

# STATES OF JERSEY

## OFFICIAL REPORT

WEDNESDAY, 13th SEPTEMBER 2023

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[9:30]

**The Roll was called and the Deputy Greffier of the States led the Assembly in Prayer.**

**PUBLIC BUSINESS - resumption**

**1. Increase to Christmas Bonus (P.59/2023)**

**The Bailiff:**

The next item of Public Business is Increase to Christmas Bonus lodged by Deputy Rob Ward. The main respondent is the Minister for Social Security. Before I ask the Greffier to read the proposition, Deputy Ward, I understand that you are only wishing to propose part (a) of the proposition and not part (b); is that correct?

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

Yes, Sir. If I can take leave of the Assembly to do that, that is what I intend to do with consultations and discussions. I think part (b) may both tie the hands of the Minister too much and may not be the most appropriate way to move forward and other things can be done. So, if we can take it as just part (a), I would be very pleased to do that.

**The Bailiff:**

As a matter of procedure that is a matter for you because it has not yet been moved. You can move those parts of it that you wish, they are severable. Therefore, I will ask the Greffier to read the proposition containing part (a) only.

**The Deputy Greffier of the States:**

The States are asked to decide whether they are of opinion – to request the Minister for Social Security to – (a) increase the amount of the Christmas Bonus in 2023 from £84.87 to £114.19 to reflect inflation.

**1.1 Deputy R.J. Ward:**

Can I start off by just apologising for not being there in person? Still testing positive with symptoms, so it is the most sensible thing to do. But in this format we will do what we can do. First of all, I must address just a couple of points in the comments published by the Minister on 8th September, just to address them. To quote the comments paper, it says: “It is disappointing that given his position as Chair of the Health and Social Security Scrutiny Panel, Deputy Ward did not engage with the Ministers or officers before lodging this proposition.” With respect, I cannot disagree more regards this being disappointing. It is not the role of a Scrutiny Chair to use the position of the panel or develop individual Backbench propositions and use that panel as such. I made it clear when elected to the role, the importance of keeping the process of Scrutiny separate from my role as an individual Member and indeed as a very proud member of a party in this Assembly, that is what I have done and that is what I will continue to do. I am surprised that officers do not understand this, as I have not advised the Minister accordingly. But on a much more positive note, let us talk about engagement. There has been engagement regards this. Reform runs a programme of engagement with Ministers and a wide range of organisations via our Monday meetings, which is a really effective use of 10 Members’ time. I am really pleased and I say thank you - genuinely thank you - to the Minister who has attended one of our weekly meetings, where I understand we were informed that she was minded to accept the first part, part (a), and reject part (b). I was away for that meeting because that was my week’s holiday, but acted upon it as soon as I returned on 5th September to email the Minister to ask about a compromise on part (b). I did receive an out-of-office reply. I have acted on that and, following no response, to withdraw part (b) as a compromise, which I hope will be useful. I do understand that the Minister was away until 11th September, and that is not a criticism of taking a much-needed break. I want to be very clear on that, and I would encourage Members that

you do have to look after yourself. I would also address the figures in the comments paper because they must be addressed. I estimated 5,137 people received the bonus from a total cost given in the proposition in 2016 that reinstated the cost. I think that was from Deputy Southern. The comments made, and I have divided by the amount of money that was being used, the comments seem to state a lower number, thus leading to an overall cost. To quote the comments: “The additional costs of the proposed increase to £114.19 is £142,000.” I had suggested an extra cost of £151,000, so the figure appears to be less. I am quite happy to accept the lower figure, which is indeed easier to accommodate. But let us talk about the need. It is clear from the actions taken by the Government, including in the comments paper, and from our personal interactions with our constituents, that pensioners are struggling with the cost of living. The Christmas cost bonus recognises this by its very existence. However, its value has declined since 2016. This proposition provides the opportunity to restore this value and have a direct impact on an important section of our community, who have spent their lives contributing for us. Christmas does unfortunately bring its own financial pressures. The argument about commercialisation of a Christian festival is for another time, perhaps something the Dean and I may well agree upon. But, as I say, it is for another time. But I believe we need to support pensioners where we can. This is a simple change already targeted and requiring a simple change to the number in the legislation, in the same way that a Minister would do for any quantitative change in benefit. That is all I am going to say to introduce this. I hope that Members can support this proposition and pensioners in their community. So, I make the proposition.

**The Bailiff:**

Thank you, Deputy. Is the proposition seconded? **[Seconded]** Does any Member wish to speak on the proposition?

**1.1.1 Deputy M.R. Scott of St. Brelade:**

While I am supportive of the proposition, I do wonder whether it ever needed to be brought because it is asking for an increase of the Christmas bonus in line with inflation. I do understand that is what the Minister for Social Security does. I cannot help feeling that it is like somebody just putting their thumb in a pudding and saying: “Hey, I have got the plum.” While I respect my colleague, Deputy Ward, in many ways I also disagree with his understanding of what you can do as a Chair of a Scrutiny Panel and what you can do as a private Member. As people might understand, I have to often think about what I can do in my role as Chair of the Economic Scrutiny Panel and what I can do as a private Member. In both cases, yes, before I ... well, as a Chair of a Scrutiny Panel I can ask questions of the Minister. I can say: “Are you going to do this? What are you going to do when you do this?” I can get my colleagues on the Scrutiny Panel to ask those questions. That is our role. As a private Member and, indeed, I have brought propositions as a private Member, I also can go to different Ministers and say: “I am thinking of bringing a proposition, will I have your support?” It is important because otherwise I am wasting States Assembly’s time, because if I am bringing a proposition and I already do not have Government support then it is going to be really, really, really difficult, is it not, to persuade everyone else to support it? But this is a very easy proposition to bring. It is very easy to say: “I brought this proposition and the States Assembly support it.” Of course, we will. But I do very much support the Minister for Social Security for her role and do again question whether it ever was necessary for this proposition to be brought to have the result that it has.

**1.1.2 Deputy E. Millar of St. John, St. Lawrence and Trinity:**

I do not really want to go into too much detail about Deputy Ward’s comments. I think the comment in the comments about our disappointment at the proposition simply being lodged was that I would have preferred to have had a discussion before it was lodged. In one of our recent sittings, Deputy Ward commented on the need for collaboration and how he wanted Government to collaborate with Reform and with Backbenchers. I am more than happy to do that. If Deputy Ward had spoken to me in the first instance, we could have developed a proposition that would have come in as an

acceptable proposition and everybody would have been happy, and we could have done ... we could have brought this forward on a joint basis. That was why we used the word “disappointing” that that early conversation did not happen. I am more than happy to discuss with any Backbencher.

[9:45]

I know my officers have been discussing with other Members elements of their own propositions to make sure that they come forward in a way that we can support them where possible. That is my need for that word ... that is, I think, our reasoning for that wording. I am very happy to collaborate. I would also like to assure Members that the needs of pensioners have been and remain at the forefront of my mind since I was elected and since I became a Minister. This time last year, the new Assembly supported the Council of Ministers in its proposals for a mini-Budget to address cost-of-living pressures being felt at that time. As part of that new elected Council, I worked with fellow Ministers over last summer to draw up and agree a comprehensive and timely plan to support Islanders at a time of rapidly increasing prices. As part of that plan, the support for heating costs over the winter was increased last year, and I am grateful for the support of States Members yesterday in approving an extension of that scheme for this coming winter. The changes guarantee low-income pensioners a fixed £70 pounds per month for the 6 months from 23rd October to 24th March. It also applies to other selected low-income groups. At the beginning of this month, I significantly improved the support available through the Pension Plus scheme. This scheme is available to low-income pensioners and it provides help with dental, optical and chiropody bills as they arise. Members will also be aware that these pensioners are included in the Health Access Scheme, which provides significant support towards general practice services. For example, a G.P. (general practitioner) surgery visit costs £12 for those who benefit from the Health Access Scheme. I am continuing to look at eligibility for Pension Plus in the coming months, in particular to review the way in which the income conditions are applied. I am aware that some representations from Deputy Scott, in particular, about issues facing pensioners who do not qualify for income support, who have incomes, who pay tax, but who, because they are renters, have limited disposable income. I recognise that as an issue and we will continue to look at it with a view to making further amendments next year. The value of the extra support for low-income pensioners under these 2 changes will be well over £1 million, with the ongoing changes to Pension Plus providing an additional £500,000 a year towards health costs going forward. The rationale for supporting low-income pensioners through these 2 schemes is strong. The need for extra heating or healthcare can be hard to predict in advance, and it can be challenging when households are faced with an unexpected bill while managing on a fixed budget. Ensuring that pensioners can afford adequate heating and timely healthcare is important to support their overall well-being and independence. Deputy Ward’s proposition proposed an increase in the Christmas bonus. While there are strong cultural ties in Jersey to the Christmas holiday, expenditure on Christmas presents and celebrations does not fall into the same category as supporting heating and health costs. An important rule of Government is to ensure that vulnerable people get the help they need to maintain their health and well-being and their general standard of living. The need for help with heating and health costs is very clear, and many governments provide support in these areas. Statutory financial help to help support Christmas festivities is much less common and, as a comparator, which I do not support by any means, I would just highlight to Members that in the U.K. (United Kingdom) the Christmas bonus has been unchanged for very many years at £10. As Minister for Social Security, I do not oppose part (a) of the proposition, which seeks to increase the annual payment from £85 to £114. The C.L.S. (Community and Local Services) benefit budget for next year can accommodate the extra cost estimated at £142,000, as Deputy Ward has said. However, Members should be aware that this additional expenditure may restrict my ability to bring forward additional schemes next year in response to emerging financial pressures. We are not yet, by any means, out of the woods in terms of the cost-of-living crisis, and we do not know what the coming months are going to bring. But, for example, over the last 3 years, my predecessor introduced and funded short-term schemes to support unemployed migrant workers who were unable to leave Jersey

due to COVID, to provide a Spend Local card to all Islanders to support local businesses during COVID, and to introduce the cost-of-living temporary scheme, which provided additional monthly payments at very short notice to low-income families, following the recent hike in inflation. Taking money out of budgets on a piecemeal basis, on an unplanned basis, does affect our ability to fund other things in future. I simply want to raise that with Members now, if we do have to make further steps later in the year. But I will support the proposition and I also encourage Members to do so.

### **1.1.3 Deputy S.Y. Mézec of St. Helier South:**

I thought that Deputy Scott's talk about time-wasting was pretty ironic, to be honest, because her entire speech seemed to be based on 2 misunderstandings that cannot be left unanswered. The first of those, it seems to be based on a misunderstanding about what the Christmas bonus actually is, and she described the proposition as unnecessary. No, it is necessary because the Christmas bonus is not automatically uprated. It is a static amount that does not move and in fact has not moved for 7 years. It cannot be raised unless we decide to raise it proactively. So, I think her understanding there was wrong. But, more importantly, her talk about not bringing business to this Assembly unless you have secured support from the Government in advance is frankly a dangerous position and anti-democratic. Every single Member of this Assembly, whether you are in the Executive or not, whether you are in a party or not, has a democratic right to bring business to this Assembly on behalf of your constituents, including when you know it is a lost cause, but you are doing so to give a voice to the voiceless otherwise, or a voice to those who gave you your mandate. So, I say to Members, do not ever be deterred from bringing business to this Assembly that is in line with your democratic mandate because you have not secured or sewn up the support before you reach the Chamber. It is a democratic debating Chamber and we can make our decisions here. Sometimes that might mean defeating another block in the Assembly, and that does happen from time to time. Strange coalitions are often formed on the floor of this Chamber to do that. So, Members should never feel bad about doing that. I am very pleased to support this proposition from Deputy Ward. I remember, before discussing it with him, having a conversation with a constituent who came to me at my constituency surgery with Deputy Coles and Deputy Porée to say that it is something that he had noticed was quite strongly on the agenda in 2016, but had not been raised since then and was something that could do with being uprated because of the cost-of-living crisis and the extra support it would provide to a part of our society at Christmas time. So, I thank that constituent for raising that with us, and I am pleased to see it on the business of this Assembly today. In 2016, the ... sorry, before 2016 I should say, the Ian Gorst-led austerity Government brought forward a package of cuts to support that was provided to Islanders, £10 million that was made up of and it included things like scrapping the single parent component of income support. Thankfully something the States U-turned a couple of years later on. But it also included a package of cuts to support that was provided to pensioners, much of which was defeated as well, and that included abolishing the Christmas bonus in its entirety. But, thankfully, because of the political pressure that was put on the Government and this Assembly, much of which was led by Deputy Southern, it has to be said, an iteration of the pensioners' Christmas bonus was installed as a result of that. You can tell it was not a priority for those in power at the time, given no mechanism was put in place so it could be uprated over time. I hope that with Deputy Ward having brought the proposition to secure that uprating today, which I hope sounds like it is not going to be controversial, that it then gives some space for the Minister for Social Security or other Members, if they choose to find their own mechanism to bring to this Assembly, to look at some way of making sure that its value does not decline in future years. But we would not be having that discussion if Deputy Ward had not put it on the agenda. So, thank you to him for doing so.

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

Very quickly, it is a wider issue and it is really important that I think Deputy Ward has brought this because the States and the Government need to be mindful of other benefit thresholds, for example, that are also atrophying. One thing that I have heard quite a lot very recently, whether at my surgeries

or just in the community from people, and it is often people who are retired or pensioners, is about the long-term care threshold and the amount that is allocated to the value of the home. That has not changed at all since the beginning of the scheme. I think it is still set at some £415,000, but we know that inflation has been going on and on, and that the price of your average family home goes up. So it is okay to introduce these things initially and to wave a flag saying that whichever Government of the day is doing something for the people and we are really progressive and we are trying to help you, but if you do not keep up with inflation, it is a little bit like saying to your children: “We have bought you a new pair of shoes.” But of course when they go from their size 5 to their size 7 shoes, or whatever it is, saying: “I am afraid you have to keep on wearing those”, something is not going to fit. That is why we need to do it. I would say that what Deputy Ward has done here is a form of collaboration. There are some things which are fairly straightforward and so simple that it is just easier to lodge a proposition, and it is not a case of just collaborating therefore with the department but collaborating with the whole Assembly. This has been lodged for a period of time. The Minister has issued comments and the comments have been read, and then Deputy Ward has then taken those comments into account and said: “Okay, look, I will just proceed with part (a), not part (b)”, and that is a very efficient way of doing business in our Assembly as a Backbencher. Of course, there is no tension here between his role in Scrutiny and that of a Backbencher. I think many Members, perhaps new Members, are finding that they have got a lot of power; as a Backbencher you can influence policy. That is something which I know Deputy Ward and other new Members have been doing very effectively since their time in the Assembly.

#### **1.1.5 Deputy M.R. Ferey of St. Saviour:**

I would just like to redraw Members’ attention to some of the comments made by the Minister for Social Security. One of the principles behind the Social Security remit is to ensure that people can meet their basic needs and that taxpayers’ money is well spent to support those needs in a timely fashion. The recent proposals of the Minister to strengthen the cold weather payments and the Pension Plus scheme address that brief head-on. The extra funding available through these schemes will make a real difference to pensioners facing an unexpected dental bill or heating cost. It is difficult to make the same argument to the taxpayer providing additional help with the cost of Christmas. This is an area where the voluntary sector is particularly effective and, as Minister with responsibility for charities, I am proud of the success of local groups in providing extra treats and good food and companionship at Christmas time. I will be supporting part (a) of this proposition and am grateful to Deputy Ward for letting part (b) go.

#### **The Bailiff:**

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

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

Thank you for all those Members who have contributed. I will do them in order as I have jotted down here. Deputy Scott, I have got to say there is not a built-in increase, that is why I am bringing this, so there is a relevant point to it. I do not agree with your interpretation of Scrutiny in these terms. I think it has to be very separate from our role of Backbenchers and very separate from our role of being a party, whether that is a declared party or not. Therefore, I think it is really important that Backbenchers ... and I act as a Backbencher today in bringing this proposition. I would like to just jump to what Deputy Mézec said because he is correct, and Deputy Tadier, I would say to all Members it is absolutely vital that we bring propositions as Backbenchers otherwise our Assembly does not have primacy, as the Assembly has primacy over a Government, over individuals, over parties. This is the unique feature of our Assembly and indeed that is why I stood because I have the opportunity to bring these propositions to this Assembly. If people find that in some way slightly irritating I am afraid they need to find a way of dealing with that because they will continue to come.

For the Minister regarding further discussion, I think it is partly timing. I will say though I do not believe that every proposition that comes to this Assembly by a Backbencher needs to be rubberstamped by the Minister. The Minister has a lot more ability to bring propositions and a lot more support in doing so from officers. I think we need to be very careful when undermining Backbenchers' propositions just simply because the Minister does not feel that we have talked enough about it. I will mention these things about the mini-Budget. They were great, that is great, all of these extra helps are absolutely needed. This is not about that, this is about a specific payment for Christmas bonus.

[10:00]

I will jump to Deputy Ferey who seemed to say that there are voluntary groups who provide nice things. Yes, that is lovely, but we do not want those people in our society who have given us so much to have to be so reliant upon charity just to have a decent time in our yearly celebration of what we are as a community and Christmas, and I think that this payment is a very important one. We all know about these voluntary things. I do the Christmas lunches each year in St. Helier and, to be honest, I get as much pleasure out of doing that as those people who come along because it is part of our community involvement and it is just enjoyable, it is fun. I know these things are important but we cannot leave everything to the voluntary sector and charity, we need to have a safety net for our people and that is exactly what this is. I do not want to conflate the basics of life, and if you think about it, really having to provide those basic sort of things is an issue for us anyway, cold weather payments, et cetera, et cetera, everyone should have a decent standard of living. This is about just giving that little bit extra and uprating something that already exists for this Christmas and saying to the pensioners on our Island: "Look, this Assembly does value you and we are going to do something today which is positive" and I think we need some positives from this sitting, that can go out to our community and say: "Thank you for what you are doing, we are here to support you where we can." I think I have covered everything that everybody said. With that I would just make the proposition and call for the appel.

**The Bailiff:**

The *appel* is called for. I invite Members to return to their seats. I ask the Greffier to open the voting. The vote is on P.59. If Members have had the opportunity of casting their vote ...

**Deputy R.J. Ward:**

I will just check you got my vote? It is pretty obvious but there you go. Thank you.

**The Bailiff:**

Yes, I am going to guess which way you are going to vote on this one, Deputy. Indeed, we have, thank you. I ask the Greffier to close the voting. The proposition has been adopted. **[Approbation]**

<b>POUR: 46</b>		<b>CONTRE: 0</b>		<b>ABSTAIN: 0</b>
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				



Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy B.B.de S.V.M. Porée				
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 L.K.F. Stephenson				
Deputy M.B. Andrews				

**Deputy R.J. Ward:**

May I just say thank you to Members for supporting? Thank you very much.

**2. Income Support Medical Appeal Tribunal: Re-Appointment of member (P.60/2023)**

**The Bailiff:**

The next item is the Income Support Medical Appeal Tribunal: Re-Appointment of member lodged by the Minister for Social Security. The main respondent is the chair of the Health and Social Security Scrutiny Panel. I ask the Greffer to read the proposition.

**The Deputy Greffier of the States:**

The States are asked to decide whether they are of opinion in accordance with Article 9 of the Income Support (Jersey) Law 2007 and further to a process overseen by the Jersey Appointments Commission, to reappoint Dr. Benjamin Griffiths as a member of the Income Support Medical Appeal Tribunal, for a period of 4 years.

**2.1 Deputy E. Millar (The Minister for Social Security):**

This item and the following one refer to the reappointment of Dr. Benjamin Griffiths as a medical member of the 2 Social Security Appeal Tribunals. Dr. Griffiths has been serving on both of these

tribunals for the last 5 years. The Jersey Appointments Commission recommends a maximum of 9 years for these types of appointments and has endorsed the application of Dr. Griffiths to serve a further 4-year term on both tribunals. This item relates to the Income Support Medical Appeal Tribunal which acts as an independent appeal body mainly in respect of claims that involve a medical assessment for income support purposes. Dr. Griffiths has served on this tribunal for the last 5 years and I ask Members to approve his reappointment for a further 4 years. I make the proposition.

**The Bailiff:**

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

**2.1.1 Connétable D. Johnson of St. Mary:**

I shall be supporting the proposition but I thought it appropriate to raise the fact that some 5 or 6 years ago the Law Commission made certain recommendations which, had they been implemented, would have made this proposition today redundant. The main purpose of the Law Commission report which is *Topic Report: Improving Administrative Redress in Jersey* was submitted in October 2017. One of its main recommendations was, and I quote their recommendation 3: “Create a new tribunal (the Jersey Administrative Appeals Tribunal) with a broad jurisdiction to hear appeals against administrative decisions.” It then laid out the benefits of such a broad repeal and following on from that the further recommendation was to transfer to this new J.A.A.T. (Jersey Administrative Appeals Tribunal) the powers vested in certain independent tribunals, including the subject of this proposition. That has not been progressed. In that connection maybe I could just quote the report submitted by the Chief Minister of the day saying: “The Chief Minister, Senator Ian Gorst, and Chair of the Legislation Advisory Panel, Senator Sir Philip Bailhache, welcome the publication of the Topic Report by the Jersey Law Commission. It is an important and substantial piece of work which aims to contribute to the wider project of building trust and confidence in the process for complaining about public administration.” The Minister’s report then goes on to identify certain aspects which would need to be considered including a timetable where the dates of 2018 and 2019 were mentioned. Nothing much has happened and the purpose of my bringing it to the attention of the Assembly is to say that I am hopeful that the Council of Ministers might be persuaded to bring in legislation in accordance with those recommendations which I think are very much needed, not only in respect of taking on the appeals in this case, but also to hear appeals from Ministers on other matters. As I say, I am hopeful that the Council of Ministers might be persuaded to bring in legislation in this term. If I am not successful then, noting some of the observations made this morning, I shall have no hesitation of bringing a proposition to do that myself.

**The Bailiff:**

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

**2.1.2 Deputy E. Millar:**

I am familiar with that report because I remember it coming out and I remember reading it, and I think in my capacity as Viscount I may have commented on it. It was something that I had an interest in because I previously served as Deputy Chair of the Income Support Medical Appeal Tribunal. I cannot comment on why it has not been brought forward further. I think there are a number of other initiatives that may also have lapsed with it, but I note his comments. One of my concerns about that tribunal, just to throw in a comment, was that some of them are very technical. One of the reasons why I personally support the continuing appointment of Dr. Griffiths is that some of them do not meet very, very often and, if you only meet a handful of times a year, no sooner have you developed some kind of skill and expertise and knowledge of the law, if your term then ends we have lost that experience. So, I do think it is worthwhile continuing people like Dr. Griffiths who have developed

some knowledge, but I take the point and I am sure the Chief Minister and the Council of Ministers will consider that further. I make the proposition.

**The Bailiff:**

Those in favour of adopting the proposition, kindly show. Those against? The proposition is adopted.

**3. Social Security Medical Appeal Tribunal: Re-Appointment of member (P.61/2023)**

**The Bailiff:**

The next item of public business is the Social Security Medical Appeal Tribunal: Re-Appointment of member lodged by the same Minister with the same respondent. I ask the Greffer to read the proposition.

**The Deputy Greffier of the States:**

The States are asked to decide whether they are of opinion in accordance with Article 33A of the Social Security (Jersey) Law 1974 and further to a process overseen by the Jersey Appointments Commission, to reappoint Dr. Benjamin Griffiths as a member of the Social Security Medical Appeal Tribunal, for a period of 4 years.

**3.1 Deputy E. Millar (The Minister for Social Security):**

I will try not to repeat myself but largely as explained a few minutes ago, this proposition also relates to the reappointment of Dr. Griffiths to a different Social Security Tribunal for a further 4 years. This particular proposition relates to the Social Security Medical Appeal Tribunal and this tribunal hears appeals in respect of medical assessments undertaken under the Social Security Law. I ask Members to approve Dr. Griffiths reappointment for a further 4 years. I make the proposition.

**The Bailiff:**

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

**3.1.1 The Connétable of St. Mary:**

Again, I will not repeat the comments just made but this is a further tribunal whose powers would be transferred to the J.A.A.T. if formed. I do take note of the Minister's observations and certainly, I am sure on behalf of the Assembly, I wish to thank Dr. Griffiths for his previous term in office and also his willingness to continue in service again. Again, I shall support this proposition as before.

**3.1.2 Deputy G.P. Southern of St. Helier Central:**

Yes, I am very much in support of the previous speaker because there are 2 things, it seems to me, that need to be reorganised, need to be better run than they are currently. One is that the time taken to see an appeal through can be a long length of time, difficult as well. Secondly, the other thing, the grounds that I have using the appeal mechanism, is that it is not clear what you need to do to prove the decision has been made wrongly and that is because there are no criteria. There are criteria in the Administrative Appeals process. In the Complaints Board you have got 5 clear things which you can prove, any one of them would give a successful appeal. But the thing you need to prove is written down clearly for you and it is possible to see it through in the standard process whereas the Social Security, whether medical or non-medical, appeals board is very unclear on the matter. So there is reform that needs doing because one of the things that is important is there must be an appeals process in place which must be seen to be effective. An appeal which is delayed is an appeal which is hardly heard at all, so I would support very much a review of the effectiveness of how the system is working because I believe that it is not working as well as it might.

**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.

**3.1.3 Deputy E. Millar:**

Just to address, as far as I can, Deputy Southern's comments. It is some years since I stopped being involved on the tribunals and I do not remember the grounds of appeal. My recollection is that an appellant can go through a process where there is a second determination within the department and then goes to appeal. Any tribunal process can take a long time, that is always regrettable, any court process, and I am not entirely sure that a single administrative tribunal will necessarily address those issues about speed but process is always something we can look at. As I said, I do not recollect the grounds on which appeals can be made but I will certainly ask my officers to look into those and see if those can be clarified but I would imagine it is like any civil tribunal, a person has to meet the normal burden of proof and standards, which is balance of probability. But I will undertake to the Deputy to look into those criteria and see how they can be addressed and maybe we have to have a discussion to discuss with him in more detail his concerns. That would be helpful and I am willing to do that. I make the proposition.

**The Bailiff:**

Those in favour of adopting the proposition, kindly show. Those against? The proposition is adopted.

**4. New Stamp Duty Rates (P.63/2023)**

**The Bailiff:**

The next item of Public Business is New Stamp Duty Rates lodged by Deputy Andrews. The main responder is the Minister for Treasury and Resources, and I ask the Greffier to read the proposition.

**The Deputy Greffier of the States:**

The States are asked to decide whether they are of opinion to request the Minister for Treasury and Resources to bring forward the necessary legislative changes for consideration by the Assembly, to increase the stamp duty payable on all transactions in excess of £2 million in accordance with the table below, with the changes to take effect from January 2024.

**The Bailiff:**

Members are showing a little bit of confusion. There was an earlier iteration of the proposition which was withdrawn. This particular iteration is still current.

**4.1 Deputy M.B. Andrews of St. Helier North:**

Firstly, I would just like to thank the Minister and the Assistant Minister for Treasury and Resources for working with me on this proposition. In the original proposition that I lodged, the stamp duty increases were more substantial than the ones that are seen in this proposition where it is only a 0.5 per centage point increase. Now the point of the proposition by increasing stamp duty rates on property transactions over £2 million is to support first-time buyers, with additional and forthcoming plans that will be part of the forthcoming Government Plan, and where we will also see changes to the Financial Law as well by increasing the first-time buyer stamp duty threshold.

[10:15]

As it was an election commitment of mine to support first-time buyers, previously I have brought forward proposals in the Government Plan that was debated in December. During that debate I was unsuccessful but hopefully this time round the States Assembly will be supporting me and also supporting first-time buyers as well. I think everybody understands it is very difficult at the moment,

we just need to be looking at the high interest rates that people are paying, but at the same time we have a 4-year term where we need to be delivering and we need to show what outcome can be shown upon by delivering policies that can support first-time buyers to enter home ownership. I think this is a good opportunity for us in January 2024 to support first-time buyers and to give them a bit of a head start. I would like to move the proposition.

**The Bailiff:**

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

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

Sorry, can I get a point of clarification?

**The Bailiff:**

Certainly. Well, is it a point of clarification from the person who has just spoken?

**Deputy T.A. Coles:**

Yes.

**The Bailiff:**

Yes. Well, I am sorry, Deputy, do you give way for a point of clarification?

**Deputy M.B. Andrews:**

No, not at the moment.

**The Bailiff:**

Well then I am afraid no point of clarification can be taken at the present time. But of course you will still have a right to speak and the Deputy will respond. So, if you speak and ask a question, presumably the Deputy will answer it in his summing up at the end, but there we are. Do you wish to speak, Deputy Coles?

**4.1.1 Deputy T.A. Coles:**

Yes. The point of clarification is quite confusing then because P.63, which we are debating today, the Deputy, in his opening statement, refers to first-time buyers and helping first-time buyers in stamp duty, but this proposition refers to properties that exceed £2 million as the first entrance of it. I am confused as to a first-time buyer buying a £2 million property needing support from this Assembly, so quite simply I cannot support this.

**4.1.2 Deputy M.R. Scott:**

I have had confusion about how this proposition supports first-time buyers but I note the Government has given its support, and generally I would support the Government, although I am finding it more difficult to do so, unfortunately, these days. In this particular case, I am sorry, I do not understand why we are bringing tax increases outside the Budget. I would like things to be more holistic rather than: "Here is a way of taking more money out of taxpayers" so I invite Deputy Andrews to perhaps clarify this for me in his closing speech.

**4.1.3 Deputy S.M. Ahier of St. Helier North:**

This has the bearing of a rather precipitous action on the part of the proposer. It was only recently that the Deputy's proposition, P.39, New Stamp Duty Rates was withdrawn. Indeed, it is mentioned as such on today's Order paper. To have brought such a hasty proposal to the Assembly to replace P.39 in such short order seems to me to be reckless. How, one must ask, can all relevant stakeholders have been approached and informed of the changes? One must wonder whether any such engagement has taken place. The report itself consists of 2 lines and there is no rationale incorporated therein for

such a change. This is not the first time during this term of office that we have been presented with propositions from Backbenchers which seem to have been written in haste on the back of the proverbial cigarette packet. Why would we be endorsing these proposed actions when they clearly have not been well-researched? During the previous Assembly I was the vice-chair of the Corporate Services Scrutiny Panel, a position which the Deputy currently holds. We, as a panel, did a good deal of work on stamp duty rates. Firstly, we attempted to bring an amendment to the Government Plan which was debated at the end of 2018. Unfortunately, due to some technical difficulties, we were unable to proceed with our proposal. Thereafter, we resolved to bring forward certain changes to stamp duty in the next Government Plan the year after. Even though we did detailed research and engagement with stakeholders, our proposed amendment was rejected by the then Council of Ministers and failed to receive enough votes from Members. This did not deter us from coming back the year after with similar plans for increasing the upper bands of stamp duty. Finally, our efforts were endorsed by Members in December of 2020 after roughly 2 years of endeavour. Those changes were implemented at the beginning of 2021 and remain the same today. It is important that such changes are given time to embed and that they are not randomly altered on the hoof, but that seems to be what we are being asked to do today. We have to remember that the housing market is very fragile at the moment and impetuous changes in this climate of rising interest rates are not the most prudent way to proceed. We must not risk a further decline in the number of house purchases because we endorse what can only be described as a knee-jerk reaction. I also have doubts about the financial implications that are mentioned in the proposition. They assume that £950,000 per annum in duty will be raised. I believe that the Deputy is extremely optimistic with his calculations which are based on transactions during 2021 and 2022. I am sure that he realises that the market since then has changed dramatically. I ask Members to be very cautious at this current time and not to support this proposition. It seems to me to be ill-thought-through, hasty and politically motivated. I would ask all Members to vote against this proposal.

#### **4.1.4 Connétable P.B. Le Sueur of Trinity:**

I just rise to say that I cannot support this proposition any more than I could support P.29, when it was brought earlier this year. Jersey limited trades and its international reputation is built on stable Government and not being prone to knee-jerk tax changes and I just see this as being, as some other Members have already commented, a knee-jerk reaction and something that really should be brought forward once a year when we do our Budget, unless there is some particular crisis that needs to be addressed. I feel that that is the time for these type of tax changes to be dealt with holistically, so I am afraid I cannot support this proposition today.

#### **4.1.5 Deputy A. Howell of St. John, St. Lawrence and Trinity:**

Much in the same vein as Deputy Ahier and the Constable of Trinity, I would like to say that this Government have already increased stamp duty. Since then mortgage rates have increased dramatically, so much so that I think about 2 weeks ago there were no transactions for houses in the Royal Court and I think this might have been one of the first times this has happened. Estate agents are having to let staff go. The property market is in, I think, fairly serious trouble at the moment and I think we do have to send a message of stability to Jersey Islanders and elsewhere, and I do not think we should be tinkering with the market in this way. I urge you to vote against this proposition.

#### **Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter:**

Before I start my intervention, could I ask you for a ruling of procedure? Should Members reject this proposition today, could you confirm whether, as Minister, I, or the Council of Ministers, would be able to bring forward changes that replicate this in-principle decision in the Government Plan when it is lodged next week?

**The Bailiff:**

I think the difficulty, and I am sure you are considering, Minister, is that a vote means that there cannot be a rescindment or a change to that for at least 3 months. There is no harm I think in an application to change being lodged, so if it is lodged in the Government Plan that would be lodgeable but not debateable because it cannot be changed, and I am not sure how that works within the timeframe of the proposed debate on the Government Plan, if that assists.

**4.1.6 Deputy I.J. Gorst:**

It does assist very much. It assists me, it may not assist the mover of the proposition. In listening to Members' contributions to date, I can understand that this is just one side, and I need to be careful here not to divulge at this point exactly what is in the Government Plan, but it will come as no surprise to Members, because I have made public commitments, as has the Minister for Housing and Communities, to seek to make changes to first-time buyer stamp duty proposals in the Government Plan. When the Deputy initially lodged his proposals for these increased stamp duties, he came and spoke to Treasury. He worked with not the Assistant Minister that has just spoken, but the other Assistant Minister, and worked very carefully, and we felt in a position to be able to support an in-principle decision. Having said that, if, as it sounds, Members are not supportive of an in-principle decision but would rather make the decision in the round in the Government Plan to understand the full implications of potentially raising duty on these higher-value properties and how that raised duty could be then used to amend first-time buyer rates so that we can carefully intervene in the market ... and this is not the only announcement that Ministers will be making around unblocking the housing market because we are absolutely clear that the housing market, not only what we have seen officially from the Statistics Department, but also from what we are hearing from agents in the market, and the fall in the market, and the lack of transactions in the market, it is appropriate that actions are taken. For my part, one of those appropriate actions is to amend the stamp duty rate for first-time buyers.

**The Bailiff:**

Deputy, I am sorry to interrupt you, but if I could clarify what I said earlier because I think it might be important for you. Having considered the proposition again, of course, it seeks an "increase to stamp duty payable on all transactions in excess of £2 million in accordance with the table below". So, it seems to me that it would be open, even if the Assembly voted against the table below, as it were, to bring in another table with slightly different figures. It would be technically possible as a matter of procedure. In other words, I am sorry to trivialise the matter, but if it was £7.51 instead of £7.50 that would not be in accordance with the table below and therefore would not have been the subject matter of a decision of the Assembly. I think technically that has to be the correct ruling and I am sorry if that has knocked you a little bit off course. Yes, I have finished.

**Deputy I.J. Gorst:**

I thank you for that further thought which obviously, from a parliamentary perspective, is absolutely correct. The problem is that the Deputy has worked with the department, and the thresholds in this table are the thresholds that are currently within how we deal with stamp duty and we were very mindful that what was the original proposal was creating separate thresholds and a broader change to the stamp duty regime. So you are quite right, theoretically we could come back with a slightly amended number or threshold but we would not want to do that because these are the thresholds that we already use and that would create other difficulties. I thank you for that clarification but I think my main point then that I was just getting on to unfortunately stands.

[10:30]

I would not want a negative vote today to mean that we could not in practice maintain existing bands and the approach to how we deal with stamp duty to mean that we could not make those really

important and positive changes to first-time buyer proposals that we wish to make, together with those other announcements. Therefore, it gives me no pleasure, because the Deputy has worked proactively and productively with the department, but I do wonder if, at this point, the best approach will be for him to withdraw it on the understanding that there will be changes in the Government Plan and we can continue to work with him on those changes so that Members can see both sides of the equation and they can be more comfortable that we are changing within the normal process. Now I know he will have to seek the leave of the Assembly to withdraw it now that the debate is open, but I wonder if that would be the best way forward for this morning.

**The Bailiff:**

I have 4 listed to speak and it would therefore be helpful, Deputy, if you were minded to do so, if you could indicate that now.

**Deputy M.B. Andrews:**

Yes, I think it is probably best if I do withdraw this proposition because I know there are obviously details that we would ideally want obviously explained to Members on the floor but at this moment in time we cannot. So I think it is probably best if maybe something is brought forward in the Government Plan at a later date.

**The Bailiff:**

So, you seek the leave of the Assembly to withdraw?

**Deputy M.B. Andrews:**

Yes, please.

**The Bailiff:**

Do Members agree?

**Deputy M. Tadier:**

I think there can be a debate on it.

**Deputy R.J. Ward:**

I would like to speak on that, please.

**The Bailiff:**

Yes, you can speak on it but Deputy Tadier got in before you.

## **4.2 New Stamp Duty Rates (P.63/2023) - Leave to Withdraw**

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

I am probably going to say something similar to Deputy Ward so I do not know whether to defer to him in the ether that he is. He may well have had his light on before me or to simply say, of course, no one is going to object to this being withdrawn and that is the desire of the mover. But it does go to show that a moment ago we were saying that it is really important that Backbenchers collaborate with Government on bringing propositions forward. We know that the mover, the Deputy, collaborated with Government and they said: "Yes, okay, this is a goer" and the comments paper said: "Yes, we can support this" only to have to wait to the debate to be on the floor with the Assembly for a technicality to arise where Government says: "We cannot support this because it does not work, we are bringing forward the Government Plan shortly." So, it does make you wonder what is the point in collaborating with Government if they have absolutely no idea what they are doing and why these kind of things can be lodged in the first place when they should not have been lodged if there were technical reasons, and it binds the hands of the Assembly to make effective decisions in the



Government Plan. I will just put that out there but of course I think on balance we should probably let the Deputy withdraw.

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

I should start off by asking you whether the phrase “dog’s dinner” is parliamentary - having just said that, my dog has just looked up at me and I have made a promise I cannot keep because it is not dinner time yet - because if it is then I can only describe this as a dog’s dinner. We have a comments paper in front of us and we have just been through a debate where we are always criticised where: “You have not collaborated with the Minister” which really means: “You have not undergone government control on your proposition.” Now Deputy Andrews has undergone government control on his proposition and the comments paper published says: “Ministers welcome Deputy Andrews’ proposition in combination with the forthcoming Government Plan. Ministers therefore ask Members to support it.” It also says: “Treasury Ministers have worked with Deputy Andrews.” Then an Assistant Minister for Treasury and Resources stands up and says, I quote: “It is an ill-thought-through and hasty proposition that should not be supported.” This is an absolute mess and it shows that Government really cannot get itself organised. I make a suggestion to Government: please meet regularly and talk to each other as Reform does because you may get yourselves as organised as we are because you are leading this Island. We come to this proposition, with the Backbenchers doing everything they have been told to do by Government so they can exert their control with other Members who are Backbenchers who seem to be promoting the same thing, and this is what you get, you get an absolute mess. If there has been a waste of the Assembly’s time, it is this proposition which is now being asked to be withdrawn on the floor of the Assembly by the Minister for Treasury and Resources who published the comments paper to say it is supported and it is a very, very good idea. If this is the way that Government is going to run its processes and run itself, then we are in real serious risk and it does not bode well for the Government Plan, if Assistant Ministers in that Government Plan will not even agree with what is in their own Government’s Government Plan. Woe betide that that Assistant Minister may have been a member of Reform because they probably would not be an Assistant Minister anymore but there seems to be one rule for one and one rule for the other. Of course, this has got to be withdrawn because it is an absolute mess, a mess procedurally, a mess in terms of the organisation of Government, a mess ministerially and a mess for bringing it to this Assembly and the role of the Backbencher. That is why, Backbenchers, I urge you to bring your proposition regardless.

#### **4.2.3 Deputy R.S. Kovacs of St. Saviour:**

That is what I wanted to say before as well just before I heard Deputy Gorst requesting if it is a possibility to withdraw the proposition. I think the confusion came before the other proposition was lodged on similar notes for the first-time buyers and then with this new proposition the Assembly, as a whole, I think, got confused on what exactly is coming forward. I am not sure how exactly the discussions with the Assistant Ministers went and if there was any confusion in their discussion there. So, for this purpose I do think that maybe at this point it is best to withdraw it and bring it as an amendment to the Government Plan and then there to be clarified exactly what the discussion was about and the terms.

#### **The Bailiff:**

Does any other Member wish to speak on whether or not the Deputy should be given leave to withdraw the proposition, I suppose to generally what is going wrong? Very well, do you wish to respond in any way, Deputy Andrews, or shall I merely put it to the vote?

#### **Deputy M.B. Andrews:**

No, just put it to the vote.

**The Bailiff:**

Those in favour of ...

**Deputy M.R. Le Hegarat of St. Helier North:**

Can we have an *appel*, please?

**The Bailiff:**

The appel is called for. The appel is on whether or not Deputy Andrews is given leave at this stage to withdraw the proposition P.63. 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 proposition has been passed.

<b>POUR: 41</b>		<b>CONTRE: 1</b>		<b>ABSTAIN: 0</b>
Connétable of St. Lawrence		Deputy M.R. Le Hegarat		
Connétable of Trinity				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy C.F. Labey				
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 C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy B.B.de S.V.M. Porée				
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 L.K.F. Stephenson				

**5. Reinstatement of the re-use centre at La Collette (P.65/2023) - as amended (P.65/2023. Amd.)**

**The Bailiff:**

The last item of Public Business is Reinstatement of the re-use centre at La Collette. It is lodged by Deputy Curtis and the main responder is the Minister for Infrastructure. Deputy, there is an amendment lodged by the Minister, do you accept the amendment?

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

Yes, Sir.

**The Bailiff:**

Do Members agree that the Greffier can read the proposition as amended? Very well, I ask the Greffier to read the proposition as amended.

**The Deputy Greffier of the States:**

The States are asked to decide whether they are of opinion to request the Minister for Infrastructure to take the necessary steps to reinstate the re-use centre at La Collette by April 2024, in the existing purpose-built building, to allow for the current tender process for operation of the service to be completed and, if this is not successful, to look at the feasibility of the re-use centre being operated by Government of Jersey employees.

**5.1 Deputy C.D. Curtis:**

There is a purpose-built re-use centre at La Collette. This has not been used for several years, so why bring the proposition now? Well recently a group of volunteers who have been running re-use stalls around town have called for the re-use centre to open. This group is called Jersey in Transition, they have knowledge and experience of running re-use stalls. People donate unwanted items and other people take what they need at no cost. These stalls have been very popular. The volunteers from the group Jersey in Transition sent an email to all States Members to suggest we reopen the re-use centre. This would serve 2 main purposes: (1) reducing objects going into landfill and the incinerator, and (2) providing items at no charge during this cost-of-living crisis. I have been involved in some of these activities before my time as a States Member helping to relocate unwanted plant pots to re-use sheds around the Island. Upon reading the email from Jersey in Transition, I thought, yes, that is a great idea. At the time there was only one response to the group from the Council of Ministers and this particular Minister thought it was a great idea too, so after consulting with the group I drafted the proposition. To get the re-use centre working again would satisfy a central part of this Government's aims from the Carbon Neutral Roadmap: we need to reduce our scope 3 emissions. The best way to do this is to adopt the waste hierarchy of which the principal aims are to reduce and re-use goods. Do we really want to be adding more stuff to Jersey's landfill and incinerator? But the amendment states that opening the re-use centre is likely to divert 2 to 3 employees from existing duties. That does not align with the original proposition. Nowhere in the original proposition have I suggested that the centre should be run by current employees. It is fully acknowledged that there would need to be one or 2 extra staff members. Any extra staff who may be needed in the operation of the centre would be green new jobs. There cannot be anything more suitable to be funded by the Climate Emergency Fund than a re-use centre. Then we have to consider the wider public. We know that many people are struggling with the cost of living. Charity shop prices can even be too expensive, this is why the re-use stalls have been so popular. Picture for a moment a young family being able to browse the objects in the centre and take away a few things they need, maybe a bedside table, some mugs, a few soft toys, the sort of items that are often turned away by the charity shops, would currently end up in the incinerator or landfill. The re-use building has in the past been used

by a charity organisation for sorting goods to re-use that would otherwise have been dumped but then COVID happened. But we also have to acknowledge that it is not feasible for business or charitable organisations to pay for staff or to even rely on volunteers to staff a centre from which they cannot re-sell the goods. The re-use centre is not designed for selling goods. There is not room for both display of goods and for all the admin that comes with payments. It seems like the most practical option for the re-use centre is for the Government to grasp the nettle, to use a phrase from the past, and admit that it needs to be staffed by government employees alongside all the other activities at the recycling centre. It could be used as a simple base for people to leave objects which may be too good for dumping and for other people to have a quick browse and take what they want. However, I have accepted the amendment because the department has started a tendering process and it is only right they should be able to complete that process. I would like to thank the Minister and staff who have met with me so that we could discuss this matter. The amendment states that they will take the necessary steps to reinstate the re-use centre by April next year and if the tendering process is not successful, they will look at the feasibility of the re-use centre being operated by Government of Jersey employees. If the tendering process does not work out, then I ask the Minister to move ahead without delay in getting the re-use centre up and running again. Thank you. I move the proposition.

**The Bailiff:**

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

**5.1.1 Deputy T.A. Coles:**

I am glad to see this proposition come before the Assembly and I am glad that the Deputy has accepted the Minister's amendment, so hopefully this will pass through this Assembly with very little fuss. I just wanted to say that it is very good to mention with the Climate Emergency Fund that this is the kind of incentive that we should be hopefully using this fund for.

[10:45]

As someone who often puts items up on Jersey Ecycle it is great to see that people will come and take things that I no longer want, that I do not believe are worth selling, but otherwise would end up in the incinerator or being dumped and just being discarded, and being given a new life by someone who needs it. But of course as anybody who has tried to use this Facebook group, trying to co-ordinate with people who do not know where you live and finding a time that is convenient for everybody, it becomes very, very difficult. Sometimes you are having work done to your home and you need something to be cleared out by a particular time and this re-use centre would be very, very good for people to be able to say: "I am dropping this down to the re-use centre today. There is your point to be able go pick it up." So, I do urge the Minister to ensure that with their tendering process that it does not become a bureaucratic nightmare for the people who are going to be operating the service, so there is no need to worry about funds and claiming money back for this. Obviously, I do not want to handcuff them and say they cannot charge rent but I do hope whatever rent they charge will be affordable to ensure the process of allowing people to recycle their products and other people to re-use products is as simple and as straightforward as possible. So, I urge Members to support this and hope that a good carbon-neutral alternative is provided.

**5.1.2 Deputy T. Binet of St. Saviour:**

The first thing I would like to do is to thank Deputy Curtis for accepting our amendment to her proposition. I would like to assure her that I and other members of the Infrastructure team are fully committed to the principle of re-use. Before I talk about the re-use of household items, I should have informed the Assembly that several months ago, and before Deputy Curtis decided to lodge the proposition, the Operations and Transport section of I. and E. (Infrastructure and Environment) were already talking to various parties, both commercial and charitable, with a view to reopening the facility at La Collette. It is also important to mention that the intention was for the facility to be used

in the same way as it was before when it was closed down to COVID. That is to say it was used as a reception centre for household goods that could then be fed into properly-developed retail outlets. As Members will know, we have a number of prominent charities already involved in this type of process and they run well-organised operations and outlets in shops and they are both popular and successful. The fact that the whole business of recycling domestic goods is a complicated one, I can give you an example. For safety and insurance reasons it is not possible to recycle a number of items. They include things like battery-operated toys, damaged furniture or furniture without fire-rating labels, children's equipment, such as car seats and high chairs, electric blankets, fridges, TVs, and there is a whole range of items that, for safety reasons, cannot be recycled. This means that a considerable amount of work needs to be done when goods are first received. In addition, once that process has been undertaken, the products have to be stored and displayed in such a way as they can be properly sold or passed on. This is particularly relevant to the building at La Collette because the facility is relatively small and it certainly does not lend itself to being both a reception and retail premise. Deputy Curtis will have seen this for herself when she accepted our invitation to visit the facility last week. While Deputy Curtis's desire to offer free goods to those most in need is very laudable, past experience from various operations indicates that this quickly becomes fertile ground for professional traders and car-boot sale collectors who are provided with a ready source of extra profit. I know this is not Deputy Curtis's intention but it is part of the reality. Fortunately, a number of existing charities tend to recognise those most in need and very often provide goods free of charge in any event. As a consequence of all of these factors, I think Members will agree that it makes a great deal more sense for this facility to be used as reception only. It has worked well in the past and it will work well again in the future and the good news is that we are in discussions with several serious and very capable operators. Something else I should mention is that while the early estimate from the department was that the original proposition would require between one and 2 extra people on the I. and E. payroll, further investigation suggests that in order to cover holidays, breaks, sickness and a variety of other complications, we would probably require 3 or 4 extra staff. Finally, we have confirmed with Deputy Curtis that in the event that all of our current discussions fall through, we would seek to undertake the stated aim of the original proposition but in the meantime I would urge Members of the Assembly to support the amended version of this proposition.

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

I do wish to speak because I think the amendment is potentially, while it is a pragmatic way forward, and of course I will be supporting the amended proposition, it is a different proposition in the other sense of the word to what is maybe being envisaged by Deputy Curtis, so I was grateful for Deputy Curtis setting out her vision of what she would like to see in an ideal world. I do very much think that the giving-table model expanded on a much bigger scale is something that is still interesting and worth pursuing, so the idea of re-using goods is very practical. I remember the old system, you would take things down there ... there was already I think a bit of triage that went on down at the La Collette facility anyway. My concern is that if it goes out to tender there is immediately going to be a profit motive, so I get the Minister's concerns that you might want to avoid what some pejoratively call the "vultures" that come down to see what they can scavenge and then sell on to a car-boot sale. But I think if there are people out there who think they are going to get rich by going to a depot collecting people's unwanted goods and then selling them at a car-boot sale when the very people at car-boot sales can also do the same thing and go down to the depot and get things for free, as well as the numerous sites there are on local Facebook, for example, where you can just pick up things for free anyway, I do not think there is that market for car-boot sales anymore and there certainly is not the field at Millbrook that there used to be for those car-boot sales to take place. So, I think the world is very much changing in the lower echelons of capitalism when it comes to trying to make 50 pence or a pound. People are much more keen to get just rid of their junk and that is what you tend to see at car-boot sales rather than trying to make a quick profit. I think even the people who sell jam and tomato plants at car boots are not making any profit, they are probably just getting some of their costs

back, but I do not want to go too far off-piste on this. My concern is that what will happen is that we will put this out to tender and that you will get quite a savage triage happening, so people will be just dumping things which could easily be repaired because they cannot be sold on. So I think Deputy Curtis's idea that Government needs to bite the bullet, and the most sensible way forward is to pay staff, to create a couple of new jobs, new green jobs, down at La Collette so that this system can be run and then anything which has been there for a few days a week which cannot be repaired easily, cannot be either given on or passed on to the likes of Acorn or sold, whatever the model might be, would then of course end up in the big skips. One thing I do have to ask the Minister though, I think it is generally related, is that the last time I went to La Collette, which is only a couple of weeks ago, they had taken away a lot of the spaces for recycling, so things like paint. Of course those are things which potentially could end up at the re-use centre. If you have got half a tin of paint which is still good but you do not want it knocking around your shed because you are not going to use it again, that is potentially something which could go to re-use. I noticed they have completely got rid of the paint and then when I went to dump my paint, they said: "No, just put it in with the burnable." I think that is really worrying if we are putting paint into burnables and it is ending up in the incinerator. I think that is something the Minister seriously needs to look at and that could be something again which this is partly able to resolve.

**The Bailiff:**

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

**5.1.4 Deputy C.D. Curtis:**

Thank you for the contributions. Deputy Coles mentioned this would be a good use of the Climate Emergency Fund which, like I say, I cannot think of a better use for it, and how it is convenient for people to drop off goods. Yes, I agree with Deputy Binet that some items cannot be re-used. I am sure it would be possible for the staff to advise as people come into the centre. I understand Deputy Binet's concerns about those people who re-sell products but I think we have to focus on the main aims of preventing objects from going into landfill and the incinerator and, as Deputy Tadier stated, no one is going to get rich from doing that anyway. I would like to say, we have a purpose-built re-use centre, I say let us use it. I urge Members to vote for this proposition and I call for the appel.

**The Bailiff:**

The appel is called for. I invite Members to return to their seats. The vote is on P.65, as amended. 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 proposition has been adopted.

<b>POUR: 44</b>	<b>CONTRE: 1</b>	<b>ABSTAIN: 0</b>
Connétable of St. Lawrence	Deputy M.E. Millar	
Connétable of St. Brelade		
Connétable of Trinity		
Connétable of St. Martin		
Connétable of St. John		
Connétable of St. Clement		
Connétable of Grouville		
Connétable of St. Ouen		
Connétable of St. Mary		
Connétable of St. Saviour		
Deputy G.P. Southern		
Deputy C.F. Labey		
Deputy M. Tadier		
Deputy S.G. Luce		
Deputy L.M.C. Doublet		

Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy B.B.de S.V.M. Porée				
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 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 L.K.F. Stephenson				
Deputy M.B. Andrews				

**The Bailiff:**

Then that ends Public Business and I invite the Chair of P.P.C. (Privileges and Procedures Committee) to propose the arrangements for public business for future meetings.

**ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS**

**6. Connétable K. Shenton-Stone of St. Martin (Chair, Privileges and Procedures Committee):**

At the moment we have 4 items listed on the Order Paper for the next sitting. Two additions have been made since the Consolidated Order Paper was printed: Reporting of Head Counts and Vacancies from Deputy Andrews and Appointments of Non-Elected Members on Scrutiny Panels from Deputy Scott. With only half a dozen propositions listed for next time, I do not anticipate a long meeting but please keep continuation days free to attend if necessary. I propose the arrangement of business.

**The Bailiff:**

Do Members agree to accept the arrangement for future business as proposed by the chair of P.P.C.? You have your light on Deputy Doublet.

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

Please may I speak on a separate matter when the ...

**The Bailiff:**

On a separate matter? Yes, well we will wait and see when we get to it. Very well, that is the arrangements for future business. Yes, did you wish to say something within the ...

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

With your leave, may I draw Members' attention to a training session which is being offered next week and relates to a legal duty which will be coming into force following the approval of the Assembly relating to children's rights. When that law is approved by the Assembly, from 1st January next year we will all, so not just Ministers, all Members of the Assembly, whenever we lodge a proposition we will be duty-bound by that law to lodge a Children's Rights Impact Assessment along with it. So, this is a law that I am leading on behalf of the Minister for Children and Education and I am putting on a training session with my officers next Wednesday. At the moment the uptake has been quite low but I just wanted to stress to Members that this will be really helpful to you in ensuring that you are fully equipped to fulfil the requirements of that law when it does come into force.

**The Bailiff:**

Deputy Tadier, did you have anything that the Assembly needed to be dealing with now?

**Deputy M. Tadier:**

It relates to what the Deputy just said but I think this is probably not the place for it. But I do have a query about the process about arranging these kind of briefings for Assembly Members which I think should be led by the Greffier, not by Government, if it is a duty of the Assembly.

**The Bailiff:**

Well in which case could I suggest that you raise that as a point outside the Assembly? The last thing for me to say is to remind Members that there is the A.G.M. (annual general meeting) of the C.P.A. (Commonwealth Parliamentary Association) at 5.45 p.m. this afternoon. We cannot bring it forward, I am afraid, because of the various arrangements that have to be made for presentations and things of that nature, so 5.45 p.m.

**Deputy R.J. Ward:**

I wonder, if I may, just say a couple of words on that as chair of C.P.A. Just to encourage Members if they really can to attend the ... we have had a lot going on this year. There are some presentations that will not be too long and there are ex-Members of the Assembly who are attending and it is always good to meet. I can only apologise again that I cannot attend in person but we will present and the dinner is still going ahead, so I just encourage Members to attend if they possibly can. Thank you.

**The Bailiff:**

The Assembly therefore stands adjourned until 3rd October.

**ADJOURNMENT**

[10:59]