops that are not damaged because of dredging. Why is he not willing to listen to their voices? This is why the panel is taking this amendment in parts to help those who are struggling with the arguments at hand, for example Deputy Bailhache. They are purely focusing on economics but what about all the fishers that use a particular area and see their sustainable way of fishing being undermined? To help States Members, I am specifically talking about part (d) or part (4) when you come to vote, but this goes further than the specific areas under discussion today. The spillover effects are huge and the panel heard from several fishers who have seen all types of fish or crustaceans fall in numbers. Their catch is falling in numbers so we are seeing a declining catch in all species except scallops and spider crabs. Are we happy to overfish the scallops as well? The Minister says he increased M.P.A.s in other areas. The panel understands the theory of clean lines for navigation, though Deputy Curtis points out a very good point that is not true, since area (d) or (4) at the Écréhous makes it much more complicated. The Minister, however, does not explain clearly how he decided to extend the area far out west of Grosnez and south-west of St. Brelade's Bay, as Deputy Curtis highlighted. Using the M.P.A. assessment methodology, these

areas were not considered as being in high value or priority to protect. These areas were not suggested by officers in the original allocation as they did not meet the threshold. It makes me think that the Minister is just fudging the numbers to bring it up to a percentage that seems acceptable for everyone rather than basing it on hard evidence. Even though he and Deputy Gorst keep saying about percentages, this is not about 30 by 30. This is not about 30 by 30. This is about quality. This is not what the panel is seeking in quantity for 30 and 30. In fact, on reflection, we probably should have made amendments to these areas that the Minister has added, as Deputy Curtis suggested yesterday, as we can show the Assembly clearly that we are not about a number for numbers' sake. We are for quality and evidence. We believe that the original proposal was the right one, with its extensive scientifically-based methodology, with its extensive multi-criteria approach and assessment, where experienced officers who are highly trained in evidence gathering and analysis were obliged under their methodology to only make suggestions for areas to protect if they knew there was enough evidence to prove protection. They did not suggest the areas the Minister has added to keep an artificially high percentage. They suggested the areas we are discussing today and for what you will be voting on in a few minutes. This is why we specifically urge you, if nothing else, to support part (b) or (2), because the evidence is there in the M.S.P. itself, which shows a high density of maerl beds where fish and shellfish stocks can replenish to help the fishing industry at large. The Minister talks about the benefits of spillover and this is exactly where it would happen. If this area remains unprotected, nearly 50 per cent of Jersey's equivalent of a coral reef is left open to be destroyed, going completely against the precautionary approach set out in every document that you turn to, from the M.S.P. itself to the T.C.A. agreement and the O.S.P.A.R. Convention. Ultimately, it will diminish the scallop population. What we are seeing is a grab-and-run mentality and it is not like we have not seen this before, because we have heard about it, about the oysters. We have all received letters from a number of acclaimed academics, both French and U.K. experts, that are also calling for protection, so I completely dispute Deputy Ozouf's stance in this regard. The relationship with the French has been brought up several times and I recognise that this is a delicate balance because we are a small Island and they are a powerful player in the European Union. Believe me when I say I am very much aware of how loud the French can get, especially their fishers and farmers. Having lived at the heart of the E.U. for over 15 years, I have seen and navigated through, and often with my young children, huge protests including burning tractors and tyres, gallons of milk flowing down the road, stinking rotten piles of fish, a lot of very angry men, running battles with police, projectiles being hurled, trying to get my children to school and making my way to work. I have lived through these acts of violence and I have lived among this trying to just get by. This type of intimidation does not faze me. It has been brought up a couple of times, and I want to put the record straight on this, the Minister's timeline to get the M.S.P. from lodging to debate meant that the only time we could do any scrutiny was during the summer months. That is not what we wanted, as a panel, because we understood, as the French fishing community pointed out, it was *les conge vacance*. But this was the only time we were given and we had no wiggle room to help expand our engagement with the French. But we did receive representation and read their original inputs into the consultation process, and I am increasingly finding that Scrutiny is given very little room to do its job properly, and this is one example. I refute the idea that we did not listen to the French because we also were not given the time necessary to do that. Deputy Gorst says it is all about politics. Yes, exactly and this is why I am raising it with the Assembly so they are prepared. Jersey yet again could be used as a pawn or a prawn in a U.K./E.U. battle where energy is much more important for both parties than Jersey's marine space and whether we want to use our sovereign right to protect it further. I recognise the hard work the Minister and his officers are doing to try and ensure Jersey is listened to but this has not always worked. Why are we not locking in our most valuable habitats now? Deputy Luce has proposed parts (1), (2) and (3) of the amendment as needing further research before a decision to protect. This is what will happen if Members do not support this amendment today. Yet there is huge obscurity in this and I want to warn the Assembly and those fair-weathered environmentalists about this. The panel heard from Deputy Luce that the proposed further research has already started

and will be finalised by October next year. However, he has not explained what methodology he will be using to assess what he finds. Will it be based on the same methodology as the original proposal? He already dismissed it once. What extra criteria will be added? If he finds that there are sensitive and valuable habitats to protect in this area, the panel believe it is already there, but he has not committed to a date to make the decision for protection. This is the subject of the next amendment but there needs to be a clear date before the end of his term that he makes a decision. The panel is concerned that this is a tool to push the decision down the road past the next elections so he does not have to make it. The Minister should make a commitment to the Assembly and to the fishing industry on a date for decision. As we heard this from the fishing industry and it is a key finding in our report, the delay of decision on designation does not assist or provide certainty for any fishers, especially the dredgers.

[11:15]

What is clear is this vote is between short-term economic viability for a small number of fishers who use a method of fishing that destroys everything in its path. The Chief Minister even confirmed it, Deputy Morel even confirmed it, also like the scallop divers have confirmed it, versus protecting rich biodiverse habitats that will sustain the whole fishing industry long term by building in resilience to stocks while adapting to climate change, which brings wider benefits for the whole fishing industry and protection of the marine environment; a common good for all of us for our Island that is future-proofed. I, therefore, urge Members to vote for all parts of the amendment but specifically think about part (2) and part (4).

Deputy P.F.C. Ozouf:

May I ask a question of the ...

The Bailiff:

If it is a matter of clarification.

Deputy P.F.C. Ozouf:

Well, clarification. The proposer described opponents to have a proposition as fair-weather environmentalists and just whether or not she was referring to the French representations because she used a very provocative statement and I just thought it should be at least explained, Sir, if she would.

The Bailiff:

Are you prepared to clarify that statement? It is a matter for you whether you give way. No, if the Deputy does not choose to give way then that does not require clarification. Very well. You wish to take all of these paragraphs separately, Deputy.

Deputy H.L. Jeune:

Yes, Sir.

The Bailiff:

We will take a standing vote, unless anyone calls for the appel.

Deputy H.L. Jeune:

Have the appel, please.

The Bailiff:

The appel is called for, very well. I ask Members to return to their seats. The first vote is on amendment (1), it relates to the area east of Les Écréhous and I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their vote, then I ask the

Greffier to close the voting.

POUR: 15		CONTRE: 27		ABSTAIN: 0
Connétable of St. Mary		Connétable of St. Helier		
Deputy G.P. Southern		Connétable of St. Brelade		
Deputy M. Tadier		Connétable of Trinity		
Deputy L.M.C. Doublet		Connétable of St. Peter		
Deputy S.M. Ahier		Connétable of St. Clement		
Deputy I. Gardiner		Connétable of St. Ouen		
Deputy K.L. Moore		Connétable of Grouville		
Deputy T.A. Coles		Connétable of St. Saviour		
Deputy D.J. Warr		Deputy C.F. Labey		
Deputy H.M. Miles		Deputy S.G. Luce		
Deputy J. Renouf		Deputy K.F. Morel		
Deputy H.L. Jeune		Deputy R.J. Ward		
Deputy A.F. Curtis		Deputy C.S. Alves		
Deputy K.M. Wilson		Deputy L.J. Farnham		
Deputy M.B. Andrews		Deputy S.Y. Mézec		
		Deputy P.F.C. Ozouf		
		Deputy Sir P.M. Bailhache		
		Deputy M.R. Scott		
		Deputy C.D. Curtis		
		Deputy L.V. Feltham		
		Deputy R.E. Binet		
		Deputy M.E. Millar		
		Deputy A. Howell		
		Deputy T.J.A. Binet		
		Deputy M.R. Ferey		
		Deputy R.S. Kovacs		
		Deputy B. Ward		

I ask the Greffier to clear the voting and then to prepare the next vote and I ask the Greffier to open the voting. The voting is on paragraph (2) of the amendment, which relates to Les Écréhous and Les Anquettes. If Members have had the opportunity of casting their vote, I ask the Greffier to close the voting.

POUR: 17		CONTRE: 25		ABSTAIN: 0
Connétable of St. Clement		Connétable of St. Helier		
Connétable of St. Mary		Connétable of St. Brelade		
Connétable of St. Saviour		Connétable of Trinity		
Deputy G.P. Southern		Connétable of St. Peter		
Deputy M. Tadier		Connétable of Grouville		
Deputy L.M.C. Doublet		Connétable of St. Ouen		
Deputy S.M. Ahier		Deputy C.F. Labey		
Deputy I. Gardiner		Deputy S.G. Luce		
Deputy K.L. Moore		Deputy K.F. Morel		
Deputy T.A. Coles		Deputy R.J. Ward		
Deputy D.J. Warr		Deputy C.S. Alves		
Deputy H.M. Miles		Deputy L.J. Farnham		
Deputy J. Renouf		Deputy S.Y. Mézec		
Deputy H.L. Jeune		Deputy P.F.C. Ozouf		
Deputy A.F. Curtis		Deputy Sir P.M. Bailhache		
Deputy K.M. Wilson		Deputy M.R. Scott		
Deputy M.B. Andrews		Deputy C.D. Curtis		
		Deputy L.V. Feltham		
		Deputy R.E. Binet		
		Deputy M.E. Millar		
		Deputy A. Howell		
		Deputy T.J.A Binet		
		Deputy M.R. Ferey		
		Deputy R.S. Kovacs		
		Deputy B. Ward		

Deputy P.F.C. Ozouf:

Sir, is it possible for the States to ask for a read out of the 17 against?

The Bailiff:

Not 17 against, there are 25 against on this particular ... you wish the contre votes.

Deputy P.F.C. Ozouf:

The contre votes, please, Sir, yes.

Deputy M. Tadier:

Can we have all the votes, please?

The Deputy Greffier of the States:

Those Members voting pour: the Connétables of St. Clement, St. Mary and St. Saviour and Deputies Southern, Tadier, Doublet, Ahier, Gardiner, Moore, Coles, Warr, Miles, Renouf, Jeune, Alex Curtis, Wilson and Andrews. Those Members voting contre: the Connétables of St. Helier, St. Brelade, Trinity, St. Peter and Grouville and Deputies Labey, Luce, Morel, Rob Ward, Farnham, Mézec, Ozouf, Bailhache, Scott, Catherine Curtis, Feltham, Rose Binet, Millar, Howell, Tom Binet, Ferey, Kovacs, Barbara Ward and Alves and the Connétable of St. Ouen.

The Bailiff:

We come now to the vote on part (3) of the amendment and I ask the Greffier to open the voting. If Members have had the opportunity of casting their vote, I ask the Greffier to close the voting. That too has been defeated:

POUR: 16		CONTRE: 26		ABSTAIN: 0
Connétable of St. Mary		Connétable of St. Helier		
Connétable of St. Saviour		Connétable of St. Brelade		
Deputy G.P. Southern		Connétable of Trinity		
Deputy M. Tadier		Connétable of St. Peter		
Deputy L.M.C. Doublet		Connétable of St. Clement		
Deputy S.M. Ahier		Connétable of St. Ouen		
Deputy I. Gardiner		Connétable of Grouville		
Deputy K.L. Moore		Deputy C.F. Labey		
Deputy T.A. Coles		Deputy S.G. Luce		
Deputy D.J. Warr		Deputy K.F. Morel		
Deputy H.M. Miles		Deputy R.J. Ward		
Deputy J. Renouf		Deputy L.J. Farnham		
Deputy H.L. Jeune		Deputy S.Y. Mézec		
Deputy A.F. Curtis		Deputy P.F.C. Ozouf		
Deputy K.M. Wilson		Deputy Sir P.M. Bailhache		
Deputy M.B. Andrews		Deputy M.R. Scott		
		Deputy C.D. Curtis		
		Deputy L.V. Feltham		
		Deputy R.E. Binet		
		Deputy M.E. Millar		
		Deputy A. Howell		
		Deputy T.J.A. Binet		
		Deputy M.R. Ferey		
		Deputy R.S. Kovacs		
		Deputy B. Ward		
		Deputy C.S. Alves		

We come to part (4) of the amendment. I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their vote, I ask the Greffier to close the voting. That too has been defeated.

POUR: 19		CONTRE: 23		ABSTAIN: 0
Connétable of St. Clement		Connétable of St. Helier		
Connétable of Grouville		Connétable of St. Brelade		
Connétable of St. Mary		Connétable of Trinity		
Connétable of St. Saviour		Connétable of St. Peter		
Deputy G.P. Southern		Connétable of St. Ouen		
Deputy M. Tadier		Deputy C.F. Labey		
Deputy L.M.C. Doublet		Deputy S.G. Luce		
Deputy S.M. Ahier		Deputy K.F. Morel		
Deputy I. Gardiner		Deputy R.J. Ward		
Deputy K.L. Moore		Deputy L.J. Farnham		
Deputy Sir P.M. Bailhache		Deputy S.Y. Mézec		
Deputy T.A. Coles		Deputy P.F.C. Ozouf		
Deputy D.J. Warr		Deputy M.R. Scott		
Deputy H.M. Miles		Deputy C.D. Curtis		
Deputy J. Renouf		Deputy L.V. Feltham		
Deputy H.L. Jeune		Deputy R.E. Binet		
Deputy A.F. Curtis		Deputy M.E. Millar		
Deputy K.M. Wilson		Deputy A. Howell		
Deputy M.B. Andrews		Deputy T.J.A. Binet		
		Deputy M.R. Ferey		
		Deputy R.S. Kovacs		
		Deputy B. Ward		
		Deputy C.S. Alves		

The Deputy Greffier of the States:

Those Members voting pour: the Connétables of St. Clement, Grouville, St. Mary and St. Saviour and Deputies Southern, Tadier, Doublet, Ahier, Gardiner, Moore, Bailhache, Coles, Warr, Miles, Renouf, Jeune, Alex Curtis, Wilson and Andrews. Those Members voting contre: the Connétables of St. Helier, St. Brelade, Trinity and St. Peter and Deputies Labey, Luce, Morel, Rob Ward, Farnham, Mézec, Ozouf, Scott, Catherine Curtis, Feltham, Rose Binet, Millar, Howell, Tom Binet, Ferey, Kovacs, Barbara Ward and Alves and the Connétable of St. Ouen.

The Bailiff:

We come now to the final part, part (5) of the amendment and I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their vote, then I ask the Greffier to close the voting. Again, that part has been defeated:

POUR: 16		CONTRE: 26		ABSTAIN: 0
Connétable of St. Mary		Connétable of St. Helier		
Connétable of St. Saviour		Connétable of St. Brelade		
Deputy G.P. Southern		Connétable of Trinity		
Deputy M. Tadier		Connétable of St. Peter		
Deputy L.M.C. Doublet		Connétable of St. Clement		
Deputy S.M. Ahier		Connétable of Grouville		
Deputy I. Gardiner		Connétable of St. Ouen		
Deputy K.L. Moore		Deputy C.F. Labey		
Deputy T.A. Coles		Deputy S.G. Luce		
Deputy D.J. Warr		Deputy K.F. Morel		
Deputy H.M. Miles		Deputy R.J. Ward		
Deputy J. Renouf		Deputy L.J. Farnham		
Deputy H.L. Jeune		Deputy S.Y. Mézec		
Deputy A.F. Curtis		Deputy P.F.C. Ozouf		
Deputy K.M. Wilson		Deputy Sir P.M. Bailhache		
Deputy M.B. Andrews		Deputy M.R. Scott		
		Deputy C.D. Curtis		
		Deputy L.V. Feltham		
		Deputy R.E. Binet		
		Deputy M.E. Millar		
		Deputy A. Howell		
		Deputy T.J.A. Binet		
		Deputy M.R. Ferey		
		Deputy R.S. Kovacs		
		Deputy B. Ward		
		Deputy C.S. Alves		

1.2 Marine Spatial Plan (P.44/2024): second amendment (P.44/2024 Amd.(2))

The Bailiff:

Very well. We now come to the second amendment. There is an amendment to this amendment but in light of the observations made by the Minister that will have to be taken separately as we go. We begin with the second amendment and I ask the Greffier to read the amendment.

The Deputy Greffier of the States:

Designate the existing paragraph as paragraph (a) and, after that paragraph, insert the following – “(b) to request the Minister for the Environment to establish a framework, timeline and tracker for monitoring the implementation of the Jersey Marine Spatial Plan and for conducting any further research on areas remaining for inclusion in the Marine Protected Area Network.”

1.2.1 Deputy H.L. Jeune (Chair, Environment, Housing and Infrastructure Scrutiny Panel):

The Marine Spatial Plan is a wide-ranging document. This is what it looks like printed. I hope everyone has read every page, as I have. There is a comprehensive list of actions, 91 in all, found listed in the annex marked with which department or organisation is responsible for delivery. Interestingly, there are a range of organisations that have responsibility, including arm's length organisations and external organisations like charities. There are many aspects of the Marine Spatial Plan which are aspirational and intended to provide a direction of travel, rather than an immediate decision by the States Assembly. Officers have previously drawn a comparison between the M.S.P. and the Carbon Neutral Roadmap in terms of its status as a document which provides this direction of travel. However, this is where the comparison ends, as the Carbon Neutral Roadmap provides a clear framework of delivery with specific timeline for actions and monitoring processes. This is not the case for the M.S.P. and this is why the panel has brought this amendment to request the Minister to develop a clear framework, timeline and delivery tracker. We do not want to see all this hard work end up in a document that sits on a shelf gathering dust or for the Minister, who holds overall accountability for the delivery of the M.S.P., to have limited tools available to be able to shimmy others along in their responsibilities. This is about ensuring clarity and transparency. I understand that the Minister has made the desire to support our amendment. I would also like to also talk about the amendments to our amendment at this time if that is possible.

The Bailiff:

You can but obviously it would be sensible not to speak twice on exactly the same matter.

Deputy H.L. Jeune:

Okay.

The Bailiff:

That will be raised as an amendment to the amendment ...

Deputy H.L. Jeune:

It is so confusing.

The Bailiff:

... which you will have an opportunity to answer.

Deputy H.L. Jeune:

Therefore, I urge Members to support this part of the panel's amendments, as the Minister does.

The Bailiff:

Is this amendment seconded? [**Seconded**]

1.3 Marine Spatial Plan (P.44/2024): second amendment (P.44/2024 Amd.(2)) - amendment (P.44/2024 Amd.(2).Amd.)

The Bailiff:

There is an amendment to the amendment lodged by Deputy Renouf and I ask the Greffier to read that amendment.

The Deputy Greffier of the States:

After the words "Marine Protected Area Network" insert the words " , with a final status to be assigned to areas undergoing such further research by the end of 2025 and with all subsequent amendments to the Marine Spatial Plan to be completed by the end of the Assembly's current term of office."

1.3.1 Deputy J. Renouf:

In bringing this amendment to the Scrutiny Panel's second amendment I was conscious of one thing. I did not want those areas that had been put into the further research category to be kicked into the long grass. The Scrutiny Panel's amendment asks for a framework, timeline and tracker for monitoring the implementation of the M.S.P. and for conducting any further research on areas remaining for further research. This amendment to the amendment concentrates on the second part of that, which is the areas of further research. Without a timetable for implementation the process could drag on, particularly given the political controversy that reclassifying those areas could create. Here I want to digress a little bit to counter one point that was made by the Minister during his speech earlier where he talked about the areas in contention, the further research areas, has been only identified by a desktop survey. Of course there was a desktop element to the work but the data was ground-truthed with towed cameras and image analysis. The map on page 87 shows how extensive that ground-truthing, even when the Draft Marine Spatial Plan was published. We know that there is maerl in some of those further research areas because of that and the logic of the Minister's argument should surely be that the areas that have already been ground-truthed with cameras should be protected. The proof exists for those parts of the further research areas at least. But he has chosen a different approach. The argument is that until we have ground-truthed the entire area, in other words until the entire area that has been allocated for further research, has been further surveyed we are not going to protect it. In other words, until we know everything we will do nothing. That makes a timetable doubly important, if we are not going to do anything, even in areas where we have already identified maerl because we have not fully surveyed the area, then we need to get to work quickly. I am taking the Minister at his word. He says that because of their commercial importance these areas of further research must be held to a higher standard than the rest of the M.P.A. Network. We must be absolutely certain without a shadow of doubt that they are indeed of high environmental value, fair enough. Members have voted to endorse that approach and I accept that verdict. But the implication is that there is an intention to resolve the final status of those areas. They are not intended to stay in limbo for ever, otherwise there would be no point in doing further research. The Minister confirmed this in response to Written Question 271: "Where economic importance was great and the evidence base to protect these areas was less refined, it was decided to take out the areas from the M.P.A. Network until further research could be done to refine the boundary." These areas were taken out until further research would confirm or not whether there are sensitive habitats present. After that the intention is to make a decision on their final status. But there is a risk in this approach, it was inadvertently revealed yesterday in the debate or given added emphasis by a comment in the debate yesterday. Because on the one hand the Minister says he is absolutely committed to protecting maerl and other unspoilt threatened habitats. But on the other he says that: "One of the reasons we cannot protect now is because we need to make sure that even if there is maerl present we need to check that it is still living and has not already been destroyed by dredging." Think of that for a moment, what an Alice in Wonderland statement this is. We need to check that the areas we plan to protect have not already been destroyed by dredging and in the meantime we will carry on dredging and destroying maerl. We end up in the bizarre situation that if the dredgers get to an area before the survey cameras it will be marked as dead and no longer in need of protection.

[11:30]

This is why we need to act fast, otherwise we end up with a self-fulfilling prophecy. What then is the timetable for the work to be done to ground truth the data? The Minister has said that the survey work should be complete by spring 2025. He further reported that data analysis would be conducted through the spring and summer of 2025 and elsewhere he has referred to by October 2025. The Minister also reported that if sensitive habitat is found, then the recommendation will be to put the further research area back into the network. He said that yesterday as well, in fact he went further, he said that if the officer recommendation is to protect he will protect unambiguously. I am grateful for that. To summarise, all the work by officers to determine whether the further research areas are

indeed sensitive habitats will be completed by the end of next summer. The data analysis will already have been done over the summer, meaning that the report should follow in short order and the report will have a recommendation. That leaves 2 things for the Minister to do, first, he has to make a decision, does he accept the officer recommendation? We have already heard that that is not going to take very long because he is already committed to accepting the officer recommendation. That follows immediately once the report is presented, it is given to him. Second, if areas are to be added back into the M.P.A. Network he needs to take action to give effect to the decision. In his answer to Written Question 271, the Minister declined to set a timetable for these 2 actions. Therefore, I have allowed 3 months, from October to the end of the year, for the Minister to come to a decision; that seems reasonably generous to me. Certainly given that we should be acting as fast as we reasonably can to protect a habitat that we will definitely know is highly sensitive by that time. The second part of my amendment refers to the second part of the process, giving effect to the decision. There is a very quick way to do this that does not even require law drafting. It is to attach a condition to the fishing licences of the affected boats, so that could give practical effect straightaway. But the longer term and more solid approach requires a law change. This requires law drafting but it is the simplest of law drafting. It will be done by amending the Sea Fisheries (Trawling, Netting and Dredging) (Jersey) Regulations 2001, which in turn derive from the 1994 Sea Fisheries Law. It has already been done to create the existing Marine Protected Areas. The process is well known, it is entirely routine. If the Minister wants to get a wiggle on he could have the regulations sorted by the end of his term in office. My reasons for bringing this amendment is to bring a sense of urgency, first of all, and a sense of closure to the question of the future of the further research areas. There is only a point in doing further research if it leads to action. Either the further research areas have unspoilt threatened habitats such as maerl or they do not. But if they do they should be protected forthwith. If they do not then they should be permanently removed from the M.P.A. network, giving both Jersey and French fishing fleets the certainty they need. It helps no one to prolong the uncertainty. I hope Members will support this amendment to the amendment.

The Bailiff:

Is the amendment to the amendment seconded? [**Seconded**]

Deputy R.J. Ward of St. Helier Central:

Sir, may I ask a question of clarification about the amendment? It may just be me not understanding but I have been in that position before and I do not mind saying it publicly. The amendment says: "With a final status to be assigned to areas undergoing such further research by the end of 2025 and with all subsequent amendments." Are we referring to a timeline that the Minister would create, which could be any timeline? But any of those areas that have undergone the research then have to be allocated by 2025 or are we saying that once that timeline has been agreed in terms of the part that the Minister is accepting, that all of the assignments have to be done by 2025. Is that, therefore, defining the timeline as being by that time in 2025? That question made sense to me, it may not for many others and I accept that fully.

The Bailiff:

Do you mean the sites are designated piecemeal as and when they are identified or final, there is a final stopgap?

Deputy R.J. Ward:

Yes, that is exactly it, thank you, thank you.

The Bailiff:

Is that what you are after?

Deputy R.J. Ward:

Thank you for interpreting that so well because I did not think I understood what I meant.

The Bailiff:

I think the natural consequence is that it could be either, but the final date is 2025. In other words, there is nothing to stop any designation taking place before that if the research is done but if it is not done then the designation needs to take place by the end of 2025; that how I would interpret. I think Deputy Renouf is nodding that that is his interpretation of it as well.

Deputy R.J. Ward:

Thank you, Sir. My only concern is that if research is not done by 2025, are we voting for something that says that areas have to be assigned by 2025? I am just getting myself confused and I accept that and I apologise to everybody but I just want to be clear on what I am voting on here.

The Bailiff:

I think all I can do is interpret what I think the amendment means. I think whether you think it has problems attached to that must be the subject of a speech if you wish to make one, Deputy Ward. Deputy Scott, is this a request to speak?

Deputy M.R. Scott of St. Brelade:

Yes, this is another question about the interpretation of the amendment.

The Bailiff:

Right.

Deputy M.R. Scott:

It says: "With a final status to be assigned to areas undergoing such further research by the end of 2025 and with all subsequent amendments to the Marine Spatial Plan to be completed by the end of the Assembly's current term of office." Could you please confirm we are not talking about all subsequent amendments to the Marine Spatial Plan, rather than amendments that arise from this particular bit of research? Because I am a little confused, sorry, Sir.

The Bailiff:

Strictly on the use of the words it is all subsequent amendments but it follows, as a matter of parliamentary supremacy, that this Assembly cannot bind a subsequent Assembly and if a subsequent Assembly wishes to do different things, then the subsequent Assembly can. It may be an intention that the Marine Spatial Plan will become final but the reality of it is that a new Assembly can change it.

Deputy M.R. Scott:

Sir, thank you. Does that mean that that bit is probably a bit meaningless now?

The Bailiff:

It is not for me to say it is meaningless.

Deputy M.R. Scott:

Okay, sorry. Thank you, Sir.

The Bailiff:

In fact that would not be necessary but I think that is probably how I would interpret the effect of the words. Very well.

1.3.2 Deputy C.D. Curtis:

As some of us have already stated, this is a difficult matter to get right when you are both an environmentalist and you support the local fishing industry. I did vote against the previous amendments after very careful consideration, as it is imperative that our fishers accept the proposed changes. I have a few questions around timelines which would be relevant to this amendment to the amendment and of the aims of the Marine Spatial Plan, which I would like the Minister to answer. I apologise if this has already been mentioned and I have missed it. Firstly, is there an intention at some point to completely stop dredging or to just increase the areas where dredging is not permitted? If so, what will be the timeframe that the Minister envisages? Will the fishing industry be given plenty of time and support to adjust? Lastly, are there any definite plans for onshore processing facilities which could encourage sustainable fishing practices? I would be grateful if the Minister would respond to these questions?

1.3.3 Deputy R.J. Ward:

I do not want to bring the conversation down but we all talk about being environmentalists; I wonder whether being an environmentalist nowadays is just simply being more depressed about the world than those who are not environmentalists because of where we are and it is somewhat worrying at times. I would need to go back to this because I need to know what I am voting for because I am afraid it is not clear to me. I would ask the proposer and anyone else who speaks might be able to answer it. The first part of this has been accepted: "To request the Minister for the Environment to establish a framework, timeline and tracker for monitoring the implementation of the Marine Spatial Plan and for conducting further research areas remaining for inclusion." That makes sense, we can all agree with that. There is a timeline, research will be done, the implementation of the Marine Spatial Plan will be adopted. But then the amendment says: "With a final status to be assigned to areas undergoing such further research by the end of 2025." This is my concern, we might be voting for something that really will have no effect and we are wasting our time. That is the wrong words because I want to try and be positive about this, which is that if the research is not undertaken by 2025 there is no outcome so, therefore, you will not designate anything. If a proportion of the research is undertaken by 2025 then you can apportion an assigned area and say, yes, this has been found and we are going to assign an area for good reason. But that is pretty obvious to me, so that is what is going to happen anyway. Whenever one undertakes to conduct further research in areas, whether they should be in the Marine Spatial Plan, you would then ... just let me finish because I am really confused. Honestly, I am not being very ... no, I am confused. Very sorry, Sir. I lost it then. If research is going to be undertaken before any Marine Spatial Plan adds new areas, then it just makes sense that is going to happen anyway. What I would say is I might be in a position that I could vote for this or I could vote against this and it will make absolutely no difference to what is going to happen. I think I should have asked this question before but I have got to be honest, there was so much to read, there was so much to go through, so many areas. I am quite proud of the fact that I understood the areas, to be quite frank and what was going on. I know more about maerl than I really want to and perhaps more about fishing stocks. But I think we need to be really careful about what this means and perhaps the Minister can interpret this for us. Because, as I say, we have talked a lot about being environmentalists and there has been a lot of suggestion about that. But we do not want to vote and start thinking we are doing something when we are not or you can vote for it. It is just that detail and I am not critical of the amendment, I understand where it comes from and I understand the timeline. I completely agree on the timelines. This seems that the Minister has accepted there will be a timeline.

The Bailiff:

Yes, Deputy Luce, you wish to speak at this time.

Deputy S.G. Luce of Grouville and St. Martin:

Yes, thank you, if I could, please, Sir.

The Bailiff:

Yes, of course.

1.3.4 Deputy S.G. Luce:

Before I start I would just like to address Deputy Curtis' questions about dredging. I think that is probably best addressed in the summing-up to the whole plan, if that is possible, and not under this specific amendment. I am grateful to be able to do that then. While the rationale for Deputy Renouf's amendment to hold the M.P.A. timeline within this term of Government is clear, it is also putting me under a lot of pressure should it be adopted. I say that for this reason, good work takes time, time to research, report, consider and, once again, that word "consult". Time to notify, socialise the changes, time for users to adapt their business practices. The report from Scrutiny has highlighted the rapidity of the development of the M.S.P. and do we want to hold ourselves committed to rushing its implementation now we have got as far as we have? I do not believe that Deputy Renouf's amendment to the amendment will significantly improve or hasten full implementation of the plan. However, I do believe it may seriously jeopardise the stable implementation of the priorities set out in it. I would, therefore, recommend that Members vote against this amendment to the amendment. I am only going to speak once in the second amendment debate. I will go on to address, if I may, the original amendment from Scrutiny, which I am happy to support. While it has not been possible to produce the requested framework, timeline and tracker in advance of this debate, I can assure Members that I have already set the Marine Resources team to this task and that the plans will be published this winter. That said, I would highlight yet again that consultation has to be key and the plan, as approved so far, is middle ground built on hundreds of sets of datasets that have come back from the consultation and that the delivery framework for it must also engage the Island's population, and especially those who are directly impacted, to ensure we deliver the viable set of outcomes that we have agreed so far.

[11:45]

I would ask for the Assembly to vote with Scrutiny on this one. The timeline set by Deputy Renouf is just a little bit too tight but I have already said I will come back with the timeline. The task and the plans will be published this winter to show how I will progress this work next year. The researchers can have it during the summer and I will be receiving reports in the autumn. But to say it has got to be done in 2025 is just pushing me a little bit too hard. There is a plan in place. I agree with the Scrutiny amendments and I would urge Members to do the same.

1.3.5 Deputy M.R. Scott:

Sir, you helped me establish that the words: "With all subsequent amendments to the Marine Spatial Plan to be completed by the end of the Assembly's current term of office", yes, a subsequent Assembly can make a different decision. I am coming to the conclusion that a subsequent Assembly can make a decision that the final status is not final. Because I know that the bringer of these propositions sometimes use the term "nonsense" and I do not think it is respectful and I do not intend to use it. But they are not capable of holding this Minister, handcuff him in this particular way. I think the thing that is really important is that we do have scrutiny and that Scrutiny carries on holding the Minister to account, as it should, to ensure that things are done as promptly as they can and that if there are reasons for delay that they are examined and that protest is made where it is reasonable. I think what this amendment is trying to do is force an issue and I do understand the desire to get things done. Honestly, when it comes to Government the pace of things and progress can be frustrating for all of us. But I do not feel I can support this proposition because basically it does not really mean much and really it is trying to almost do Scrutiny's job for them without doing their job.

1.3.6 Deputy A.F. Curtis of St. Clement:

I think we are all glad that the comment on this amendment to the amendment are briefer than perhaps to the first amendment. The Assembly has legitimately made a decision with regard to 5 areas and 5 votes in the first amendment. What Deputy Renouf here is asking for, in my understanding, is quite simple. As an Assembly, we can sometimes tell and there is a mood within the Assembly where mountains are being made out of molehills, the exact linguistics used within a proposition. It is important, I hear uttered across the room. But the funny thing is the dice fall on either side, depending on who is looking to create an argument sometimes. For me the wording here is clear: "With a final status to be assigned to areas undergoing such further research." I take that to mean, turning to page 127 of the M.S.P., there are 6 areas hashed in yellow with the key to the chart being: "Area of research for future Marine Protected Area designation." Members voted on 5 of those earlier, the sixth was a small amount of rocks just north of Grève de Lecq. Members will have a clear guide as to which areas are those of further research. This is not an ambiguous definition about surveying the entire of Jersey's marine habitats. I take nodding from Deputy Renouf to be clear that he is referring specifically to the wording in the Marine Spatial Plan. Then the question about the timeline, the Minister has confirmed that the work will be undertaken and that he will have evidence and report by autumn but consultation must take place, and I would just reiterate that. The Minister has said that he will protect areas where the strong evidence comes forward and the need for consultation on this, I would suggest, is something he should be doing in parallel about how to support the dredging fleet right now to understand that should these areas need to be designated that he is in a position to do so. Lastly, to turn to the timeline, if the Minister felt that was a slightly more feasible timeline to be held to account it would have been within his right to amend this and to suggest instead of by the end of 2025 by February 2026. He has not dismissed the principle of a timeline, and that is important. We see many States propositions come forward, many of them - some of the best - will easily be measured against something like a S.M.A.R.T. criteria: specific, measurable, achievable, relevant and time-bound. I think that is all we are asking for, for those who wish to support this, is a time-bound piece of work. We have already debated, and in oral questions the Minister has faced questions about the deliverability of requests made by the Assembly on him which include time limits, not least that of a development levy proposition brought by Deputy Kovacs which specified the timeline. We hear sometimes that timelines slip. The Assembly is not always angry at Ministers when a timeline slips, they just ask for rationale, they ask for justification. But that process of governance enables the Assembly to hold to account decisions by Ministers. I think, frankly, the evidence we have from the Minister that surveys are being undertaken, that he will have a report, makes this both specific, measurable, achievable, relevant and time-bound and so I shall be supporting the Deputy's amendment.

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

My scepticism about Government interference in fishing, I have to say, continues to weigh on my mind. This is once again a matter that needs the buy-in from the fleet and in fact it has to have that if it is to be successful and to work. Imposing timelines may be of value, and I understand Deputy Renouf's motivation in bringing it but we must consider those who may have made commitments financially beyond the end of 2025 and indeed whether the department will have sufficient resource at its disposal to get the work done in the proposed time. Personally I find it difficult to support this particular amendment because I cannot be confident that the industry can be aligned with the proposed timeline at this particular juncture. I will not, therefore, be supporting this amendment.

1.3.8 Deputy H.L. Jeune:

I feel that this - as Deputy Curtis has eloquently said a mountain out of a molehill - amendment focuses solely on the areas that the Minister has already designated, calling for more research to be done. Not new areas but areas that they have already identified through evidence-based that there could be something there. Unfortunately, and I understand the will of the Assembly, the Scrutiny Panel lost the arguments in the last amendment to say there was evidence there. But there is an idea

there is evidence there, otherwise why would there be these areas just asking for more research to confirm that there is a need to protect? Therefore, I do not understand why the Minister is feeling that he does not want to support this amendment to have a clear timeline and a deadline on making that decision, otherwise, as I have said before in my last speech, it looks like this idea of further research is a way to hide behind, to not make any decision and push it not only into the next elections, so it could be for another Minister for the Environment to make that decision. But also, potentially, to never make a decision. As the Scrutiny Panel heard, this lack of having a timeline is detrimental also for the fishers and for the fishing industry and for the dredgers. That is something that we heard specifically, as a Scrutiny Panel, that they need to have a deadline, not only for this, for understanding once evidence is in place, that that evidence shows that it needs protection. On consultation, it depends on what you understand is consultation; I would take this as discussions about how to transition fishers once there is no Marine Protection Area to transition and support them away from those areas that then would be designated as being for protection. But the Minister has already in this hearing, in his letter and now in his speech outlined a particular timeframe that is feasible, that sits comfortably within this timeframe that this amendment Deputy Renouf has brought. I am really surprised the Minister has not accepted it. The Minister has already told us, as a Scrutiny Panel, that there are extra dropped cameras already in place in these areas this summer to start gathering data. Data is already being collected over this summer and this will continue into summer 2025 with it all being finalised by October 2025. This gives the Minister plenty of time before his end of term to be able to make a decision on whether he will designate further areas or not. Because, as the Minister said in this hearing: “As data becomes available we will act.” But we are not hearing how he will act. He is not defining what action he will take and not accepting this timeline means that our Scrutiny Panel, and myself, are very concerned that it is using the guise of further research to push decisions further down the line without making a decision whether to protect or not. I urge States Assembly Members to support this amendment to the amendment.

The Bailiff:

Very well. Those in favour of the amendment to the amendment kindly show.

Deputy J. Renouf:

What about the response?

The Bailiff:

Sorry?

Deputy J. Renouf:

I have not had the response yet, Sir.

The Bailiff:

I beg your pardon. Sorry, I am getting confused as to whose amendment this is, I apologise. Yes, I am not sure I am completely alone in that. Yes, does any other Member wish to speak?

1.3.9 Deputy T.A. Coles of St. Helier South:

I just wanted to follow on from what Deputy Jeune was saying about certainty and requirement of certainty for all involved in this area. One of the contributions we had to the Scrutiny review said that we are very good as an Assembly of making plans but very poor at following through. I think this is why a lot of, especially Back-Bench propositions to this Assembly, come with a timeline attached, so we can, hopefully, see the results of what we would like to achieve. This is why I would be supporting Deputy Renouf's proposition to bring in this timeline because we do need to provide all people involved in this area with certainty; fishers or the environmentalists. We also need to ensure that our plans that we make within this Assembly are followed through upon. I urge Members to support this amendment to the amendment.

The Bailiff:

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

1.3.10 Deputy J. Renouf:

I am grateful to all Members who contributed and particularly to Deputy Jeune and Deputy Alex Curtis, who certainly understood the spirit and purpose of the amendment that I am bringing and provided helpful clarification. I think in terms of the meaning of the amendment, as people have said, it is a bit of a mountain out of a molehill. It says that: "With a final status to be assigned to areas undergoing such further research by the end of 2025." The further research areas are known as the further research areas, that is how they are referred to. It is quite clear to what they refer. They are mentioned in the Marine Spatial Plan, as Deputy Alex Curtis says, so that is to what it refers. I have used the phrase that is used by the Marine Spatial Plan to describe them. There is no ambiguity about that. Then it says: "With all subsequent amendments to the Marine Spatial Plan to be completed by the end of the Assembly's current term of office." Deputy Ward did not quite understand whether that was covering everything to do with the Marine Spatial Plan.

[12:00]

In one sense, I suppose, the Marine Spatial Plan will be voted on today anyway and these are the only outstanding matters, potentially. But, no, the amendment says: "All subsequent amendments to the Marine Spatial Plan" and that means subsequent to the decisions that have been referenced in the previous part of the amendment. The subsequent amendments to the Marine Spatial Plan is amendments subsequent to the decision which we have been asking for, which the amendment asks for. Deputy Scott argued that this does not mean much because a new Assembly can always make a different decision. It can; a new Assembly can change anything. Everything we do in this Assembly is conditional. Everything is provisional. Everything can be changed by future decisions. It is no different in that respect to anything that we do but it does make a decision for the time being. That is the point, we make decisions until they are rescinded or in other ways countermanded. The point is it makes the decision for now and that is all this amendment to the amendment is attempting to do. Deputy Ward also questioned what would happen if the work was not finished? I was quite careful about that because I did put in written questions to find out how long the work would take. The Scrutiny Panel also wrote a letter to find it out. The answer was the same, the work is already underway. It is expected the survey work to be finished by spring, summer and, as I said, also there was one answer the Minister gave that referred to October. The timeline is pretty clear, it has been laid out by the Minister. A lot of the work has already been done, it is underway now. I believe the boats are out today. It allows some wiggle room by saying the end of the year. The Minister's main argument was that it is just a bit too tight but I would respectfully suggest that the timeline already outlined by the Minister makes it clear that while it may require some getting down to work pretty quickly, it is not too tight; it is achievable. It is achievable if we want to achieve it. I would say that the argument in favour of gaining that clarity as soon as possible is a compelling one. It just asks for the decisions to be taken and the actions to be taken. I note there was no challenge to the argument that the legislative change is relatively simple. I take it that that part of what I have said, the second part, in other words, of my amendment is accepted. There is not going to be a huge delay in putting these changes into effect once the Minister has made his decision. Remember there is 5 months allowed in that schedule for that law drafting and that to happen, even though it is very, very simple. I think it was the Constable of St. Brelade who said that on the one hand it will not speed things up much but, on the other hand, it will cause problems and I kind of could not quite understand if it was not going to speed things up much how it could cause a lot of problems. But the final point I would say is the point about consultation, and of course I would emphasise the point here that Deputy Alex Curtis said. Consultation is already underway, consultation can be underway concurrent with the work. The work is ongoing, research results are coming back all the time. We already know where

some of the maerl is. We knew it before the Draft Marine Spatial Plan was published. There are areas that have already been towed, towed cameras, dropped cameras and so on. It is an emerging picture, it is a building picture all the time. There is plenty of consultation that can happen before the final full stop is put on the work. I see no significant impediment to making this timetable stick. I do not think a compelling argument has been advanced against it. I very much hope that Members will support this to give some structure to the ongoing work that is being done and give us all - fishers, conservationists, Ministers, the Assembly and the public have written to us about this - give them some sense of when this will be resolved.

The Bailiff:

Thank you very much and call for the appel. I invite Members to return to their seats. The vote is on Deputy Renouf’s amendment to the second amendment and I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their vote, then I ask the Greffier to close the voting. The amendment has been defeated: 16 votes pour, 26 votes contre and no abstentions.

POUR: 16		CONTRE: 26		ABSTAIN: 0
Connétable of St. Mary		Connétable of St. Helier		
Deputy G.P. Southern		Connétable of St. Brelade		
Deputy M. Tadier		Connétable of Trinity		
Deputy L.M.C. Doublet		Connétable of St. Peter		
Deputy I. Gardiner		Connétable of St. Clement		
Deputy K.L. Moore		Connétable of St. Ouen		
Deputy Sir P.M. Bailhache		Connétable of Grouville		
Deputy T.A. Coles		Connétable of St. Saviour		
Deputy D.J. Warr		Deputy C.F. Labey		
Deputy H.M. Miles		Deputy S.G. Luce		
Deputy J. Renouf		Deputy K.F. Morel		
Deputy H.L. Jeune		Deputy S.M. Ahier		
Deputy R.S. Kovacs		Deputy R.J. Ward		
Deputy A.F. Curtis		Deputy C.S. Alves		
Deputy K.M. Wilson		Deputy L.J. Farnham		
Deputy M.B. Andrews		Deputy S.Y. Mézec		
		Deputy P.F.C. Ozouf		
		Deputy M.R. Scott		
		Deputy C.D. Curtis		
		Deputy L.V. Feltham		
		Deputy R.E. Binet		
		Deputy M.E. Millar		
		Deputy A. Howell		
		Deputy T.J.A. Binet		

		Deputy M.R. Ferey		
		Deputy B. Ward		

The Deputy Greffier of the States:

Those Members voting pour: the Connétable of St. Mary and Deputies Southern, Tadier, Doublet, Gardiner, Moore, Bailhache, Coles, Warr, Miles, Renouf, Jeune, Kovacs, Alex Curtis, Wilson and Andrews. Those Members voting contre: the Connétales of St. Helier, St. Brelade, Trinity, St. Peter, St. Clement, Grouville, St. Saviour and St. Ouen and Deputies Labey, Luce, Morel, Ahier, Rob Ward, Farnham, Mézec, Ozouf, Scott, Catherine Curtis, Feltham, Rose Binet, Millar, Howell, Tom Binet, Ferey, Barbara Ward and Alves.

1.4 Marine Spatial Plan (P.44/2024): second amendment (P.44/2024 Amd.(2)) - resumption

The Bailiff:

Very well. We now return to debate on the second amendment. Does any Members wish to speak on the second amendment? Very well. Those in favour of adopting the second amendment kindly show. Those against? The second amendment is adopted.

1.5 Marine Spatial Plan (P.44/2024) - as amended

The Bailiff:

We now return to the main debate. Does any Member wish to speak on the main proposition?

1.5.1 Deputy T.A. Coles:

I am sure, like myself, many people were very daunted when you start seeing the size of the Jersey Marine Spatial Plan as it dropped into our inboxes or Teams or however you managed to get a copy of this. I just want to make a couple of comments and observations that the plan is not simply just about the Marine Protected Areas but they just became a very dominant political item within it. I am only raising the points about other parts and potential new policies within it because there is a petition on the States Assembly website, and I know the public sometimes will think we ignore these electronic petitions, even though we will be having an in-committee debate on another subject soon. The subject that is mentioned within the M.S.P. was about dogs on beaches. Like I say, I mention this because it is something that is of the public interest and it is something that is contained within this document, that the M.S.P. will at some point bring forward a policy to review dogs on beaches and how they should be applied and whether or not the summer exclusion is still relevant. I just basically want to make a comment on the record for the Minister, and for any future Ministers on this. That when we consider policies of dogs on beaches we have to consider the wildlife in which we share these beaches with. We have a lot of migratory birds that come to Jersey at varying times of the year, that stop to rest during their migration or they come to feed during winter before returning north. Yes, simply my point is that when this policy comes forward I would hope to see a balanced view of use of our beaches, so dog owners can enjoy them all year round but also the resting birds have a chance to rest and nest in peace, so those are my comments.

1.5.2 Deputy H.L. Jeune:

I rise as the chair for the Environment, Housing and Infrastructure Panel. The concept of a Marine Spatial Plan is a simple one. It is a way of providing a direction of the marine space. It is a way to outline what the balance should be between activities and industry and the environment and at the same time ensure its sustainability for future generations. The concept may be simple but that balance is not and the challenges raised are reflected in the E.H.I.'s (Environment, Housing and

Infrastructure's) Scrutiny Panel review report and in submissions made to the panel. The panel's task was to review whether the Minister for the Environment had hit the right note with that balance that Islanders need to strike. It also examined whether international best practice had been followed, including for the consultation and engagement part and that there was alignment with neighbouring jurisdictions. We have spent some time today and yesterday debating the areas where the panel felt the balance had not been struck. Overall the M.S.P. is a wide-ranging document which represents a huge amount of work over a number of years for the officers who put it together and who facilitated the consultation and research that was necessary. One point the panel noted was that due to the aspirational nature of the document it contains potentially contentious issues, as Deputy Coles raised just now, that have not yet caused public comment in the way that Marine Protected Areas have done. I would urge Members, if they have not, to acquaint themselves with the document, like you do with the Bridging Island Plan, for example, or the Carbon Neutral Roadmap, as many elements will be passed through the States Assembly in years to come. It is clear that there is much to do to ensure this roadmap is implemented with a success line with multiple stakeholders, continued dialogue, need for additional resources and utilising tools that can help mitigate tensions, especially tensions that have played out in this Assembly in the last few days. One of the key findings of this review has been the hard work and passion of all those involved, from the Marine Resources officers who developed and produced the report, to the fishers who provided detailed information about the jobs they do and what this plan means for them, and I thank them for their dedication. However, the panel and its external advisers examined whether there could have been a way to develop the Marine Protected Area separately from the plan and Marine Spatial Plan, both in order to avoid the dominance of the issue that we have experienced and to have a longer consultation period that could have developed a plan, a Marine Protected Area plan, with more ownership. Their hands were tied though due to a States Assembly decision which may have jeopardised a more participatory approach to try and mitigate conflict over the shape and scope of the protected areas. As it is a large piece of work, our review reflected that, and the panel has made 35 findings and 17 recommendations. I will not dwell on them, you will be glad to know. As Members have the review in front of them, however, there are a few key recommendations that should be highlighted. The objectives of the Marine Spatial Plan should be reframed to provide a clearer flow of Government intent from vision through to actions, and an updated iteration of the M.S.P. to be provided prior to any next Island Plan debate. A clearly articulated set of anticipated outcomes and indicators to measure them should be developed to provide more clarity of the benefits of the M.S.P. The Minister should give clear timelines on delivery of the full economic impact assessment, use sustainable appraisals to objectively assess the economic, social and environmental sustainability of this plan. As a priority the Minister should provide clarity on the development of fisheries management planning and must support industry to explore sustainable fishing methods. Finally, the Minister should investigate models for participatory engagement for all future iterations of an M.S.P. so that development promotes ownership of the scheme for all stakeholders. With that I would like to thank everyone who answered the call for evidence, provided submission, and to those who took the time to meet with the panel. We did hear you. The panel also hired independent advisers with huge experience in this area to help the panel through its reviewing of this complex process, and we would like to thank them for their assistance. As it is the panel's first major review since forming post the V.O.N.C. (vote of no confidence) I would like to thank my fellow panellists for their time, energy and analysis in building our report. I know that as a collective we are proud of the review that we have produced, and with that I would like to thank the panel's officers for their dedication in getting the report across the line. We look forward to the response from the Minister regarding our findings and recommendations and will continue to monitor the implementation as part of our wider Scrutiny role in 2025 and beyond.

1.5.3 Deputy P.F.C. Ozouf:

I rise to support this final partly amended proposition but in doing so I would say and remind Ministers that share the responsibility for this - the Minister for Sustainable Economic Development,

the Minister for the Environment and the Minister for External Relations - that in progressing and implementing this plan it is absolutely essential that Jersey maintains its relationship with our French neighbours.

[12:15]

As I described when I visited France and went on TV and other things to try and rebuild our relations with France that were fractured, broken and difficult, I said that we were cousins - in my case for familial reasons - we are not England and we have historically regarded France as the mainland, certainly that is what it was called in my household, and we can of course speak in this Assembly in the French language. It is crucial that in adopting this plan that we maintain those relationships, that we maintain - as some Members even in the Reform Party, which I commend - that we take both the Jersey fishers and the French fishers with us. I am not sure at all whether there has been a sufficient amount of effort made to deal with the reality that it is true that one of the reasons why our fishing fleet, which is small in economic contribution to the Island but culturally important ... and other Members have said that they could not imagine the Island without a fishing industry. Certainly the importance of the catch being permitted under this plan being eaten on tables in Jersey, both at the household but also the increasing and welcome number of restaurants who are now celebrating the fishing sector. I know one or 2 new restaurants are doing so. It is vital that we consider the economic implications of the controls that we put in and that we take people with us. The reality is though that since Brexit our fishers have been saddled and burdened with a whole load of paperwork, a whole load of administration that means there are different rules for the French fishermen who fish in the waters permitted, controlled or otherwise or changed by this Marine Spatial Plan, but there is not a level playing field in relation to the ability for a Jersey fisher to land an identical twin lobster or scallop or whatever in France, which is the major market. There has been a lot of talk recently in this Assembly about the importance of improving our relations with France; I am not sure it is going to do anything with the cost of living but a French supermarket would be nice and of course our having alternative supply lines. We have to work at these relationships and we should not destroy those relationships. I have to say that it is absolutely vital that both the implementation of now this agreed, hopefully, Marine Spatial Plan and its further evolutions, which has been the subject of an amendment, that the Government and those actors within it actually do some real work and get their officials to do some real work and effort to liaise, to talk with, to understand the perspective of the French fishers. I believe there was a Senator in this Assembly who used to say that you get more with sugar than vinegar. It is not by a haughty Anglophone approach that you get the buy-in at all the levels of the French administration - regional, national, E.U. - to resolve issues like the much needed, and frankly I lament the lack of progress on it, sanitary inspection port in Granville. If our fishing industry is to survive they have to have access to French markets. It is all very well us talking about the importance of sustainable fishing, and it is all very well and fine, I support this, but at the end of the day the seas around these Islands are an economic resource and they are a valued food staple that can be enjoyed by more people sustainably. But effort has to be made to make the fish that is able to be fished, on an equal playing field. Maybe I am stretching at the purposes of the remarks but they are absolutely fundamental. We will not have a fishing industry to control in the future with a Marine Spatial Plan if we do not have a fishing industry; it is dwindling, it is falling, and I distance myself from those remarks saying that the French that I have met are in any way aggressive, like we see the portrayal of perhaps French farmers, et cetera. I do not think that they are making their views known in that sort of aggressive way. They did not when I was on the boat with them when they arrived in the Normandy harbour. They were genuinely concerned and I believe that they were unfairly treated. History has shown that we fixed that but it is by dialogue that we fix it and it is by dialogue that we will continue to have a good, plentiful sea stock with this Marine Spatial Plan being implemented. I hope Members are not cross with me for repeating what I have said on many occasions; that relationships with France are not to be underestimated as to their importance, because they matter to our history and they can matter to our future.

Deputy M. Tadier:

I will take advantage also of the fact that we have got no clock anymore to time us.

The Bailiff:

If it assists the Deputy, I write the start time every time someone speaks.

1.5.4 Deputy M. Tadier:

I knew by getting to my feet the clock would mysteriously start working again. We are obviously talking about the spatial plan in the wider context now and it is already been quite wide-ranging and I do not necessarily want to increase that wide range of topics that we are talking about. What I will say, it was touched upon in some of the contributions in the amendments, was that we will not be judged on the success of this plan in the next few months or in the next year. It might feel like one side or another in this debate has won a victory; my concern is that it may turn out to be a pyrrhic victory, not for either side or any of us in here but it might be something that we pay for later on and rue at our leisure. The success of this spatial plan and the way it has or has not been amended today I think will be judged in 30 or 50 years' time when the historians start writing perhaps on *Jerripedia* or in the other books, and we have to wait and see what they are going to say about today. Was it a missed opportunity or was it something that was done wisely? What I would say more generally, and we have touched on it before, is we have talked about issues to do with the French, the European markets; we have to put this in a wider context of Brexit. We know that Brexit did not deliver for those who voted for Brexit. They were expecting one thing; I would suggest that they got another. We know that here in the Channel Islands we did not get a say in that. I think there was a promise to fishermen elsewhere that voting for Brexit would restore the sovereignty of their territorial waters and it seems to have done exactly the opposite. Here in Jersey we are finding that we have for a long time had a shared space in that market and in those waters but there is not an equality of arms when it comes to the Jersey fishers and the French; not just in the fact that we cannot ... it would be nice if we could simply say: "There is a line; this is our water, this is where we fish, that is your water, that is where you fish." But they were historically shared fishing rights. We know of course that technology advances and that the technology and the size of boats that are available to European and French fisheries are of a far higher magnitude than is available in Jersey. While we might be seeking to protect a small number of larger boats that exploits, in the literal sense or in the industry sense those fisheries, I think it is a bigger issue about the fish stocks going forward. What also fascinates me when it comes to our food market and food sustainability, that is something we definitely need to be mindful of. We are mindful as a Scrutiny Panel that the word "sustainable" appeared recently in Economic Development. I am not sure that we are necessarily seeing much sustainable economic development coming forward; that remains to be seen. Jersey traditionally as an administration of its Government or the Assembly has taken a very scattergun approach to food security, I would argue, and to autonomy in terms of its production. If I can bring up one example that has always fascinated me; on the one hand a lot of things that the Assembly or Government has done previously varies between being very free market, sometimes it is neoliberal, other times it is very paternalistic. One of those examples of paternalism that we see in other parts of the market is the dairy industry that we have in Jersey. It is impossible, or illegal rather, to import other milk to Jersey and it is not possible to buy anything other than Jersey milk in supermarkets unless it is a particularly niche type of milk that might be omega-3 enriched, for example. We have seen that certain brands are available. But there is a protectionism that exists in the dairy industry that does not exist in the fishing industry. We have heard all sorts of comments being made about Jersey fish versus French fish; you only need to go into the big supermarkets that we have in Jersey to know that there are fish that come not just from France or Jersey but from prepackaged sources all around the world, not just in the U.K. We do have to start questioning, I think, the carbon footprint that comes with that, the sustainability of those practices, and ask if there is any appetite to start to promote our own local produce like we have done for the dairy industry. I am not saying it would necessarily be easy but it is interesting that somebody

somewhere along the line decided to protect the dairy industry, to protect the milk that we consume in the Island, but no thought has been given about how we might do that for other produce and to say that first of all we should be producing for our own Island good quality, organic, sustainable, and all those ways which we should be promoting. Not simply being left to bob up and down, for want of a better expression - although it might be appropriate - and be influenced by the waves and the winds that come from the north or the west or the south and those big economies over which we do not have control. I think it is important to make sure we take control of the things that we do have as an Island. I think it is important that we do not necessarily panic when it comes to some of what we have been hearing about the realpolitik; I do not share the same worries I think that others might feel in that regard, and I think we do need to step up and control what we can and not worry so much about what we cannot control.

1.5.5 Deputy M.R. Scott:

I was not going to speak but Deputy Tadier had mentioned the subject of how we might support the fishermen, and it is a subject that I very much hope that I and I am sure the Minister for Sustainable Economic Development will want to work with Deputy Tadier in his role as chair of the Economic and International Affairs Scrutiny Panel. The idea of the introduction of protectionism is an interesting one. I think that is something that one can explore. The most important thing is that we keep these conversations going. How can we support this industry? What pride should we be taking in our local produce and how might it be better supported, bearing in mind all the other things that come into play about the cost of food and how we still want to keep the cost of living down? I just wanted to let him know that I am listening. I might not always look like I am, but I am.

1.5.6 Deputy R.J. Ward:

Just very quickly. As we are talking about the wider policy itself, one thing I can agree with Deputy Tadier which is about us having control. It mentions a wind farm; I am a supporter of wind power. I am also an accepter of climate change being real. I understand there is a sort of move from some loud voices that climate change does not exist; I believe it does, it is really not aliens and volcanoes that have caused it. There is good science behind it. I think wind power is not only intrinsic to our power needs long into the future but it is something we should have more control over. I would like Jersey to have a much larger control over whatever is developed, rather than simply selling the seabed. I want to put that on record now and I think that is something that could be utilised way into the future for our children and children's children, as mentioned before. On that note about children, I would like to point out that when I look at the consultees, there is an area which could be used in our schools to get across what this spatial plan means and to get feedback, which are school councils. They are within all of our schools and young people involve themselves very well. Indeed, I am going to mention St. Saviour's School where I recently went and met their government set up. They have their entire government set up, so I met their Bailiff, I met their Greffier of the States, and our Chief Minister is not here at the moment but I met their Chief Minister and indeed they were all very impressive. I will not compare how impressive they were, certainly not, but they were extremely impressive.

[12:30]

I attended one of their Council of Ministers meetings and I have to say the level of organisation and focus was really very impressive indeed, and I think we can all learn from it. But that is a really good source of feedback from young people where this spatial plan will affect long into the future, and so I urge the Minister and those officers that are involved, that there is a way to engage there and we can certainly enable that within schools because I think that is a very important thing to do. That is all I wanted to say.

1.5.7 Deputy C.F. Labey of Grouville and St. Martin:

I have not yet spoken and I just want to make 2 brief points which I do not believe have been made so far. I am grateful that we have had the debate today because I feel it has allowed us to consider all aspects of the environment and our community as a whole. In the last Assembly some of us had great difficulty in debating and deciding on the Marine Spatial Plan versus a marine spatial park. There is a big difference here and we have just seen it today because the Marine Spatial Plan as we have, as we agreed upon thankfully, allows us to consider aspects that are right for Jersey, right for our community. I believe we have done that today. We have listened to all the arguments and we have come to our conclusions. The other brief point I wanted to make was let us not lose sight of the fact that the protected areas at the moment are 6 per cent, and today they will be going up to 23 per cent. So I think that is a win; it is a win for the environment and it is a win for our fishing community. It means we can go forward to get to the 30 per cent. We heard the Minister yesterday - I was tuned in for some of the time, unfortunately I was not in the Assembly - say that it is his aim and he will be achieving 30 per cent by 2030. I think that is what we have got to work to in a very balanced approach and taking everybody with us.

1.5.8 Deputy J. Renouf:

I do want to rise to speak because the M.S.P. was initiated when I was Minister, and I do want to put on record that I think it is a tremendous piece of work. I was very proud to take it on and to put into effect a States decision that came through the Bridging Island Plan to have a Marine Spatial Plan. The previous Assembly asked that we put it in place by the end of 2025 and we should in large measure meet that, with the exception of the further research areas. I want to thank the Minister for sticking with it and for all the work he has put into bringing the plan to fruition. But I also want to put on record my thanks to the officers who have worked and continue to work so hard. It was a pleasure for me to work with them, and I will repeat what I said when I was a Minister which is that the Marine Resources team is a jewel in the crown of the government. They are internationally respected and we should be very proud of the work they do, which they do with a real passion. Just as a minor counterweight to Deputy Ozouf's comment, I would say that, yes, of course we need to engage with the French but we also do need to stand up for our own interests, which are not always identical to French interests. Consult, discuss, negotiate; but do it with a clear knowledge that the French do not have a veto and we are obliged to protect the environment. The Marine Spatial Plan is a huge leap forward. It puts a fresh focus on our marine environment which is such a vital part of our jurisdiction. When we look at the Island we think we all know the shape of the Island, and we do, we know the shape of it, we could probably draw it quite accurately. But what the Marine Spatial Plan does is focus on a different spatial area which includes the seas, and it is a very different shape. It is constrained by the borders with France and Guernsey and so on. One of the things is that perhaps we will become more familiar with that shape and thinking of that as Jersey, as well as the land area and the offshore reefs. The Marine Spatial Plan is built on a terrific evidence base. Everything in it is evidenced and reported and it was quoted at the time when the draft came out that it was a good example of the kind of evidence base or the kind of reporting on that evidence base that we should do more of. The Marine Spatial Plan is also a recognition that we have to manage the marine environment. There are conflicting interests, not just to do with fishing, and the plan gives us a guide as to how we can start resolving those conflicts. But overall I want to say that it is a massive advance. I am encouraged that we have widespread agreement that maerl is important and that dredging damages it. The disagreement, it seems to me, is over how quickly we move. The Minister has unambiguously committed to support officer recommendations where maerl and other threatened habitats are identified and I welcome that commitment; it is important. I hope that not too much is lost before we are able to put in place further protection. I hope also that the time we have while further research is done is used to think about how we help that part of the fishing industry that depends on fishing in maerl beds and other sensitive areas, to help transition away from that. That would be a real win. My closing remark is to say that I hope that we endorse this Marine Spatial Plan

fully and think about how we can use it going forward. It is a really good way to think about our marine environment.

The Bailiff:

Does any other Member wish to speak? If no other Member wishes to speak then I close the debate and call upon the Minister to respond. Minister, how long do you think you will be?

Deputy S.G. Luce:

I will be as quick as I can, given the time. Even if we go over slightly I think it is right that I conclude now and not come back after lunch.

The Bailiff:

In which case, Minister, please do.

1.5.9 Deputy S.G. Luce:

I will be as brief as I can but I do not want to do any disservices to this plan because, as Deputy Renouf said, it is a really, really good document and it needs to be spoken about. Where do I start? I would like to start with Scrutiny - I will come back to them in a minute - but I do look forward to working with them on their recommendations and findings. It is my intention always to work with Scrutiny as much as I can. I have chaired Scrutiny Panels in the past and I know how the system works. I have to say that I am disappointed that they felt pressed for time. I do not know the reason why that was; I certainly would have given them more time if I could, had I known. One of the things that was said was that I have been fudging the numbers and I just want to say that, as Deputy Labey has pointed out - and now she has just left - that the additional areas in the south-west that I have been accused of using just to big up the numbers are there for a couple of reasons. They are to improve navigation, and I make no bones about that, but it does actually increase the diversity of the different habitats we have within the M.P.A. While there is no maerl there and while there are no scallops there, there are windswept rock environments which host a diverse number of fish and shellfish and protect our sea ferns. That is another one that needs protecting and it is in that area, so I say to people, these extra areas that I created were not done just for fun and to big up the numbers. Deputy Tadier mentioned that he thought I was more of an Economic Minister than an Environment Minister, but I would remind him some time ago when I was previously in this role I banned bass fishing. I can assure him some of the stuff I received in my email inbox at that time would not put me down as an economist at all. But I do need to answer Deputy Tadier in talking about a vision for the future, and my vision for the future is one where everybody is still involved, be that fishermen or be that the children. My children and grandchildren are particularly ... and I am minded to say in answer to people who have spoken about children - Deputy Rob Ward - that one of the first pieces of consultation we did was with the Youth Parliament in 2023. Deputy Tadier mentioned management and, yes, management of fish stocks, whatever the species may be, whatever the metier may be into the future, is absolutely vital to a vibrant fishing community in the future. One of the reasons we have not been able to make too much progress thus far was that we did not have proper control over our territorial waters, which we now do. We are now in a position to put management measures in place to protect those species from the challenges that Deputy Renouf has warned us about. Post-Brexit has not been easy for the fishing fleet; they know that only too well. Deputy Ozouf highlighted the challenges we have had where it is not a level playing field created by 2 fishing boats, a Jersey boat and a French boat fishing alongside each other, fishing the same species, using the same metier; whereas one boat can return to France and land that catch straight into the market and the other boat has to come into Jersey to face all the challenges that Brexit has put in our way when it comes to exporting on to the continent, which is what our markets were in those days. Deputy Coles mentioned dogs on beaches, and there were comments in the plan consultation responses both in terms of disturbance to wildlife but also in disturbance to beach users. That of course was the

reason that the rules on dogs on beaches were brought in, in the first place. However, it has become clear that there are effects of dogs worrying wildlife, particularly in the inter-tidal regions in the winter when they are there for resting or for feeding. I do have a team in the Wildlife Department looking at using the Wildlife Law to see where we go there. Constable Labey asked about protection and I can tell him that every French vessel that enters our territorial waters is now fitted with a vessel monitoring system which allows us to monitor everything they do, and they have a system onboard which transmits their position, the speed and the heading. Indeed, Jersey was the first place in the British Isles to use this information to successfully prosecute fishermen. Our fisheries vessel continues to work at sea, and I believe is at sea today. The other one I wanted to mention before I get to the final summing up is Deputy Catherine Curtis who spoke about facilities and the future for dredging. In the plan there is a priority for providing facilities onshore for the fishing community. I think we all appreciate how important it is, especially with individual freezing of portions, whether that be shellfish or wet fish, and that is something I very much want to look forward to in the future with the Minister for Sustainable Economic Development, but as ever our challenge is money and the cost of creating this infrastructure, but it is something that is prioritised in the plan. Finally, the Deputy mentioned the future of dredging. Well, as an ex-oyster and mussel farmer I have to say to the Assembly, if you gave me the option of which food I would choose to have on my plate for supper, scallops are there at the top of the list. I think they are the most wonderful seafood in a whole range of wonderful seafood that we can produce in Jersey. I have to say to the Deputy that in winter dredging provides scallops in the times of year where no one can get in let alone under the water to provide those scallops. It is a method of fishing that is part of the tapestry of our fishing industry and through careful delivery of the plan I am confident that we can find a continued way through the rural and marine economy scheme to find an economical and, more importantly, environmental way to keep these boats fishing.

[12:45]

The future of the dredging industry is not rosy but they can be assured that they get the commitment from myself and the Minister for Sustainable Economic Development to find ways to keep them working because, as the Chief Minister said much earlier today, the industry do not want handouts, they do not want compensation, they want to be able to continue the livelihood they have learnt over generations. This marine plan looks to balance the cultural, environmental, economic and social priorities of the Island while proposing significant modernisations of how we manage our marine space. I am so pleased that the Assembly today has had the opportunity to set this clear direction of travel. I want to thank all Members who have contributed to the debate and the fact that we have been here for some hours now and the length of some of the speeches, but they have been good speeches, all of them, even if we have not agreed. People have taken the time to read, to think, to research and come up with their own conclusion so I want to thank them all - Islanders especially - and our friends and cousins across the water for engaging with the development of this plan. It is a stronger document for the countless hours that we have all put into examining, testing and reporting on it. I would like to also thank again my Scrutiny Panel for examining and reporting in detail on the plan. It is a really good review and, as I have said before, I will be looking to respond to their findings and recommendations and working with them moving forward as we develop this plan further. I hope Members will be able to vote unanimously in favour of this plan. I want to create a stable state for our seas and those especially who rely on it for their work and their play. We all depend, after all, on the water to live, to breathe, to thrive, and long may that continue. This is a plan that balances; it balances cultural heritage, recreation and tourism, the commercial and the natural environment with biodiversity. It is a plan that looks to the U.K. and the continent for working together, our energy and our connectivity. I say this quite often in this Assembly but compromise and politics to me go hand in hand. Discussing issues face to face, finding the middle ground, working together is always the best way forward. It is never easy but I hope that in this Marine Spatial Plan we have come to place where we can still balance all the considerations that we have

mentioned here today. They do need to be balanced if we are to ultimately be successful. As Deputy Renouf said, and I thank him for his work that he did previous to this - it is as much his plan as mine - this is a good plan; this is a really good plan. It is borne out of a huge amount of work from the officers, and I absolutely 100 per cent agree with the Deputy when he says we have the most phenomenal team in Marine Resources and I thank them especially for the work they put in. **[Approbation]** I will not dwell further. I commend this plan to the Assembly and ask them to vote positively, and I call for the appel.

The Bailiff:

The appel is called for. I invite Members not sitting in the Chamber to return to their seats. The vote is on the Marine Spatial Plan, P.44. I ask the Greffier to open the voting. If Members have had the opportunity of casting their vote then I ask the Greffier to close the voting. The plan has been adopted:

POUR: 40		CONTRE: 0		ABSTAIN: 0
Connétable of St. Helier				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Clement				
Connétable of St. Ouen				
Connétable of Grouville				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy I. Gardiner				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy P.F.C. Ozouf				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				

Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy M.B. Andrews				

[Approbation]

LUNCHEON ADJOURNMENT PROPOSED

The Bailiff:

The adjournment is proposed. I mentioned to Members that we will start immediately after the adjournment with an urgent oral question that has been allowed. I am afraid I do not have the wording of it in front of me but I am sure it will be circulated to Members and I will allow 10 minutes of questions in connection with that because that is what was allowed for questions with notice on the last occasion. We stand adjourned until 2.15 p.m.

[12:50]

LUNCHEON ADJOURNMENT

[14:15]

QUESTIONS - resumption

2. Urgent Oral Question

The Bailiff:

Yes, very well, the first matter is an urgent oral question that Deputy Renouf will ask of the Minister for Sustainable Economic Development. Using the rough rule of thumb as to the number of minutes that would have been available had this question been lodged for questions without notice, then I will allow 10 minutes for the question.

Deputy B. Ward of St. Clement:

We might be quorate now but I was a bit concerned as to whether we were quorate or not.

The Bailiff:

Yes, if I look over this side it does seem rather empty. This side is quite full. We have 2 online as well. Yes, Deputy?

2.1 Deputy J. Renouf of St. Brelade of the Minister for Sustainable Economic Development the Minister for Sustainable Economic Development regarding the removal of the Chief Officer of the Department for the Economy from the ferry tendering process. (UOQ.3/2024):

Will the Minister provide further information on the ramifications of the statement yesterday that the chief officer in the Economic Development Department is stepping aside from the ferry tendering process owing to an error of judgment?

Deputy K.F. Morel of St. John, St. Lawrence and Trinity (The Minister for Sustainable Economic Development):

I thank the Deputy for his question. I have requested that the Government C.E.O. (chief executive officer) provide a new S.R.O. (senior reporting officer) to oversee the remaining stages of the process, and this appointment will be in place next week. In the meantime other members of the project team, both within Government and Ports of Jersey, will provide support, given their extensive knowledge of the procurement process and familiarity with the issues at hand. The project team on the procurement process was formed from a cross section from Ministerial and non-Ministerial departments including Ports of Jersey and the Law Officers' Department.

2.1.1 Deputy J. Renouf:

Can the Minister provide any information about how the *faux pas* came to light and what the nature of the mistake was?

Deputy K.F. Morel:

As I understand, the mistake came to light as a result of a media enquiry. I believe, and I have spoken to the senior reporting officer, that this was a genuine mistake and that the officer was - having been involved in this process a very long time - seeking to view the results of an online poll. Having realised his mistake, the vote was retracted. Nevertheless, the senior reporting officer has voluntarily recused himself from the process in order to protect the integrity of any eventual decision.

2.1.2 Deputy M. Tadier:

Could the Minister advise how much input that officer had had up until this point and whether it is likely that any different outcome will be achieved because of his absence from that role?

Deputy K.F. Morel:

The senior reporting officer over the course of this whole project, for want of a better word, has obviously been involved in all sorts of ways, but he has not been involved in marking the different parts of the tender process. In order to keep the marking separate the tenders were provided to other nominated individuals who went through the marking themselves, so he had not been involved in that stage of the process. The idea was that he would then come together with his counterpart in Guernsey to discuss that.

2.1.3 Deputy M. Tadier:

Could the Minister confirm whether the error of judgment that was made or referred to constituted a material conflict of interest or whether he just stepped aside simply to avoid any perception of conflict of interest?

Deputy K.F. Morel:

There is no doubt in my mind that he has stepped aside to avoid any perception of conflict of interest. I do not personally believe - and I do not like speaking on behalf of other people but I also believe

this is the view of the chief executive officer - that this was a genuine error. He wanted to understand what the public was thinking when he saw the poll, but the only way to see at that time how the results were going was to press one of the voting buttons. He did that and we are where we are now. But he genuinely has been an amazing adviser throughout this whole process and - because obviously he has a role in my department - he continues to have my full support in that role.

2.1.4 Deputy H.L. Jeune:

Could the Minister tell us who will be guiding the process now the chief officer is not there to make a recommendation?

Deputy K.F. Morel:

There will be a new senior reporting officer appointed. At this stage - and I only say this because I always want to err on the side of caution - I believe that the chief officer of Infrastructure is most likely to take up the role of the senior reporting officer going forward. In case that changed, and I do not see any reason that it will, that is the information that I have at this moment.

2.1.5 Deputy H.L. Jeune:

Will this change lead to a delay in making any decision?

Deputy K.F. Morel:

We are, as I am sure Members will be relieved to hear, towards the very end of this process. My concern has been about further delay but I think any delay will be in a matter of days, not any longer particularly than that because, yes, at the moment the new senior reporting officer needs to get up to speed and so on. But I am being supported, as I said, by the chief executive of Ports of Jersey who is across this whole subject as well, which helps. But there will be, I believe, some days of delay because, for instance, a meeting has had to be delayed as a result of this by some days.

2.1.6 Deputy H.M. Miles of St. Brelade:

Has the Minister taken any legal advice to try and ensure the decision making is not going to be the subject of legal challenge?

Deputy K.F. Morel:

Can I ask whether Deputy Miles could clarify whether she is talking about legal advice in regard to this specific issue around the senior reporting officer and his recusal?

Deputy H.M. Miles:

No, the question was more about legal challenge from any of the applicants for the tender process.

Deputy K.F. Morel:

In which case I would point out that is not a supplementary to this question.

The Bailiff:

That is not the subject matter of the urgent question and, therefore, it cannot be asked.

2.1.7 Deputy P.F.C. Ozouf:

I wonder whether I may ask the Minister, in relation to the advice that is given to Ministers, could he take this opportunity of clarifying that he is the Minister that will be receiving and making the decision, or whether there are other Ministers going to be involved in the actual decision in Jersey.

Deputy K.F. Morel:

I would question whether that is supplementary to this question, Sir, because it is not about the senior reporting officer and it is not about his recusal.

The Bailiff:

No, but I think it does arise from the question as to the process that is happening now and who is going to be doing what.

Deputy K.F. Morel:

In which case, yes, I am the ultimate decision maker in this but I am not someone who likes to take decisions in a vacuum so I will be speaking to the Council of Ministers, and I may speak to more people as well. I would obviously be seeking the support at the very least of the Council of Ministers.

2.1.8 Deputy P.F.C. Ozouf:

I am grateful for your acceptance of this supplementary question because it relates to the senior reporting officer and who he is reporting ...

The Bailiff:

Deputy, we are taking up limited time. Do you have a supplementary question because you are simply making a statement?

Deputy P.F.C. Ozouf:

I want to ensure that there are no predetermined outcomes and if other Ministers are involved they are also completely clear about their openness in relation to taking this decision, and simply ...

The Bailiff:

I am afraid in my judgment that goes too far outside the ambit of the original question.

2.1.9 Deputy I. Gardiner:

Would the Minister please remind us what was the original date to make a decision on this tender and announce the next ferry operator, and what is expected to be the date now for the final tender, and when he expects a new senior officer to be appointed?

Deputy K.F. Morel:

It is interesting talking about original dates because there has always been the understanding - and I believe to the best of my knowledge it is in the invitation to tender document - that the dates can be fluid because this is not a simple process; this is a process between 2 jurisdictions which also has a political element to it. We were aiming for the end of September, if I remember rightly, into October. At the moment we have not got there yet but, despite this event, I expect to come out with a decision within a couple of weeks. I do not know if it will be this side of the month or whether we will go into November. But it is important that we make the right decision for the Island. It is important to get this right and time in that sense needs to be subservient to the fact that we need the best decision for Jersey.

2.1.10 Deputy I. Gardiner:

I think the timeline is extremely important as we are heading to the Easter time and none of the Islanders and tourists can book anything for Easter and it is coming very quickly. When will the senior officer be appointed?

Deputy K.F. Morel:

I said next week. As I said, I believe I know that senior officer in the sense of I know their title, I know who they are, and it is just a matter of him having to get into this, if you understand what I mean.

2.1.11 Deputy J. Renouf:

I thank the Minister for answering the questions very directly. I just wanted, if I could, to test Deputy Miles' question a little bit further. My question said: will the Minister provide further information on the ramifications of the statement? One ramification might be that the process might be seen to be contaminated by prior decision or a certain somebody being predisposed to make a decision. So the question would be: has the Minister considered the risks of prior contamination and the legal risk that might arise from that potential contamination?

Deputy K.F. Morel:

I believe that is entirely in order as question. It is well worded to keep it so. I am and have been throughout this process highly aware of the desire to keep a lack of contamination, to use the Deputy's word, but I do understand what he means. So it is a consideration of mine, it is something that concerns me. But I believe because the officer concerned immediately recused himself, and it was a genuine error. I know there was a headline recently that said: "Bias or blunder?" This was a blunder, it was not bias, and I am absolutely convinced by that. You only ever find out if it is tested in court but I believe we are on safe ground in that sense. He has made an error, he has immediately recused himself, I will shortly have a new senior reporting officer, I have other team members who are able to work with me on this continuously. So I believe we are in the right place from that perspective.

The Bailiff:

Thank you very much, Minister. That brings this question to an end and we now resume the Order Paper proper.

PUBLIC BUSINESS - resumption

3. Delivery of three bilingual primary schools (P.45/2024) - as amended (P.45/2024 Amd.)

The Bailiff:

The next item of Public Business is the Delivery of three bilingual primary schools, P.45, lodged by Deputy Bailhache. The main responder is the Minister for Education and Lifelong Learning. Deputy, you have lodged an amendment to the proposition; do you wish to take it as amended?

Deputy P.M. Bailhache:

Yes, I would like to have the amendment taken with the proposition as a whole, if I may. But before the proposition is read I wonder if I might raise a point of order with you seeking a ruling as to the interpretation of paragraph (b) of the amended proposition. If it helps you, Sir, you will need my proposition and you will also need the comments lodged by the Minister a couple of days ago.

The Bailiff:

I just put them all to one side so this may take me a minute or 2.

[14:30]

Deputy P.M. Bailhache:

The proposition at paragraph (b) says: "To request the Minister for Education and Lifelong Learning to conduct a survey, in co-operation with Statistics Jersey, of the views of parents of preschool children as to the desirability of establishing bilingual English-French primary schools in Jersey and their willingness to send their children to such a school." The ruling is sought in relation to the phrase "in co-operation with Statistics Jersey". Yesterday morning I found the Minister's comments on my amended proposition in my pigeonhole and the statement under the heading survey issues: "The chief statistician advises that due to the loss of posts through budget reductions they have had to cut outputs and have no spare capacity to conduct the survey of preschool children during 2025. Even if funding was available they do not have spare staff to conduct such a survey and a survey such of this would be low on the list of priorities." The following bits on the Jersey Opinion and Lifestyle Survey are

not relevant for these purposes. The first 2 paragraphs state in terms that the chief statistician's advice is that he has no staff or resources to conduct a survey. I have to confess that I did not consult with the chief statistician before lodging my amendment, which in retrospect was a mistake for which I apologise unreservedly to the chief statistician. But it was not my intention that Statistics Jersey or the chief statistician should conduct the survey. The amended proposition quite clearly requests the Minister for Education and Lifelong Learning to conduct a survey. The advice from the Director of Education which I received was that there were established ...

The Bailiff:

I am sorry, I am just making sure I am looking at the right document. I do apologise, everybody. I am just making sure that I have the amendment comments, which I thought I was just looking at a moment ago. Yes, I now have it and I apologise. Please do continue.

Deputy P.M. Bailhache:

The advice which I received from the Director of Education was that there were established lines of communication with parents of preschool children which made it easy to conduct such a survey. The phrase "in co-operation with Statistics Jersey" was inserted to give the survey more weight and to ensure that it was conducted professionally and in a proper way. What I envisaged was consultation with Statistics Jersey on the questions to be put and no more. I have spoken to the chief statistician this morning and he assures me that he would be able to advise on survey questions as this is something that he does for a number of other organisations.

The Bailiff:

So what ruling are you seeking as to interpretation of the amendment?

Deputy P.M. Bailhache:

The ruling that I am seeking from you, Sir, is that the phrase "in co-operation with Statistics Jersey" can fairly be interpreted to mean consultation on the survey questions as I have described.

The Bailiff:

Very well. Well, it seems to me that the wording of paragraph (b) does not have for its effect that any survey must be conducted by Statistics Jersey because it expressly does not say so. It uses the word "co-operation" instead of "conducted by". "Co-operation with" is a somewhat, I suppose, protean expression which has a certain amount of flexibility within it but certainly within it would, it seems to me, encompass the possibility that the involvement of Statistics Jersey would be limited to advising on the form of the questions because that would be co-operation.

Deputy P.M. Bailhache:

That is my intention and as long as it falls within the phrase "in co-operation" then I am content with that ruling from you.

The Bailiff:

Well, I am assuming, Deputy, that although you have made it clear now you will perhaps make it clear again as you open so that Members know what you are anticipating when they vote on the proposition and the amendment. You would like to have it taken as amended?

Deputy P.M. Bailhache:

I am sorry, Sir?

The Bailiff:

You would like to have the proposition read as amended?

Deputy P.M. Bailhache:

Read as amended, yes, please.

The Bailiff:

Are Members agreed that it may be read as amended? Very well. 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) to approve in principle the conversion of at least 2 primary schools into English-French bilingual schools, with a progressively phased introduction of bilingual tuition in these schools to begin with reception classes; (b) to request the Minister for Education and Lifelong Learning to conduct a survey, in co-operation with Statistics Jersey, of the views of parents of preschool children as to the desirability of establishing bilingual English-French primary schools in Jersey, and their willingness to send their children to such a school; and (c) to request the Minister for Education and Lifelong Learning to appoint, subject to a positive outcome from the survey referred to in paragraph (b) above, an appropriately qualified project manager to ensure a smooth transition to bilingual teaching, and to establish at least 2 bilingual English-French primary schools by the beginning of the academic year 2026-27.

3.1 Deputy P.M. Bailhache:

Monsieur Le Bailli, Members do not need reminding that French is one of the official languages of the Assembly, nor I think that knowledge of it in the Island is diminishing year by year. The question for the Assembly today is whether we want to do something innovative about it. Many of us have joined forces with the Alliance Française, even the Minister, I am glad to note, which is a good indication that in principle we probably do. Probably most find learning French is a struggle. How much easier it would be if we had attended a bilingual school. Children taught in French absorb the language subconsciously through a form of osmosis. It is an effortless way to learn. Evidence shows that it does not affect the learning of English. Both develop in different channels of the brain. I recall that my late grandfather, having had a stroke, found that he could no longer speak English but extraordinarily he could communicate in French. The stroke had knocked out one part of the brain but not the part which enabled him to speak in French. There is no better way of learning French or, indeed, any foreign language than by immersion. When I was growing up it was customary for parents who could afford it to send their children to live in France with another family. Immersed in family life, one absorbed the language and the culture through the skin. I learned to speak French in that way and not by studying French at A-level. At school I could write an essay on Molière's "Le Bourgeois gentilhomme", but I found it difficult to hold a conversation. But that is, or was anyway, the British way of teaching languages. It is greatly inferior to the immersive traditions on the continent. You get immersion either in the foreign country, as I have described, or at school. We have many examples in our schools of Polish, Portuguese and Romanian children who are immersed in English and in a relatively short time can communicate both in the home language and in English. The daughter of a Madeiran friend knowing no English when she arrived in Jersey as a child is now bilingual and teaches in one of our schools, and there are many like her. If we establish bilingual French-English schools where the tuition is delivered in both languages, one week say in English, one week in French, or some other combination, and the children are taught in this way from the earliest stage, experience shows that we will have children fluent in both languages after no more than 2 years. If I were the parent of such a child, I would be really excited. Is then the way forward by establishing bilingual schools? They have been on the agenda for quite a long time, at least 10 years. The Minister's own expert language adviser states that bilingual education is becoming increasingly common in state schools around the world, except, of course, in the United Kingdom, whose path we are, sadly, following. Earlier this year I went to see the Director of Education to ask what was needed to move this along, and he told me that if the States adopted a resolution requesting the introduction of bilingual schools, the department would, whatever the challenges, deliver. Hence

this amended proposition. My amended proposition asks for an in-principle decision to establish 2 schools. Why 2? I would like more, frankly, but I am responding to the Minister's concerns. There should be at least 2 so that the schools can support each other. If there are problems, the heads can help each other out. A huge amount of research has been undertaken in countries where bilingualism flourishes, especially in Canada, the United States and in Europe. Of course, there are opinions as to the benefits in both directions but the broad consensus is quite clearly that there are enormous cognitive advantages for bilinguals, including heightened mental flexibility and creative thinking skills. The brain develops to allow information to be sifted more quickly and efficiently. Children perform better in other subjects, particularly in maths and in music. The benefits are experienced by children of all abilities, even those with special needs. Another benefit is that once 2 languages have been mastered it is much easier to absorb a third and a fourth. Language skills reinforce each other. That also is the view of the Minister's expert adviser, Dr. Crisfield, who says that bilingual education produces equal or better results in terms of language acquisition and academic achievement compared with monolingual approaches.

[14:45]

It is surprising, therefore, and, I must say, regrettable that the Minister is opposed to the establishment of bilingual schools. If this proposition is rejected, some children in Jersey will, nonetheless, enjoy all the benefits that bilingualism brings. They are the children of Portuguese, Romanian and Polish families whose children have been educated here. But the majority of children from English-speaking families will not benefit. They may speak some French but they will not have any of the advantages which bilingual children enjoy. That seems a bizarre policy to follow. We should invest in the language skills of children from all backgrounds. There are economic as well as educational advantages, and I have described some of those in my reports. France was once our most significant trading partner. It could once more be an important partner and that would be greatly helped if more people could speak the language. In the hospitality industry in Jersey, employees' ability to speak French would be a great asset for many employers. French is not just the past, as some critics have suggested, but could be the future, too. The diplomatic aspect is important, too. Political threats come not only from the U.K. but also from France; for example, by the invasion of French fishermen and by the threat of a French Minister to cut off our electricity supply. Relations with France are nearly as important as relations with the U.K. French citizens are, quite rightly, hugely attached to their language and culture. Seeing that Jersey considered the Francophone part of its heritage important enough to establish bilingual schools would have a dramatic effect in French governmental circles. France wants to be a friend, as was emphasised by the Ambassador when she came to Jersey a few months ago. Members should not underestimate the importance of good relations with France, nor the effect upon those relations of introducing bilingual schools. The Minister says that there are too many practical problems, but may we have a look at them? I accept that creating bilingual schools would require some changes, but the problems should not be exaggerated. The proposition states that the process of conversion would be gradual and begin with the youngest children, the reception class. We would need native French primary school teachers, but if the States adopts this amended proposition no more than 2 of them would be required in the first year. Where do we source them? The Alliance Française and B.I.A.N. (Bureau des Iles Anglo-Normandes) will help. The headteacher survey showed that we already employ 8 primary school teachers fluent in French and able to deliver the curriculum in that language. We have good relations with Caen and Rouen universities. I am sure that those institutions would be willing to second teachers wishing to improve their English. They would need training, but that is not impossible. Another talent pool lies in England, where no fewer than 150,000 French citizens live, even after Brexit. There must be among that number dozens, if not scores, of primary school teachers trained in the national curriculum, many of whom would, I am sure, be interested in teaching in Jersey. Looking ahead, if we do establish bilingual teaching, we will generate our own local bilingual teachers in the future. Sourcing teachers is not an insuperable obstacle given the will to do so. We only need 2 per year. The cost has been estimated

at approximately £1.5 million for 2 teachers, but that presupposes that each teacher will be an addition to the establishment. Why should that be so? Native French teachers will be doing what is already done by currently employed teachers. Part of the teaching will be done in French, whereas before it was done totally in English. In a 2-form entry school, no extra teachers are needed. Given the very small numbers involved, 2 per year, and the natural turnover of staff, the employment of native French teachers should be easily absorbed in the existing establishment. Cost is a factor but it has been greatly overstated. The headteachers survey showed an apparent unanimity of opposition, but I do not think that that is a true reflection of the totality of their views. All those I have spoken to acknowledge the importance of French. If the survey question had been not: “Do you want to convert your school into a French-English bilingual school?” but instead: “Would you like children to leave your school speaking fluent French as well as English?” there might well have been a different response. The heads are under pressure and without some positive encouragement from the Minister and his department - for example, a perhaps generous financial allowance to compensate for the additional responsibility of being a headteacher of a bilingual school and the promise of administrative support and help - they are almost bound to say no. My discussions with some of the heads revealed much more openness to the proposition than appeared from the survey. I want to close by saying a few words about bilingual schools and the importance of French in the context of Jersey’s heritage and its psyche or soul or spirit. Most Jersey people, certainly of a certain age, understand in their bones why the French language is important. It is not just the French family names, the road names, place names, nor is it just the old traditions like Visites Royale and Branchage and Clameur de Haro, nor is it our historical links and physical closeness to France, although all these things count. It is that the French language and Jèrriais, too, are part of our makeup, part of what differentiates us from England. Jersey is not England and our linguistic heritage is a large part of what makes Jersey different and special. It is part of our Island identity. We are losing that special identity, slowly but inexorably. We may have made modest progress in primary education recently but not nearly enough to reverse the downward trend of the last 75 years and more. What we have gained in primary schools we lose in the secondary schools. The average Jersey child knows no more French at the end of his schooling in Jersey than if educated in Brentford, Bexley or Birmingham, and that is a lamentably low benchmark. Apart from the Europeans and the other immigrants who have brought their languages to Jersey and enriched our community, we are a monolingual society, detached from our past. If it continues, we will become a diminished place, indistinguishable from communities in England, and that would be, in my view, a tragedy. Do we really want to follow the U.K. down this path? We should not be frightened just once to be bold and innovative. Establishing 2 bilingual primary schools will stimulate French teaching at all schools across the board as a rising tide lifts all boats. Looking forward 25 years, we will then have 2,500 bilingual young Islanders, a cohort of French-speaking Jersey people, which would be transformative of our society and to the enormous advantage of the Island. Do we have the vision to do it? I move the proposition.

The Bailiff:

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

3.1.1 Deputy R.J. Ward:

I would like to speak early because it gives some time to perhaps look back at the comments paper. First, I must apologise to Members for the length of the original comments paper. I felt it necessary as the decision to be made today may have serious long-term consequences for our primary schools. I hope Members have had time to read and digest the contents of that comments paper and the one that accompanies this amendment. Both are relevant to this debate. I also may speak for a reasonable amount of time on these issues around the proposition because they need to be fully explained and understood. I would like to say thank you to those in the background. This was lodged at the beginning of the summer break when it was difficult to access schools, with the original date to be the first day back after the summer break, so officers provided me with the information that I asked

for during the summer break quickly. Thank you to those schools and headteachers who completed the survey very quickly and with a great deal of thought. So, where to begin? I must first address the issue of cost. In the original proposition report, the Deputy states ... and it is relevant because I will build on that. It was stated: "It is not anticipated there will be any significant extra financial resources required to implement this proposition." I did not agree with this statement. The original comments paper on pages 5 and 12, the costs for the start of ongoing development of this provision across 3 schools - the amendment states 2 or more schools, at least 2 schools - these costs have not been addressed in the amendment. The report with the amendment states: "It is possible that there are resources within the Education Department which would enable the appointment of a project manager, but if not, it is estimated a 12-month appointment would cost in the region of £60,000." Making this decision on it being possible that there are resources with this minimal estimate exemplifies the lack of reality in the cost of the implications of this proposition. Even as amended, the proposer states: "Undertaking the headship of a new bilingual school is undoubtedly a responsibility which is deserving of an additional allowance", but none of that cost has been put into the amended proposition. This also separates some heads from pay scales, which changes dramatically the way that we employ headteachers. But the proposition gives no sources for this money and no costs for this change. The estimate given in my original report to the proposition are provisional but realistic to address the additional delivery of the ongoing curriculum in primary schools, and I emphasise that word purposefully.

[15:00]

Because this is the first time I want to make clear that this proposition is not about simply using French as a language in primary schools but the complete delivery of key stage 1 and key stage 2 curriculum in French. The specialist use of language is more complex. It requires staff who are trained to specific levels or fluent speakers who are qualified to deliver the curriculum, trained as teachers. Bilingual education is a term that refers to: "The teaching of academic content in 2 languages, in a native and second language." It is more than simply speaking in another language but teaching concepts and content in that second language. What about those students whose native language is not English? Are they to be excluded or segregated? Because they have to learn English in order to access that curriculum as well. We must recognise that the primary curriculum across all subjects is highly organised, detailed and sequenced from nursery to year 6. They are sequenced to be taught in English and will have to be sequenced to be taught in French as an additional language. There are costs of planning and resourcing the materials for the parallel curriculum in a matching, sequential way in a different language. Teaching may take longer and have an impact across the year, as will any assessments undertaken during later years. The proposer at no point addresses assessments. You cannot teach everything twice unless you halve the content, and this curriculum up to year 6 prepares our children for year 7 and later formal qualifications. Gaps cannot simply be caught up later. What of secondary schools? When the project ends, what happens to teaching? There will be costs of employing and training additional teaching assistants, and teaching assistants are not mentioned. They are an absolutely vital role. Some teaching assistants are one to one. I will come back to that. They play an integral role in delivery of the primary curriculum. The total eventual recurring costs of up to £2.1 million are currently not funded and will need to come from other provisions at a time of intense pressure on schools. The report for the amendment states: "The headteacher surveys show that there are already 8 primary school teachers employed in the department who could teach Jersey curriculum in French. Not all may wish to do so, but at the start and towards the complement of 14 required over the conversion period of 7 years" and that is for 2 schools, a minimum of 2 schools. This is an enormously simplistic view of how primary schools work and what teachers do. "Could" is an important word. Will staff be asked to move schools, move year groups and teach and break relationships with colleagues? Contractually, I am unsure how this works and whether we will simply have staff leave, particularly given the strong response from primary schools that do not support this type of school structure. The assumption that this can

be simply dealt with by the churn of staff leaving is simply incorrect. The cohort of trainee teachers will not necessarily fit this very different need. Let me address the priorities in our schools. I must share my concern that this project does not align with the clear priorities set to address the ambition of providing a high-performing education system for all Islanders. Put simply, establishing bilingual schools as a priority will divert from ongoing work and create another level of selection. It must be understood that French is the only subject currently to have support in schools outside of the English, maths and Jèrriais. French is taught as a curriculum subject. Years 3 to 6 in all schools have French taught, the only subject apart from English, maths and Jèrriais that is formally on the curriculum. All schools have access to the French experience in year 5, a very successful process that was linked to in the original comments paper. In fact, if you look online you can look at a wonderful video of the young people engaging in it, reality, what is actually happening in our schools. They have 3 hours per week, 6 weeks of intensive French teaching. That is on page 8 of the original comments paper. Jersey has a growing number of multilingual learners. Our current policy of embedding a proficient use of English while supporting the developing of a home language is the right approach. It addresses a child's access to our education system and society while supporting access to their home language and culture. It also addresses concerns over enabling families to return to their home countries with children who can access their home language, and this is an important feature of avoiding issues around modern-day slavery. It also enables these children to re-enter the education system of their home country. In our current 2024 primary schools, first languages are declared as 68.7 per cent English, 14.7 per cent Portuguese, 6.2 per cent Polish, and 1.1 per cent French. According to the 2021 census, the latest census, 0.7 per cent of the population considered their ethnicity to be white French. This has fallen slightly from 0.9 in 2011. Other ethnicity groups who speak French may be present on the Island but the numbers were too small to report. There are 29 French-speaking countries in Africa but none are listed in the 84 countries where Jersey residents have declared their births. That is Statistics Jersey data from the 2021 census. We have to look at capacity. We must look at our capacity to deliver the changes suggested. It will require a 7-year approach to deliver 2 or more fully bilingual schools, and the words "or more" or "at least" are very important. The amendment puts no limit on the number of schools and so the impact could be greater. Considering the lack of appropriately experienced colleagues on-Island French-speaking teachers will need to be employed, most likely from off-Island, at least in the short term, producing either redundancies for the current Jersey teachers or doubling of staff in schools, both of which incur significant costs. It is up to Members if they accept the proposer's dismissal of the cost as a small number of additional staff and the assumption it would be considerably lower cost, but I do not accept this. Without a clear understanding of this, we could be deciding today to go down a path that will have huge implications long into the future for the structure and costs of our primary education at a time when the need is growing and resource is shrinking. At no point does the proposer address teaching assistants and how they will be recruited to work in bilingual schools or, indeed, these additional costs. The reality of modern schools is some young people have one-to-one help. That is the only way they can access school. Now, we are either going to say that they are not going to be included in this and, therefore, excluded again from something else, or we are going to employ teaching assistants who are multilingual in order to support those children. We may not like this but it is a reality, and reality is so important in schools. The reality of the experience of schools and education is what children see every day. Teachers recruited from France are unlikely to have training or experience in our statutory early years foundation curriculum. Although children in France can attend daycare, maternelle, or kindergarten, pré-maternelle, as early as age 3, these provisions are not mandatory. Children in France do not have to be enrolled until school age, until 6. Consequently, there is a significant difference in the experience and expertise of primary schools in our 2 jurisdictions. The Brevet qualification is a diploma of competence roughly equivalent to a G.C.S.E. (General Certificate of Secondary Education) pass in French. The Brevet is not a qualification that demonstrates the linguistic fluency that would be required to teach the full Jersey curriculum subjects in French across years reception to year 6. The vocabulary and grammar required to teach, for

example, science or geography is far more complex than that taught if you are teaching pupils in the early acquisition of French. Those with A-level French may also struggle to have strong enough language in French to teach a child subjects such as mathematics or science, given the specialist terminology and concepts required, particularly if children were finding it tricky and need their learning explained in a variety of ways. I urge Members: go and sit with teachers. See that interaction day to day. The magical - and I use that word unreservedly; it is not in my speech, it just came to me - the magical way in which they engage with young people to get concepts across in creative and incredible ways, that would have to happen in dual language as well and that will be extremely difficult. So, therefore, bilingual French-English teachers would need to be fluent in both languages. As such, there is either a need to retrain or requalify locally English-speaking teachers to learn or to recruit teachers from abroad, and we have been through the costs of that. So the other area, and I apologise for going on but it is very important that we cover everything here, is catchment. We must also consider the effect of specialist bilingual schools on catchment areas. Currently, pupils outside the fee-paying Government of Jersey non-provided schools are offered a primary school place that is close to where they live, i.e. their catchment area. If we include a new criteria of parental choice to opt for or against bilingual schools, this will have impacts. Up to 78 children or families each school year will be told they cannot be offered a place in their catchment school unless a family living in the catchment of a bilingual school stream apply to attend and were accepted. We cannot determine where that impact would be at this stage. A new policy and criteria for admissions applications and appeals would need to be created. See page 6 of the original comments paper if you want to see more detail on that. The reference to Stats Jersey was important and that subtle change right at the beginning of the proposition, but I will say that the reason Stats Jersey is used in detail is so we get meaningful data. Now, it is interesting that the questions that we sent to headteachers, which were very specific for a very specific reason ... because they were about their schools, would you want your school to convert to a bilingual school, not this notion that would you want your children ... it is like asking the question: "Would you like your children to be top of everybody's class at the end of your time at school?" Of course they would. That is not a valid question. The argument around validity is where you have to interact with Stats Jersey because they are good at it. Valid questions and valid outcomes is what we should be using to make decisions like this, and without that input from Stats Jersey it would not be as valid. Given that the original survey is already being questioned, we are going to go down that pathway again if we are not careful. I also know that a statutory consultation would be required. The creation of 2 or more bilingual schools would require statutory public consultation in accordance with the Education Law 1999. This consultation would need to be open for at least 2 months, following which the Minister, myself, is required to present a report to the Assembly within 3 months. That is the rules. This consultation will come at a cost and the use of time of officers will take them away from current priorities. I am very aware we have a short term left and if you are wanting to try and get something done in education right now, I need to have priorities. I have been very honest in Scrutiny about where there are not priorities and quite happily taken criticism for it, but I am making priorities. These propositions take away from those priorities. It does not allow the department to have a run at what we want to do. This Assembly voted almost unanimously for the Common Strategic Policy where my priorities were laid out clearly in the first 3 priorities. I will conclude and then I must address some other issues, so perhaps it is not my conclusion yet. I am greatly concerned that the real and very practical ... I said "to conclude" because it is a really good way to keep people's attention. I will do it again in a minute. I am greatly concerned that the real and very practical issues that this proposition creates are dismissed by the proposer. When the Deputy states: "The litany of minor obstacles is not insurmountable. Catchment issues, families with more than one child, changes to the policy for admissions, and translations of syllabus are not insuperable problems. With goodwill, that could easily be overcome", schools need more than goodwill for significant change. If we adopt this attitude and dismiss the real, fluently expressed concerns of headteachers across our schools, we send not only the wrong message but we demonstrate a disdain for a profession that is simply disappointing for us as an Assembly. To accept

this as a principle ignores the principled stance of headteachers. The paragraph in the proposer's report is key: "At the end of the day, however, it is not headteachers of primary schools who decide strategic issues for the Island. It is the elected Members of the Assembly. If the Assembly decides that English-French bilingual education is of public interest, it is for the Education Department to deliver." I do not believe we can impose this change on schools, given that they do not want it. The message from us is: "You may be the professionals, you commit your working lives to be running and responsible for education of thousands of children, but we know best because it sounds like a good idea." I will say, before I read some of the comments from headteachers, that the door is not closed on bilingual schools. On the radio the other morning I said this as well, so this is not just in this speech. If Members who want to support this, and the A.P.F. (Assemblée parlementaire de la Francophonie) who seem to be driving this, want to go and work with schools, see the reality of schools, go into the classroom day to day and see what is happening, see how children are being taught, see the limitations, see the challenges, work with a school, come up with a plan, a business plan, a way of funding, a way of staffing and the support of the school, and come back to me with that plan, then that bilingual school can be supported. But that is if parents want it, if the school wants it, and we can get it to work effectively.

[15:15]

That is where the energy for those who are talking about this should be directed and I think that would be a much more constructive approach than simply saying: "We will impose something that is not wanted on schools." During the consultation with headteachers, which I do believe is valid - the questions were direct, they were simple and they were returned, and there was a lot of return - there were a number of responses. But I will read just some of them because I think some of them were very strong. I will make the point that I did email all headteachers to say: "Are you sure you want me to publish your comments? Are you absolutely sure?" and the answer was yes. Those comments wanted to be seen from headteachers because they wanted to make it clear the impact of this change on their schools. So some examples: "We believe we have more important priorities. To manage the curriculum expectation is already challenging without increasing the workload and capacity of teachers by introducing bilingual expectation. We are very happy with the current arrangement of the French experience. If this proceeds, where is the funding coming from? Where is the curriculum coming from? There are many more greater pressing needs to be addressed in schools. It does feel ironic that we are even having this conversation, being in a school with a specialist French teacher, a school that often performs very strongly in the Eisteddfod for French and other languages, and a school about to take year 6 children on a residential visit to France. We cannot recruit and retain high-quality teachers. It is not enough to be French speakers. They would need to be quality practitioners, too." That is a really key point. They need to be quality practitioners, too. One of the drives in our schools must be to have quality practitioners in every single post. The practice, the teaching of anything in our schools from year of reception to year 6 to year 12 to year 13, takes skill and it takes time to learn. It is a craft. Another important question: "Does the headteacher or deputy headteacher also have to be bilingual, therefore limiting current talent and recruitment into the post? Resources are limited so why should the suggestion be above other initiatives; for example, oracy development?" There is a fantastic oracy project going on in schools. I have had feedback from businesses who have had year 5s and 6s deliver stuff to them. When I was speaking to them at events they have said it is unbelievable the work that is going on in some of our schools, which is excellent to hear. Oracy development or further language support for Polish or Portuguese students. There is so much more that I could read but I think the attention span has probably just about been lost by now, so I will finish. As I say, go into schools if you want to support this. Go and see the reality of what they are doing. You are invited into schools at any time. Go and involve yourself in the E.C.O.F. (Every Child Our Future) programme. It is a great programme. You are taken out a day each week. I have done it for the last 5 years. Go and read with children, particularly year 1s. It is really, really difficult in English alone, let alone in French. Go and involve yourself because that is

how we understand schools. That is how we support schools. That is how we respect professionals. That is how we avoid the politics of nice ideas and where there is a will there is a way. For the reasons I have detailed today, the additional points from the comments paper and the report of the headteachers survey, I must ask Members to reject all parts of this amended proposition today.

3.1.2 Deputy M. Tadier:

First of all, I know that a lot of work has gone into this, both from the preparer of the proposition and from the Minister for Education and Lifelong Learning and his staff, so I think we need to acknowledge that. I also want to say that I think what has been set out in this proposition by the mover is not just the creation of 2 bilingual primary schools that can teach in French, and I will get back to that in a moment, but I think it is setting out a vision for what Jersey could be like. I think in my speech I will both look backwards, but we cannot stay looking backwards for ever, we have to look forwards, but we do need to learn the lessons of history, I think. I will be speaking initially with my *Assemblée parlementaire de la Francophonie* hat on, but that will be all the French I am intending to say today, I think, maybe with the exception of the occasional word. With that hat on, it is important to remind ourselves that every Member in this Assembly, whether we want to be or not, is automatically a member of the *Assemblée parlementaire de la Francophonie*. We have a committee that generally runs the day-to-day business and I think it is something that is really valuable for this Assembly. Like the Commonwealth Parliamentary Association and like the British-Irish Parliamentary Association, these are all associations which all of us can be part of. They are not just dependent on us being a Minister. It is something that we can both learn from and that we can also share our experiences as Jersey politicians and parliamentarians with people across the world. In particular, the A.P.F. is valuable because it connects us not just with French-speaking countries but with other countries which we would not automatically think of as being French speaking but for whom French is an important internal language in their country, the diplomatic language for them and also an aspirational language. That is why we see countries such as Kosovo, which I talked about earlier on this week, but also Georgia, Greece, Romania, countries which you do not necessarily think of as French speaking or even as part of the Romance language community. They are all part of that broader network, which does bring together 62 different Parliaments around the world. I have in front of me a French document but I am going to read it to you in English. I am going to do that because I have not had to learn the document twice, by the way, and I will come back to this point. It is written in French but I know what it says because I read French and I can tell Members what it says in English. This was a speech which was given at a parliamentary conference in 2003 and it says: "We are all parliamentarians, French-speaking parliamentarians from the 5 continents, and we represent 62 Parliaments. For some of us, French is our mother tongue or our native tongue. For others, French is a language which we have chosen to learn or speak and that we remain faithful to this, we still remain faithful to our mother tongue, whatever that is, and that our origins are a testament to the fact that we have an attachment to linguistic diversity that cannot be taken away from us." Here is the key bit underneath. I am not going to read the whole statement. It says that: "We are worried about the disappearance that is being announced about certain languages around the world, certain languages which are becoming extinct or being used less, and we see this as a loss for humanity. We call upon states and institutions, international institutions, starting with U.N.E.S.C.O. (United Nations Educational, Scientific and Cultural Organization), to act to guarantee the longevity of languages around the world. This is why we have chosen to use French as a common international language." So clearly there is something in the A.P.F. It is not something we speak about in this Assembly a lot, but it is right that we do bring some of the learning that we have from these conferences, whether it is the C.P.A. (Commonwealth Parliamentary Association), and we talk about the U.N. development goals. They often or sometimes they can find their way into our discussions and our deliberations, and it is absolutely right that they should. So the essence of what I am saying here is that being a member of the A.P.F. or a Member of this Assembly is not just about promoting French, it is about promoting multilingualism generally. That is why it is important that this

proposition is not just seen about the opportunities for making our Island more francophone, although that is, of course, what it does in essence, but it opens the door to other communities who might also want to share in that cultural richness. There is a lot to say in a short space of time and I am not expecting necessarily everybody to speak in this debate. So where to start? The first thing I would say is that I will quote a friend of mine, who is also a Jersey academic who does not live in Jersey at the moment, called Kit Ashton. Some of you may know him. He is somebody who has received funding to study a PhD ultimately and he has been a big supporter of music, a big supporter of Jèrriais and a big supporter of French and multilingualism more generally. He talks about this concept that John Kelleher, the local historian, has referred to in some of his work about how Jersey effectively became a trilingual Island and it has moved to becoming effectively a monolingual Anglophone Island in the space of a few years. Of course, it is not completely monolingual because there are other cultures that exist in Jersey who have their own language and culture, and that adds to the tapestry. But for the main part we have become in the last 100 years, and arguably less, a single-language, English-speaking Island. How does this happen? Well, it happens sometimes subtly. I am probably somebody, like many of us, who likes to avail themselves of smart speakers and at home I have one ... I think we can talk about her because she is female. She is called Alexa and she is always listening to us. Sometimes you wake her up even when you are not intending to. I noticed this strange thing because I used to love listening to FIP Radio, F-I-P. I am not exactly sure what it stands for. I think it is FIP Internationale or something like that. It is a free radio station which is based in France and it only plays music and I love it because it was so eclectic. Then I used to say: "Alexa, play FIP" and she would play FIP if, indeed, she can be called female. It was really eclectic music. It was not just French music, it was music from around the world and sometimes it would be jazz, but do not worry, Deputy Miles, sometimes it was also folk and there was very little opera in there, it has to be said. It was great, it really was. But then all of a sudden it just stopped working so when I would say: "Alexa, play FIP" it would not do that and it would try and direct me in some other direction. I am not sure what the reason for that was, but sometimes we get nudged subtly about what we are presented with. If I were to say or to ask Members in the Assembly or, indeed, stop a man or woman in the street or a child at school and say: "Could you tell us who the Prime Minister of the U.K. is?" there is a good chance they will be able to tell me. They would probably tell me who the Leader of the Opposition was. If I said: "Do you know who the leader of America is, who is the President?" they would probably tell me. "Who are the candidates in the French presidential election?", good chance that they would tell me. If I said: "Do you know who the Prime Minister of France is?" probably start to scratch their head a bit. If I said: "Do you know who the Leader of the Opposition in France is?" they might say: "Is there a Leader of the Opposition in France?" That is a good question, in fact. Why am I saying that? It is because if we stick on the radio locally, Radio Jersey, which I increasingly think should just be called Radio England or probably just Radio Guernsey, let us face it, you never know quite what you are going to get. You will probably hear a lot about what is going on in the U.K. but you will hear very little about what is going on on the mainland, which is, of course, France. I can prove to you that is the mainland - I think Deputy Ozouf alluded to it earlier on - because I will take you to the north coast or I will take you to the east coast and we will see which land mass we can see first. Is it going to be England or is it going to be France? I think you will be looking for a long time if you are trying to see the former. So I think the reason about why French, which is what one of the headteachers asked, has I think well been made. We do not need to say why French, we need to say why not French. I think I would like to just answer some of the questions that have come up here. As I said, we cannot cover everything. There is a comment in the amendment from Deputy Bailhache - and I am glad that he has amended it to 2 schools - which refers to a Minister's comment saying that not all bilingual programmes are a good fit for every student, and that is something that came from one of the academic consultants. So that is right but what we are asking for here is not a compulsory bilingual education system. We are saying if it is possible can we agree in principle today that we could have 2 bilingual primary schools, that we should have 2 bilingual primary schools, and if that is possible that we can decide that in

principle, let us also have a consultation, which I fully understood means consult with Stats Jersey, which is what I would do. So if I was doing an important survey myself, either for a St. Brelade matter or for even a Scrutiny matter, we would sit round probably, we may even devise the question ourselves, the questions, but we would run it past Stats Jersey to say: "Are these fair questions? These are not leading questions? Will it be a reasonable survey?" So I think certainly part (b) is something that we could support today and there is an inherent safeguard in here, is there not? Because what we are being asked to do is, okay, agree in principle. That is a big ask, I accept. It is a departure from what we have. But I would say that the idea of immersion schools in Jersey where you learn in a different medium to your own language is not a new thing. We go back to even before the ... just before the Occupation and pretty much all students, certainly all Jersey-born students, were having to be educated in a foreign language. We were sending them to school to be taught in English when the language that they had at home was either Jèrriais - probably Jèrriais - or French in a lot of cases. It could have been a mixture of the 2. There were some students or pupils in the town who may have been English speakers as well, and they seemed to get on with it. I know that my father, for example, did not have any problem with arithmetic. So it comes back to this idea of teaching twice. You do not need to teach twice. If you were teaching that birds fly in the sky or that fish live in the sea, then those facts, once they are known and they are understood, they are there in your brain. You do not need to be a French speaker or an English speaker or a Portuguese speaker to know that birds fly in the sky. So it does not matter which language you know it in. What you do need to do, though, however, is pick up the vocabulary.

[15:30]

So you might need to know what the word is for bird in French or, if you are already a French speaker, you might need to know what it is in English. That will be learnt very quickly when you are young but you do not need to teach the concept of birds, fish, sea, sky, gravity, et cetera. Those are concepts which can be taught in any language. I also picked up a comment that quality practitioners are what are needed here, not just linguists. So my question is: can you only be a quality practitioner if you are an English speaker? Are teachers who speak French or French teachers in other countries, are they not also quality practitioners? I would say yes, they are. So for me I think that there is an opportunity here that should be grasped if we have the vision. I completely take on board the starting point that headteachers are coming from. They are working under a current model. It is a model which maybe not at primary school but increasingly is target driven. They are focusing on increasingly a system which asks students to specialise very quickly, and this is why I felt it really important to put my other language proposition on the table for this debate because it does look at the vision that we have. Do we become more like the U.K., which has a very specialised education system which I would say - and sorry to use the alarmist language - is starting to eradicate foreign language tuition? That is the reason that we are finding it difficult to recruit language teachers is because it becomes a cycle. Or do we go for a more European approach where we do try different things, that we do have schools where youngsters can pick up languages at an earlier age? The other key thing is, of course, you can learn languages later, it just becomes quite difficult. It certainly becomes difficult if you have a break in your language tuition. But the key thing that you can pick up when you are very young is the accents. It is that your mind is open to appreciating nuances that the adult human brain, even when you get to the age of maybe 15, certainly into your mid-20s and 30s, you just do not differentiate the accents. I remember this German language assistant we had at our school. She came in and we were having great fun because she was saying to us: "It is not 'ay', it is 'ay'" and we were like: "What do you mean? It sounds the same". Of course, there was a subtle difference there which some could pick up but not everybody. But I know if you are doing that with 3 or 7 year-olds, they will be saying: "Yes, there is a slight difference between 'ew' and 'oo' and there is a slight difference between the 'th' and the 'f' and the 'the'", which I know my mother certainly struggled with because she had to learn English when she was already in her mid-30s. So absolutely, let us not polarise ourselves on this. I think there is a great opportunity here, whether or

not part (a) is adopted. I do appreciate what the Minister said, that the door is not closed on this, so let us try and establish a vision for an alternative Jersey education system, one which does value languages. The last thing I would say, because I think this is really important and I do agree with the Minister on this, is that M.L.L. (Multilingual Learners) are a complete asset in Jersey. They have not necessarily always been seen as such, sometimes they are talked about as a challenge, but they really should be seen as gifted and talented. There is no obligation for, on the one hand, multilingual learners to go to these bilingual schools but there should be no presumption that they would not go there either because they are the ones who would probably benefit from a bilingual education just as much as anybody else. I welcome the fact that Deputy Bailhache has sought to make these schools open to everybody and not private schools, as indeed some headteachers had suggested, because that really would be, I think, the creation of an elitist system which is far from what either of us would like.

3.1.3 Deputy C.D. Curtis:

I have been fortunate to have visited many primary schools during the last few years and have been to our town primary schools at Springfield and Rouge Bouillon several times; they are lovely schools. They do have challenges with many children starting school with their first language not being English. At Rouge Bouillon School around 70 per cent of pupils have a home language other than English, at Janvrin the figures for 2023 show that around 70 per cent also of their pupils are multilingual learners with two-thirds of these not yet fluent in English. Teachers already are busy working with children speaking several languages. That is very enriching but it does require a lot of planning, time and effort. This situation is mirrored in other primary schools across the Island, certainly to a lesser extent in some, but nevertheless it is a feature of Jersey primary schools that there will be a fair number of children who are already learning several languages apart from any extra language teaching at school. A bilingual French-English primary school model would, I think, be too much of a burden to impose on these children and teachers. For this reason, combined with the responses of headteachers, I just do not think it would be practical to impose the bilingual primary school model as described in this proposition. It is an interesting idea and I am very much in support of our current French teaching in schools, and practices such as host family experiences in France for teenagers, but unfortunately the introduction of bilingual schools in Jersey is not practicable at this stage or the foreseeable future and therefore I cannot support it.

3.1.4 Connétable K.C. Lewis of St. Saviour:

In the 1960s I believe a then-Senator signed the deal with BBC and ITV to transmit television to the Channel Islands. Imagine if that was signed with the French broadcaster, the whole Island would be bilingual. I remember as a young man, and I am over 50 now obviously ... **[Laughter]** I think panto season has started early this year. Being a man of a certain age I remember driving around in the Island in the 1980s listening to Contact 94 which was an Anglo-French radio station which broadcasted in French and English. The DJs would switch from French to English, back to French again effortlessly, and young people just wanted to hear good music, they do not care where it came from. As Deputy Bailhache would say, it was like osmosis, people just soaked it up. This radio station was broadcast out of Lessay and I believe it was shut down in 1991 because I think the European Parliament decided it was illegal to broadcast from one country to another. Another station I used to listen to was Force 7, which was also very popular, broadcasting into the night good music from Normandy. I want to be very brief, I am going to upset the Minister for Education and Lifelong Learning here, but I would enquire whether Deputy Bailhache would take the (a), (b) and (c) separately because I would definitely like to vote for (b) and just get a feel from the people of Jersey is this something they would wish to have in the Island. I will leave it there.

3.1.5 Deputy A.F. Curtis:

I was not going to speak, more less so than to ask the same question of Deputy Bailhache. I will look to him maybe for a nod for the Assembly's indication, is Deputy Bailhache considering taking this in part? Wonderful. The first time I saw this proposition - I do not intend to speak long - I thought about deliverability. As unamended the proposition sets, it would be kind to call it, an ambitious timetable which perhaps frankly appeared unachievable, unfunded and did not provide the Minister or the department any help in how to achieve that, and so I put the proposition to the back of my mind as sometimes I do with perhaps moonshot ideas. Then we see an unamended one and it did get me thinking. Like many Islanders, and certainly in this Assembly as one of the younger Members, I often think and reflect on what gives Jersey its culture and what identity is left of Jersey. Some parts are easy for us to see and feel in the built environment, whether that be our buildings, our farmsteads, how our Island's roads are shaped from the closure of the agricultural industry, our maritime environment, our legislature, judiciary and Parish systems. Indeed, some part is left of our financial prudence, both at a personal and, to an extent, government level, less I would question that, but we will not open that debate. I think the point I am trying to drive at here though is it cannot be understated that it feels like so many elements of our identity and culture have been lost over the past 6 to 10 decades. I say that and some people sometimes ask me: "When you stand and speak in the Assembly and commit yourself to serve, who are you serving and why do you want to serve Jersey in particular?" and I would love there to be many reasons I give about what culture we have and what we still have left as an Island. It is sometimes hard to find and one can feel like they are looking at an Island they wish they were part of, albeit knowing rose-tinted glasses are there. So moving to this proposition and the topic, thinking about what it targets, looking forward and looking who this benefits, it would be children, but it would be wider society. Now, I do not currently have children and we all set our own ambitions for those who think about children as to what they would like. Some would like to own their own home before they have a child, some would like to have bought a certain car, have a certain job. I will admit to Members one that has been on my list for years is I would like to be able to add a level of bilingualism to my home life with any future children I may have and, unfortunately, I am not in a position to do so yet. Speaking as somebody looking to the future, I would relish the opportunity for those to benefit from true bilingualism, albeit I would like to be in a position one day to provide that at home. I feel myself ashamed sometimes to hear Members eloquently use French or Jèrriais in this Chamber and I wish they do so more, knowing that I will not understand enough of what they say. The last part really in understanding whether this was going to be taken in parts is as to what we are committing ourselves to. Part (c) sets a timetable for the Minister which I think would bind him, the department, and be unachievable just as the unamended proposition was. Part (a) and part (b) are principles and they are one of the rare times that I think we see in this Assembly as of current of words, to quote the proposer, of innovation and innovative approaches to the challenges the Island face of vision, of what we want the Island to be and of excitement of how optimistic we can be about that. I am minded to consider parts (a) and (b) knowing that this is an element I would like the Island to reflect in the future by looking to the past, but I take on board everything the Minister says about the achievability of this. Part (c) that would bind the Minister on a delivery timetable for this would seem challenging, but I think the Assembly should certainly at least, whether by voting or by speaking today, indicate whether greater bilingualism embedded in future generations is part of what it wants to see or whether it does not.

3.1.6 Deputy R.S. Kovacs of St. Saviour:

I believe that introducing French bilingual schools here in Jersey is a beneficial initiative for pupils. Given our close proximity to France and the Island's French heritage, this programme opens up numerous opportunities for our young people. Learning French better connects them to our neighbours and enhances their prospects in education and career path. Research consistently shows that being bilingual promotes cognitive development. Studies reveal that bilingual individuals often excel in problem-solving, creativity, and multitasking. By learning a second language our students will acquire valuable skills that will benefit them throughout their lives. Speaking from personal

experience, I am perhaps the only Member of this Assembly who has studied in a bilingual school, both at a young age and when older, and I know that there are related bilingual learning models that could be implemented in easier and less-costly ways. I spent 4 years in a bilingual primary French class in Romania and later completed my Masters degree in Romania with teaching in English. I cannot emphasise enough how transformative this experience was for me. It opened doors, broadened my horizons and equipped me with skills that have shaped my career to date. Many of my colleagues from those years have thrived in a bilingual environment as well. They have advanced in their careers and pursued higher education, both in Romania and abroad, benefiting from their bilingualism. The advantages of being bilingual or multilingual are undeniable and proved through many studies conducted and it is also known that better fluency can be achieved into a bilingual environment. I do not believe the amended proposition is imposing a bilingual education but would make it available for the ones that want to attend such education, irrespective if they can afford to pay for it or not. As a member of the Assemblée parlementaire de la Francophonie and a French speaker, I am supportive of this proposition as the gift of an additional language presents multiple opportunities that our students would otherwise miss. Whether or not the Assembly passes this initiative today, I would encourage further exploration of the idea, even looking at the pilot option for one class to begin with, as I know there are parents interested in having such classes available on the Island. I want to conclude with a quote from Jacques Delors, a prominent French politician and economist, highlighting the opportunities that come with learning languages and their value in personal development and cultural understanding: “*Apprendre une langue, c’est ouvrir une porte sur le monde*”, which translates as: “To learn a language is to open a door to the world.”

[15:45]

3.1.7 Connétable R.P. Vibert of St. Peter:

I am a French speaker myself and I am supportive of the cultural and heritage aspects of the Island’s long relationship with France and the French language. I can fully understand why Deputy Bailhache brought this proposition. As many Members will be aware, St. Peter, like many other Parishes, is twinned with a French town, the Normandy town of Saint-Hilaire-du-Harcouët; in fact, I was there only a few weeks ago. I very much value this relationship and I enjoy the annual meetings we have but does that mean I can support the creation of bilingual schools? No, unfortunately, I cannot. As Assistant Minister for Education and Lifelong Learning I agree with the comments submitted by the Minister to the proposition and the amendment. I shall not repeat them here in my speech as they have been already very well covered. Our priorities have been set and we must focus on these and deliver them. As Constable, I also have a significant concern which is how the creation of bilingual schools may or may not affect our own primary school at St. Peter. The amendment report goes into lengthy details to debate many of the points made in the Minister’s original comments papers but interestingly it does not touch on the subject of catchment areas. St. Peter’s School is highly regarded by me and all parishioners and generations of families have attended this school. I am sure that some families will have no doubt where they want their children to receive their primary education. Bilingual schools would have to have an all-Island catchment area for them to work and I fear that if that was the case, St. Peter’s and other Parish schools, if they became bilingual this could result in some families not being able to send their children to their own Parish school. I simply cannot support any proposition that could result in parishioners, who do not want bilingual education, being displaced from their Parish school and sent to another school. As the Minister has already told us, French tuition is already a priority and is a G.C.S.E. subject at secondary school. I think this current system strikes the right balance and moving to bilingual schools with a risk of displacing future children from their own schools is a step too far. If someone wished to set up a new bilingual school that did not affect the catchment areas, then I would support this. Alliance Française has already run a bilingual Saturday school and I am aware that the Portuguese and Romanian communities do similar. I support these provisions and would suggest to Members that we currently have a system

that is adequate and strikes the right balance without disadvantaging anyone. As a result, I will be voting contre and would urge others to do the same.

3.1.8 Deputy S.Y. Mézec of St. Helier South:

If I could start by just explaining my own French credentials in the hope that it leaves an exaggerated impression in the minds of people listening. Mézec is of course a Breton word, half of my family is French, my father is a French citizen, but I was not brought up speaking the language and the French that I do know is what I got from school. The closest to an immersive experience I ever got were the conversations I had with my late grandmother from whom I picked up lots of French swear words, many of which I still enjoy using to this day. I am not going to make an argument about the merits or otherwise on the principle of bilingual education, there are 2 sides to that, and I do not think I will convince anyone either way on it. But because this proposition does not just ask us to agree to the principle, it asks us to set clear parameters on the delivery of it, that is what I will focus on. Part (c) asks us to convert 2 primary schools from 2026, the academic year beginning at the end of 2026, from reception. It is specific in those parameters. It does not ask us purely as a whole proposition to agree to the principle and then let the Minister work out the detail, the timeline, the consultation, including the statutory part of that which he has to do, or find the budget for it. I normally do not mind that kind of approach with propositions, in fact, I have proposed a few myself like that, but it only works if you, as the proposer, have the details yourself and can answer the questions on how. I am sorry to say that this proposition raises more questions than it answers. Because those questions have no answers yet, and because this is about how education is delivered to all of our children, bearing in mind the beautiful diversity of backgrounds and life experiences that they reflect, it is not worth committing us to this direction of travel without that detail further explained. There are questions that must be answered if we are to feel confident enough that agreeing to this today is the right thing to do, and I will ask some of those questions. The first question is: where are the teaching staff going to come from? Deputy Bailhache in his speech and in his reports attempts to give some indications but, let us be frank, they are not credible. Seven years from the implementation of 2 bilingual primary schools, at the very least, if they are single form all the way through, would mean a minimum of 14 primary school teachers. But what about the supply teachers? What about when teachers are ill or have to take parental leave? What if you cannot find those staff? What if staff do not want to teach through that way and in that environment? Do the non-French-speaking staff get made redundant to make way for French speaking? Do you move teachers who speak French in one primary school into another even if they do not want to do so? Of course, a big question that there is no reference to in Deputy Bailhache's proposition, and I pressed Control F to find this, but there is not a single word on teaching assistants. That is not factored at all into those calculations and it is a huge consideration because you risk the situation where you have a French-speaking teacher and a teaching assistant that does not understand what the teacher is saying and all of the confusion that that could possibly cause, which would do more harm than good. Is that insurmountable? It may well not be but it is not detailed in this proposition and the proposition sets a timeline that I can have no confidence would give the Minister the ability to make that surmountable. The second question is about teaching resources and where they would come from because in delivering the Jersey curriculum in a bilingual fashion to children would require Jersey curriculum materials produced in the French language which currently do not exist. I suppose you could have an alternative which would be to use French language French curriculum materials but then those children would be getting an unequal and incoherent education delivered to them. This point on teaching resources is one that makes no odds whether it is 2 schools, 3 schools or 10 schools because it would be our Island and our system that would have to produce those materials from scratch, incur the costs and the time of doing that because there is no other place we can go to to get those specific resources. There was an excellent article in the *J.E.P. (Jersey Evening Post)* on this very recently from somebody who I happen to know is a Francophile and a teacher as well, as it happens, that made the case very effectively on that. The third question, and this is the one where I think it gets really confusing,

which is: what happens with the catchment areas? This is a really technical matter where the issues are extremely finely balanced. We know that every year families are disappointed when they apply for their children to go to school because of either a lack of places in a particular area or capacity elsewhere, there are appeals every year and that must be very difficult for those families. By introducing this provision in 2 specific schools you will inevitably be adding in another layer of complexity into that system which I can say I have not the faintest clue how that would be resolved. I cannot have confidence that it would be resolved in time for the implementation of this policy which, bear in mind, this part of it to do with catchment areas would need to be resolved substantially before September 2026 because families apply for their children to go to those schools months earlier than that. I do not have the answers to that, the proposer does not have the answers to that, and I suspect most Members of this Assembly do not have the answers to that. Given those unanswered questions, thus arises a fourth question which is that given the vast amount of work that would be required to try to make the seemingly impossible possible, how does the Minister achieve that and factor that into his work programme and his budget when he is already extremely busy with the agenda that has already been set? Does something have to give way to make room for that? The Minister for Education and Lifelong Learning's portfolio is one of the areas of priority for this Government for whom extra funding is being proposed in the Budget for an important programme that he is working on, which is the expansion of nursery places, something that I consider to be potentially transformational and something that I think frankly will be very popular among the public because of the opportunities it will offer families and the children as well. Does that get put aside? Does something else equally important get put aside? Where does the funding come from? Because the funding implications are certainly much greater than were indicated in the proposition. Again, I do not know the answers to those questions and I wonder if you were to pose this to the public, asking about the choices that we would need to make on prioritisation in the Education portfolio, where would nursery places rank versus bilingual education. I think they would probably rank much higher. Deputy Curtis spoke about part (b) of the proposition, the part that refers to doing a survey in co-operation with Statistics Jersey as potentially a relatively harmless aspect of this proposition, which I think in the way that it is posed in conjunction with part (c) is not harmless. In fact, by saying in part (c), which is that the implementation of bilingual schools would be subject to a positive outcome of the survey, you are kind of turning it into a referendum which is not really the way that these kind of decisions ought to be gone about. It is not a particularly democratic way of doing it and seems to take the authority and the autonomy on this decision away from elected representatives and to a survey which, for all we know, could end up being completely self-selecting in who takes part in it, which I think is a risky thing to do, so I would still maintain opposition to part (b) of it on that basis. I am going to address, if I can, the final parts of what Deputy Bailhache said in advancing this proposition about the state of multilingualism in the U.K. and Jersey's direction of travel to that kind of situation; he used the word "lamentable" to describe it. I remember a few years ago I went to Paris with some of my friends from university, they were all Londoners, and they maybe honestly or otherwise flattered me on the quality of my spoken French when we were in the restaurant. I was having to correct a mistake on the bill and improvise how I, with my level of understanding of French, managed to get that corrected, a very important thing to correct. And the conversation I had with the taxi driver as we drove past the Assemblée Nationale and I attempted to explain to him that I was a Member of Jersey's Assemblée Nationale and he attempted to correct me because that could not possibly be true. My friends are very kind in flattering me on how I managed to get us around using my level of spoken French. I was flattered by their compliments because every one of the people I was there with was bilingual, they just were not bilingual in French. One was bilingual in Albanian, one was bilingual with Urdu, another was bilingual with a Nigerian language. The idea that multilingualism is in a lamentable state in the United Kingdom is completely false and it wipes out from this conversation the people who speak languages other than French who are an important part, not just of the community up there, but our community as well.

[16:00]

I have to say that I did not appreciate that part of his tone because all of those with home languages from all sorts of wonderful places around the world are valued and their voices deserve to be heard in this conversation. The characterisation of that in the U.K. I think was wrong because there are many people who speak a multitude of wonderful languages, and that adds to the flavour and the vibrancy of these places and that ought to be celebrated. As a Jerseyman of French heritage, obviously French has a special part in our culture and our heritage, and it is fantastic to see the work that is already being done in our education system which already treats French as a priority language. I thought the things that I was not aware about that I saw because of the Minister's work about the French experience of being inspiring. In bringing this proposition, Deputy Bailhache could be commended for the vision that he has attempted to outline, one where multilingualism is more common and that is of course difficult to disagree with, but it is not just about the principle, it is all about the practicality. Where his proposition has fallen short here is that he is not setting the Minister up to be able to deliver the kind of provision that he would like to see in a way that is practical or deliverable. My greatest fear with it in by accepting part (c) of it to set those parameters on timelines would be setting a Minister up to fail and, in the process, have to reprioritise things that in the short term, at the very least, would make a much greater difference to those for whom he is trying to support with that agenda. On that basis I would urge Members to oppose the proposition on that basis.

3.1.9 Deputy I. Gardiner:

For a change I am pleased to follow the previous speaker because multilingual learners, 27 per cent of our population, English is their second language. Sixty-two languages are spoken in our schools; 62. This is the last number, maybe it is a bit more, a bit less. This proposition is not about the merits of the multilingualism. I think we are fortunate that most Members of this Assembly are bilingual or even multilingual, maybe at least half, but I think the majority do have a second language. I stand here as a multilingual person who can read, understand and negotiate contracts in 3 languages with a very different alphabet. I was not educated in a bilingual school, I wish I was, because in principle I do believe in bilingual education, but this is where the principles come in. I think that our Island has already expressed a message, a very clear message, that we would like to have bilingual education in general terms. The proposer mentioned Alliance Française - I hope I have pronounced it correctly - and I am ready to go back in November to learn French, to get my fourth language, because I do believe it is extremely important to learn French on the Island. I am a Member of this Assembly and I would like to understand other Members and this is why, even though I was not born in Jersey but I am here and I am working tirelessly for the benefit of this community, I believe I do need to learn French. I am committing myself to learn French; probably I will not be fluent but I will try my best. What I am trying to say is we do have people who learn in French, we do have 200-plus students in the Polish School with a full curriculum that operates privately in preparing children to G.C.S.E.s in Polish. We do have Portuguese lessons but again it is after school and paid partly by the parents. We have started to have Romanian, so anything connected to bilingual, multilingual education outside our education system is subsidised by the parents. To be honest, it is not easy because, as we know, immigrants, our population that arrived to the Island, usually are cited as our less privileged demographic and they have to pay for their bilingual education because it is important for them that their children will be connected to their culture, will be connected to their grandparents. My mum speaks only Russian and this is the only level which my child can speak with grandmother. She does remember Russian immediately when she needs to go shopping, how to pronounce. It is important, really, really important, to connect to this home language. Now, to other things. While Jersey is claiming that we will be an international hub, I do believe that it is a lot in English and I wish that we will be more tolerant to other languages because other communities, maybe apart from French, experience different things across the Island. Now, coming back again to the proposal, this is where it is difficult because I do agree, and there are - this is where I disagree with the Minister - 100 per cent guarantees that if you are in a bilingual school, the second language, if you develop a second

language, will help you to get your level of English, but again it needs to be a second language that you know and you connect with. If your first language is Portuguese, improving your writing and reading in Portuguese would improve your writing and reading in English, but to add to this, French as a third language, the new language will make it much more complex. I am completely in support of bilingual schools which bring cognitive benefits, enhanced cultural experience, academic success, improving executive function, and I can go on. I will not continue with all the benefits for the bilingual school because people spoke a lot about it. But I am struggling with the practicalities, and I did have a conversation with Deputy Bailhache where I said: “Do we need to explore the principles of bilingual school to develop the policies, to understand what it will take without clear prescription of 2 bilingual schools and 2 bilingual schools in French?” During the summer I could not let it go, you can imagine, it is part of my property in any languages, and I did have a lot of engagement with children and the parents on the beach during the summer holiday, mums with a young child, who have children. It was interesting for me to ask children: “If you would be offered to have a bilingual school in French or in Portuguese or in Romanian or in Polish ...” the answers were different but most of Jersey’s children who are speaking English rightly, wrongly, but this is what they said, they were interested in Portuguese because they have Portuguese friends, because they are going to Portuguese families, because the parents of their friends speak Portuguese and they would like to understand and they are connected. Rightly, wrongly, no idea, but this is what it is, it is about choice. I would like to see bilingual schools with French, I would like to see a bilingual option to Portuguese and a bilingual option to Polish. To be honest, to create a bilingual school in Polish, or a bilingual class - I do not believe in school, I believe a class in 2 form entry or 3 form entry, if we are talking about it - it will be much easier because we have fully-qualified teachers. They are teaching at the Saturday school a full curriculum and some of them are already teachers in our schools, so they are here, they are doing it but I am not pushing towards this. Again, the thing about the tradition, and it is not that I am not respecting tradition, I am respecting it, and French is important, there are lots of digital options. I do believe that what the Minister said is important, the only, only must language to learn through the curriculum is French. In some of the schools, and also what I have learnt recently, there is an amazing platform called Linguascope which some of the schools started to use. What is the Linguascope and how are children connected to this? They have a French lesson in year 5 and after the French lesson the children have half an hour to go on Linguascope and pick up any language that they would like to learn. Again, it does not require a teacher who is qualified, it does require a teacher who understands how to guide through the learning, but it does give the children the possibility to be practising and to develop skills in different languages. It did make children happy because children who are speaking Italian, French and even they have got Russian, they can do something in their language. Coming back to the speech, and I am promising to finish, my final thoughts, education should serve and meet the needs of the existing cultures and people in Jersey and creative ways using digital can extend second language learning and multilingual. We are here to serve our community. I agree with Deputy Bailhache that we need a bold and innovative practice, I agree with the vision of the bilingual school. I am struggling to support the very, very restricted instructions that the Minister received. I wish we were debating the principle but in this one I am going to vote against it.

3.1.10 Deputy D.J. Warr of St. Helier South:

We can get into more technical details on the debate, what is written and what is not written, but what I am frustrated with is the message from the Minister for Education and Lifelong Learning, from the Minister for Housing, from the Assistant Minister for Education and Lifelong Learning, and I cannot get it out of my head, it says: “Cannot. Cannot. Cannot.” What happened to ambition? What happened to our ambition in this Island? Where is our vision? When we have “cannot” there is always political will, and when we say “political will”, where there is a will there is a way. I just feel - I am very empathetic to Deputy Tadier’s commentary - this is about opportunity, culture. I have written down here “road signs”. At some point are we going to see all this stuff in French and we

are going to switch over to English because we do not recognise our own cultural heritage? As I say, I am really concerned about the fact that our Minister for Education and Lifelong Learning ... I am looking for the word "vision". I was hoping he would be a visionary, I do not see that here. Thank you for bringing this, Deputy Bailhache, to the Assembly. Happy to vote in parts and there are sections in there which I can certainly support for sure. I am not sure I can support the whole lot, but there are sections in there, but as I say, where is our ambition in this Assembly?

3.1.11 Deputy S.G. Luce:

I am proud of my family history. The name Luce appears in my family tree back to the 1400s and I am sure before that; my family lived in Normandy. I get sort of a warm feeling when I go to France, particularly to Normandy. I love the countryside there, the people I get on really well, I have got some fantastic friends there. I have been fortunate enough to wake up for many years to see the Norman coastline on the horizon out of my bedroom window and working in fields which overhang the north-east corner of the Island. I can see the French coast on pretty much every day and it was really good. Many of the things that Deputy Bailhache said in his opening speech rang very true with me. I was not a great scholar but I came out of school with a reasonable grasp of French, which I did not really put into action until I started work delivering my oysters into France. When I did that I found that a lot of my language skills, what I had of language skills, came back to me. But when the Deputy started talking about immersion, it did come back, because it is only when you have, as happened to me, an accident - it did not involve injury - but an accident with a vehicle I was driving and a trailer and it meant I had to spend 4 days in France figuring out how to get things repaired and back home without any help from anybody else, your language skills certainly improve very, very quickly. Something else that stood out to me is the ability for children to soak up languages. At the moment I have in my extended family a young man who has a French father and a Jersey mother, English mother, and he is picking up both these languages and being taught them individually and at the same time. I absolutely take on board the ability for children to speak both languages and learn them independent of each other.

[16:15]

Then finally, of course, the good relations with France and how I wish I was better at speaking French when it comes to travelling off-Island, not that I have done so in the last 6 months, but travelling to France to talk with politicians there about the work of the environment, fishing in particular, so how I wish I was better at French. I should not have been surprised that the Deputy brought this proposition because some may remember back to the days, heady days, before the last election where he and I and others, many others in my case, stood side by side to fight the election. I was in those days a member of the Progress Party and we shared a joint manifesto where bilingual schools were included and I signed up to that. Unfortunately, most Members will know what happened, the Progress Party was not elected and in fact we reduced the number of people in the Assembly rather than gained more seats. I became an independent following the winding up of the Progress Party officially in the Royal Courts some time later. While I did have a manifesto to stand on, I think it is right to say to Members that I do not feel quite as aligned to it as I did then. In some ways I am pleased to be able to say that I am not aligned to it because I do worry about some parts of the Deputy's proposals, laudable that they are, and in many ways I can agree with much of it, but I worry about finding the teachers to do what is proposed here. I know Deputy Mézec outlined this, not just teachers, it is everybody else that works in schools to help that would have to be equally bilingual. I worry about the catchment areas, and we have just had ... some people must have read my notes but I worry about the catchment areas affecting places like St. Martin's School and others, Trinity School, St. John's School. Catchment areas are notoriously difficult at the moment as they are, changing them makes that even more challenging for parents. I worry about the changing priorities for this Government should this happen and how the Minister in particular would have to give up some of his other priorities in order to put bilingual schools on his agenda. I worry about the cost and, being

selfish here, I know through recent discussions that if more money has to be found for things, it may well be that the cost of that is shared around the Council of Ministers, and it may well affect me personally as the Minister for the Environment. I worry about the headteacher survey. I have looked at it and I appreciate that you get answers to the questions you asked, but it does appear quite clear to me that the headteachers of our Island are not entirely satisfied with the proposals that are on the table. I write down here that it is important to take people with you and I know only too well that if you are going to take something like this forward you would need not only your teachers, but especially your headteachers. I am going to leave it there, I think I have explained my case. I very much would like to support this because I am an optimist. I do like the French, I love the country, and I know the benefits it can bring. But I am also a realist and I think there is a lot more work to do to this, a lot more discussions to be had before I could support it in this form.

3.1.12 Deputy M.E. Millar of St. John, St. Lawrence and Trinity:

I do not intend to say a great deal because several Members, as we heard, have discussed the practical, logistical and financial implications of this proposition and the difficulties it would create for the education system. I absolutely support the teaching of languages at all levels in school, but not just modern languages. I am of an age that when I was at school we were still being taught ancient languages and instead of doing 2 modern languages, I did French and Latin, and I do believe that Latin and even Ancient Greek offer significant intellectual challenge and growth for children. They are superb foundational languages and if someone wanted to study Latin, I would absolutely support it. I am not totally overwhelmed by the notion of language and culture. The idea that a French-speaking child will feel more Jersey than a Jersey-born child who does not speak French, I find unlikely. I do not speak Gaelic and I do not feel for one nanosecond any less Scottish than someone who does speak Gaelic. I think language ability is not about who you are and where you are from and your extreme sense of nationality that I know some of us have; a strong sense of nationality that some of us have. I do not support this proposition and I am the complete polar opposite of Deputy Ward. My problem with this is that it lacks ambition. The world is an increasingly smaller place and we want our children to explore it; surely we want our children to go out and travel the world and see it, we want them to go further than France and French-speaking countries. That is why I am perhaps surprised at Deputy Warr's comments, and I believe he is very well travelled in the scope of his own business. It is not just within travel, if we want our children to stay here and have successful careers here, but even someone with a career in Jersey could be dealing with clients in the Middle East or China or Hong Kong or Singapore or in any number of other countries, and that is not just in financial services, although clearly it is an issue there. I had the great privilege of going to the Middle East just over a week ago and while I was there we were discussing the opportunities for Jersey produce, agriculture and fishery produce to be exported to the Middle East. Deputy Luce has just spoken about exporting oysters to France and I believe that pre-COVID one of our oyster producers was exporting oysters to the Middle East; I have no idea how that was done, but he was building a very successful business exporting to the Middle East. I think if we want our children to have the best the world can offer and to have the best careers here, we need to give them the widest language skills, we need to give them choice and we need to think about the languages from those regions that are opening up in the world that have been closed to us for a long time, so like Chinese, like Arabic, those are difficult languages, but those may very well be better value to young people going forward than learning French.

3.1.13 Deputy M.R. Scott:

Well I feel I am a Francophile myself and I do love the language. I do not want to add too much to what has already been raised by Deputies Ward, Mézec and Luce about the practical issues for Government, and I accept that the motion is one way, a good way of learning language. The thing that I feel that has not been raised are some of the options in terms of cultivating fluency in language. There are more than bilingual schools that can contribute to this. Some schools run bilingual

programmes. Germans speak excellent English generally, they do not all go to bilingual schools. That is something I think is worth homing in on because what I think is really useful is an attitude in terms of the whole learning of the language. It brings me back to a time I was at a conference, I met a Spanish lawyer and a Portuguese lawyer, and both spoke English excellently, only the Portuguese lawyer had the edge. When he discussed why he had the edge with the Spanish speaker it was because in his country they did not have dubbing of American films, English films. I have come across this with the Dutch as well; they listen to English programmes. That brings back to me, I have a friend who is incredibly good and conversant in French who lives in this Island, and she listens to French TV. One question I just found myself asking myself is how much access do people have to these things because it really does make a difference. There could be another way of delivering this ambition. Now ambition, this has been described, Deputy Warr was criticising the word “cannot”, Deputy Bailhache referred to “innovation”. My approach to innovation is it is something that tends to come from within the community, it is not Government that delivers that necessarily. In the U.K. many schools, like the Montessori Schools, are set up by private individuals, and I find myself questioning, well why have we not had that sort of element of innovation here in this community? Why does Government have to do it all? There is also the question that I do not feel has been explored adequately, and I tried to do a bit of research myself in terms of the quality of education within the bilingual schools that already exist in places like the U.K., where do they rank? Because it is not just learning the French, it is we are in a society that is getting more and more technological. Where do they score in these things and all these different competencies that we want children to have and also regard very much as part of their future, integral to their future. I could not find these bilingual schools scoring particularly high in these league tables but, then again, if this is research, though I think it might be to understand the proposal a bit more. The funding of the survey, now if I am correct I recall that there was some sort of survey that was funded at the public expense in the past and now that there is an enquiry about might we have another one. I have a bit of a concern there because I am thinking: “Well, what if there is not public support and we have diverted money towards that?” I do not think that is particularly a good look. What would be given up in the Education’s budget? I am very nervous about some surveys because often people might say: “Yes, yes, we think this is a great idea” and they are not appraised of the practical difficulties and of the unforeseen consequences, or indeed even the foreseen consequences, that have been raised here, that maybe they should be considering too. The final point, I notice that in the report there was something about officers not saying that there is a problem, they would implement anything the States Assembly decides. I would remind people that government officers are required to be impartial, but they do give advice. They have given advice here and that is impartial advice, it is practical advice. One final point was that there was a concern that was expressed by Deputy Bailhache that Jersey would end up indistinguishable from communities in England. There are many communities in England and I think many of those communities do have their own identity. Some of them do carry on speaking dialects and languages that are different and indeed they are innovative in many ways. I realise I was not born here, I am very aware of the differences in the culture, but I perhaps for that reason or perhaps because of my knowledge of communities worldwide and of the speakers that I have come across who are incredibly proficient in English worldwide, I do not perhaps share that fear that Jersey will lose its identity as a result of not having bilingual schools. I think that there are ways to retain that identity and long may that be.

3.1.14 Deputy T.A. Coles:

French is considered a Romance language which is a coincidence as this is a romantic idea, a nice to have but not essential, and this says the man who is on the day of his third wedding anniversary. **[Approbation]** Education is best when there is participation at home. We hear children are already entering primary schools with lower levels of numeracy and literacy than would be expected because parents either do not have the time or the skills to bring on their children’s education currently in English. How will these parents cope if they have to participate in a language that they do not speak

themselves? As the Deputy mentioned in his opening remarks, languages are best learnt in an immersive environment where they are exposed to a language at home, at school and in the wider community. There would be limited students that would be exposed to French in this way. If we are considering a bilingual school, should we not be considering a Portuguese bilingual school given our wider and larger Portuguese community? I draw Members' attention to the proposition, part (a) uses the term "in principle"; however becomes very directive in that it requires at least 2 bilingual schools. But what if the results of the survey required in part (b) indicate that there is only enough provision or requirement for provision for only one school?

[16:30]

Does that then mean part (a) has failed because it is not delivering the at least 2 schools that it wants or would we be forced to open 2 schools which are underpopulated and then would draw resources away from our other already overcrowded schools? I am also very concerned by the Deputy's financial and manpower expectations. The Minister has been very clear in his comments paper, his extensive and thankfully published before the deadline comments paper, that the cost required to make these changes would be fairly substantial. The proposer even in his amended version only proposes approximately £60,000 would be needed to cover the cost, and this is only for an appropriately-qualified project manager. £60,000 would only cover the cost of a civil servant at grade 10, but just their salary. There are other costs involved when hiring staff that come into that cost as well, social security payments to name just one. So this cost is already wrong on that single person, especially if you are considering that this person is supposed to be appropriately qualified, it is a chance they will be higher than grade 10. In conversations that I have had with the Alliance Française, they have expressed the difference between how the Jersey education system and French education system works and their own difficulty at getting qualified French teachers to join them in delivering their French lessons to school already. If we are really passionate about teaching French to our young people, we should be supporting the Alliance Française in delivering their lessons in schools rather than opening a full bilingual school. I am very concerned that if this proposition is adopted by the Assembly that our Minister's priorities will have to be delayed or cancelled, things like early years development for early years places for children in schools. I am also concerned of the wider impacts this will have on our education and the educational needs of others. I think it is obvious to all that I am not ...

The Bailiff:

Deputy, I am afraid I must interrupt you, we are not quorate. I was counting 2 present online; in fact there is only one, so we are now under 25. Usher, could you suggest to ... very well. Could you tell Members that we are barely quorate?

Deputy P.F.C. Ozouf:

I can confirm online presence.

The Bailiff:

Yes. Very well, we are now quorate, please do continue, Deputy.

Deputy T.A. Coles:

I appreciate the loss of Members, it has been a long day and we are likely to be back tomorrow. So where was I? I think it is obvious to all that I am not an educator and I do not necessarily believe that it is the work of politicians to direct educators in how they carry out their work. We are responsible with providing them with space, support and, most importantly, funding to deliver education to all that are legally required to receive it and those that want to develop in later life. I was fortunate enough in my early years that we were provided with French lessons in school by French teachers, but this was part of our curriculum, as was mentioned by the Minister already, and this continues to this day. In fact, it is one of the main reasons why I still feel comfortable to travel

in France. I like the adventure because I feel that even this basic level of education of French at that point is still enough to help you get by. It is also enough to help people understand if they have a passion for language at this stage so, if they wish to follow more in-depth language pursuits later in their educational career, they can do. The problem is we also have people that are not adept at languages or people who will struggle with their languages. If we force them into a bilingual school, they will get to a point where they will start to fall behind because they will struggle to master languages. We are all wired different and it becomes more apparent as more research is carried out into brain developments and also developmental stages that we go through. In fact, I was someone who struggled to learn to read when I was younger. I was slow in my reading ability. I get myself into secondary school and, all of a sudden, I started picking up pace because we all learn at different paces at different times. I think forcing a heavy adaptation of languages on people at a young age will not be constructive to all. Some will flourish, but others will flounder, and the problem is we do not want to see anyone struggle. We need to adapt our education so that everybody can achieve the best and everybody can get the best out of the education that they can. So I urge Members to leave the romance in the movies, leave educators to education and leave the Minister to deliver on his commitments.

3.1.15 Deputy K.F. Morel:

As a father of a school-age child, I cannot pretend I am not disappointed in what I have seen in her schooling in terms of learning language, but also particularly learning French, and that is not a comment about my child. That is a comment about the system within which she was learning French. In my view, it is not good enough in this Island and I am someone who stands here as someone who most French people seem to think I speak decent French. I do not speak perfect French. I speak French riddled with errors, which is why I have not been a great teacher to my daughter, because I know I make mistakes when I speak French. I just kind of carry on through regardless and most French people, when I engage with them, seem content with that, but I do know that, when I was at school, I did have to learn French up to the age of 16. That is no longer the case. I heard Deputy Bailhache talk about the English system for teaching languages and I am afraid I agree. We have picked up an English system of teaching languages and it is a really poor system of teaching languages. It is really, really poor. I believe it was Deputy Scott - and apologies if I was wrong - talked about German people and you also talked about the Spanish and Portuguese people as well who speak great English. Scandinavian people I know speak great English. There are better ways to teach languages than the English way of teaching languages. I do not know why we have gone down that road and, to be honest, that is what I would ask the Minister for Education and Lifelong Learning to do. Please revise the way we teach. We need to break away in language teaching from this English model for teaching languages. When I was educated in England, or the U.K. I should say, because I was in Wales and England, among the population, there was a disdain for learning languages. They were seen as hard, they were seen as difficult and I maintain they are hard and difficult because of the way they are being taught. One of the reasons is you do not start young enough and then you enable people to drop off early as well. As a result of that, there is a real deficit in terms of speaking second taught European languages. I appreciate of course many people talked about people from other language cultures that end up in the United Kingdom and then learn English so they end up bilingual, but I am talking about those people who start by speaking English and then try to learn another language. We do not do it right and I know this, I am convinced of this, and I have spoken to government officers who agree with me on that. So, if nothing else, Minister, please look at the way we teach languages in this Island because it should not be as bad as it is, in my opinion. One thing about Deputy Coles' perspective about people finding maths hard, et cetera, is so why do we let them carry on? There is a logic there which is our people are not born language learners. Therefore, why should we make them carry on? Well, I am not a born maths learner. I was forced to carry on. I had to carry on because it is seen as a basic skill that you have to have. I fundamentally believe learning a second language is a basic skill that people should have, and I

believe that because we live in Jersey and France. In case anyone missed it, it is just there. It is 15 miles away. It is just there. I do fundamentally agree with the principle that Deputy Bailhache is trying to get at, and I think there are a lot of people in the Assembly who may vote against this proposition, but who believe that language learning in this Island is not where it needs to be. I have spent, as many Members will know, a large part of the last few years trying to build relationships with principally Brittany and Normandy but also in Paris as well and I have been, I would like to think, relatively successful at that. The reason is because I speak error ridden but fluent French and they really appreciate it, and I know this from the conversations I have with people. I know this from the fact that I have politicians in France who are happy to text me. They do so in French and they do so in English. They phone me. They do so in French and they do so in English. They feel comfortable. I have conversations where sometimes I just revert to English because I know they know enough, but then I will pop back into French, and they are doing the same as well. It is fascinating, it is enjoyable and it is so rewarding to be able to reach out to another country and build relationships, but I do know that because we have had decades ... and I will call it a new phrase to put into the education dictionary under "Teaching". I have decided I am going to create that because we have been under teaching or under educating in French over the years. I know that there are not enough business people in this Island and there are not enough government officers in this Island who speak French to a point where they can do business or work with people in France. That is a real problem for this Island because it does not matter if we look 10 years ahead, 100 years ahead or 10,000 years ahead, France is still going to be there and we are still going to be here. We are next to France. That cannot be changed. It will never be changed but we do virtually no business with France. That is appalling. It is absolutely appalling that we do virtually no business with France. I do not believe the Government relationships or the parliamentary relationships with France are anywhere where they need to be considering they are just 15 miles away. It hurts me and I feel it is a point of shame for the Island. I do feel that because we have cut ourselves off from an entity that will never go away and that is always going to be there. By not speaking French to the level we should speak, we misunderstand French intentions. It means we do not have an understanding of the way their politics work. It means we do not understand their kind of motivations and the psychology of people in France when they are dealing with us in a political way. The same goes for business. I cannot see how the Island can have a fully fulfilled future if we do not improve French teaching in this Island. I know there are 62 languages being spoken in our schools and I love the richness of that. I adore the richness of that. Every day, this Island seems to become more international and I am so proud of us for doing so. I think it is the right thing because it is written in the Future Economy Programme. The future of this Island is international. It has to be international. We cannot be protectionist particularly and we cannot be isolationists. We have to be international.

The Bailiff:

Excuse me, Deputy. The Connétable has just voted to make a financial contribution to the ...

Deputy K.F. Morel:

Merci. [Interruption] I am sorry, Connétable. [Laughter]

The Bailiff:

The Connétable has voted to make 2 further financial contributions. One for the use of unparliamentary language and the other for himself.

Deputy M. Tadier:

Sir, can I just be assured it will be recorded on Hansard? [Laughter]

Deputy K.F. Morel:

I may take 10 seconds extra, Sir, at the end if I reach that far. I do not intend to but in case I do. What I am trying to say is that I do believe French has to have a stronger presence above all other

second languages in Jersey. I do not buy into this all other languages should be equal and the reason I do not buy into that is because France will always be just there and it is in Jersey's interest across the population that we have a stronger level of French speaking because we are denying ourselves opportunities. By not being able to do business with France, we are denied the opportunity to grow the economy of this Island. It is self-defeating. We deny ourselves the ability to engage in that political process properly because we do not speak French well enough or easily enough and it is something that I really feel has to change. I really want it to change. I really want people to understand the importance of geography when it comes to economics and the importance of geography when it comes to political relationships and, yes, Chinese is really important and, yes, Spanish is really important of course. These are truths as well but a greater truth is that France will always be there and, basically, it is easier to do business with the people next door than it is with the people the other side of the world.

[16:45]

It will always be easier to do business but, for some reason, we have made it so difficult to do business because people just do not know how to speak French. That means they are intimidated and they do not want to pick up the phone to enquire with a business in France as to how they may engage with them. I know it is not just me doing this. I know there are other States Members who feel just as passionate about it as I do, but I do worry if a couple of us leave the Assembly, what then? We just give up on France. We just pretend it is not there anymore. Is that what we do? I think that would be incredibly damaging to our Island. I think we have damaged our Island over the past 50 years or so during this decline. I think it has damaged this Island. We could be richer in monetary terms and you can be richer in cultural terms if we had maintained the understanding of French to a level that I believe should be happening. Sorry, Sir, I thought there may be another interjection.

The Bailiff:

Connétable, can I make the respectful suggestion that the phone were to leave the Chamber.

Male Speaker:

I agree with you, Sir.

Deputy K.F. Morel:

Connétable, do not feel like you have to leave too. So those are effectively my points and, in fact, the notes I have here I cannot even read anymore, but it is effectively that I do not believe that we teach French well enough in our schools and I really would like the Minister for Education and Lifelong Learning to revisit that and to really look hard at that and to not see the same as all other languages. It is not and the reason is because France is just there. I want us to do more business with France. I want us to have closer political relationships with France. It is absurd that we now kind of have a fear around political relationships with France. It is absurd that we have suspicion. I do not believe you would have French Ministers making silly threats that they did a few years ago if they had a greater understanding of us and we had of them. There was willingness there in Paris as well. There is Les groupes d'études on the Channel Islands. They want to be closer to us. They absolutely do. I am trying to sort out the infrastructure of this Island in a way that enables us to be able to trade better with France and to be able to travel more easily to France. I would really appreciate the Minister for Education and Lifelong Learning doing the same at language teaching level in French. I really would and I am happy to sit down and understand. I have to admit this. I have not sat down and spoken to the Minister for Education and Lifelong Learning to understand it and so it is incumbent on me to make that appointment to do so because I would really appreciate being able to understand that. I worry hugely about our loss of French in this Island. By all means, learn other languages too, but I do believe we have to prioritise French. I do believe it has a particularly important place, and that is because of geography and because plate tectonics move at a very slow

pace, so we are going to be stuck next to France for a few millennia yet. A few thousand millennia yet, I imagine, and so we have to accept that reality. We should rebuild those links and we should do so by making sure that French language learning in this Island has that position as being particularly important.

3.1.16 Deputy M.B. Andrews of St. Helier North:

I remember when I went to primary school and it was in year 4 when I was about 9 years of age we started to learn French and it was, again, something that was of an interest to me at the time because my paternal grandparents were French and my mum started to teach me French at home as well. I really started to pick up French and I was probably one of the best in the class, but there was a transition, and that was from primary school going into secondary school. I tended to just lose a bit of interest because I was more active and involved in sport and my French, I would say, did not progress as it should have done, and that was due to how French was taught in schools. I know that when we look at, say, Scandinavia, for instance, most Scandinavians do speak English because they have a very strong curriculum and they make sure that individuals who are taught in their schools are taught to be bilingual. But, unfortunately, here in Jersey, that is not really the case unless you are willing to go out of your way to learn a second language. I can tell you now, in my school year, I think there were seven classes in my secondary school and there were a few people who were bilingual. They tended to be second generation Portuguese speakers and I know there has been mention of Portuguese being taught in schools and Romanian and Polish. I would say the difference between teaching French and teaching Portuguese or Romanian is that France potentially could be a very strong and close trading partner to Jersey and, unfortunately, that has not really been the case. I know from my grandparents' time, for instance, who were agricultural workers in the 1960s, the French farmers would often come over to Jersey and the Jersey farmers could speak French and, at the time, the surnames of the farmers were, again, originally from France and they came over here and there was that connection. As we have seen with agriculture, it has dwindled and it has really contracted compared to where it used to be, sadly, and even the agriculture sector itself has seen a change in terms of the recognition of languages because now we do not see so many French agriculture workers compared to previous generations. Now we see a more cosmopolitan look, for instance, where we are recruiting people from the Philippines and we have been left with no choice but to go further afield due to the fact that it is a very labour intensive job. So I think when we are looking at education in our schools, really the education has to be relative and it has to be something that is used when we are speaking about language when individuals are leaving school and, for instance, for entering the labour market, they really need the skills to adapt. I think with Jersey unfortunately, the way French is taught, most school leavers might be picking up French initially in school but then when they leave school, I would say most individuals tend to forget the French that they have been taught because there is a very cosmopolitan culture, and that is due to the fact that we are seeing more push pull factors, more people are coming in to Jersey and we can see there is a plethora of different cultures. I think that is very good because, again, I am very much pro-cosmopolitan but then I think, at the same time, it is probably harder to maintain French speaking as a language in the Island because we have evolved as an Island. Off course, we are seeing trade become transnational, not just in Europe but further afield as well when we are looking at some of the financial service companies. They have individuals, for instance, who are originally from Asia and they have Asian clients which, again, is very beneficial to those clients because they have individuals who are bilingual, but it is again not in French because the world has become more expansive and hyper-globalised and I think that is a very beneficial thing for Jersey. I know there are a number of French speakers in here who, again, would like to see French being taught in schools and also to see connections with France in terms of trade. I think that is becoming more difficult due to the fact that there are less French speakers here in Jersey and we have also seen the figures of a number of French speakers in a number of reports. I know my mum, for instance, is bilingual and she also feels it is paramount that we should be teaching children French in schools, but then of

course there is a real issue when it comes down to the capacity. Who is going to teach the students? I think that, again, is a question that would have to be answered by the proposer of this proposition because you are most likely going to have to recruit probably from the U.K., and then do you potentially then displace teachers who are teaching domestically at the moment in one of our schools as well? I also wanted to just mention one thing that just came into my mind last night when I was thinking about the proposition. I remember being in secondary school and there was a group of about 9 of us and most of our parents were born in the U.K. mainly and some were born in Madeira. I was thinking if I had to ask the question: “What is your view on teaching French in schools?”, I would probably say that most of them would be of the opinion that it would be a no for them because they probably do not see the historical importance of maintaining French speaking in Jersey. I think it is probably only for those individuals who have maybe got strong family connections, an intergenerational thing where, for instance, my grandparents would probably see, across time, that the number of French speakers have regressed and, for them, they would probably see that the politicians in this States Assembly ought to do something about that. At the same time, it is very difficult when we are a more cosmopolitan world and more languages are being spoken as well, and so I think there will probably be some competing interests where we also have to acknowledge the proposition that Deputy Tadier has lodged recently as well, and that is to do with Portuguese speaking. I think there is probably going to be more support for that proposition among members of our community due to the fact that parents will want to ensure that their children are bilingual. I think probably one of the difficulties and maybe the counterarguments that would be argued is this: what about Portugal or Madeira as a trading partner with Jersey? They are further away and they have probably a more prominent relationship compared to Jersey, and in fact France in that respect, and so what can we, for instance, do as a States Assembly to try and establish what languages especially should be taught in schools? I think the languages have to be relevant to Jersey’s trade interests because what we potentially could be seeing is languages are being taught potentially for the benefits of a select few pupils when I think we probably have to establish a broader remit where children across our schools are given the opportunity to develop their skills to be bilingual. But it has to be done, in my view, in a better way, as Deputy Morel touched on earlier, so I just do not think it is good enough. I remember even when I was in school, there was not a culture of instilling into us the importance of being bilingual and I think many people became disinterested as well. I think that is also another element depending on the curriculum across all the different schools but, in our case at school, it was mandatory that we learnt French. I have to say myself when I reached secondary school, I became quite disinterested in French, and I thought it was forced upon me, but I think there has to be a willingness among students. If they want to learn a language, then I think: “Good for them.” Certainly there can be provision that should be in place but it also has to be factored in with the other interests such as are we going to teach our children a language that is going to benefit them due to the opportunities that Jersey has with, say, a trading partner such as France and potentially, for instance, we could be looking at Portuguese or Spanish? But I think there really has to be a demand for those languages as well, but I have to say, in terms of when I am looking at Deputy Bailhache’s proposition, I think it is quite difficult to oppose some elements of it. I do expect, when the survey is conducted, there probably will be an overwhelming response of parents saying probably, no, they would not favour French being taught in schools, but I may be wrong, so I think I will just leave it there.

3.1.17 The Connétable of St. Mary:

I am not sure if the subject matter is one which declares a declaration of interest but to the extent it does, my wife is fluent in French or, at least, claims to be. [Laughter] She is fluent in French, not that I am in a position to verify that myself, and that leads me on to a second point. Because she is fluent and I am not, when we went to France, she dealt with all the queries and orders, et cetera, with the result that my own French deteriorated. The deterioration was not only there or the opportunity missed, I should say. My own children regret that, within the family, we did not speak French.

Otherwise my children would be bilingual but because their father was not that way inclined or did not protest, they were not brought up learning 2 languages, and that is a source of regret to me at the moment, which brings me on to Deputy Bailhache's introduction. It must surely be helpful to all children to be immersed in language from the very beginning. In my day, some of my friends went off to one or 2 weeks in the holidays to stay with a French family and their rate of improvement was due to all of that in that short period, and that has to be the way forward. I do not discount that one bit and the message I am getting from the other Members' speeches is that, while I rather doubt that the proposition as is will be supported, there is a general sense in the Chamber that languages are perhaps not taught either as well or as thoroughly or as long as they might be in Jersey and I would invite the Minister to take that onboard and see if greater opportunities can be presented to parents at large.

[17:00]

As something of an aside, I would just like to say that I have a kindred spirit, not that she knows it yet, in the form of Deputy Millar in the sense that she confessed or claimed or wished to claim that she learnt Latin from an early age. I learned Latin at the age of 6, I am afraid to say, and it turned out to be my best language to an extent. I was afraid to forego German at A-level and take Latin instead and, for that, I am quite grateful. So, if the Minister is ever toying with the curriculum, can I invite you to consider bringing Latin into the curriculum for however brief a period? Apart from anything else, it forms a great route of title, if I can call it that, to learning other languages and even to the extent that I can read Swedish road signs quite easily with my Latin so I ask him to consider that. Finally, on a technical aspect, Deputy Bailhache has suggested that he will take the 3 parts of the proposition separately. I think I am right in saying that (c) would fall away if (b) was not passed, but he may wish to give a ruling on that at the time.

The Bailiff:

Yes, it does seem to me that (c) is dependent upon (b) because (b) sets out the survey and (c) is not enacted unless there is a survey outcome. So it seems to me that (c) would fall away if (b) were not passed, but I am open to consider that further because we are not quite there yet but that is how it immediately looks.

3.1.18 Connétable A.S. Crowcroft of St. Helier:

I am aware of the steam coming out of the Minister for Education and Lifelong Learning's ears and I know why that is. Because he has had to sit in this Chamber and hear a number of speakers decry the skill and the commitment of language teachers in Jersey and particularly teachers of French. **[Approbation]** That leads me neatly on to the reason I was going to speak today, which is really building on the argument of the Constable of St. Peter who said: "The 12 Parishes are all twinned with towns in France. Some of those twinnings are almost moribund. Some of them are okay. Some of them are mainly composed of retirees. All of them can do with a real injection of support, possibly from Government, of cash support to enable the 12 twinnings to build meaningful relationships with schools and youth groups in their twin towns. St. Helier is lucky we have a really inspired and skilled teacher at Haute Vallée who is working with her French students who took them this summer over to Avranches to meet with their counterparts. They had already met them online and they had the pleasure of meeting them in person and spending time in their classrooms and developing relationships, which will last them for years to come, probably into adulthood, and which will also of course benefit their French-speaking skills. I think there is much more we can do as an Island in an opt-in sense, allowing people who are really interested in French, who have made those initial contacts, to develop their French speaking in the context of the twinnings. As I say, I just want to reiterate that we are well served by our language teachers in Jersey and I really will not hear a word said against them, and I hope that makes the temperature of the Minister for Education and Lifelong Learning come down by a few degrees.

3.1.19 Deputy L.V. Feltham of St. Helier Central:

I am pleased to follow the previous speaker because I too was getting more and more concerned about some of the statements being made that seem to be just merely on personal opinion around the standard of teaching in our schools. I fully support the Minister for Education and Lifelong Learning and our teachers and our headteachers in schools. There is lots to pick out from this debate that I want to pass comment on. It is important to remind ourselves that at this point in time, following on from some of the speeches that we have just heard, that French and Jèrriais are the only languages currently on the primary school curriculum, and indeed it is my understanding that in the past 5 years, 1,455 pupils, that is almost 1,500 pupils have achieved their French G.C.S.E.s, and that being 271 this year alone. So I do question the research that has been done by Members that have stated that currently there is not French teaching in our schools. I have to respond to what Deputy Warr said around our Minister for Education and Lifelong Learning lacking vision. He obviously does not speak to our Minister for Education and Lifelong Learning on a very regular basis because there is no other person, I do not think, in this Chamber that has more vision and more passion for our education system than our current Minister for Education and Lifelong Learning. But I would like to turn to the practical notes around this particular proposition and the amended proposition, which is talking about conversion of at least 2 primary schools into bilingual schools, with progressively phased introduction of bilingual tuition in those schools to begin with reception classes. Do we, sitting here, think realistically that reception classes would be the best classes to effectively try out and have a bit of an experiment with? Reception classes with children learning English, learning how to read and write for the first time, going home probably to English or other language speaking parents, parents speaking in other languages, and certainly not speaking French at home, or very few of them speaking French at home. So I do question the practicality of that and why the bringer of this proposition thought that reception class would be the best class to start with there. I have heard other Members suggest that they may support a survey being conducted. We have already heard about the pressures on Statistics Jersey, the pressures on the Education Department, and I personally think that this would be something that is not appropriate for us to be asking our Minister to be prioritising at this point in time. I would like to make the point that I think that the proposition completely misunderstands the practicality of what is being asked for. Deputy Coles quite rightly said it only suggests that the costs would be for a project manager. Now, having worked in Government as a project manager and knowing how projects such as this are progressed within Government, I feel quite qualified to say that it would not just be a project manager that would be involved in this particular project. It would be other individuals at higher and lower grades as well, and the costs would be far outstripping what is suggested within the proposition. I would have more sympathy for this proposition if it was being brought as a Government Plan amendment or a Budget amendment, because then the proposal would have to say where the money was coming from and what would not be done in order to undertake this work. I think that is really important that, as an Assembly, we understand that we do have finite resources. If we agree to do this right now, that means that other work will have to stop. I also think it is really important that schools are autonomous. The right people to be making decisions about schools are headteachers. They are the people that should be taking decisions. Some decisions are quite rightly political decisions. We made some political decisions earlier today in propositions that were right to be coming to this Assembly. But decisions around how schools are being run, around school curriculums, I do not believe that we are the best people to be making those decisions. The best people to be making those decisions are educationalists, certainly not us. Then the other point I wanted to pick up on is, as a St. Helier Central representative, within my constituency my schools are multilingual. We have got several languages that are being spoken in our schools on a daily basis. Putting this additional pressure on our schools just would not be feasible. So I would like to ask the bringer of the proposition to talk about catchment areas, how that would be managed, how equity of access to this

opportunity would be managed, because I do not think that has been thought through. I think that this is a nice idea, it sounds lovely, but it is wholly impractical.

3.1.20 The Connétable of St. Brelade:

I congratulate Deputy Bailhache on bringing this proposition, whereas this is not the case with the Minister's total negative stance on the matter. Notwithstanding that, I am not an educationalist and can only make personal observations. I was brought up in a semi-French speaking household and I would say that it has been of great advantage to me in life so far in commercial terms, and indeed latterly in political circles it continues to do so, particularly with my membership of the Assemblée parlementaire de la Francophonie, where I join others in encouraging the continued use of French in the Island. In common with my colleague from St. Peter, I too enjoy my Parish's twinning links with the Norman town of Granville and the regular exchanges that take place when the boats are running. It is of enormous value, I think, both to us and to them. When I go there, I meet with French politicians socially and I think it can do nothing but good. I will concentrate my comments on the economic benefits of improving the French teaching offering to children of a young age in Jersey, and I am pleased to align myself with the comments made earlier by Deputy Morel. I do not believe at the moment it is up to an acceptable standard and maybe the Minister could provide evidence at a later time if he differs with that opinion; it is something I believe should be benchmarked. The economic benefits are based on the fact that France, as has been suggested in earlier speeches, is only 30 miles that way to Granville, 15 to Carteret that way, and 40 to Saint-Malo that way. There is a desire for Jersey people to travel there and a desire for French residents to come here. I have noticed that the standard of English spoken by French visitors seems to be much better than in previous years, so maybe we should be looking to their education system to understand how it works there. Further enhancement of our economic links with France are much dampened by our inability to speak the language. We are missing out on commercial activity. We are missing out on cultural and sporting activity. Our air transport links with France are non-existent and we are in the process of discussing sea transport links, which are presently all we have. Much commercial dialogue takes place informally, and I consider it important that when young people complete their schooling here, that they would be in a position to converse both in a formal and informal way with our French neighbours. I was disappointed in the Minister's response to this proposition and note that it was only on page 13 of his comment that he alludes to possible alternative approaches. So I would ask him to keep an eye on those and I think we, as Members, should press him, if this proposition is not successful, to follow those 3 particular items up. We need, in my view, to move away from total Anglicisation of our Island and take advantage of our close proximity to France. There is significant advantage to be had from developed relations. Cost always has to be a consideration and the Minister has made much of this. I would say that equal weighting needs to be given to the value of our education in the French language. It is easy to ignore the value and focus on the costs. I do rather wish that the Minister had been rather more positive in his response to the proposition and would suggest that it is for him to dictate policy in his department so that his school heads can work to it. I would conclude by urging the Minister to work, as I suggested before, on those 3 paragraphs on page 13 of his comments, and let us know in due course how they will be addressed. I will be supporting the proposition and urge other Members to do the same and give a clear signal to the Minister that he needs to do more.

[17:15]

3.1.21 Deputy C.S. Alves of St. Helier Central:

I want to start by addressing some of the comments about the survey element of this proposition. I think I can start by saying that we all agree that, if the results of a survey were to be credible, that the survey would need to be run well. I have some information from the chief statistician on this and he started by saying that it would be necessary to define what we mean by "preschool children". Is that children who have yet to start school or those currently at nursery? To conduct a survey of the parents

of these preschool children, it would first be necessary to develop a sampling frame for the parents of preschool children. A sampling frame is a list of the population of interest, for example a list of the addresses of all the parents with preschool children from which a random sample could be selected. Such a list of the parents of preschool children does not currently exist and would need to be created. He goes on to say that it would probably be possible to construct such a frame by bringing together data from records of vaccinations, from schools and other information held by Government. But this would require an agreement from various data owners and putting in place data-sharing agreements and a data protection impact assessment. Our experience of data sharing is that this is not a quick process and can be resource intensive. Even if a suitable sampling frame could be developed, a survey which simply asked about the proposed questions, views of parents of preschool children on the desirability of establishing bilingual English/French primary schools and their willingness to send their child to such a school, it would be a very limited survey and will not justify the costs. I would also like to quote an extract from the *Bilingual Education: a Reflective Guide* report, which was written by Eowyn Crisfield, who was a paid adviser to our Education Department for its language policy. Now that extract reads: “The role of first language in education. The first important point to recognise is that the basis of a child’s cognitive and linguistic development is their first language, L1. The language a baby first engages with through their parents or carers, no matter the goals of the parents or the aspirations of the school, there is a duty of care to safeguard that language and ensure its continued development. For schools that have high levels of linguistic diversity, this means that a bilingual programme cannot easily be based on the L1, their first language, and English or other school language. If these schools want to consider developing a bilingual programme, they need to carefully consider the tensions surrounding the growth of L1 and the addition of potentially 2 new languages through education and what additional support would be needed for each of those languages. Schools are linguistically homogeneous. Local students have a strong basis to develop an L1/L2 bilingual programme rather than an L2-only programme. While full immersion may seem preferable, in particular to parents, research strongly supports bilingual models over full immersion in terms of ultimate proficiency in language 1, language 2, and academic achievement.” I would like to talk a little bit about my own personal experience. I was born on this Island to Portuguese parents. The first 4 years of my life, I did not attend nursery and I was fully Portuguese speaking, my parents only spoke to me in Portuguese. We did not watch English TV, we had Portuguese TV, so I was very much immersed in Portuguese. When I started at my primary school, Bel Royal School, I was the only Portuguese child there. I would say that I am not the most intelligent person, but I do have a good level of intelligence, and I remember struggling and I remember that it probably took me until about the age of 11 to be able to be completely comfortable with English. Even then, my English vocabulary was not at the level of a native 11 year-old English speaker. So why is this? Because at home I was talking in Portuguese, I was not having that reinforcement in English that I needed, and in fact English was my weakest subject throughout my whole school career. I got an A star in French G.C.S.E. and a C in English. That was purely because my home language reinforced a language that was based on Latin, which English is not. So I think it is important to note that only 15 per cent of a child’s typical year is spent in schools. That is based on 7 hours a day for 190 school days. It is impossible to cram everything into a school day and it is unethical to expect and to impose something on to a school and its professionals to do something they do not agree with and, more importantly, diverts resources from other areas of great need such as inclusion. Now, I know some other Members have already addressed the comments made regarding the opinion that languages are taught poorly or we follow an English model, but I would just like to make the point that, if you have, for example, Dutch, Scandinavian, German speakers, and they are much better at English than, for example, British people speaking English, it is probably because the dominant language of the planet in terms of business, culture, arts, commerce, diplomacy, and the motivation to learn English is higher than that for learning French across the globe. Like I mentioned earlier, these languages are also Germanic languages and English is a Germanic language, whereas French is a romance language and its base is Latin. This is also a cultural issue rather than

a teaching quality issue, and I hope that my personal experience that I have just recounted reinforces this, where French was easier for me to succeed in, due to having a Portuguese household, than English. So, to repeat some of the words that have already been said in this Assembly, we can all have ambition and vision. But ambition and vision does not mean that you have positive outcomes and that resources needed will miraculously materialise. Finally, I would like to remind Members that, irrespective of this proposition, and like the Minister mentioned in his speech, there is nothing to stop a school from approaching the Minister with a business plan, having undergone the appropriate work, with the agreement of staff and parents, to develop a bilingual school. That is irrespective of this proposition. So, I would urge Members to reject all parts of this proposition.

The Bailiff:

Thank you very much, Deputy. Does any other Member wish to speak on the proposition? If no other Member wishes to speak?

Deputy P.F.C. Ozouf:

Yes please.

The Bailiff:

Deputy Ozouf?

Deputy P.F.C. Ozouf:

Yes, please.

Deputy M. Tadier:

It is a point of procedure. We are coming up to 5.30 p.m., would it be worth asking Deputy Ozouf and Deputy Bailhache whether they are content that we stay tonight to finish or should we just listen to Deputy Ozouf?

The Bailiff:

Well, I think, if you wish to make that as a proposition, I am content to take it as a proposition so Members know where they stand. Do you wish to do that, Deputy Tadier?

Deputy M. Tadier:

I prefer to hear from Deputy Bailhache perhaps and Deputy Ozouf to see whether they want to come back tomorrow or finish tonight.

The Bailiff:

Well, I think it might also be helpful, is anyone else looking to speak? Deputy Ozouf wishes to speak. Obviously, Deputy Bailhache will need to respond. Are there any other Members looking to speak in this debate? Deputy Southern, you would wish to speak, right. Well, we have therefore 2 speakers plus of course the reply.

Deputy P.M. Bailhache:

It may not be material, but I must say that I would prefer to adjourn at 5.30 p.m. in order to collect my thoughts before making my closing submission.

Deputy M. Tadier:

Could I propose the adjournment? I know that Deputy Ozouf probably put his light on before I did so we should probably give him the right to speak now or tomorrow. But I would like to propose the adjournment.

The Bailiff:

Thank you. If you sit down now, Deputy Tadier, let us establish. Deputy Ozouf, you probably followed the discussion that is going on, there is the suggestion that we might adjourn now until tomorrow morning, or because you put your light on and I called on you, you could speak now if you wished to. Which would you prefer to do?

Deputy P.F.C. Ozouf:

That is very kind of you. As I will be in the Assembly in person tomorrow, it might be better and I and might just encourage Members I may well have the opportunity of summarising some of my remarks. So it may be a quicker set of remarks, so I am happy to do it tomorrow, of course.

The Bailiff:

Thank you very much. Deputy Warr, do you have a point you wish to make?

Deputy D.J. Warr:

Yes, I wanted just to make an announcement to the Assembly Members that I am going to be withdrawing P.68/2024 because we have managed to negotiate with the Government, and I just want to make that announcement tonight to Members. I will be circulating an email tomorrow morning.

The Bailiff:

That is obviously helpful. But there are other things to get to before we get to P.68. Very well, is the adjournment proposed? The Assembly stand adjourned until 9.30 a.m. tomorrow morning.

[17:26]