

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 11th JUNE 2024

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[9:31]

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

COMMUNICATIONS BY THE PRESIDING OFFICER

The Deputy Bailiff:

1.1 Welcome to His Excellency the Lieutenant Governor

On behalf of Members, I would like to welcome His Excellency to the Chamber this morning. **[Approbation]**

1.2 Welcome to Her Excellency Madame H el ene Duch ene

I also invite Members to join me in welcoming Her Excellency Madam H el ene Duch ene, the French Ambassador to the Court of St. James, to the Chamber this morning. **[Approbation]**

1.3 Royal Visit

Finally, I am delighted to announce that on Monday, 15th July, the Island will host the first visit of the Sovereign since 2005. His Majesty King Charles III and Queen Camilla will travel to Jersey on the morning of Monday, 15th July, before visiting Guernsey the following day. Their visit will include a special sitting of the States Assembly and the Royal Court, and I very much look forward to this and the rest of the programme planned for the visit. **[Approbation]**

QUESTIONS

2. Written Questions

2.1 Deputy M.B. Andrews of St Helier North of the Chief Minister regarding the use of Artificial Intelligence in the public sector. (WQ.197/2024)

Question

With regards to the use of Artificial Intelligence (A.I.) technology in the public sector, will the Chief Minister advise -

- (a) whether he is considering adopting this technology, and if so, when does he plan to implement it;
- (b) if there are plans to adopt A.I. in the public sector, the strategy for its implementation; and
- (c) whether there are plans to utilise A.I. to create efficiencies, including reduced administration roles, within Government?

Answer

- (a) & (b) AI is being considered to improve public services in a number of areas across departments as part of ongoing service improvement activities. Before AI technology is implemented, it is essential to adopt a framework and a supporting policy that will ensure secure, ethical and responsible roll-out. These are under development, and subject to Ministerial approval, and are due to be ready by the end of Q1, 2025.

2.2 Deputy C.D. Curtis of St. Helier Central of the Minister for the Environment regarding progress on the [Food \(Jersey\) Law 2023](#) Regulations. (WQ.198/2024)

Question

With reference to the response to [Written Question 20/2024](#), will the Minister provide an update on the progress being made on bringing forward the [Food \(Jersey\) Law 2023](#) Regulations including the labelling of allergens in food?

Answer

Further to Written Question 20/2024, Environmental and Consumer Protection officers continue to work on a programme of subordinate legislation under the Food (Jersey) Law 2023 (the Law) in preparation for when the States, by Act, bring the Law into force. Work is currently focussed on developing policy papers and research.

2.3 Deputy M.B. Andrews of St Helier North of the Minister for the Environment regarding [R.107/2023](#) in respect of a complaint submitted to the Commissioner for Standards. (WQ.200/2024)

Question

Further to the presentation of [R.107/2023](#), regarding a complaint against Deputies Moore and Morel, will the Chair advise –

- (a) why, in light of the correspondence mentioned in the report between the Bailiff and Deputy Morel on the matter, a referral of Deputy Morel was made by her Committee to the Commissioner for Standards; and
- (b) whether (in light of the provisions regarding the confidentiality of complaints in the [statement of the Commissioner for Standards](#)) any consideration was, or has been, given to the risk that sharing news of the referral of Deputies Morel and Moore with all States Members would contravene the Code of Conduct for Elected Members?

Answer

The answer to the first part of the Deputy's question was provided to all States Members in correspondence I sent by e-mail on 31st March 2023. For ease of reference, I have appended a copy of the text I sent. Essentially, the Committee decided to make a referral to the Commissioner in light of the approaches made by Members to me and other members of the Committee voicing concerns about the communications relating to the unexpected resignation of the then Chief Executive.

In respect of the second part of the question, at the meeting at which the Committee decided to make a referral, consideration was given to the fact that, in normal circumstances, such referral to the Commissioner would indeed be kept confidential until an investigation had been concluded. However, given the sheer number of concerns raised by both Members (and the public), and in the interests of openness and transparency, the Committee agreed that the media should be advised of the referral; ahead of which Deputies Moore and Morel, and then all States Members, would be informed. This decision was taken before the current Commissioner for Standards first published a statement on how her functions would be discharged. Furthermore, the provisions of the Code of Conduct for Elected Members in respect of confidentiality also highlight that a decision to disclose information can occur when in the wider public interest.

Appendix – E-mail to all States Members on 31st March 2023

Dear all,

I have been contacted by several Members in relation to the events of the past week which prompted me to call for an urgent meeting of the PPC this morning to consider whether any direct action should be taken by the Committee. I am writing to all Members to inform you of the outcome of the Committee's discussions.

The Committee recognises the strength of feeling amongst Members and public at large, regarding the way in which the resignation of the Chief Executive was communicated and the subsequent confusion in relation to the timeline of events. As part of PPC's terms of reference is to take the

necessary steps for the enforcement of the Code of Conduct for Members and to promote high standards amongst Members, the Committee has concluded that it cannot ignore the concerns and questions expressed by Members on this matter. Members will be aware, PPC does not undertake investigations into allegations of breaches of the Code, but has appointed a Commissioner for Standards who is able to independently and objectively review any complaints and bring forward recommendations to the Committee as to what action, if any, should be taken if such complaints are upheld.

Taking this into consideration, the Committee has decided to make a referral to the Commissioner who will independently and objectively review the matter and bring forward recommendations to the Committee as to what action, if any, should be taken if it is found that the Code has been breached. To be clear, the Committee's referral will be in relation to both the Chief Minister and Deputy Chief Minister and the circumstances around the communication to the Assembly of the resignation of the Chief Executive Officer, Suzanne Wylie. Both the Chief Minister and Deputy Chief Minister have been informed.

Please note that the media will also be notified of the Committee's decision on this matter, but no further comment will be made until the investigation by the Commissioner for Standards has been concluded.

Kind regards,

Karen

2.4 Deputy M.B. Andrews of St Helier North of the Chair of the Privileges and Procedures Committee regarding the Pan-Island Commissioner for Standards. (WQ.201/2024)

Question

In respect of the Pan-Island Commissioner for Standards, will the Chair state –

- (a) the number of complaints, if any, made to the Privileges and Procedures Committee about the Commissioner;
- (b) the number of complaints, if any, made to the States Greffe about the Commissioner;
- (c) whether the Committee is aware of any complaints investigated by the Commissioner that have been rescinded by the Commissioner as a result of the involvement of legal representation from investigated parties;
- (d) whether the Committee intends to review the performance of the current Commissioner, and if not, why not;
- (e) whether any concerns have been raised in relation to the competence of the Commissioner and, if so, what actions, if any, the Committee has taken to address those concerns; and
- (f) what consideration, if any, has been given to instances in which the Commissioner investigates any States Members who were responsible for the Commissioner's appointment and how such circumstances impact on good governance?

Answer

(a) and (b)

There has been only one 'complaint' made to the Committee in respect of the Commissioner for Standards from the Deputy posing this question. No additional complaints have been submitted to the States Greffe

(c)

The Committee is not aware of any investigation ‘rescinded’ by the Commissioner and wishes to remind Members that any live investigation should not be discussed, especially with third parties.

(d)

The Committee has no intention to review the performance of the current Commissioner as it is the Committee’s assessment that there are no grounds for such a review. The Committee will be considering the results of its recent survey relating to the Code of Conduct, which may lead to amendments to the Commissioner for Standards (Jersey) Law 2017 or perhaps the publication of additional guidance on Members’ behaviours by the Commissioner.

(e)

The only concerns expressed to the Committee in respect of the Commissioner’s competence have come from the Deputy himself. Whilst it is clear that the Deputy does not agree with the Committee’s conclusions that there absolutely is no doubt as to the Commissioner’s competence in undertaking the role, the Deputy is aware that the Committee has considered those concerns and I have been in correspondence with him about them.

(f)

This was the subject of a previous question from the Deputy to me on 19th March 2024, and I made it clear in my response that it is usual practice for there to be a political representative on the appointment panel for a Commissioner for Standards and generally that representative is the Chair of the relevant Body with oversight of Standards matters. The fact that I sat on the appointment Panel, along with my Guernsey counterpart, does not exempt us from accountability for our actions. I should also highlight that, whilst the Chair of the Committee may sit on the recruitment panel for a new Commissioner, the appointment is undertaken by the Committee as a whole – and a report must be provided to the States Assembly (all States Members) for 2 weeks before the appointment can take effect; we all appoint the Commissioner.

As I stated in that same response, I have no doubt that if I was the subject of a complaint, the Commissioner would investigate the matter in a fair, thorough and transparent manner, as she does with all complaints. Furthermore, if I was found to have breached the Code of Conduct, I would accept those findings, apologise to the Assembly and not seek to undermine the process or the Commissioner for Standards

2.5 Deputy M.B. Andrews of St Helier North of the Minister for Housing regarding the First Step Assisted Home Ownership Scheme. (WQ.202/2024)

Question

With regard to the First Step Assisted Home Ownership Scheme, will the Minister state –

- (a) the total funding allocated to the Scheme to date and the amount that has been utilised; and
- (b) the number of successful applicants to the Scheme?

Answer

- (a) £10 million of funding is allocated to the First Step assisted home ownership scheme. The funding will be made available to successful applicants in three rounds of applications running in February, June and September 2024.

£3.4 million was allocated to the scheme in the first round of applications. The successful applicants were notified by Andium Homes at the end of April, of which £3,290,836 has since been committed in principle to offering them equity loans.

This amount represents the estimated total value of funding that will be offered to the successful applicants based on the maximum property price threshold set out in the [policy guidance](#). The successful applicants are currently going through the process of finding a suitable property, and it is likely that they will purchase properties below the maximum price threshold. The total amount of equity loans offered will, therefore, adjust downwards as transactions begin taking place in June. Any surplus funding will be recycled into offering further equity loans.

A further £3.3 million has been transferred to Andium Homes for the second round of applications. The final £3.3 million to be transferred before September.

- (b) The number of successful applicants in the first round of applications for the scheme is 24. This does not reflect the total number of transactions, which will begin to take place in June.

2.6 Deputy H. Miles of St. Brelade of the Minister for Health and Social Services regarding a Vaccine Damage Payment scheme. (WQ.203/2024)

Question

Will the Minister advise whether there are any plans to establish and administer a Vaccine Damage Payment scheme in Jersey; and if not, why not?

Answer

On 13 May 2024, the national Vaccine Damage Payment Scheme (VDPS) became open to applications from those who received eligible vaccinations in Jersey on or after 1 December 2020. This offers the opportunity for islanders, who believe they were adversely affected by their vaccinations, to have their damage assessed against the same criteria as other applicants from the British Isles, and, if successful, receive an assistance payment from the Government of Jersey.

Further information about the VDP scheme can be found on the government webpage: [Vaccine Damage Payment Scheme \(gov.je\)](#).

2.7 Deputy D.J. Warr of St. Helier South of the Minister for Infrastructure regarding Philip Le Feuvre House. (WQ.204/2024)

Question

Will the Minister advise –

- (a) on what date Customer and Local Services will move to the new Government Headquarters;
- (b) whether this move will leave Philip Le Feuvre House vacant;
- (c) what plans, if any, there are for the future use of Philip Le Feuvre House; and
- (d) the total operational space, in square metres, of Philip Le Feuvre House?

Answer

- a) The occupation plan continues to evolve with a number of interdependencies in the contractor and M&D having a material bearing on the dates. The CLS move date is not yet set but planning is being undertaken on the assumption that they will move in early December 2024.

- b) The intention is to have agreed the disposal of Philip Le Feuvre house so there is no gap.
- c) The current assumption is that the CLS buildings will be disposed of for residential redevelopment.
- d) Net internal area of Philip Le Feuvre house is 2145m². It is linked at ground and first floors with Huguenot House which has a net internal area of 571m²

2.8 Deputy D.J. Warr of St. Helier South of the Minister for Infrastructure regarding the current size of the built and external space of Springfield, Rouge Bouillon and St Luke's schools. (WQ.205/2024)

Question

Will the Minister state the current size of the built and external space (with both identified separately) of Springfield, Rouge Bouillon, and St Luke's schools; and advise whether any consideration has been given to replacing these schools and, if so, whether the overall footprint of the schools would need to be the same, smaller, or larger?

Answer

Springfield primary school and nursery built 1970 - site area 5416 m². Gross internal area 1431m²

Rouge Bouillon school and nursery built in 1952 rebuilt in 1992-95 following destruction in a fire in April 1991– site area 7728 m² Gross internal area 3886 m²

St Lukes school built 1868, extended in 1981 and further extended 1997/98 – site area 3431 m². Gross internal area 1542m²

These schools are all the product of a bygone educational philosophy. The current standard for school construction, detailing type scope and area of all required facilities and functions is a UK Department for Education series of documents with the current Building Bulletin (BB) 103 the authoritative guideline. The 3 premises identified in the question do not meet those standards and are materially smaller on both internal spaces or external space and facilities for the number of forms of entry they provide. The Children, Young People, Education and Skills Department are scoping the Islands future requirements to outline what their needs are from a modern education estate and when they have agreed with Treasury on funding the need, JPH and the Infrastructure and Environment team will work to deliver the project.

2.9 Deputy J. Renouf of St. Brelade of the Minister for Health and Social Services regarding [Oral Question 83/2024](#) and work undertaken by Deputy Sir P.M. Bailhache of St. Clement. (WQ.206/2024)

Question

Further to the response to [Oral Question 83/2024](#), will the Minister advise –

- (a) when Deputy Sir P.M. Bailhache of St. Clement was requested to undertake the piece of work involving the taking of statements from individuals who wished to communicate with the Minister;
- (b) how many individuals were spoken to or interviewed by Deputy Bailhache;
- (c) of the individuals detailed in response to paragraph (b), how many, if any, were approached by Deputy Bailhache rather than them having approached the Minister or the Deputy first;
- (d) in what format Deputy Bailhache's findings were presented; and
- (e) whether the findings were shared with any third parties (either individuals or organisations); and, if they were, which parties?

Answer

- (a) I requested Deputy Sir Philip Bailhache to undertake this piece of work in February.
- (b) My understanding is Deputy Bailhache met with between 20 and 30 individuals.
- (c) My understanding is some individuals referred colleagues to meet with Deputy Bailhache or approached Deputy Bailhache directly.
- (d) Deputy Bailhache presented me with a strictly confidential note of the meetings.
- (e) Deputy Bailhache’s note has not been shared with anyone other than the Assistant Ministers for Health & Social Services.

2.10 Deputy J. Renouf of St. Brelade of the Minister for the Environment regarding the work being undertaken to ban the sale of disposable vapes. (WQ.207/2024)

Question

Further to his response to Oral Question [18/2024](#) will the Minister provide an update on the work being undertaken to ban the sale of disposable vapes?

Answer

The consultation on the impact of a ban on single use vapes ran from 28.3.24 until 9.5.24. 15 responses were received, and the responses are currently being considered.

Officers are working on the law drafting instructions for the required amendments to the Single-Use Plastics etc. (Restrictions) (Jersey) Law 2021 to bring single use vapes into scope. It is hoped that the work on the legislation changes will be able to commence in the coming month.

2.11 Deputy J. Renouf of St. Brelade of the Minister for Sustainable Economic Development regarding beach parking permits. (WQ.208/2024)

Question

Will the Minister state how many beach parking permits are currently in existence, and how many have been issued in each of the last 3 years; and will he further state what, if any, checks are undertaken to ensure that applicants are genuine boat owners?

Answer

Permits are renewed annually. Permits are valid for 12 months from the data of issue. For the period June 2023 to May 2024, 290 permits were issued.

	2021	2022	2023	2024 (Jan – May)
Total number of Beach Parking Permits issued	371	340	296	105

The applicant is required to provide the details of their vehicle and vessel, including registration number, and make a declaration that the information provided is correct. The permit is only valid when the vehicle is used to transport a vessel to and from the beach.

2.12 Deputy C.D. Curtis of St. Helier Central of the Minister for Health and Social Services regarding a reduction in the timescale for the implementation of the Assisted Dying Service. (WQ.209/2024)

Question

Will the Minister advise whether it is anticipated there will be any reduction in the timescale for the implementation of the Assisted Dying Service, considering the complexity of Route 2 will no longer be part of the law-drafting instructions and policy?

Answer

The complexity of the law drafting process is reduced in a small part by the removal of Route 2, however it is too early to say whether this could result in bringing forward the law in a shorter timeframe.

2.13 Deputy S.M. Ahier of St. Helier North of the Minister for Sustainable Economic Development regarding scratch cards. (WQ.210/2024)

Question

Will the Minister state, for each of the last five years –

- (a) the total number of scratch cards sold per price category (for example, £2, £5, £10)
- (b) the total revenue from each price category; and
- (c) the amount of profit that can be allocated to each price category?

Answer

2019

Price Point	Tickets Sold	Revenue	Gross Profit	Net Profit
£2	809,450	1,618,900	582,804.00	99,076.68
£3	561,400	1,684,200	589,470.00	269,472.00
£5	681,250	3,406,250	1,021,875.00	374,687.50
£10	204,725	2,047,250	573,230.00	204,725.00
	2,256,825	8,756,600	2,767,379	947,961

2020

Price Point	Tickets Sold	Revenue	Gross Profit	Net Profit
£2	1,227,450	2,454,900	883,764	417,333
£5	637,900	3,189,500	956,850	350,845
£7	68,300	478,100	109,963	23,905
£10	245,450	2,454,500	687,260	269,995

2021

Price Point	Tickets Sold	Revenue	Gross Profit	Net Profit
£2	1,127,550	2,255,100	811,836	383,367
£5	818,800	4,094,000	1,228,200	450,340
£7	29,700	207,900	47,817	10,395
£10	351,100	3,511,000	983,080	386,210

2022

Price Point	Tickets Sold	Revenue	Gross Profit	Net Profit
£2	1,071,475	2,142,950	771,462	364,302
£5	781,816	3,909,080	899,088	195,454
£10	314,625	3,146,250	880,950	346,088

2023

Price Point	Tickets Sold	Revenue	Gross Profit	Net Profit
£2	864,500	1,729,000	622,440	293,930
£5	755,350	3,776,750	868,653	188,838
£10	496,550	4,965,500	1,390,340	546,205

2.14 Deputy M. Tadier of St. Brelade of the Minister for External Relations regarding trade relations with Israel. (WQ.211/2024)

Question

Will the Minister advise –

- (a) whether there has been any discussion in his Department or at the Council of Ministers about how Jersey should react, in respect of its trade relations with Israel, to the International Court of Justice's ruling that Israel should cease all military action (including the killing of civilians) in Rafah, and to Israel's failure to comply with this order; and
- (b) whether he has decided that trade relations with Israel will continue as usual?

Answer

- (a) There have been no discussions within my department or at the Council of Ministers on the International Court of Justice's majority ruling and its impact on trade relations with Israel.

As outlined in part (b), the Government of Jersey cannot negotiate international trade agreements bilaterally and is not directly engaged in any trade discussions with Israel.

Colleagues will be aware that, following the debate held in the States Assembly earlier this year on P.7/2024, I have written to UK Ministerial counterparts to express the view of the Assembly on this matter. That view included condemnation of ‘all acts of aggression which violate international law and result in death and harm to civilians’ as well as supporting an ‘immediate suspension of hostilities’.

- (b) The Government of Jersey does not negotiate international trade agreements on a bilateral basis, and we are not engaged in bilateral discussions with Israel on trade matters.

As a sovereign jurisdiction, the UK Government enters into discussions with third countries to establish new trade agreements, and it consults and represents Jersey’s interests, in line with our constitutional relationship, as appropriate.

The Minister for Sustainable Economic Development has outlined that it is for private businesses in Jersey to engage with customers and suppliers as they see fit, provided they follow the Island’s sanctions regime.

2.15 Deputy L.M.C. Doublet of St. Saviour of the Minister for Children and Families regarding the harms caused to children by smartphone use and social media. (WQ.212/2024)

Question

Following my Question without Notice on 30th April 2024, will the Minister provide an update on his consideration of the body of evidence regarding the harms caused to children by smartphone use and social media; and will he advise which areas he has identified as being of most concern and what plans, if any, he has to protect children from these harms?

Answer

As the Minister for children and families, I am aware from previous [local surveys](#) of children and young people that there are high levels of connectivity, with 6 in 10 children having a social media account in their own name and 1 in 4 Yr. 6 children using social networking sites every day.

I acknowledge the dilemma for government and parents that arises from such high levels of connectivity and the need to balance the known opportunities whilst reducing the harms represented by children's easy access to the digital world.

The forthcoming Children and Young People Survey (2024) has included a number of questions which reference to different aspects of young people’s access to the digital world. In summary these include questions on:

- belongings which include a part on if they access to a smart phone or a smart TV or iPad.
- screen time divided into TV programmes (including streaming), playing games, and chatting / social media etc.
- e-safety, with hours slept, use of internet chat rooms / social networking and specific e-safety questions.

As the Minister for Children and Families I will be interested to review the responses to the survey which I hope will offer a timely insight into current trends in children's experiences; as well as offering me an insight as to where policy could be developed further to improve children's outcomes.

In the short term I would point to the following areas where I continue to lead or support government in its actions to reduce harm to children on this subject are;

1. As a member of the Council of Ministers I fully support the inclusion of the VAWG Final Report and recommendations which are now included in the Governments Common Strategic Policy (2024/6). The subsequent legislative changes will help tackle the perpetrators of on-line harms against women and girls.
2. As the Minister with political accountability for Children Adolescent Mental Health Services I am reminded of research that indicates excessive screen time is associated with poorer physical and mental health outcomes for children and young people. To mitigate risks, The British Psychological Society recommends that parents and carers use technology alongside children and engage them in discussions about sensible media use.

I am also advised by experts delivering our front-line services, that research and practice indicate Neurodivergent children / young people may prefer screens and communicating through devices.

Currently, Children Adolescent Mental Health Services provides online mental health support for children and young people which is particularly helpful outside of key service hours. I will continue to review the benefits and risks associated with screen use in this service context and continue to consider helpful educational supports for children and young people to navigate their use in healthy and appropriate ways.

3. In 2022 a report, '[Children and the Digital World](#)' was produced at the request of the then Chief Minister, John Le Fondre. The report considered how Covid-19 had impacted on use of the internet and devices by young people. Among other things, the report acknowledged the need to develop the digital confidence and competence of parents and carers, to keep their children safe, and for education policy to develop clear age-appropriate guidance for setting digital boundaries.

I am fully supportive of the current work being progressed by the Minister for Education and Lifelong Learning who now has oversight of the subsequent Digital Education and Skills Strategy which incorporated many of the findings of this report within its key recommendations for digital development in Jersey Schools.

I am advised that a key part to this strategy includes digital safety and awareness. I am advised by Officers that Skills Jersey currently partner with the Smallpeice Trust organisation every year to deliver a Cyber Investigation experience for all Year 9 students, and our Education Department share excellent resources, with all school leads, from the UK Safer Internet Centre each year to promote National Safer Internet Day.

2.16 Deputy M. Tadier of St. Brelade of the Minister for Sustainable Economic Development regarding the Island's economic relations with Israel. (WQ.213/2024)

Question

Will the Minister advise –

- (a) whether there has been any discussion in his Department in respect of the Island's economic relations with Israel; and
- (b) whether he considers that business with Israel should continue as usual from an Economic Development point of view?

Answer

- a) There have been no discussions within my Department in relation to the Island's economic relations with Israel. The Government's interaction with other jurisdictions is facilitated by the External Relations Department.
- b) External Relations policy is outside of my portfolio. From an economic development perspective, private businesses are entitled to engage with customers and suppliers as they see fit, provided they follow the Island's sanctions regime.

2.17 Deputy M.B. Andrews of St Helier North of the Minister for Social Security regarding the estimated cost of transitioning to the living wage. (WQ.214/2024)

Question

Will the Minister advise the estimated cost of transitioning to the living wage and provide details of the source and allocation of the funding for the transition?

Answer

As a living wage employer, there are no costs to Government in transitioning to a living wage. For employers who are not currently paying a living wage, Government are currently working on a package to support these employers through that transition. Funding for this will be included as needed in the Government Plan for 2025, which will be lodged in July and debated in November 2024.

2.18 Deputy M.B. Andrews of St Helier North of the Chair of the States Employment Board regarding the pay award for teachers. (WQ.215/2024)

Question

Will the Chair advise whether the two non-executive members of the Board (Deputy S.M. Ahier of St. Helier North and the Connétable of St. Clement) were involved in the discussions and subsequent agreement of the pay award for teachers; and, if not, why not?

Answer

The first meeting of the States Employment Board took place on 5th February 2024 shortly after the election of the new Council of Ministers, and sat with a quorum comprising the Chief Minister, Deputy Malcolm Ferey and Deputy Rose Binet. The meeting approved the revised pay offer to

teachers. The two non-executive members of the Board were appointed at a later date and were provided with an update on the teachers' pay negotiations.

2.19 The Connétable of St. Martin of the Minister for Health and Social Services regarding the Women's Health Strategy. (WQ.216/2024)

Question

Will the Minister explain how, in the absence of the Women's Health Strategy, he intends to centrally identify, implement and monitor improvements to health services for women, and in lieu of a strategy, will he publish a Delegation of Functions to designate a specific Assistant Minister for Health and Social Services to be responsible for Women's Health?

Answer

I have asked Deputy Howell, as Assistant Minister for Health and Social Services, to lead on Women's Health matters. The formal delegation of this function was made by Ministerial Decision on Wednesday 5th June.

With regard to existing women's health services delivered by the Health and Community Services (HCS), matters relating to those services are reported via monthly Care Group performance reviews, and bi-monthly HCS Advisory Board Committees and HCS Advisory Board, enabling the Department's senior leaders, executive and non-executive Board members to be sighted on trends related to operational performance (including service, workforce and financial performance), quality and safety performance, and improvements related to implementation of the maternity services improvement plan.

Regarding the development of new services and / or reform of services, the Women's Health and Wellbeing survey results, which are currently being analysed, will provide insight into the matters which are of greatest concern to women in our community. Once the findings of that survey are available, Deputy Howell will work with the members of the Women's Health Political Advisory Group to develop a statement of intent, setting out priority services development that the Group intends to focus on during the coming years. This will be in addition to termination of pregnancy, IVF and contraception services review work which is already underway.

2.20 The Connétable of St. Martin of the Minister for Health and Social Services regarding the funding of mental health services. (WQ.217/2024)

Question

Will the Minister advise whether he intends to prioritise funding for mental health services, including neurodiversity, dementia, and suicide prevention, as part of his work programme and whether funding for this programme will be included within the Government Plan 2025-2028?

Answer

For each of the new strategies that are being produced – dementia, neurodiversity and suicide prevention – there will be an accompanying implementation plan that will set out clearly the work to be undertaken and the resources required for this. Some actions will be deliverable within current available resources, whilst others will require additional funding. This will require prioritisation of actions and of the available funding across HCS from 2025 onwards.

2.21 The Connétable of St. Martin of the Minister for Sustainable Economic Development regarding the hosting of theatrical performances at Jersey Opera House. (WQ.218/2024)

Question

Will the Minister outline what work, if any, his Department is undertaking ahead of the planned reopening of the Jersey Opera House to expand opportunities to host theatrical performances through engagement with organisations such as the National Theatre?

Answer

As the Connétable is aware, prior to closure in March 2020, the theatre was operated by the Jersey Opera House Limited. The company strived to put on as broad a programme as possible within the funding envelope provided.

The senior team at Jersey Opera House Limited are in regular contact with my officers on a number of issues, including the future programme, and are keen to explore all opportunities for events that can be put on at the theatre.

2.22 Deputy I. Gardiner of St. Helier North of the Minister for Health and Social Services regarding whooping cough in Jersey. (WQ.219/2024)

Question

In respect of cases of whooping cough in Jersey, will the Minister advise –

- (a) how many cases have been diagnosed during the period 1st January to 31st May this year;
- (b) how many individuals in total have been tested;
- (c) what was the average time taken to obtain the results; and
- (d) are there sufficient testing kits in the Island?

Answer

Recent data by the UK Health Security Agency (UKHSA) shows increasing cases of whooping cough. As a reflection of the situation in the UK, Jersey has also seen an increase in reporting of suspected and laboratory confirmed cases.

Registered Medical Practitioners have a statutory requirement to notify Public Health of all patients where they have a clinical suspicion of a notifiable disease. In accordance with [Loi \(1934\) sur la Santé Publique](#), whooping cough is a notifiable disease. Immediate notification is important as there is often a critical window of time in which effective public health control measures can be implemented.

- (a) Based on laboratory data from 1st January to 31st May 2024 there were 14 positive results following request for *Bordetella pertussis* PCR (diagnostic test for the bacterium responsible for whooping cough used in Jersey)
- (b) There have been 59 requests for *Bordetella pertussis* PCR
- (c) PCR samples are sent off island, with a usual turnaround time about 5-6 days.
- (d) PCR tests are in plentiful supply. However, doctors can prescribe antibiotics to treat whooping cough following a clinical assessment of the patient, if there is a suspicion of the illness.

As infants are susceptible to disease is of fundamental importance that babies are vaccinated on time. Vaccinations are recommended at 8, 12 and 16 weeks of age and that those who miss vaccination are

caught up at the earliest opportunity. Coverage in Jersey for infant pertussis vaccination is greater than 95%.

For younger babies, vaccination of mothers in pregnancy offers passive protection before they can be directly protected by the infant vaccine programme. Studies have found maternal vaccination offers around 90% vaccine effectiveness against confirmed disease and 97% protection against death from pertussis in infants under 3 months of age.

2.23 Deputy M. Tadier of St. Brelade of the Chief Minister regarding the International Court of Justice’s ruling on Israel’s Rafah offensive. (WQ.220/2024)

Question

Will the Chief Minister advise whether he supports the International Court of Justice’s ruling on Israel’s Rafah offensive, if not, why not, and if so, what steps, if any, will Jersey’s Government take in response to the Court’s ruling?

Answer

I remain deeply concerned with the ongoing situation in the region and, alongside the Minister for External Relations, I will continue to engage with UK counterparts to ensure that Jersey’s perspective – as agreed by the Assembly in P.7/2024 – is properly heard. This includes our condemnation of ‘all acts of aggression which violate international law and result in death and harm to civilians’ as well as supporting an ‘immediate suspension of hostilities’.

The conduct of foreign policy, including in relation to the rulings of the International Court of Justice, is formally the responsibility of the United Kingdom government on behalf of Jersey.

So while I must respect the constitutional perspective, I personally believe that the decisions of the International Court of Justice carry significant weight in the international community and would wish to see an immediate end to the conflict.

2.24 Deputy M. Tadier of St. Brelade of the Minister for Sustainable Economic Development regarding licensed premises offering ‘happy hours’. (WQ.221/2024)

Question

Will the Minister advise whether he believes licensed premises should be free to offer ‘happy hours’, and if not, why not, and if so, will he provide details of the steps he will take to remove legal restrictions on premises offering these types of promotional deals?

Answer

Further to my answer to WQ.485/2023 I can confirm that the current moratorium on drinks promotions is included within the scope of forthcoming amendments planned to the Licensing Law. As the prohibition is not explicitly contained within the Primary Law, this change will be achieved by updating the terms of on-licensed premises and by moving the responsibility for alcohol policy guidance to the Minister, and by extension the States Assembly, rather than the Royal Court.

2.25 Deputy M. Tadier of St. Brelade of the Minister for Sustainable Economic Development regarding negotiations to establish commercial scheduled air routes between Jersey and France. (WQ.222/2024)

Question

Will the Minister advise what negotiations, if any, have been undertaken within the last two years to establish commercial scheduled air routes between Jersey and France?

Answer

In January 2024, the Government of Jersey published the Ports Policy Framework. The framework sets out Government's policy towards Jersey's strategic air connectivity, including international air routes.

Ministers regularly engage with commercial partners to support the growth of Jersey's connectivity and have done so with regard to European connectivity. However, Government does not engage in commercial negotiations and Ports of Jersey Ltd remains responsible for commercial air route development in Jersey.

2.26 Deputy J. Renouf of St. Brelade of the Minister for Health and Social Services regarding the resignation letter of the Clinical Lead in Health and Community Services. (WQ.223/2024)

Question

Will the Minister publish the Clinical Lead in Health and Community Services letter of resignation and if not, why not?

Answer

I am unable to publish the letter of resignation because the Government cannot comment on individual contractual matters as this is personal information and would breach the privacy of the individuals concerned.

2.27 Deputy M.B. Andrews of St Helier North of the Minister for Housing regarding the vehicles impounded on all land owned or managed by Andium Homes. (WQ.225/2024)

Question

Will the Minister advise the total number of vehicles impounded on all land owned or managed by Andium Homes over the last five years and whether any revision of parking enforcement is to be considered?

Answer

Due to a change in computer system and data retention policies, Andium Homes' parking contractor only holds towing data from 2020. Over the past four years, the following numbers of vehicles have been towed from land owned or managed by Andium Homes:

	2020	2021	2022	2023
Number of warning-only tickets issued	-	-	4618	3250
Number of cars towed	225	380	445	398

Andium Homes has designed their parking service to ensure that tenants are able to park appropriately and safely; it is not a revenue-generating service. Vehicles are generally only removed following the issue of at least one prior-warning notice.

The patrol regime is regularly reviewed in order to respond to identified levels of unauthorised parking and tenant feedback. Some changes are currently being explored, in particular increasing numbers of patrols in the evenings in response to feedback from tenants.

3. Oral Questions

3.1 Deputy J. Renouf of St. Brelade of the Minister for Sustainable Economic Development regarding the living wage (OQ.115/2024)

Will the Minister advise how the proposed Government living wage support or subsidy to employers will work; how much it will cost; and how it will be funded?

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

I thank the Deputy for his question. Approximately £20 million in business support funding will be made available over 2025 and 2026. Rather than providing this directly in terms of subsidies, this will be in the form of support schemes to promote productivity improvements, skills and retention, and targeted support for both agriculture and the visitor economy. The £10 million for each year will be found through the reprioritisation of existing spending and further details will be included in the forthcoming Government plan.

3.1.1 Deputy J. Renouf:

If there is going to be £10 million a year spent on this, how will the Minister ensure that it will go to the right businesses and what will prevent people, for example, lowering their wages to qualify to be living wage supported in order to attract subsidies or support?

Deputy K.F. Morel:

While it is too early to say in detail exactly how each of the schemes will work, we will, in the main, be using existing schemes such as the Productivity Support Scheme or the Tourism Development Fund. These schemes require applications by businesses to the fund. It is not the case that this will necessarily be just provided to only those firms that are moving their wages up to meet the living wage. It will be available to firms across those sectors.

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

I thank the Minister for interesting new information on this. Could the Minister please give an indication of what kind of reprioritisation will be taken away from some priorities and given to this £10 million scheme? Would he be able to give some indication of what those reprioritisations are?

Deputy K.F. Morel:

As I am not the Minister for Treasury and Resources, I do not think I am able to do that. That funding comes from central Government rather than from my department specifically. There is work going on to understand where that money will come from but it is too early for me to say exactly where.

3.1.3 Deputy I. Gardiner of St. Helier North:

Would the Minister advise how the £3-plus million that you allocated for productivity to the agriculture last year and cut from essential services to make sure that we will support agriculture been spent and what the outcomes are this year up until now?

Deputy K.F. Morel:

Sir, with great politeness may I suggest that that that question does not.

The Deputy Bailiff:

Yes, I do not think that arises from the question we are dealing with, Deputy Gardiner.

3.1.4 Deputy M. Tadier of St. Brelade:

To what extent does the Minister envisage that moves towards greater productivity in these industries will involve greater use of automation?

Deputy K.F. Morel:

A similar situation to Deputy Gardiner's question, but I will answer. It is impossible for me to say whether businesses will choose automation or other forms of productivity gains. For instance, in the tourism sector attracting more visitors during what is colloquially referred to as the shoulder months, that would create a productivity gain for the visitor economy industry but without introducing automation.

[9:45]

So it is up to each business to determine how best they wish to become more productive. Sometimes that may include automation, other times there are ways of achieving productivity gains without using automation, such as putting up prices.

3.1.5 Deputy M. Tadier:

The question of automation does arise because the Minister talked about linking this living wage to productivity, and automation will be no doubt one of the factors in that. Does he have concerns by putting no conditions on future use of automation? That we might actually see unintended consequences where productivity is gained by automation which loses people jobs, therefore we may be paying higher wages but to fewer people, and therefore we see redundancies. Of course we cannot tax machines when they are doing work but we can tax and charge social security on employees. Will the Minister talk to that point?

Deputy K.F. Morel:

I may need an hour or an hour-and-a-half to talk to that point in its entirety. But there is a reality that when you push wages up, the employers are likely - some employers, not all employers - but some employers may therefore look for alternatives to investment in labour via investment in capital. That could include automation, that therefore could lead to job losses. That is what happens when wages are pushed up. It is always going to be that balance and there is no way that we can know how many jobs may or may not be lost precisely, although I do know the chief economist team have been trying to model that. There is an expectation that some, although I believe the models at the moment do not show particularly that many jobs will be lost. We are also operating in an economy in which staff are in great demand, so should somebody lose a role because of an increase in living wage, there are

many, many employees who really need staff. So I do believe those jobs should be picked up by other employees.

3.1.6 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter:

I think the Minister made it clear that his department, the reprioritisation would not be coming directly from his department. Could he perhaps just confirm that and then give an indication, will it be across all government departments? Will any areas be protected from reprioritisation? £10 million a year is obviously an awful lot of money to find.

Deputy K.F. Morel:

Again, this goes beyond my remit. I am not the Minister for Treasury and Resources and so I cannot speak to the wider reprioritisation of finances. Of course, I am involved in discussions but as of today I do not believe any final decisions have been made in regard to that. So it is impossible ... I do not believe I am able to answer that question.

3.1.7 Deputy L.K.F. Stephenson:

In which case, in his view, does the Minister believe that there will be an impact on any services provided by the Government of Jersey as a result of these reprioritisations?

Deputy K.F. Morel:

I do believe we are straying a long way from the original question.

The Deputy Bailiff:

It is a question that maybe you cannot answer from your last answer.

Deputy K.F. Morel:

But more to the point, it is too early for me to say. I could not comment on the impact on services in other departments.

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

Collectively, the Council of Ministers have obviously agreed financial support for businesses during this transition to a living wage. However, individually does Deputy Morel agree with the financial support that is granted to businesses across all sectors of the economy, and if so can he give his reasons as to why that is?

Deputy K.F. Morel:

I believe in Standing Order 10, it does say that the opinion of the Minister is not to be sought in questions.

The Deputy Bailiff:

Yes, that is correct. Did you have a question you wanted to ask, Deputy Gardiner - your light came on again - that was relevant to the question?

3.1.9 Deputy I. Gardiner:

I will try again. Would the Minister advise if any other industry such as retail or care would be included in the support for the subsidy of the living wage?

Deputy K.F. Morel:

A very interesting question. Because it is impossible to know exactly which businesses are going to be more directly affected by this change than other businesses, that is one of the reasons why we are using schemes such as the Productivity Support Scheme, which is open to all sectors, and therefore certainly retail and the care sector will be eligible for that. In terms of the Tourism Development

Fund, one of the things that I have asked for is that the remit be widened so that it is more of a Visitor Economy Fund, which in itself would therefore include retail as well.

3.1.10 Deputy I. Gardiner:

Thank you for the Minister for clarification. So we do not know which industries will be included in the scheme that will support the living wage. We do not know where is the money coming from and what services will be cut. Would the Minister explain how the policy intention was announced without having details how it will be funded and who will be entitled?

Deputy K.F. Morel:

I have said that schemes, such as the Productivity Support Scheme, are designed so that all sectors of the economy can be included, so it is not correct to suggest that any sectors will be left out because all sectors will be able to be included. I believe that this minimum wage rise was very much announced at the beginning of this new Government and therefore the questions about its announcement should be posed to those Ministers who expressed that announcement.

3.1.11 Deputy J. Renouf:

There is some irony here because I did originally submit the question to the Minister for Treasury and Resources and was told to submit it to the Minister for Sustainable Economic Development. I did say in my reply that I was prepared to bet that there would be a reference to the Minister for Treasury and Resources in response to one of the questions. My supplementary is this: it seems that the support for the living wage to businesses that was previously announced has been rebranded as a funding for productivity increases. Can the Minister confirm that there will be no money paid to companies who do not get involved in increasing productivity? In other words, there could be companies who will have to meet the living wage ... low-wage companies will have to meet the living wage out of their own resources without Government help.

Deputy K.F. Morel:

It is absolutely possible that businesses will choose not to avail themselves of these support schemes and therefore they will be choosing to deal with this increase in the minimum wage themselves without support.

3.2 Deputy M.B. Andrews of the Chief Minister regarding expenditure savings in the Cabinet Office (OQ.103/2024)

Further to the adoption of P.8/2024, will the Chief Minister advise whether any expenditure savings have been identified in the Cabinet Office; whether any such savings include redundancies; and if they do, how many staff have been made redundant?

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter (The Chief Minister):

This year's Cabinet Office Budget includes savings of just under £3 million in line with the 2024 Government Plan approved by the Assembly at the end of last year. Further savings will be included in the 2025 Budget and Government Plan as agreed in P.8/2024. To date, no compulsory redundancies have taken place because of these plans, and the policy of the States Employment Board remains to avoid compulsory redundancies where possible and instead use alternatives such as redeployment.

3.2.1 Deputy M.B. Andrews:

May I ask the Chief Minister how many staff have been transferred to other departments and can he also inform the Assembly whether any more staff will be transferred before the year end as well?

Deputy L.J. Farnham:

I do not have that detail in front of me, but I will provide it.

3.3 Deputy I. Gardiner of the Minister for Social Security regarding funding for GPs (OQ.108/2024)

Further to the Minister's announcement in May that the cost of G.P. (general practitioner) visits will be reduced by £10 following an increase in the government subsidy to G.P.s, will she advise what steps have been taken, if any, to ensure the increased funding is, in reality, reducing the cost of G.P. visits for Islanders?

Deputy L.V. Feltham of St. Helier Central (The Minister for Social Security):

The additional £10 reduction that I delivered in May takes the total amount to £30 from the fee that doctors would normally charge. This is a contractual obligation, and if a practice does not remove £30 they are breaking the terms of that agreement. Each practice confirms the fees that they will charge, so officers can challenge it if it appears that the terms of the agreement are not being applied. Also, practices are required to clearly advertise their fees and show the full extent of the government subsidy on that. We also advertise fees on the Government website.

3.3.1 Deputy I. Gardiner:

Thank you, Minister, for her answer. I am made aware about 2 G.P. surgeries that put their fees up to £10 a month or so just before the announcement. How has the Minister explained to the Islanders that £30 of public money - £20 from the previous Government and £10 from the Minister currently - has not led to the meaningful reduction of the G.P. fees for Islanders?

Deputy L.V. Feltham:

Analysts do track the amount charged by G.P.s and can see when prices decrease or increase. Analytics done on the 2022-2023 reduction showed that every surgery had to reduce their gross fee by the £20 at that time. It is early to collate the same figure for this particular reduction but we will be undertaking that same analysis. If the Deputy is concerned about specific G.P.s not passing on the subsidy then I would request that she send me those details in private.

3.3.2 Deputy H.L. Jeune:

The Consumer Council has found that there is a significant price difference between surgeries, nearly £20 in some instances. Does the Minister not believe that there should be a fairer overall pricing system to visit a G.P. across the Island and if yes, what steps will she take to encourage this?

Deputy L.V. Feltham:

Taking such steps across overall G.P. fees would be a significant change to current policy. We do, of course, have certain programmes already in place, such as the free G.P.s to children and also the Health Access Scheme, which are separate contractual obligations. We are also currently working on delivering the free G.P.s for students as well.

3.3.3 Deputy H.L. Jeune:

Can the Minister advise if she is planning on any further subsidies for G.P.s in the future?

Deputy L.V. Feltham:

I would like to undertake further work to look at how we may well provide further subsidies to people who require to visit the G.P. due to specific health problems where they may be required to visit the G.P. more often than others and may have more significant reasons to visit G.P.s. But that work is yet to be undertaken. We are focusing at the moment on delivering the States Assembly commitment to free G.P.s for students.

3.3.4 Deputy P.M. Bailhache of St. Clement:

Would the Minister agree that the costs of general practitioners in running their businesses increase, like the costs of any other business, and that it is reasonable for G.P.s to reflect the increase in the cost of living in the charges which they make to patients?

Deputy L.V. Feltham:

Yes, general practices are private businesses and they are responsible for setting their own fees and managing their costs. So it is therefore up to them to set those fees. I would like again to take the opportunity to remind people that G.P. fees should be accessible and obtainable when people are booking appointments with G.P.s, and also again they are on the government website so people should have full transparency about the fees that they are paying when they make a G.P. appointment.

3.3.5 Deputy M. Tadier:

Does the Minister agree that if other Members do not think that competition is sufficient to ensure responsiveness in the G.P. market and if they are worried about differentials and G.P.'s fees, or indeed if the current policy is not radical enough for some in the Assembly, does she believe that they are at liberty to bring their own propositions perhaps to make G.P. visits free for all, if they wish to support that?

Deputy L.V. Feltham:

Yes, of course, and I would remind Members that we would not have had free G.P.s for children, free G.P.s for students and the Health Access Scheme if Members had not brought such propositions.

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

Can the Minister explain what sanctions she will take or apply to those surgeries that will not pass on or are unable to actually pass on those savings to patients?

[10:00]

Deputy L.V. Feltham:

At the moment, as I said during my answer to the initial question, G.P.s are contractually obliged and that would be a breach of contract if they did not pass on that fee reduction. So if any Member has any evidence to suggest that that has happened, please could they give that evidence in private to me.

3.3.7 Deputy K.M. Wilson:

I think the question was about sanctions.

Deputy L.V. Feltham:

At present, I am unaware of any instances in which a G.P. has not passed on the reduction. If that was the case then I would indeed need to consider some sort of sanction, but I have not had to as yet.

3.3.8 Deputy S.M. Ahier of St. Helier North:

The Minister mentioned that there may be further subsidies. What long-term effect will these extra subsidies have on the H.I.F. (Health Insurance Fund).

Deputy L.V. Feltham:

Ensuring that people can get timely access to G.P.s is a really important part of our health system in order to prevent further expenditure further down the line. The Health Insurance Fund is currently healthy, but of course I will need to ensure that any further subsidies look after the health of the fund as a whole as well and do not have an overall impact on that.

3.3.9 Deputy S.M. Ahier:

Does that mean that the Minister intends to increase the contribution towards the H.I.F.?

Deputy L.V. Feltham:

No.

3.3.10 Deputy G.P. Southern of St. Helier Central:

Would the Minister inform Members what role the H.I.F. is intended to play in the funding of primary healthcare in Jersey?

Deputy L.V. Feltham:

The H.I.F. is there to ensure that we can subsidise both our primary care and pharmacy costs. Of course, I am aware of further pressure across the health system and will continue to work closely with the Minister for Health and Social Services as we address funding costs across the health system, including primary care.

3.3.11 Deputy I. Gardiner:

It has been brought to my attention there is a problem with the £30 reduction for call-outs because it is available only to G.P.s and not to nurses or paramedics. Many practices deploy nurses instead of G.P.s so do not receive the reduction and so do not cut the price. Was the Minister aware about this and what plans, if any, she has to address this?

Deputy L.V. Feltham:

That is the first time that I have heard that concern being brought to me so if the Deputy would like to raise her concerns with me outside of the Chamber I would happily address those.

3.4 Deputy D.J. Warr of St. Helier South of the Minister for Infrastructure regarding the cost of maintaining the Havre des Pas bathing pool complex (OQ.104/2024)

In respect of the Havre des Pas bathing pool complex, will the Minister state the annual cost to the States of maintaining the infrastructure, split between maintenance of the commercial areas and of the public areas; and is it the Minister's assessment that this funding is sufficient to ensure the safety of those who use the facilities?"

Connétable A.N. Jehan of St. John (The Minister for Infrastructure):

I thank the Deputy for his question. There is no specific allocated budget for maintenance of the Havre des Pas complex. Funds are applied mainly from the reactive maintenance pot and it is difficult to split an item like repair of the boardwalk between the public area and the privately operated area of the complex. On average approximately £100,000 a year is spent in each of the last 3 years on Havre des Pas and, to date, in 2024, £33,000 has been spent mostly on cleaning the terraces, the public lavatories, but with running repairs to the sluice gates and structure also requiring attention. In terms of safety, the Government also funds a lifeguard presence in the summer months to support the safety of pool users. That cost was not included in the maintenance costs to the public mentioned above. This year, a more frequent scrubbing service is being funded to mitigate the build-up of seaweed on the terraces and steps underwater, which is intended to go some way to mitigating the slip hazard in response to requests from the community. There are also limited funds that we are making available to carry out some redecoration of the external façades of the complex, which are showing effects of exposure to the winter storms, and also some works to the roof.

3.4.1 Deputy D.J. Warr:

Has the Minister considered using alternative organisations, such as Jersey Heritage, who have a tried-and-tested model in supporting heritage sites? Clearly it is a major burden on the Infrastructure

Department, should he not consider using Jersey Heritage and other alternative organisations to run the operation for them?

The Connétable of St. John:

I would be delighted to talk to any interested party who would take this liability off my hands. As I mentioned, we have invested on average £100,000 a year in the last 3 years. In the last 2 years, we have had no revenue. We have had no money for utilities and no rental income, so I would be delighted to talk to anyone.

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

Is the Minister assured that as the Lido is tenanted, that they are meeting all their obligations for maintenance under their landlord obligations?

The Connétable of St. John:

With all of our properties, including the Lido, the focus is on our statutory requirements, and that includes things like electrical testing, legionella and fire safety. If you look at the website today for the Lido, it is advertising that they can host for up to 1,000 people both inside and outside. That is not true. The limit for the Lido is 300 people.

3.4.3 Deputy T.A. Coles:

As the Minister mentioned about fire testing, electrical testing, is proper notice given to the tenant before accessing, as this is also licensed premises?

The Connétable of St. John:

I would imagine that is certainly the case in terms of routine maintenance. I would have to check. If the Deputy has information that is contrary to that, I would be pleased to hear from him.

3.5 Connétable K. Shenton-Stone of St. Martin of the Minister for Education and Lifelong Learning regarding mobile phones in schools (OQ.106/2024)

Will the Minister advise what consideration, if any, is being given to following France and banning (or limiting) the use of mobile phones in schools in Jersey and, further to his response to Written Question 212/2024, will he advise when the responses to the 2024 Children and Young People Survey about this topic will be published?"

Deputy R.J. Ward of St. Helier Central (The Minister for Education and lifelong Learning):

I thank the Constable for the question. There is an ongoing consideration of mobile phone use in schools and what a blanket ban may look like for schools. I would say that most secondary schools on-Island already have strict mobile phone policies in place and many local schools have been phone free during the school day for a number of years. Statistics Jersey, in the second part of the question, will be conducting the Children and Young People Survey on 7th and 18th October 2024. The year groups involved are years 4, 6, 8, 10 and 12 and the results are expected to be published in March 2025.

3.5.1 The Connétable of St. Martin:

Smartphone Free Childhood is a parent-led movement on a mission to protect millions of children from the dangers and distractions of smartphones and this movement is gaining traction in Jersey. Some of us met members of this movement at a recent constituency surgery. I would just like to know whether the Minister would be prepared to meet with this group to further understand their concerns?

Deputy R.J. Ward:

Yes, I have had a lengthy conversation with one of the members of the group already, so I am aware of the issues involved here, and I am very cognisant of some of the issues that are raised. I also will be meeting headteachers in their meetings next week for secondary heads and primary heads as well. I have also been to a number of schools recently. I will be visiting all schools in the next few weeks and months and doing that thing which is most important, which is speaking to young people. Their views on this are mixed. I will say one interesting statistic, which is that based on the 11-day term time and 7 hours a day in school, that equates to approximately 15 per cent of the time in a year that is actually spent in school. So the influence that schools can have in terms of the ban of mobile phones leaves 85 per cent away from schools, and therefore there needs to be a relationship between the school, the student and parents if you are going to look at what is safe in terms of the access to smartphones across the Island.

3.5.2 Deputy T.A. Coles:

Is the Minister concerned that if there was a ban of more tech ... sorry. As tech is becoming more prevalent within our education system that banning technology may have a detrimental impact on students ability to learn?

Deputy R.J. Ward:

I thank the Deputy, and I think the Deputy has hit the nail on the head in terms of this debate itself. There is a delicate balance to be had between access to phones, policing the access to phones and the appropriate use of phones and the long-term education of young people in appropriate, considered, and safe use of online resources. Indeed, I think there are many adults who might need advice on the use of their phones. I say that quite seriously in terms of when to switch them off, when to take time away from the phones, and I think we all have become somewhat addicted to this incredibly powerful device. I will say that one of the issues we have is that we do not have control over large social media providers. They do not have servers in Jersey. I have a huge concern that profit has come before safety for many of those providers. But that balance between the use of phones as an educational tool, and they can be ... you can get G.C.S.E. (General Certificate of Secondary Education) Bitesize on your phone, if you are revising. It is a real difficult one to balance. Schools that do give access to mobile phones really want to use them in an educational way, and we have to discuss the way that will happen and the appropriateness before we make blanket bans.

3.5.3 Deputy H.L. Jeune:

The Minister has just started to allude to an answer to my question, but could the Minister advise if the Curriculum Committee - I think that is what it is called - advises the schools on the maximum amount of screen time that should be allowed when setting daily online homework, often by multiple teachers, and online revision for exams?

Deputy R.J. Ward:

I thank the Deputy for that, because again that has highlighted an issue that we have. We are talking about screen time or mobile phone time. The digitisation of education is a reality. We use a screen. There is an online safety policy, I have it in front of me but it was only updated in 2021. That is certainly something that needs to be addressed. I think that is an issue across schools, that screen time and a number of different subjects can build up so that young people spend a lot of time in front of iPads or P.C.s (personal computers) or laptops. I think the question though about mobile phones is how we will use those appropriately in conjunction with that screen time. Yes, it does have to be controlled. I know there is research into the effect of blue light, when they should be switched off. What I would say is I would like to take the opportunity to say to parents, I know how difficult it is with children - I have children myself - but I would urge them to think very carefully about when they would buy a mobile phone, having the controls, and there are parental controls that can be used

on phones, and having the switch-off time for their children and controlling that. It is really difficult, but schools will be there to support parents in terms of that application of controls over the use of phones.

3.5.4 Deputy H.L. Jeune:

Will the Minister advise what discussions have been had on some of the potential addictive qualities of online curriculum support apps that are used in school? This could add to the concern around behavioural addiction, especially at primary school age. I can give some examples to the Minister in private as well.

Deputy R.J. Ward:

That is a real issue. The online safety policy does need to be reviewed. It is more a safeguarding policy as much as anything else when it comes to addiction. These are new issues that are arising all the time, particularly with the way that apps are produced, and there is an issue that we have to address. But I will go back to the point that the 15 per cent of time spent in schools, it will be easier for us in schools to control that access, to control what is used and control the use of mobile phones. All of the 11 to 16 schools do not allow, for example, phones to be used in school. My concern is that other 85 per cent, and how we can educate, inform, help parents, help young people to really control when they are not within the auspices, control, and *in loco parentis* of the school day.

Deputy H.L. Jeune:

Sorry, Sir, I was just wondering, both my questions the Minister was not really answering in the sense he is answering about parents and the control outside of school, but I was talking about the curriculum and the fact that the use of the curriculum on these specific apps that have addictive behaviour. If he could just answer if there are discussions around that particular use of these support entities that schools are starting to introduce into the curriculum.

[10:15]

The Deputy Bailiff:

I think you did address that, is that right, Deputy Ward?

Deputy R.J. Ward:

It is a very generic question in terms of the curriculum. Forgive me, but the curriculum to me is the content of a curriculum. I think what the Deputy means is the increased use of apps that may come with a particular curriculum resource. For example, schools I know can buy curriculum resources, a book, and the book can also be online, it can be an app for questions, et cetera. They can be very useful. They can support learning. They can be a background to learning, and they can give you ease of access, particularly around exam time. In terms of the balance of time and the addictiveness of them, we have to look very carefully at that. I agree. But we also need to think about how are we going to guide our students through the preparation for exams, the preparation for the future world in terms of the use of digital technology. That balance is a very, very difficult one to have. But I am more than happy to talk that through, both at Curriculum Council, at P.S.H.E. (Personal, Social, Health and Economic) development, and also when I talk to headteachers in the coming weeks, because that is certainly something we will be discussing.

3.5.5 Deputy I. Gardiner:

I welcome the Minister's response about the balance and control in school and outside of school. Would the Minister advise what plans he has to enhance online safety training within school and to parents, to make sure that it has all worked cohesively?

Deputy R.J. Ward:

I thank the Deputy because I think that is exactly the point. We do have to work on that. We are in a world of exponential growth in what is available on smartphones, and we need to try and respond to that in terms of the way in which we educate and inform parents on the use of those apps, et cetera. I think we do have a larger piece to do across the board with parents and young people. I will say though, that schools can only be responsible for so much. There is only so much time in the day and access that we can have, that teachers can have. Teachers cannot be responsible for every single aspect of what is going on in a wider society. However, they do do that. There is some good advice given. I am working on some things that we could put out centrally. For example, some simple videos on showing parents how to set parental locks on phones, which can be done, and some simple advice on limiting screen use. I would say, there is also a balance that sometimes phones are given to children who will start to walk to school, for example. In those situations, I know that primary schools, year 6s for example, give their phones into the office when they arrive, and yet again schools are doing their best to control that usage. There is a balance to be had, and that is the relationship between parents, schools, and the student that we can certainly build and work on to give the advice where possible.

3.5.6 Deputy M. Tadier:

Does the Minister accept that whether it is for an adult or a child or pupil, that a phone is not just a phone, it is also a diary, it is a wallet, it is a calculator, it is a compass, it is an encyclopaedia, it could be their books, and it can be a music tool including for writing, reading and even playing music? Et cela peut même être utile pour la pratique de l'apprentissage de notre langue, c'est on le veut. Does the Minister think that actually the focus should be on not banning, but limiting and encouraging appropriate use of phones in schools?

Deputy R.J. Ward:

Merci pour la question. Yes, I agree. Again, we are in this delicate balance. Where do we educate our children in the appropriate use of these devices, which are real? I know I have music on my phone, and I spend my life, really - the majority of my time - listening to music on my phone. Children do have diaries. There are some really useful learning apps, for example, but we have to get that balance right. I go back to this figure that only 15 per cent of time is spent in school. I think as an Assembly, if we want to make a decision on the wider use of phones and the wider ban or the wider access to what type of phones young people will have, that will be a decision for this whole Assembly because it is much wider than just schools. It goes across our society into all aspects of what young people do. That will be the issue. But the balance is correct. Otherwise, we have young people hitting a cliff at the age of 16 or 18, whatever age we decide, and entering into a digital world that they really do not know how to work with, and that could have unintended consequences.

3.5.7 Deputy M. Tadier:

There is also a question of equity that I would like to put to the Minister. Some families or some children may either choose not to have a phone or they may not be able to afford to have a phone at all. Other children may have one phone but wealthier children arguably might have a phone, a laptop and an iPad which they can bring to school. If we are taking away a child's only use of technology that they have, when another child might have multiple forms, will the Minister agree to look at technology in the round and not simply limit it to the mobile phone argument?

Deputy R.J. Ward:

We are stretching the question over mobile phones here. But, yes, I think that was exposed largely during COVID when young people were working at home online and many did not have devices other than a phone to work on. There were many constituents, parents, who were contacting me saying that they were having to give their phone to their child to work on online work. So yes, we

do need to address that. I think the access to digital devices to access is different from the access to mobile phones. It is a strange sort of mix, really, between the access in terms of economic ability to have a phone and those who may well have the economic ability and much more that want to protect their children in a different way from access to phones. Again, we have another disparity between the 2 areas of our society. I do not have the full answer to how we address that issue. I do not know if we have that full answer as an Assembly and as a society. But one of the things we need to do is try and work together to come up with the best solution to that. Personally, I think that is funding our schools appropriately. Looking forward and enabling our schools to do the best possible job they can in supporting our teaching staff and our schools in general.

3.6 Deputy H.L. Jeune of the Chair of the Comité des Connétables regarding Parish rates on commercial solar arrays (OQ.114/2024)

Will the chair advise what consideration, if any, is being given to charging additional Parish rates on commercial properties with solar arrays; and, if such consideration is being given, will he explain the rationale for the change being considered?

Connétable M.K. Jackson of St. Brelade (Chair, Comité des Connétables):

I thank the Deputy for her question. While it is the duty of the Assessment Committee to assess the rateable value of each area of land under Article 38 of the Rates (Jersey) Law 2005, there is no consideration being given to charging additional Parish rates on private commercial properties with solar arrays. However, rates are assessed on plant and equipment owned by the J.E.C. (Jersey Electricity Company) and indeed other utilities with plant on private sites.

3.6.1 Deputy H.L. Jeune:

I have read the minutes of the of the Rates Committee and I would have read that differently because it is asking that the solar arrays itself is considered storage equipment. Those solar arrays are not storage equipment. They do not store electricity. They create electricity and then move on. I was just wondering if that was then ... am I misinterpreting that? Because that is how I read the minutes of the Rates Committee. It was very specific. I do know that the rates form is now asking for commercial businesses to say how much solar panels they have on their roofs, and also that the J.E.C. has to submit how much solar panels that they have on roofs as well, and they are given additional rates to that as well. We just seem to have a different interpretation of those minutes.

The Connétable of St. Brelade:

The Deputy is partly correct in that, yes, the J.E.C. are assessed, as I indicated earlier, on their plant and equipment, but private individuals are not at this moment. The Comité is trying to be ahead of the curve on this, and while we have asked for indications of solar arrays we put on rates forms, it is really an information-gathering ploy at the moment, and there is no intention ... in fact, the rate assessors, when they last met in 2023, 10th May, it was agreed that solar panels on domestic property would not be assessed. So it may be a question of interpretation, as the Deputy suggests.

3.6.2 Deputy D.J. Warr:

I am going to come back to my favourite topic, and that is vacant homes. When I approached the Comité about ... when I asked about collecting data on vacant homes, I was told that because it did not form part of the rates assessment they were not prepared to include that information.

The Deputy Bailiff:

This is a question on solar arrays not on vacant homes.

Deputy D.J. Warr:

Sorry, it is about the similar idea of storing and collecting information. The Constable has just referred to ...

The Deputy Bailiff:

That may have arisen from an answer, it does not arise from the question.

Deputy D.J. Warr:

I will withdraw.

3.6.3 Deputy L.K.F. Stephenson:

I am just a little bit confused. Can the chair please confirm, is he saying that solar arrays are or are not plant and equipment? Could I also just add to that as well, I think the last answer from the chair referred to domestic properties? The question was about commercial properties. I believe there are other commercial properties that could fall into this category that are not the J.E.C. Is he able to confirm that is the case, please?

The Connétable of St. Brelade:

The plant and equipment belonging to the J.E.C. at present will be assessed. Consideration has not been given by the Supervisory Committee via the Assessment Committees as to whether commercial arrays or commercial plant, should we say, owned on private properties will be assessed or not and that will be something for a future committee to consider.

3.6.4 Deputy L.K.F. Stephenson:

I am just interested to know what a definition of commercial arrays would be please.

The Connétable of St. Brelade:

It is for the Assessment Committees to establish that. My view would be that if a business were to be getting an income from the sale of electricity from their commercial arrays or from their arrays, that will be considered commercial. Clearly J.E.C. plant and equipment is commercial. There is no question about that whatsoever.

3.6.5 Deputy J. Renouf:

The minutes which I have in front of me say that the charge will be levied on the basis that the solar panels provide storage of electricity. As Deputy Jeune has said, solar panels do not in any shape or form store electricity. The premise of the charge seems to be false. Could the chairman confirm that that is indeed the case?

The Connétable of St. Brelade:

Yes, the arrays do not store electricity, if you like, but of course it is plant and equipment and it is on that basis that the assessments are made.

3.6.6 Deputy J. Renouf:

My point being that the level at which the charge was set was explicitly designed on the basis that they did store electricity. So the fee was set at a level based on a flawed assumption. If this charge is going to be ... it seems to me that is poor enough in the sense of the application to commercial properties, but if this is going to be extended to other properties as well, could the chair confirm that the Comité will look again at the basis on which they are basing this charge?

The Connétable of St. Brelade:

Thanking the Deputy once again for his interpretation. Mine is different in that the solar arrays are plant and equipment, and I do not think there is any question about that, and the fact that that plant and equipment is used to generate commercial income by the J.E.C. seems to be without question. But notwithstanding that, the Assessment Committees will be pleased to consider any interpretation, which may vary from that.

Deputy J. Renouf:

Point of order, the minutes are quite clear. I can read them.

The Deputy Bailiff:

That is not a point of order.

3.6.7 Deputy H.L. Jeune:

I think it would be useful to talk to the chair further after the States Assembly, but could the chair advise how this rationale fits with the Government's policy of encouraging diversification of energy and does he not think this introduction of red tape prohibits wider private investment in diversification and using more roof space to do so?

The Connétable of St. Brelade:

While all on the Comité are keen to encourage diversification, we also have to be fair and that other utilities are assessed for various plant and equipment.

[10:30]

You could argue that their equipment is necessary as well. Jersey Water have reservoirs, pumping stations, booster stations, treatment works, pipe networks, et cetera. The gas company has gas holders, compressor pipe work, and so on. Jersey Telecom have cabinets and repeater stations and so on. The Comité or the Supervisory Committee always tries to be fair in these situations. I do not think we can exempt one particular utility over another.

3.7 Deputy L.K.F. Stephenson of the Minister for the Environment regarding testing for E. coli (OQ.110/2024)

Will the Minister advise how many people and animals were tested for potential E. coli (*Escherichia coli*) infection after entering the water in and around Grève de Lecq, following the detection of high levels of E. coli during May; and of those tested, how many were found to have tested positive for E. coli infection or any infection linked to the potential presence of E. coli?"

Deputy S.G. Luce of Grouville and St. Martin (The Minister for the Environment):

I am not aware of any Islanders that were tested, but I can confirm that no cases of waterborne illnesses in humans have been reported since 1st May in association with waters in and around Grève de Lecq. In accordance with the *Loi (1934) sur la Santé Publique*, e-coli infection would be potentially notifiable depending on the clinical presentation and associated patient history. In regard to animals, in Jersey, E. coli is not a notifiable disease or reportable pathogen in animals. It is important to note that E. coli can live in the digestive tracts of livestock without causing them an ill health and may be shed in their faeces. The carriage of many harmful bacteria such as E. coli, campylobacter and salmonella by herds or flocks cannot be visibly detected by farmers or vets. The animal health and welfare team have therefore not tested any animals, livestock or pets for E. coli. We have not had any reports or concerns from private vets who attend to and treat livestock in Jersey and certainly no reports of a large number of unwell or dead livestock.

3.7.1 Deputy L.K.F. Stephenson:

I am grateful to the Minister for that answer. Is the Minister aware then anecdotally of any cases, as I am, of people, including families, who did report illness after swimming in the sea in the days before the testing which identified the high levels of E. coli and where there are reports, for example, on social media of animals getting sick, have they been looked into or have those individuals been approached by staff from his department?

Deputy S.G. Luce:

I am not aware of any of those reports myself but I am sure that the inquiry which is being conducted at the moment will certainly review all that evidence and take it into account when it comes to its findings.

3.8 Deputy S.M. Ahier of the Minister for Sustainable Economic Development regarding the sale of £10 lottery scratch cards (OQ.113/2024)

Will the Minister provide his assessment of whether it remains appropriate for Channel Islands Lottery scratch cards to be sold for £10 each; and will he advise what financial contribution, if any, is made from scratch card sales towards supporting problem gamblers?

Deputy K.F. Morel (The Minister for Sustainable Economic Development):

The Channel Islands Lottery is hugely important in raising funds for our local charitable sector and Members will recall that recently more than £1 million was voted through this Assembly to be distributed locally this year from those lottery proceeds. A Safer Gambling Campaign to promote responsible play and awareness of the services and help available to problem gamblers will be launched this year, I am pleased to say, specifically for the Channel Islands Lottery. Beyond this there is currently a full review being co-ordinated with colleagues in Guernsey of the lottery games, including the £10 tickets and the future direction of the lottery.

3.8.1 Deputy S.M. Ahier:

In August 2019 Camelot ended the sales of its £10 scratch cards because, and I quote: “These particular games over-indexed among problem gamblers.” The U.K. (United Kingdom) Gambling Commission said: “After careful consideration of new evidence both the commission and the licensee agree that all scratch cards at the £10 price point should be removed from sale.” Will the Minister follow the lead from Camelot and the Gambling Commission and ensure the £10 scratch cards are withdrawn at the earliest opportunity?

Deputy K.F. Morel:

As I mentioned in my previous answer, we are working with the Guernsey lottery authorities at the moment on a review of the lottery and that will include a review of those £10 scratch cards.

3.8.2 Deputy A. Curtis of St. Clement:

The Jersey Gambling Commission have a code of practice for those using gaming machines on maximum stakes and the maximum repeated uses. Is the Minister aware if there is any code of practice issued to prevent unlimited purchase of quantities of scratch cards of any denomination?

Deputy K.F. Morel:

I have to say I am not aware but obviously can find out and will supply Members with the answer.

3.8.3 Deputy A. Curtis:

If the answer is there is no limit on the quantity of purchase, will the Minister endeavour to look into this when he discusses with Guernsey and with the Gambling Commission?

Deputy K.F. Morel:

As I say, we are undertaking a review. Whether or not that will be part of this review I am unable to say.

3.8.4 Deputy J. Renouf:

Does the Minister accept that in the answer to the first question he emphasised the charitable causes that are helped by scratch cards. Does he accept that there is a risk that the desire to see that money

go to good causes might be blinding people to the potential risks of gambling addiction being promoted through the scratch cards?

Deputy K.F. Morel:

I believe there is risk in most areas of our lives and gambling is an area that has some risk. Of course it is appropriate that that risk is highlighted to those who take part in gambling of any form. As we know, there is a balance between the enjoyment of people engaging in a game through the lottery, winning through that game in the lottery, providing funding for local charities through their taking part in that game in the lottery and their own personal risk. I am not aware of evidence of any strong level of, if I want to say, misuse of scratch cards. If the Gambling Commission were to bring that to my attention, which they have done in regards of other forms of gambling, I do take that seriously and since I became Minister have engaged with the Gambling Commission very clearly on matters around problem gambling and will continue to do so. I am not aware at this moment of any particular excessive risk around the use of scratch cards or the lottery in general.

3.8.5 Deputy S.M. Ahier:

The Minister mentioned excessive risk. Has he read the report carried out by Liverpool John Moores University in April 2023 on the health impact assessment to assess the needs of the Guernsey population in relation to problem gambling and will he comment on the finding in that report that scratch card use was sufficiently associated with a range of poor health indicators including poor general health, low mental well-being, financial problems and violence perpetration?

Deputy K.F. Morel:

I have not read that report so I cannot comment on it other than to say according to the last statement by the Deputy it sounded like correlation rather than causation that was being pointed to.

3.9 Deputy L.K.F. Stephenson of the Minister for the Environment regarding the ban of disposable vapes (OQ.111/2024)

Further to his answer to Written Question 207/2024, will the Minister provide an estimated timetable for a ban on the sale of disposable vapes to be in place; and what consideration, if any, is being given to restricting the advertising and packaging of vapes to make them less appealing to consumers, especially the young?

Deputy S.G. Luce (The Minister for the Environment):

Following the end of the consultation on the ban of single-use vapes on 9th May and a careful consideration of the responses was taken, the Minister for Infrastructure and myself have agreed that work can proceed in drafting the changes required to the Single-Use Plastics etc. (Restrictions) (Jersey) Law 2021 to expand it to include single-use vapes. The intention is that the proposition will be lodged in early September with a proposed debate date of late October and should the legislation be adopted I anticipate a 6-month implementation period if everything else proceeds as expected. The hope is therefore that the ban will come into place in late April 2025. The latter part of the question rests with the Minister for Health and Social Services but my understanding, and with his agreement, is as follows; I am very happy to front up on this. Unfortunately, we know that vaping use among young people in Jersey has increased with the availability, affordability and marketing of single-use vapes. I would strongly anticipate the proposals in a future strategy would include regulatory options to reduce demand and supply for all vaping products, for example, through advertising and packaging. I will therefore be meeting with Ministerial colleagues in due course to discuss the broader approach to vaping to ensure that the environmental, health and tax implications are all taken into consideration as this workstream is progressed.

3.9.1 Deputy L.K.F. Stephenson:

I am very grateful to the Minister for that very comprehensive response and also for detailing what I think is a very good timeline, particularly when I heard this week of a recent case involving year 4 and 5 students at a Jersey school, so that is 8, 9 and 10 year-olds, being found vaping during a break time, so I am particularly encouraged by that answer. Would the Minister support a move to bring advertising and packaging of vapes, those that would continue to be sold, into line with those which apply to cigarettes and tobacco?

Deputy S.G. Luce:

While vaping is certainly preferential to smoking tobacco it is not preferential to breathing in fresh air and I would agree with the Deputy that we do need to address these issues. Some of the potential options we are or will be considering will be regulating flavours, regulating size and contents, regulating packaging and presentation and regulating point-of-sale displays and advertising. As I say to the Deputy, future discussions will take all of this into account once we can get the single-use vaping issue dealt with. I anticipate that we may have some more amendments and propositions to bring back to the Assembly in future months once we get a wider strategy together. I would just add to the Deputy, as she may well know, that the Public Health directorate now has a lead officer on tobacco and vaping and that will certainly help Government as they move forward with considerations for both tobacco and vaping in the future.

3.9.2 Deputy K.C. Lewis of St. Saviour:

When vapes first arrived on the market they were promoted as a safer alternative to tobacco but with flavours like vanilla, popcorn, cherry and bubble gum it goes without saying that these flavours will be extremely attractive to children and young people with unknown health consequences. Does the Minister believe we should re-double our efforts to eradicate this among young people, not just single-use vapes, but all vapes?

Deputy S.G. Luce:

Certainly that is the direction of travel. If the Constable feels that we are not moving fast enough, I can assure him that the 4 Ministers concerned meet on a regular basis. The reason that a Ministerial Decision was taken this week, the reason that a letter is going out to retailers this week, is that we are moving absolutely as fast as we can. I accept the Constable's view that some of this advertising and the way that the flavourings are manufactured it could be construed as targeting children, and it is our intention to bring that to an end just as quickly as possible.

3.9.3 The Connétable of St. Saviour:

I thank the Minister for his comprehensive answer but maybe it is probably one with education as well is, while commuting the Parish - I have most of the schools in my Parish - I unfortunately see large plumes of a vape smoke, which can hardly be disguised, coming up from school bus stops which is something that needs to be stopped because it does encourage other children to do likewise. I thank the Minister for his support on this one and I agree with the original questioner that everything must be done to eradicate this ...

The Deputy Bailiff:

Do you have a question?

The Connétable of St. Saviour:

I am just coming there. I would fully support the Minister on this, does he not agree? **[Laughter]**

Deputy S.G. Luce:

I would very much like to support myself on this issue. Thank you. **[Laughter]**

3.9.4 Deputy H.L. Jeune:

We are always told that introducing legislation or legislation work can take time and resources from the team, so could the Minister advise what work is being dropped or postponed in his team to prioritise the ban on disposable vapes?

[10:45]

Deputy S.G. Luce:

I am not sure that any work has been taken off a list for prioritisation. This was always one of the issues that the Ministers and I were considering as something we wanted to bring forward, so I cannot tell the Deputy if anything was dropped off the list but certainly this is a priority. We have consulted, we have indicated the date that we want this to come to the Assembly, we have indicated the date that we will bring it into force; it will be in line with the U.K. The reason that we have written to retailers this week is to give them the longest possible lead-in time to clear those stocks. We had originally suggested a 6-month implementation, they suggested 12 months. It is about 10 months from this week that we are indicating to those retailers. I believe the Assembly will support us in bringing this legislation, and it is fair to retailers to have as much time as possible, while at the same time we bring this into effect just as quickly as we possibly can.

3.9.5 Deputy H.L. Jeune:

Will the Minister be bringing any more bans under the Single-Use Plastic Law 2021 in his term?

Deputy S.G. Luce:

I do not have any under consideration at the moment but if some arrive I will certainly consider them.

3.9.6 Deputy J. Renouf:

May I also congratulate the Minister on a very clear and thorough response to the question? Could I just ask him to bear in mind the distinction between the use of single-use vapes particularly targeted at children which provides a pathway to nicotine addiction as against the use of vapes in the adult population where they can provide a pathway away from nicotine addiction? Can I ask him whether he is aware of that distinction and prepared to take that into account when designing the legislation that may be coming forward?

Deputy S.G. Luce:

I thank the Deputy for the question. I am aware of the distinction and obviously it is clear that the single-use vapes are cheaper to purchase, therefore, easier to obtain. We did, after consultation, receive good responses both from the prison and from Health to quit, and both of those groups of people suggested maybe bringing in exemptions of single-use vapes; both of those. We have gone against that mainly on the basis that of course there is an option to single-use vapes and that is to buy rechargeable and refillable vapes. I go back to my original answer and say vaping is certainly a preferable option to smoking tobacco but I would also say to the Deputy that while we do not know of any long-term effects of vaping at the moment, it is not impossible that some may come forward in the future and we need to take that into account as well. As I said at the outset, fresh air is much better to smoking tobacco or vapes.

3.9.7 Deputy L.K.F. Stephenson:

Once again I would just say I am very encouraged by the answers from the Minister there. Does the work being undertaken currently consider the online ordering of vapes?

Deputy S.G. Luce:

Yes, we will be taking into consideration all the various options, and banning the sale in Jersey is one of them. We are very aware that ordering online and having products posted to individuals through the post from the U.K. is an option, and we will be looking at making sure that is closed as well.

3.10 The Connétable of St. Martin of the Minister for Infrastructure regarding the recommendations of the Island Road Safety Review (OQ.107/2024)

Will the Minister advise what progress, if any, has been made in implementing the recommendations of the Island Road Safety Review (R.185/2021) and explain how the Strategic Road Safety Unit will help to deliver this work in tandem with the Sustainable Transport Policy?

The Connétable of St. John (The Minister for Infrastructure):

I thank the Constable for her question. I also thank her and my predecessor, Deputy Binet, for ensuring that funding is in place for us to carry out this important work. I am pleased to say that the work is underway across all 23 recommendations which are on the programme. At the start of this year a Strategic Safety Unit was established and with the support of this new team I will publish a collision and casualty reduction plan later this year enabling delivery of the safe system approach, identifying specific actions to help prevent collisions and reduce injury severity. We are committed to this work and, along with the Constable of St. Helier, I am working with the Infrastructure team looking particularly at vulnerable road users with crossings in and around St. Helier being one of our priorities. We are also working on the Roads Law Review Project and I recently signed a Ministerial Decision to draft legal limits for drunk-driving offences, as well as roadside testing to address high-risk behaviours on our roads and support the police and their network. I will be asking the Assembly to support those proposals when I bring them forward.

The Deputy Bailiff:

A supplementary?

The Connétable of St. Martin:

No, thank you. I am just heartened to hear that progress is being made.

3.10.1 Deputy H.L. Jeune:

In the Island Road Safety Review it says that D.V.S. (Driver and Vehicle Standards) aligns itself to U.K. new practices and standards in vehicle testing and the review states by 2024 they will achieve very close alignment. Does the Minister believe that this alignment has been achieved and, if not, why not?

The Connétable of St. John:

I thank the Deputy for her question. We are working closely with D.V.S. in terms of what they do and how frequently they do things. The road users in Jersey have a very different requirement than road users in mainland Europe and in the U.K., and so we are working closely to align ourselves and we will continue that work.

3.10.2 Deputy H.L. Jeune:

I am sure I will follow up with a written question to get more details on that in the future. The review also talks about the actions required to support different levels of casualty reduction targets, those being 33 per cent, 40 per cent or 50 per cent by 2032. Given the news last week unfortunately on our casualty reduction not being met and being one of the highest in mainland Great Britain and many E.U. (European Union) countries, what target is the Minister aiming for in his decision-making and what actions are to be done in the next 2 years around these different targets?

The Connétable of St. John:

I share the Deputy's concern about the statistics that were published last week. They are more than statistics, every collision that involves injuries impacts on an individual, on a family, on friends, colleagues, et cetera, so it is the human cost as well as the financial cost of those collisions. We are putting the report together and within that report we will put in targets. It is too early for me to pre-empt that, but within a couple of months I will be coming back with that report and with those targets.

3.10.3 Deputy J. Renouf:

Does the Minister accept that the question of road safety interacts with many other aspects of government policy, in particular the poor safety statistics represent a barrier to the adoption of more active forms of travel and that therefore we should be aiming for being better than relevant jurisdictions rather than considerably worse in these respects?

The Connétable of St. John:

I totally agree. In recent weeks I have been out not once but 3 times with Infrastructure colleagues on my bike to see different areas of the Island where we hope we can introduce improvements. Road safety is the responsibility of all of us, as States Members, but also as road users whether we are walking, cycling or driving a car. It is our aim to improve both the infrastructure and the education that we give to the community.

3.10.4 Deputy J. Renouf:

Does the Minister agree that there is potentially an issue when we find in social media comments being made that are derogatory about people taking active options such as cycling and indeed that this can legitimate behaviours that are dangerous on the roads such as what are called "punishment passes" and so on, on bicycles, riding too fast, too close to cycles because an atmosphere is created around this? Does he agree with me that we ought to have a responsibility to counter this kind of negativity around these forms of travel?

The Connétable of St. John:

Yes, I read similar social media to the Deputy and it does concern me. I do believe that is being generated by a minority. When talking to members of the public right across the Island, different demographics, there is an understanding that we do need to improve our road safety. I am pleased to say that we are working closely with Justice and Home Affairs and the police to ensure that we can bring this to bear.

3.11 Deputy D.J. Warr of the Minister for Sustainable Economic Development regarding the potential impact of an out-of-town French supermarket (OQ.112/2024)

Further to a recent report in the local media regarding the prospective opening of a French supermarket in Jersey, what consideration, if any, has been given to the impact an out-of-town location for such a shop would have on the town centre?

Deputy K.F. Morel (The Minister for Sustainable Economic Development):

My engagement with French supermarket groups has been driven by Islanders' desire to see greater competition and greater choice in the supermarket sector and that choice, including hopefully lower prices. It is also being driven by the need to have a more resilient food supply chain into this Island. The appropriate time for the retail impact assessment that the Deputy seeks information about in his question is during any planning application. The Bridging Island Plan speaks specifically to the fact that any application for retail space over 200 square metres does require a retail impact assessment and that impact assessment would include impact on the town centre, et cetera. Although I have to say that given supermarkets principally supply groceries and other household products, my own feeling is that the town centre retail area is not the most common place for people to go for their

groceries and household products of that nature, although I do appreciate there are some shops in that area which do supply them.

3.11.1 Deputy D.J. Warr:

I appreciate the need for an impact assessment but inevitably in an Island of 100,000 people it goes without saying, it is not rocket science, that footfall would inevitably be affected by out-of-town shopping development taking place. With regard to food offers, obviously we have the Central Market, we have a number of other multiple stores in the centre of town, so we already see holes on our High Street. Surely this exercise is inevitably going to say footfall will be reduced in town and I would like to understand the Minister's rationale for pursuing this exercise.

Deputy K.F. Morel:

I believe the explanation or the analysis that has just been provided by the Deputy is overly-simplistic. I do not believe such an assessment is guaranteed to be what is said, though it may be of course. It is my belief that Islanders wish to see greater competition in the supermarket sector, they wish to see greater choice, and they wish to see greater price competition in the supermarket sector. It is that that I am responding to, as well as the need to have a more resilient supply chain that brings in food from the south as well as the north, because at the moment Jersey is entirely resilient on one food supply route and that is a very dangerous place for us to be. There are many other factors; effect on footfall in St. Helier is a factor. The appropriate place to analyse that is through the planning process, it is not appropriate to do it in advance of that. I believe that we should let the process play out, if at all it happens. No planning application has been brought, no supermarket has set up, so I just do believe that rather than working in the world of theory and trying to put up barriers to competition, we should seek the interesting competitive practice and then analyse it appropriately when that is brought forward in the form of concrete proposals. It is not right, in my opinion, to start setting up barriers because if we do so then that would give absolutely the wrong impression of Jersey as a place that ... I want to be open to business, I want to be far more competitive than it currently is.

3.11.2 Deputy J. Renouf:

Has the Minister had any conversations with retail groups in the Island about their views on the possible arrival of a competitor from France?

Deputy K.F. Morel:

I have had some informal conversations. I have not gone out to seek specifically their views; they are the competitors. I have a funny feeling I know what their views may be but I have had basically informal conversations. I think it is very important, and it is always the difficulty with the States Assembly, and it is understandable, people want the information before it is the appropriate time to bring that information. I have engaged with a group that is very interested in coming to Jersey, they are seeking a site. That is the situation we are in at the moment. That site may never be found, in which case that group would never come to the Island. I do think we do need to let a process play out and have some concrete movement in this area before getting too concerned about possible impacts because we may never get to the point where those impacts could happen because it all depends whether any group does wish to come to the Island and can find a site to do so.

[11:00]

3.11.3 Deputy J. Renouf:

I guess the question though is this, does the Minister regard the market for large grocery stores in the Island as saturated? In which case the arrival of a newcomer would inevitably displace an existing business rather than add competition; that seems to me to be the nub of the question.

Deputy K.F. Morel:

I believe that having a single-line supply chain reduces competition and means that we pay higher prices in the Island. I believe that, as the recent J.C.R.A. (Jersey Competition Regulatory Authority) review found, the approximate additional cost of operating on Jersey for grocery retailers is 10 per cent. The increase in food prices in the year to June 2023 was 15 per cent and the price difference of a shopping basket between Jersey and the cheapest U.K. grocery retailers was 33 per cent. I believe that we do need to try to find ways to challenge that significant increase or that significant overpayment that Islanders are making for their food. I believe we need to do that in a variety of ways and one of those ways is about seeing whether it is possible to set up a food supply chain from the south and whether that will bring us greater benefits. The most likely way to make such a supply chain stick is for the supermarket that uses such a supply chain.

3.11.4 Deputy D.J. Warr:

It is around sustainability. The Minister talks about improving resilience of supply chains from off the Island into Jersey, is there not a danger that ... and I appreciate the idea behind competition, I am a market economy person myself, but my concern is that by introducing additional competition from potentially very powerful operators that what you do is you destabilise the market in such a way that you make other businesses unsustainable. In your attempt to become more resilient in one area you destabilise the market and become more unsustainable. Would the Minister not agree that that is a real danger?

Deputy K.F. Morel:

Again I could point to Standing Order 10 in terms of my opinion but I start because I think that what the Deputy has outlined there is effectively the argument for the status quo, for never changing, for maintaining Jersey's reliance on higher prices, for maintaining Jersey's lack of resilience in its food supply chain. I just will not stand for that status quo. I will push and prod and test that status quo as long as I believe that there may be better options that will serve Islanders better than they are.

3.12 Deputy I. Gardiner of the Minister for Sustainable Economic Development regarding a compensation scheme for delayed or cancelled flights (OQ.109/2024)

Will the Minister advise what consideration, if any, is being given to introducing a Jersey passenger compensation scheme for delayed or cancelled flights, similar to those that exist in the U.K. (UK261) and Europe (EU261/2004)?

Deputy K.F. Morel (The Minister for Sustainable Economic Development):

Currently no consideration is being given to introducing a Jersey passenger compensation scheme. The U.K. and E.U. legislation already provide cover to Jersey passengers travelling on inbound flights to Jersey from jurisdictions within the U.K. and the E.U. and also they benefit from outbound flights on U.K. and E.U.-based carriers such as easyJet and BA. Blue Islands outbound flights are not covered by these compensation schemes but are absolutely insurable by travel insurance and it is my view that Islanders should use travel insurance when they are travelling.

3.12.1 Deputy I. Gardiner:

I thank the Minister for his clarification. I am sure that the Minister was aware of extended public comments and situations that happened over the last week. Jersey Government has invested almost £1 million of public money, and probably more, into Blue Islands, how would the Minister ensure that the passengers who are departing from Jersey will not be discriminated and will receive the same level of protection as the passengers departing from the U.K. and Europe?

Deputy K.F. Morel:

I think all Members in this Assembly who have ever experienced travel disruption and cancelled flights or cancelled sailings will, like me, appreciate the immense frustration and difficulty that it can cause. I know that in the moment frustration is absolutely what people feel and they can feel quite angry about sudden cancellations, especially where compensation is perhaps not directly available. I think it is important that we understand that, yes, we could regulate to bring in compensation, that is possible. That will very likely have an impact on the price of fares run by small airlines such as Blue Islands or Aurigny, so such a compensation scheme would likely increase fares, in my view. We also need to look at how many passengers would be affected by this. Currently we believe that about 13.4 per cent of all passengers departing Jersey Airport would be in scope. Obviously that 13.4 per cent would not all have their flights cancelled so we are talking about a very small subset of a small subset of passengers travelling from the Island. I would question the possible increase in prices such a scheme would cause, the regulation that it would cause, and therefore possibly Blue Islands or Aurigny may seek not to serve Jersey anymore as a result for a subset of 13 per cent of passengers, whether that would be the right move for us to go. As best I can, I am not seeking to bring in much more regulation around the way our businesses operate in this Island; I am trying to do the opposite. Obviously I do have to bring in some regulations over the coming next couple of years but this is not an area where I am seeking to bring regulations in.

3.12.2 Deputy J. Renouf:

The arguments the Minister deploys against regulating in this area are very familiar in the sense that they were the ones also used by airlines like Ryanair to oppose the E.U. compensation scheme but we inevitably ended up with a compensation scheme for airlines in the U.K. that had been resisted. Does the Minister not feel that he is simply holding back an inevitable tide here?

Deputy K.F. Morel:

I do not believe it is a tide, it is perhaps a stream rather than a tide, because we are talking about one very small airline operating out of Jersey. I was unaware of arguments that Ryanair had used, I was not paying much attention when the E.U. was bringing in these regulations in the first place many years ago. At the moment this is not an area that I am seeking to change. I do absolutely advise all Islanders who are travelling to take travel insurance, it is really important that we do so regardless of the airline we are flying on. In the meantime I share the frustration, and I do not wish anyone to have flights cancelled, et cetera, et cetera, but when we do have small airlines such as Blue Islands who provide us with an excellent service, there is no question, but they have a very small fleet and I think we have to also take into account the fact that any such regulation would likely have a large impact on a very small airline. I believe they only have 5 aircraft in their fleet, so certainly recently where they had 2 technical issues on 2 separate aircraft, that is 40 per cent of their fleet that is impacted. I think we just have to be realistic that sometimes in Jersey it is not the best thing to do to make sure everybody is protected but that there are risks and that is what enables us to be enterprising, that is what enables some people to set up a small airline like Blue Islands. The danger is if we were to bring in such regulation, such airlines may choose not to operate in this Island anymore.

3.12.3 Deputy J. Renouf:

I do accept that there is a balance to be struck here but does the Minister not accept that it could be a bad look for the Island? There is an airline that is being supported by the Island's taxpayer, we are essentially saying that we are prepared to accept a lower standard of service because the price of them meeting compensation standards that are standard elsewhere is simply too much for them to bear despite Government support for the airline?

Deputy K.F. Morel:

I think it is important that when we talk about Government support it was in the form of a loan, so that is being as I understand it. Again, questions to the Minister for Treasury and Resources, please, rather to myself. I understand that that is going to be repaid in full. I think it is important to put that in that sense, in the sense Government has invested, it was not purely support. Obviously Islanders benefit enormously from Blue Islands in many, many different ways and they provide a service which, most of the time, certainly, works very well. I believe in 2023 they won an airward for the best punctuality in the United Kingdom; I believe. I think we do need to put this into perspective and at the moment, given the Ministerial Plan that I have, the work that we are trying to do, this is not somewhere that I plan to regulate in the next 2 years.

3.12.4 Deputy I. Gardiner:

I thank the Minister for his answer, mentioning also the insurance. The Consumer Council raised the challenges that passengers are having to claim from the insurance companies, the way about regulations for the U.K. and E.U., and there is a percentage that fall in between the gaps where the insurance company does not recognise the unique situation in Jersey. Would the Minister engage with the Consumer Council and with Blue Islands to make sure that the guidance, to make sure that our Jersey residents and passengers departing from Jersey will be covered by all insurance companies or by Blue Islands? Because despite the situation that we are not part of the U.K., we are not part of the E.U., the insurance companies do not necessarily accept this situation.

Deputy K.F. Morel:

I think I understand that the Deputy is saying that some insurance companies do not cover Islanders or flights from Jersey. I think that is what the Deputy is saying, in which case I would be incredibly disappointed because if they do not cover flights from Jersey they should not be selling their insurance to people in Jersey. I think that is a matter for the Consumer Council - I am happy to speak to the Consumer Council about that - because if Islanders are buying travel insurance the least they can expect is that they are covered. I do think it is worth also highlighting that, just through reading the U.K. national media over the last few years, I have noticed that, while there is a U.K. compensation scheme and while there is a E.U. compensation scheme, there are very often disputes between travellers and the airlines not paying out in accordance with their compensation schemes. Just because there is a compensation scheme it does not mean that travellers automatically get reimbursed. Similarly to insurance, often the provider of the service will point to particular stipulations which mean they do not have to pay out, so it is not the case that just because your flight was cancelled you automatically get paid out every time.

3.13 Deputy M.B. Andrews of the Minister for Health and Social Services regarding locum staff within the Health and Community Services department (OQ.105/2024)

Will the Minister state the number of locum staff employed within Health and Community Services since 1st January 2024 and the total amount spent on locum staff since that date?

Deputy T. Binet of St. Saviour (The Minister for Health and Social Services):

Agency staffing numbers have ranged between 160 and 171 between January and May of this year. At the end of May there were 170 agency healthcare staff workers and 33 were doctors, 137 were nurses and allied health professionals. Expenditure on agency staffing within Health and Community Services from January to May amount to £10.7 million. The overall staffing variance against budget to the end of May is approximately £2.2 million, so £8.5 million of the agency expenditure, that is 79 per cent of the agency cost, equates to the cost that would have been incurred had the staff been directly employed.

3.14 Deputy J. Renouf of the Minister for Sustainable Economic Development regarding funding for Bergerac (OQ.116/2024)

Will the Minister provide an update on plans to offer a funding package to support the filming of the “Bergerac” reboot in Jersey?

Deputy K.F. Morel (The Minister for Sustainable Economic Development):

Following negotiations by Government and Visit Jersey with the producers of the “Bergerac” reboot, I can confirm that Government has provided a letter of intent to provide funding for the project. Negotiations are currently ongoing and therefore subject to commercial sensitivity but terms currently include items such as a grant to be paid against independently-audited spend on-Island during the production process, thereby supporting local businesses, a requirement for the production to train a number of local apprentices in key areas of production, and benefits from worldwide distribution in perpetuity.

3.14.1 Deputy J. Renouf:

I thank the Minister for the answer. Can he say roughly how much that support will total and will he say where it is coming from and, in particular, will it be coming from the 1 per cent for Arts, Heritage and Culture?

[11:15]

Deputy K.F. Morel:

It is again difficult. The overall funding depends on which way you want to look at it because we will be providing, as I said, a grant which will only be paid after the fact, so the grant will only be paid after independently-audited accounts showing on-Island spend have been provided. It will also be providing funding which will be paid back later on and so, as a result, it is not all grant funding; some of this will be in the form of monies that will be repaid later on. At the moment, as a result of that, I prefer to wait until the final contracts have been signed before announcing exactly how much it is going to be.

Deputy J. Renouf:

The second half of my question was where the money was coming from.

The Deputy Bailiff:

Yes, the source of funding and the 1 per cent.

Deputy K.F. Morel:

The source of funding will be from a variety of sources but including my budgets and including Visit Jersey budgets as well. When I say “my budgets”, I mean the Department for the Economy budgets.

3.14.2 Deputy H.L. Jeune:

How will the Minister approach similar requests for support for funding in the future? Is there a framework by which such requests will be judged?

Deputy K.F. Morel:

A very important question. This work, and work on other film productions that we have been speaking about helping to fund, is being used as a catalyst to ultimately create a screen commission or a film commission in the Island so that there will be a place and a body that has a framework within which it will then decide what films and what productions should be funded and in which way. This is a method which has been incredibly successful in other jurisdictions, not least Northern Ireland where their film commission has had huge success over the past few years. So ultimately all

of this work is to lead to the establishment of a film commission which will create a framework for proper funding in future.

3.14.3 Deputy H.L. Jeune:

I am not sure that it was completely answered that Deputy Renouf had asked about. Would this fall under the 1 per cent for Arts, Heritage and Culture? Would this kind of funding that would sit under this framework, would that then come under this 1 per cent that goes to Arts, Heritage and Culture within the budget?

Deputy K.F. Morel:

I think certainly some of it likely will. Whether all of it will is what is difficult to say, so I believe that some of the 1 per cent will be used in this way. Possibly all of it may be funded through the 1 per cent but equally it may be that other sources are used as well.

3.14.4 The Connétable of St. Saviour:

I did have the privilege of working on the original series of “Bergerac” for 10 years in the 1980s. I was of course a very young boy at the time but obviously since we have had some various groups trying to get funding; some good, some not so. I think the Minister may have answered the question I was going to ask which was: does the Minister believe that for security reasons the money promised should be held on-Island to pay for things like hotels and such like, thereby keeping the money on-Island, supporting local industry and promoting the local economy?

Deputy K.F. Morel:

Yes, and certainly we have tried to learn from previous problems with film funding. One of the things I would say is quite sad is that the problems we had perhaps back in 2008, for instance, have really cast a long shadow and I think it is time for us to come out from without that shadow because films, and not just films, TV series, et cetera, being created in Jersey I think will have a huge beneficial impact to the economy in many different ways, including the visitor economy but also providing careers for young people, alternative careers, which I think is absolutely vital. I can assure the Connétable that as for the grant funding aspect of this, the sole intention is to pay that money after production and only against independently-audited accounts which show that spend in Jersey precisely, in hotels, local retailers, all the many different businesses; maybe electrical businesses, carpentry businesses involved as well. What we are trying to do is ensure that we do not fall into the traps that were fallen into in 2008, so it will only be paid after the fact.

3.14.5 Deputy J. Renouf:

I congratulate the Minister; I am very encouraged to hear the news about the potential film fund. Will he publish the cost-benefit analysis that I presume has been done in terms of justifying the funding for the “Bergerac” reboot? In advance of that, can he give us any information on the success criteria by which we will know if the investment in “Bergerac” was worth it from the economic point of view?

Deputy K.F. Morel:

I cannot commit to providing that information at the moment because it is quite possible that that information will be commercially sensitive but I will absolutely try to maintain communication with the Assembly so people understand how successful or not this funding has been. Of course, it does take time so one of the areas we really do hope to see an impact is an increase in the visitor economy, more people visiting Jersey as a result. That may take one, 2 or 3 years to reach full fruition, and we need to be prepared for that.

The Deputy Bailiff:

Thank you, Minister. That brings that period of questions to an end. I now move to questions to Ministers without notice and the first period of questions are questions for the Minister for Health and Social Services.

4. Questions to Ministers without notice - The Minister for Health and Social Services

4.1 Deputy M.B. Andrews:

I acknowledge that the Minister stated that there is a £24 million overspend in Health. I was wondering whether he has given any consideration for introducing any tax hikes or otherwise, making transfers from any other departments to cover the shortfall in Health.

Deputy T. Binet (The Minister for Health and Social Services):

No, we are not looking at making any particular transfers but there is a good deal of work going on about future healthcare funding. That is going to take some time to compile so I cannot really give any firm information at this stage as to what that may or may not look like, but I think it is fairly clear that the costs of providing decent health have gone up exponentially in recent years and that has to be addressed.

4.1.1 Deputy M.B. Andrews:

Has consideration been given for depleting any of the reserve funds to cover the shortfall in the Health Department?

Deputy T. Binet:

No.

4.2 Deputy J. Renouf:

Given the unfolding developments in the rheumatology scandal, including the news that it is likely that there were deaths as a result of care in the department, will the Minister make a statement to the Assembly to provide a comprehensive update on the state of the various investigations into past patient care, potential deaths and remedial action that is underway?

Deputy T. Binet:

I do not think I have got anything to say that is not already in the public domain. I would also say that I am a little bit anxious about statements being made about likelihoods of deaths being caused. I am aware that certain matters have been referred to the Viscount and I think it is incumbent upon everybody to wait until we hear what the Viscount has to say before speculating.

4.2.1 Deputy J. Renouf:

My question was motivated by an answer given by the deputy medical director to Scrutiny on Thursday in which he confirmed to me that it was indeed likely that there had been deaths as a result of care, so I think the question is fair. I would ask the Minister ... the Government is committed to openness and transparency, I think it would be helpful, would the Minister not agree, to be as upfront as possible and to get on the front foot in communicating around these issues with the Assembly and with the Island?

Deputy T. Binet:

I make the point again that I genuinely do not believe that I am in possession of any material facts that have not been placed in the public domain already. As an ongoing matter, I am quite happy that as we have further information that can be placed in the public domain, that it will be in a timely fashion.

4.3 Deputy H. Miles of St. Brelade:

Later today we are about to debate P.25/2024 which is the Draft Income Support Law and Regulations (Jersey) Amendment in which the Minister for Social Security states that there will be no additional cost implications for a legacy cohort of adults with special needs who are funded by Health and Social Services. Can the Minister for Health and Social Services please confirm that his department will continue to fund this cohort until they make the choice to move to long-term care?

Deputy T. Binet:

I stand to be corrected but I believe that that is the current intention.

4.3.1 Deputy H. Miles:

In view of the fact that we are going to be debating this issue a little later today, I would like the Minister to be more specific. Please could he outline what consultation has been had with the Minister for Health and Social Services and his officers about this particular situation?

Deputy T. Binet:

I have to be completely honest and say that I do not know to the latter part of that question. I can only apologise for that and it is just a simple matter of having too much to do, so I have to confess that has not been done.

4.4 Deputy L.K.F. Stephenson:

During his last questions without notice, I asked the Minister what steps he was taking to consider any potential conflict of interest arising from his charity work. Does the Minister have an update on that matter, including what advice he sought and any steps he has taken to address any real or perceived conflict during that time?

Deputy T. Binet:

I have spoken to the Charity Commissioner, I have updated him of the situation with the charity. We are not receiving any government funding at the moment. I am trying to find someone to chair the charity currently but the Charity Commissioner is comfortable with the current situation that the work is ongoing.

4.5 Deputy H.L. Jeune:

Could the Minister explain where he expects to find the £24 million he wants for the health service for 2025-2026 when the Minister for Treasury and Resources clearly stated in an interview that we need to avoid a situation where Health is just sucking up more and more of the resources to the prejudice of other services?

Deputy T. Binet:

Since that time extensive meetings have taken place with the Treasury, and I think the Treasury are now better informed as to how we come to be in the situation that we are in. Of course, that is a very difficult position for the Treasury to have to contend with but I believe the money will be coming out of central funding.

4.5.1 Deputy H.L. Jeune:

How does the Minister intend to make the case for additional investment in the absence of any strategic framework for Health?

Deputy T. Binet:

The health funding situation is quite complicated. I do not think that the finances have been handled particularly cleverly in recent years. I know that COVID has further confused matters. It has taken the change team financial manager some time to get to grips with what the true financial position

currently is. Up until a few weeks ago it was assumed to be £18 million but under further investigation it now transpires that with a number of additional matters that have come to light and various things that have been brought into the frame like I.V.F. (in vitro fertilisation) funding, that we are now looking at a requirement for an additional £24 million this year and next. I think one has to be honest, there are not going to be a huge amount of savings against that and I think we have to accept that our baseline health funding budget is going to be increased by something like that number ongoing. The rate of additional funding required is going to outstrip standard inflation, so it is not great news, but I think we have to be realistic. What I would like to be doing at the moment is establishing a baseline of our funding so we are clear about what we are funding, what we are getting at this point in time, so that when additional things come through, or somebody in the Assembly decides that we are going to have some additional service, that we realise that there is no extra money for any extra services and that has to be treated as an exceptional item.

4.6 Deputy P.M. Bailhache:

When Deputy Renouf, before the Scrutiny Panel, put a question to the deputy medical director it was this: “When you say they have been sent to the Viscount, is that because the assessment of all the professionals involved was that it is possible, or likely in fact, that deaths were caused as a result of the treatment?” to which the deputy medical director replied: “That is correct” without specifying whether it was possible or likely.

[11:30]

But the deputy medical director later stated in answer to a question from me that it was possible that the Viscount would find no cases required investigation. Would the Minister agree that it is unfortunate that reports have subsequently circulated that people died as a result of care in the General Hospital when it is equally possible that is not the case?

Deputy T. Binet:

I would like to thank the Deputy for articulating that so wonderfully. I am pleased that he has made that statement and, as I said a little earlier, I just wish people would wait until they hear what the Viscount has to say.

4.7 Deputy M. Tadier:

Does the Minister support the work of arts in healthcare in Jersey without any impact on the Health budget because the budget comes out of the cultural budget and of the charitable sector? Does he recognise that nonetheless that has a great impact on health outcomes and well-being for Islanders?

Deputy T. Binet:

Yes, I do indeed accept that.

4.8 Deputy J. Renouf:

£24 million is 10 per cent roughly of the current budget for health spending. Can the Minister explain whether the Financial Recovery Plan will make any contribution to this overspend, in other words reduce the amount that will be required to be found?

Deputy T. Binet:

That sum of money over the next 2 years does include potential savings from the turnaround team.

4.9 Deputy I. Gardiner:

Would the Minister advise when the evaluation for the turnaround team work will be done and when the outcomes of the evaluation will be presented?

Deputy T. Binet:

The work of the turnaround team is not such that it is working on presenting something that has to be done in future. Their work is work that is taking place at the moment. Everything that they are doing is being implemented as they go. Their contracts have been extended until the end of the year. We will be monitoring the situation as we go forward. It could possibly be that those contracts may or may not be extended. We are looking for full-time replacements for them. As I said, the recruitment process, the amount of work that needs to be done, that is an ongoing process that we would be deciding upon as things go forward.

4.9.1 Deputy I. Gardiner:

Would the Minister indicate at least 3 clear outcomes for K.P.I.s (key performance indicators) for the turnaround team by the end of the year, that he would expect?

Deputy T. Binet:

Certainly 2 spring to mind, improvement in the financial management and the improvement of clinical governance. Those are the 2 things that they are specifically focusing on at this point in time. As I say, I am not aware of any key performance indicators; this is work that is ongoing on a day-to-day basis to make sure those elements improve.

4.10 Deputy L.K.F. Stephenson:

Further to the answers to an earlier question from the Minister for the Environment, would the Minister for Health and Social Services support a move to bring advertising and packaging of vapes into line with those which apply to cigarettes and tobacco? Will he commit to do so going forward?

Deputy T. Binet:

The point was made before that I am working with the Minister for Infrastructure and the Minister for the Environment. The principle lead on that is being taken by the Minister for the Environment. We do meet regularly, but that work is being championed by him.

4.10.1 Deputy L.K.F. Stephenson:

I do not believe the question was answered. Would he support the packaging and others being brought into line with tobacco and cigarettes?

Deputy T. Binet:

Yes. I will leave it at, yes.

4.11 Deputy H.L. Jeune:

What are the clinical areas in the H.C.S. (Health and Community Services) that the Minister is most concerned about at the moment?

Deputy T. Binet:

Rheumatology is the one that is occupying everybody's thinking. The team are systematically looking at each department as they go. I have to say, there is nothing of massive concern at this point in time, but that work is ongoing.

4.12 Deputy J. Renouf:

So far we have heard, on the question of rheumatology, we are trying to decode answers given to me by the deputy director of Medical Health. We have heard answers being given to Deputy Bailhache. We have also heard various other comments about the situation there. Does this not indicate exactly the point that I was making in my first question, which is the value of a clear statement from the Minister which would clarify all the remaining issues regarding issues in the Rheumatology department and give Members of the Assembly the chance to ask questions about them?

Deputy T. Binet:

All the remaining issues in that regard I cannot comment on because they have not been decided upon. There is an investigation currently underway. It is going to take months, possibly years, to get to the end of the process. I can do no more than to put into the public domain that which is available. That is exactly what I have done.

4.12.1 Deputy J. Renouf:

I am trying to get to this issue where we have confusion, apparently, about the question that I originally asked. We are having to rely on interpretations of answers given, rather than a clear statement from the Minister. I say again, can we not have a statement?

Deputy T. Binet:

In that regard I am happy to make a clear statement. I will make it again. We are going to have to wait until we hear what the Viscount has to say. I hope that is a clear enough statement.

The Deputy Bailiff:

We are at 15 minutes. That brings that period of questions to an end. Thank you, Minister. We now move to the second period of questions to the Minister for Housing.

5. Questions to Ministers without notice - The Minister for Housing

5.1 The Connétable of St. Martin:

What conversations has the Minister had with Andium to ensure new developments meet the requirements of policy C18 in the Island Plan on space for children and play?

Deputy S.Y. Mézec of St. Helier South (The Minister for Housing):

I was reminded of this particular policy recently when meeting a constituent to talk about this subject; someone I am aware who has done some good work in St. Martin with their play facilities there. I have not had the chance yet to have a specific and direct conversation with Andium about this, but I have asked for that to take place and I have been asked for an update on where we are with that at the moment. Obviously there are hopes for rather significant developments from Andium in the future; places that will provide homes for many children across the Island. It is vital that when those designs are constructed that there is a clear effort to make sure that they are designed as well as possible so that there is as much space as possible for children to enjoy themselves and play and have the quality of life and development that comes with that. I will be paying close attention to that when those plans are brought up and will make sure that we come up with the best possible play areas for those children.

5.1.1 The Connétable of St. Martin:

I thank the Minister for his answer. I am pleased that he recognises the importance of play. Does the Minister know when the play policy will be signed off, please?

Deputy S.Y. Mézec:

No, I do not. I am aware there has been a draft of that. I can see the Minister for Infrastructure, next to the Constable, nodding his head. She might get an answer to that quicker than I will, just because of proximity. I hope that that is soon, because that will obviously provide a good bedrock, not just for Andium but for others who are building, to make sure that they come up with the best possible play equipment for those areas and do not just do something tokenistic, like pay for cheap swings or whatever, and hope that that does it, but rather they come up with the best things possible.

5.2 Deputy J. Renouf:

How many applications for high-net-worth individuals have been approved since the Minister took up his position and how many of these did he support?

Deputy S.Y. Mézec:

I could not tell you off the top of my head how many have been approved. It would be the Housing and Work Advisory Group as a whole that approves those applications. However, Members will not be surprised at all to know that I have an objection to the scheme on principle. I brought a proposition to this Assembly asking for it to be suspended until a thorough review of it had been done to analyse the pros and cons for the Island. Accordingly, in line with my conscience, I have personally not voted to support any application. That is not just this time round, as Minister for Housing, that is also the same for my last stint in this role.

5.2.1 Deputy J. Renouf:

I am grateful for the clarification. There is talk about a potential surge of applications following the possible election of a Labour Government. Will the Minister welcome these refugees from socialism [Laughter] or will he try and turn them away?

Deputy S.Y. Mézec:

Indeed that is a hypothetical as I certainly do not see socialism on the horizon pending the U.K. election, since that is not being offered to voters, unfortunately. No, I do not anticipate such a thing happening, but I look forward to the day when it does.

5.3 Deputy S.M. Ahier:

After the release of the right-sizing policy, does the Minister accept that the main barrier to people downsizing is that stamp duty and fees are too high to allow for mobility? Unless those charges are removed, his concept will not have the desired effect.

Deputy S.Y. Mézec:

The exercise in putting the right-sizing policy together highlighted the various barriers that do exist for those who want to downsize. The Deputy is right, the cost of doing so is part of that. At this point in time, the policy does not include a stamp duty incentive, but I am very pleased that I have been working with the States of Jersey Development Company to see if there is some kind of incentive that we can introduce within the developments that they are in charge of. It is also fair to say that for some people you could not pay them enough to downsize, because they are perfectly happy where they are. What would incentivise them to move is not based in monetary terms, it is based in quality of life and the kind of home that they would want to live in, which is why a key part of that policy is to engage with the Constables and with developers as they look at those rezoned sites to see if we can create desirable, pleasant homes that people would want to live in. If they are incentivised in that way to free up their family homes then that would attract another type of person for those homes, rather than those who might just be concerned about the cost of moving. For some people that is the key issue, but it is not for everyone.

5.3.1 Deputy S.M. Ahier:

If stamp duty reduction is not a possible incentive, what possible fiscal incentives could the Minister offer to encourage people to downsize?

Deputy S.Y. Mézec:

I mentioned that through the S.o.J.D.C. (States of Jersey Development Company) there are incentives that can be offered, in terms of packages of support, if those who are applying to buy a home in their future developments are genuinely downsizers and can demonstrate that. Aside from that, I am not

the Minister for Treasury and Resources, so I cannot sign that off specifically if there were other incentives that we were to do in terms of fees or taxes. That would be a discussion that I am more than happy to have, and it is in the right-sizing policy, that I am happy to have that conversation.

5.4 Deputy H. Miles:

I am pleased to follow the last question from Deputy Ahier. What is the Minister for Housing's reaction to P.37, which proposes affordable and right-sizing housing on the waterfront? Is he currently minded to support the proposition, amend the proposition, or reject the proposition?

Deputy S.Y. Mézec:

My initial reaction to it was a sense of déjà vu, because it is extremely similar to a proposition that I had brought previously. I hope the outcome will not be an event of déjà vu, because I hope that either this proposition or perhaps some kind of amended version would be successful. I have already had an informal conversation with Deputy Miles about what we could possibly do to that degree. I want to talk to my Ministerial colleagues about that. The starting position, which was the guidance issued by the ... not previous Government, but the one previous to that, which is that affordable homes in those developments ought to be a minimum of 15 per cent, was always inadequate as far as I was concerned. Since I have taken office, I have been heavily involved in conversations with the C.E.O. (chief executive officer) of S.o.J.D.C. to see what we can do to maximise that contribution. I welcome the Deputy's proposition because it provides helpful context to further that conversation and get something better on the table.

5.4.1 Deputy H. Miles:

I thank the Minister for his very positive answer. Will the Minister ensure that the Housing Crisis Emergency Taskforce is consulted on this proposition and that their advice is made available to the Council of Ministers prior to the debate?

Deputy S.Y. Mézec:

That is a jolly good idea.

[11:45]

5.5 Deputy M. Tadier:

Has the Minister been made aware of the potential problems faced by those whose accommodation is linked to their jobs or tied to their jobs, including those who might have been subject to unfair dismissal and/or be in dispute with their employer who is also their landlord?

Deputy S.Y. Mézec:

I have not recently had any specific cases that have been brought to me highlighting that very specifically, but I am obviously aware that it is an issue and that there will be work that we will need to do around looking at what improvements can be made for security of tenure for those who accommodation is tied to their employment. It does sit slightly differently to ordinary tenancies but that does not make it any less important for those people, so it is something certainly we will want to look at.

5.5.1 Deputy M. Tadier:

Would the Minister be willing to meet with me and potentially with other Members who might have picked up cases relating this to help explore the issue to make sure that there are fair and reasonable outcomes for all involved?

Deputy S.Y. Mézec:

Yes, most definitely.

5.6 Deputy H.L. Jeune:

The Consumer Council has highlighted the discrepancies between the interest rates offered by Jersey's mortgage providers compared to U.K. parent lenders and its probable link to Jersey being a finance centre. Can the Minister advise what discussion he is having to encourage the reduction of this Jersey premium?

Deputy S.Y. Mézec:

I obviously welcome the report that the Consumer Council published. We have not yet had an opportunity to sit down as the relevant Ministers to discuss the depths of what response we may put to that, but that is a conversation I want to be involved in.

5.6.1 Deputy H.L. Jeune:

Is the Minister not concerned that the grant schemes he has launched for first-time buyers ultimately goes to fund foreign investors, but more importantly inflates costs to Islanders?

Deputy S.Y. Mézec:

No, I am not concerned about that at all. One of the things that is particularly good about the First Step scheme is because of the caps on house prices that we have set for it. It provides the opportunity for First Step applicants to negotiate down prices if they are slightly above that barrier, because they would not get a grant unless the buyer was prepared to do that. With the low turnover of properties right now that is a very positive situation for a prospective buyer to be in. So, no, it will have the exact opposite effect.

5.7 Deputy J. Renouf:

In the first questions without notice, I asked the Minister about the St. Saviour Hospital site and he indicated that he favoured redeveloping the site and keeping the existing building. Since then we have heard from the Minister for Infrastructure that he would like to see the site delisted and potentially demolished. Could the Minister for Housing reaffirm his desire to keep the building listed at the highest level in Jersey for redevelopment of housing within the existing building?

Deputy S.Y. Mézec:

I had not given specific consideration to the specific type of listing that the building does or does not have or should or should not have, but I am somebody who supports maintaining as much of our architectural heritage as possible, not just on that site but across the Island, and I personally would be sad to see historic buildings either be completely demolished or changed beyond recognition. That is a view that I have put across to Andium, that I want them to preserve as much of it as possible. That is not the same as protecting every single brick. There are creative things you can do to buildings that respect their history and heritage while putting it up to standards to get the best modern use. In fact, sometimes that is essential, because if you do not do it then the building really is doomed. It is a challenge with this particular site because of what it was built for and the incompatibility of that with certain kinds of housing. However, I have encouraged Andium to be as creative as possible in that regard. There is a good case for us all to get behind in supporting a good housing development on that site that meets people's needs, is as affordable as possible, and respects the architectural heritage of that site.

5.7.1 Deputy J. Renouf:

Can I thank the Minister for the answer to that question? Will he tell the Assembly what the response from Andium has been to the urgings that he has given them?

Deputy S.Y. Mézec:

Being frank, it is a challenge, because it is not an easy building to just simply convert into accommodation. There is a lot of thinking that needs to go behind doing that. They have engaged an architect and I believe they have engaged a specialist from the U.K. on listed buildings and how they can be dealt with. They are giving it considerable thought. Being blunt, it is difficult. It is not easy to do that and it is also not easy to do that and maintain as much affordability on the site as possible. That is why we have to be open to at least a little bit of a leeway in that regard, to make sure we get the best possible balance from all of those competing pressures.

5.8 Deputy M. Tadier:

Will the Minister give us an update on the progress and the success or otherwise of the First Step assisted homeownership scheme that he launched earlier in the year?

Deputy S.Y. Mézec:

I thank the Deputy for that question. I have been delighted with the take up of the First Step Scheme so far. There were 125 applications made for the first tranche of that, of which we are looking at 23 of those going ahead for purchase. With the first hopefully taking place by the end of this month. In the week and one day that the second tranche has been open, 25 applications have gone in. I suspect some of that will be people who were perhaps not ready for the first tranche but were poised for the second. The good news for them is that there will also be a third tranche later in the year. I am very pleased at that take up. We are proving that this is a good model for supporting people for whom otherwise homeownership would be impossible.

5.8.1 Deputy M. Tadier:

Does the Minister, given the success of the scheme so far, anticipate that there might be a second round, second wave, of this scheme in the future? If so, when and what might that look like?

Deputy S.Y. Mézec:

I would obviously love to see that. That is something that I would advocate for. I hope Members of this Assembly and my Ministerial colleagues were listening to the Deputy's question there.

The Deputy Bailiff:

Thank you, Minister. There is only 20 seconds or so left, so we may well move on to questions for the Chief Minister.

6. Questions to Ministers without notice - The Chief Minister

6.1 The Connétable of St. Saviour:

Some time ago now, for reasons best known to themselves, the BBC ceased transmitting the States sitting on the AM frequency. Does the Chief Minister believe that this should be restarted? If so, if the BBC cannot be persuaded to restart the service, does he believe that we could do our own transmissions with radio equipment, et cetera, in the spirit of openness and transparency?

Deputy L.J. Farnham: (The Chief Minister):

I certainly agree that the machinations of this Assembly should be as accessible to the public as it possibly can be. It was a disappointment to learn that the BBC decided not to continue broadcast on the back of increasing costs, as I understand it. Of course, members of the public who are keen to follow the States Assembly know they can do that through the States Assembly website. Of course, that is no replacement for being broadcast. I would like to see it happen. I do not have the knowledge to know how easy it would be outside of an established broadcaster to do that, so I cannot answer the Constable's question, but I would very much like to see this Assembly being broadcast across the airwaves again.

6.1.1 The Connétable of St. Saviour:

I understand that many people do watch online, but there are many people who like to listen at home on the radio and indeed in their offices on the radio. I would be more than happy to assist the Chief Minister. I know the Chief Minister has people working on his staff who are experienced in this effect. The sooner we can get this going again the better. Does the Chief Minister not agree?

Deputy L.J. Farnham:

I do. I am happy to have a further conversation with the Constable along those lines, as long as his fee is not too expensive. [Laughter]

6.2 Deputy M.B. Andrews:

Having lodged P.22/2024 on 17th April this year, the Council of Ministers rejected the proposition and simultaneously they are lodging their own proposals, which are pretty much exact to my proposition. Does the Chief Minister not consider the Council of Ministers are potentially plagiarising my idea?

Deputy L.J. Farnham:

I wonder if I could just be reminded of the title of that proposition.

Deputy M.B. Andrews:

Strategic Reserve: Long-term funding.

Deputy L.J. Farnham:

I am not aware that we have lodged anything as yet. I could be wrong, but I cannot recall doing that. I would urge the Deputy, while every Member can lodge anything they like and I would never seek to move away from that valuable position we have for Back-Benchers, to sometimes correspond with the Government on propositions, because quite often the Deputy lodges propositions that there is a work in progress on. The recommendations of the Fiscal Policy Panel are clear about how we should be restocking the reserves. There is work going on behind the scenes to do that. I would urge the Deputy to talk to us if he wants support with proposition amendments, because quite often we are aligned and are moving in the same direction. There is certainly no intention to plagiarise his work.

6.3 Deputy J. Renouf:

Last week the Chief Minister indicated his strong support for the Complaints Panel in preference to an ombudsman. The Gibraltar Ombudsman deals with around 200 complaints a year, as does the Cayman Islands Ombudsman and that in Bermuda; all with smaller populations than Jersey. The Jersey Complaints Commission deals with around a dozen each year. How does the Chief Minister explain this discrepancy?

Deputy L.J. Farnham:

Without looking at the nature of the complaints in those jurisdictions, it is impossible to give an accurate answer. I do accept we need to strengthen our complaints procedure and perhaps promote it so Islanders know it is there and will wish to use it if need be. Although, ideally, we do not want to see an increase in complaints; we want to see a decrease in complaints. However, for example, I would encourage Islanders to come forward to the Complaints Panel if they have concerns. What we must do on the back of that is put in place a process for actioning the complaints and the outcomes of the panel.

6.3.1 Deputy J. Renouf:

Successive reports have argued that the reason why there are so few complaints to the Complaints Commission is that it is an internal system that is not trusted and that the process itself is a barrier. How can a voluntary system ever deal with the volume of complaints that we might expect from the

size of jurisdiction that we have in comparison to other jurisdictions which have similar systems of government and much higher levels of complaints?

Deputy L.J. Farnham:

We have an independent Complaints Panel. It is operated through the States Greffe, not part of the Government, staffed by volunteers. The recent report was good. I have confidence in the Complaints Panel. What we have to do is explore whether we can make that more accessible to the public, give it more authority, and introduce procedures in the public sector to act on the findings of the panel. That is a piece of work we are carrying out now. We could very well come back later this year and say, no, we are going to stick to the States decision and go down the ombudsman route. However, given the potential for costs and the Government's intentions to ensure that our resources are properly prioritised, it is a piece of work we need to do.

Deputy J. Renouf:

Sir, could I challenge the Chief Minister to reply to the question, which was: how can a voluntary system ever deal with the large volume of complaints?

The Deputy Bailiff:

Yes, would you deal with that aspect of the question, Chief Minister?

Deputy L.J. Farnham:

Yes, Sir. A voluntary system can do that by being properly resourced. That is what we are looking to do; to make sure it has the provision to do just that.

6.4 Deputy S.M. Ahier:

Considering the revenue from £10 scratch cards has increased from £2 million in 2019 to £5 million in 2023, does the Chief Minister believe that it is morally acceptable to sell £10 scratch cards to the neediest members of our society?

Deputy L.J. Farnham:

That is a good question. While the Channel Islands' lottery is hugely important in raising funds for local charitable causes, we must not let that override the potential for harm that problem gambling can do to people. I understand there is full review being co-ordinated with colleagues in Jersey and Guernsey on the structure of pay cards and lottery cards. We will await those findings as well. I also understand that there is a new campaign to promote responsible play and promote the supports available to problem gambling. I will undertake to discuss the matter further with the Minister for Sustainable Economic Development. I would also say that I have checked, and although the revenue is up considerably on the £10 card, the overall revenue from lottery is slightly down.

[12:00]

It has been at the expense, if you like, of the lower priced cards. I do understand the point that a £10 risk is perhaps more problematic than a £2 risk.

6.4.1 Deputy S.M. Ahier:

Is the Chief Minister aware that the £10 scratch cards have already been withdrawn in the U.K. and will he also raise this issue with the Minister for Sustainable Economic Development?

Deputy L.J. Farnham:

Yes, I was aware and I will certainly be raising that.

6.5 Deputy D.J. Warr:

Following his response to Deputy Andrews' question in connection with issues about viability of the Les Sablons site, can the Chief Minister confirm the successful conclusion has now been negotiated? If that is the case, and given his commentary, and I quote: "I shall certainly be urging the Minister for Housing to work swiftly with this so we do not jeopardise development and provide solution or good compromise as soon as possible", can the Chief Minister expand as to what that good compromise looks like?

Deputy L.J. Farnham:

I am pleased to say that, yes, an agreement has been reached. The Minister for Housing has done that. I understand an announcement is imminent. I am pleased to say I did not have to do any urging of the Minister for Housing whatsoever. He sorted it out with the developer before I had a chance to urge him; which was slightly disappointing, because I was looking forward to a bit of urging, but he did not need it. [Laughter] Joking aside, I am pleased to say that I understand an agreement has been reached, which is good news.

Deputy D.J. Warr:

Sorry, Sir, I asked if the Chief Minister would be able to give more information on that?

The Deputy Bailiff:

Is that a supplementary question or part of your first question?

Deputy D.J. Warr:

Just in answer to the first question.

Deputy L.J. Farnham:

I could do, but in fairness to the developers and the Minister for Housing, we will wait for the public announcement.

6.6 Deputy L.K.F. Stephenson:

Are there any plans that the Chief Minister is aware of for a large screen or fan zone for Islanders and visitors to watch Euro 2024 matches? If so, what part has the Government played in those plans to date?

Deputy L.J. Farnham:

Yes, there are plans afoot. Details are being drawn up at the moment. The location is being decided upon. Hopefully an announcement can be made in due course. If there is to be a screen, it is intended to be from the knock-out stages onwards if the home teams get that far. We will deal with that when the time comes.

6.6.1 Deputy L.K.F. Stephenson:

Will Government be providing some funding towards that scheme? Is the Chief Minister able to confirm that it will still go ahead even if the home teams, as he described them, do not get through, reflecting the fact that Islanders want to watch different countries as we have a varied community of people from many different places here?

Deputy L.J. Farnham:

Yes. When I refer to the home teams, I was talking about all of the home teams, from England, to Scotland, to Poland, to Portugal and others. The answer to that is, yes, the proposal is to show every match from the knock-out stages onwards, right up to the final, regardless who ends up there. Yes, there will be some sponsorship provided from the Government and also from the private sector as well.

6.7 Deputy H.L. Jeune:

Can the Chief Minister advise how he will ensure swift implementation of the recommendations of the C. and A.G. (Comptroller and Auditor General) report on critical energy infrastructure resilience?

Deputy L.J. Farnham:

Not on the hoof. I am sorry, I could not do that. I am happy to give that consideration and come back to the Deputy. Perhaps she would like to submit a written question where we can address it fully.

6.7.1 Deputy H.L. Jeune:

One of the recommendations from the C. and A.G. was that there should be one person responsible for critical energy infrastructure resilience. Who in the Council of Ministers has that particular responsibility?

Deputy L.J. Farnham:

I have been asked this question before and the responsibility of that sits with the Minister for the Environment. I understand he is dealing with that matter himself. That is a matter for him to consider. If he was to go along that route and have a separate Minister, I would be supportive. It is a matter for the Minister and the Deputy must take it up with him in the first instance.

6.8 Deputy I. Gardiner:

I will ask this question of the Chief Minister in his role as chair of the States Employment Board. Can the Chief Minister explain why the 17 per cent staff vacancy remains steady, given the additional efforts and funds to recruit staff into H.C.S. and what is the S.E.B. (States Employment Board) doing about this?

Deputy L.J. Farnham:

The Minister for Health and Social Services has, in recent days, addressed that issue. There is an acute shortage of certain types of staff across the Health portfolio. The remedy to that has proved costly and challenging logistically, with expensive agency staff having to be brought in. We are mindful of that and will work closely with the team at H.C.S. to continue to help to alleviate the problem. There is no quick solution, unfortunately. It is a global challenge and it is something that will take some time to remedy. I know the Minister for Health and Social Services and the team are treating it as a top priority. It is being managed carefully on an ongoing basis.

6.8.1 Deputy I. Gardiner:

I completely recognise the difficulty of recruiting staff. Saying this, we have very good example of recruiting medical staff into C.A.M.H.S. (Child and Adolescent Mental Health Services), which we do not have any vacancies. We have good recruitment into the social workers for the adults but less for children. What is S.E.B. doing to ensure that these are the gaps that we see in performance between the department and recruiting essential staff that is challenging everywhere?

Deputy L.J. Farnham:

Without going into too much detail, I answered that in the previous question. The States Employment Board will work with and support the Health team, in their ongoing quest to improve and alleviate the staff shortages.

The Deputy Bailiff:

That brings that period of questions to an end. There is nothing under J. Under K there is a statement from the Minister for Health and Social Services.

STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

7. The Minister for Health and Social Services will make a statement regarding the States of Jersey Complaints Board findings in R.39/2024.

7.1 Deputy T. Binet (The Minister for Health and Social Services):

Members will have seen that I presented a statement in response to the States Complaints Board relating to a hearing held in March about the handling of a complaint within H.C.S. The board's findings and recommendations have highlighted certain shortcomings in H.C.S.'s administrative procedures and complaints handling, particularly where complex financial issues arise. However, I am now comfortable that the areas of deficiency have been clearly identified and all the improvements required to prevent a recurrence of the problem have been properly implemented. As outlined in my response, the Patient Advisory Liaison Service, or P.A.L.S. as the service is more commonly known, now has a more robust set of internal processes, which are now for more appropriate handling of patients' concerns and queries. They also provide clearer communications between patients and H.C.S. about next stages in the handling of patients' concerns and/or complaints. Moreover, an additional process has been established to support patients who have concerns, which may warrant an investigation or response from a clinician but do not merit a complaint. These changes, combined with an excellent and dedicated patient experience team, have dramatically reduced the number of complaints received by the department, which in turn should help resolve a good many issues before they develop into full-blown complaints. I would like to turn to the board's findings, which note that the complainant's clinical care was materially affected by their ongoing complaint. I cannot say for certain whether this was or was not the case, as I certainly would not want to undermine the complainant's experience. What I can say is that the complaints process should never impact on clinical care. In this instance, I have been assured, categorically, that the complainant did not experience a cessation of treatment. The quality of their care was not directly impacted, and no clinical decisions were affected by their ongoing complaint. That said, the department has recognised, quite rightly, a failure to pursue existing policies and procedures as strictly as it should, and that policies had certain shortcomings. Ultimately, these facts appear to have played a significant role in the complainant's decision to lodge a formal complaint with the States Complaints Board. For that, I can only offer my sincere apologies. In closing, I would like to mention that for some considerable time I have been less than impressed by previous Governments' responses to the findings of the Complaints Board. Far too often, Government has failed to accept responsibility for getting things wrong, resulting in the board's good work coming to nothing and the complainant left feeling angry and disillusioned. With that in mind, I was determined to ensure that this response was appropriate, so I convened a meeting with the chair of the board, the chief nurse, and the head of P.A.L.S. in order to ensure that my response was considered reasonable. This they have confirmed. I would like to finish by repeating my apology to the complainant, offering my grateful thanks to the board for their good work, the chief nurse for her input, and lastly the team at P.A.L.S. who have made and continue to make great strides in improving their service to patients and families. Thank you.

The Deputy Bailiff:

Thank you, Minister. We now move on to our period of up to 15 minutes for questions for the Minister. Does any Member wish to ask the Minister a question on the statement he has just made?

7.1.1 Deputy M. Tadier:

I thank the Minister for the statement. In the statement he talks about certain shortcomings having been highlighted. He also talks later on about the failure to pursue existing policies. Could he give some examples of what the failure was? Which policies failed to be followed? What were the shortcomings?

Deputy T. Binet:

I cannot detail numbered policies, but what I can say is this was quite a complicated complaint. The complainant, as I understand it, lodged a complaint and as the complaint was being pursued a number of other issues came into the frame. There was not any policy that defined clearly that they should have advised the complainant to compile all of the ongoing complaints into a separate complaint, which rather confused the issue, which gave rise to the issue not being pursued as efficiently as it would have otherwise been had it been a straightforward complaint. One has to accept that the P.A.L.S. team has not been in operation for that long and with these issues, when things like this arise, there are learnings that can be taken from it and extra policies can be put in place. That is what has happened here. We now have a very clear picture and, if this situation were to emerge again, there are much clearer policies in place and the team are more experienced as well in identifying complexities as they arise.

7.1.2 Deputy M. Tadier:

Notwithstanding the apology that the Minister has made to the individual involved, he does state that he was being told that the quality of their care was not directly impacted. Does that mean that he thinks that the care may have been impacted in a non-direct manner and does he accept that perhaps that statement might be perceived as seeking to underplay the impact that it did have on the complainant?

Deputy T. Binet:

I have tried to be careful about my words. I genuinely do not think there was any interruption at all to the proper care of the individual.

7.1.3 Deputy L.K.F. Stephenson:

Can the Minister explain the rationale for issuing a statement in this case? Was it a requirement of the board's findings, for example? Does it have anything to do with trying to strengthen the Government's position that we do not need a Public Sector Ombudsman?

Deputy T. Binet:

Perhaps I do not know the rules, but I was told I have to make a statement, so I have made a statement. There was no underlying reasoning behind that whatsoever.

The Deputy Bailiff:

Yes, it is Standing Order 68 that deals with that.

7.1.4 Deputy J. Renouf:

The Complaints Board's finding in relation to the point raised by Deputy Tadier was: "The board was particularly concerned that once Mrs. X had been categorised as a complainant, this appeared to have a material effect on her clinical care." Is the Minister saying that in his view that that was not the case?

Deputy T. Binet:

I was not present at the hearing so I do not know the absolute details, but I wanted to be clear about this, and as I said in my statement, that resulted in me calling a meeting with the chair of the Complaints Board, the chief nurse, and the chief at the P.A.L.S. Department. We had a long and thorough meeting. The wording that I have put in my statement reflects the conversation that took place.

[12:15]

7.1.5 Deputy J. Renouf:

I guess we are just trying to square the sentence in the statement that I just read out: "I cannot say for certain whether this was or was not the case." It is a question of whether the Complaints Board conclusion has been accepted or not.

Deputy T. Binet:

It has not been completely accepted. That is why I called the meeting, to get some clarification. After a discussion, which took over an hour, we reached a conclusion that I was able to say what I am saying here. As I say, I was not present at the hearing, I was not following the case right the way through, so hand on heart I cannot absolutely guarantee anything. All I can do is seek to gain the most evidence that I can. That is what I have sought to do, and the individuals concerned are quite happy with what is being said.

7.1.6 Deputy T.A. Coles:

As this statement refers, the complaint came through the States Complaint Board, but is this not another example of why the Health and Social Services Advisory Board is more crucial now than ever before?

Deputy T. Binet:

I am not sure that this case at this time necessarily relates to them, but I have to say I would endorse the fact that the advisory board is a very useful addition to what is going on at the moment.

7.1.7 Deputy T.A. Coles:

Can the Minister then confirm that this complaint has been looked at by the advisory board so they can make sure the lessons are learnt so things are not repeated?

Deputy T. Binet:

No, to the best of my knowledge that has not gone to the advisory board and I have to say that I do not really think it needs to. I think they have got major issues to deal with and I would like to think that this has been properly dealt with at the level that it has been dealt with.

7.1.8 Deputy M. Tadier:

I would like to ask a little bit about the statement where the Minister talks about previous Governments and he says that he has not been impressed by the previous Government's responses to the findings of the Complaint Board and that far too often Government has failed to accept responsibility, yet this morning he told us that he does not fully accept the findings of the Complaint Board. So does he think that he has learnt the lessons that he accuses the previous Government of?

Deputy T. Binet:

I will answer the last point first and say yes. I think it is the fourth time that I am saying I got the chair of the Complaints Board in to go through the evidence and the chair of the Complaints Board appears to be happy with what I am saying here. There may have been some sort of misunderstanding, which we discussed. As I say, I can only do what I can do and I have received a statement and I have gone through it with those various people, which include the chair of the Complaints Board. Like I say, the Deputy is right, I have been very disillusioned by the way that various Governments have treated people who have been through the process. I went through the process myself only to be told at the end of it when we won our case that it was just too bad, and that is not the way that I have approached this.

The Deputy Bailiff:

Any further questions for the Minister arising from the statement? In that case that brings that period of questions to an end. We now move on to Public Business and the Greffier will preside over the first item.

PUBLIC BUSINESS

8. Draft Unlawful Public Entertainments (Jersey) Regulations 202- (P.24/2024)

The Deputy Greffier of the States (in the Chair):

Members will be aware that Deputy Andrews has deferred his proposition, Strategic Reserve Fund: Long-term funding plan, and the first item of Public Business is, therefore, the Draft Unlawful Public Entertainments (Jersey) Regulations 202-, P.24 of 2024, lodged by the Minister for Sustainable Economic Development, and for which the main respondent is the chair of the Economic and International Affairs Scrutiny Panel. I ask the Greffier to read the citation.

The Assistant Greffier of the States:

Draft Unlawful Public Entertainments (Jersey) Regulations 202-. The States make these Regulations under the Order in Council dated 14th April 1884.

8.1 Deputy K.F. Morel (The Minister for Sustainable Economic Development):

These regulations will replace the current triennial regulations which expire on 20th July this year. The regulations were first introduced in 1992 and they have been renewed by successive Governments 10 times. Although these regulations are straightforward in that they simply serve to clarify the Bailiff's responsibilities on the customary law, the current system of management for events is complex. These Unlawful Public Entertainments Regulations overlap with parts of the Road Works and Events Law, and both sit alongside special arrangements for public places in the Licensing Law and in the various regulations for the policing of beaches, parks and roads. As a result, I am not satisfied with this current system and am committed to changing it. In 2023 I agreed to take on responsibility for these regulations from the Minister for Justice and Home Affairs as we both recognised the synergies between the future regulatory regime and the department for the Economy's ongoing work in events promotion and the hospitality sector. The Bailiff may recall that I wrote to him and the Economic and International Affairs Scrutiny Panel in September 2023 to give advance notice of my intention to lodge these regulations for a final period of 3 years. This extension will give time for a new primary law to be drafted, debated and receive Royal Assent. For a regulatory framework to be drawn up - likely in the form of secondary legislation - for policy guidance to be issued, and for the transition to a new regime to take place. Three years may sound like a long time but I want to see the new primary law brought before the Assembly before the end of this term. The new Government will then be able to finalise secondary legislation in 2026 and set up the new regulatory regime in time for the expiration of the triennial regulations in July 2027. This is an ambitious timeline but work is underway and my department is working with events organisers to design a modern and proportionate events licensing regime. As a result, I urge Members to allow this work to take place and approve, for a final time, the 3-year renewal of these regulations. I propose the motion.

The Deputy Greffier of the States (in the Chair):

Are the principles seconded? [**Seconded**] Does any Member wish to speak on the principles?

8.1.1 Deputy A. Curtis:

I did not intend to necessarily speak now; I look around and see an empty set of lights to what is a fairly important decision that we are making about how we operate our business and conduct the priority of the Assembly in the legislative work. There is a phrase: "Fool me once, shame on you,

fool me twice”, I think we are at fool me 10 times now, as the Minister said. I have a real kind of concern over the principles that we are thinking about adopting yet again 10 times on, an extension and a reaffirmation in the Bailiff’s role following his customary permissions to legislate events. I am very concerned that the principle of extending this beyond this term is something that means this Assembly could well have been - to use that analogy - fooled, yet have no recourse within its term to deal with that. I know we will deal with the regulations in Second Reading and be able to discuss that more, but the principle of accepting a repeat of the regulations and that it can always be dealt with later, as a matter of principle I think should be put on record now. So before the next part of the debate, I have grave concern and disappointment at the accepted nature that this is too hard to be achieved in this term and it requires 3 years as lodged.

8.1.2 Deputy M.R. Scott of St. Brelade:

I do believe I heard the Minister say that the intention is to bring up-to-date regulations and laws within this term. I do share Deputy Alex Curtis’s frustration about the pace at which Government brings in change but I believe that these are triennial regulations so they do need to be renewed in order for that work to be done.

8.1.3 Deputy M. Tadier:

This matter had already been coming back to the States for a good number of years before I took office in late 2008. I remember older Members saying: “Here we are again” and Ministers saying: “This is the last time we will lodge these, I promise you.” Yet time and time again we find ourselves being asked to rubberstamp triennial regulations which could incidentally have been lodged to be put in to have a life span of shorter than 3 years. Members will be aware that our Scrutiny Panel did urge the Minister, initially moderately and then through different channels including many letters being written, to ask whether he would consider a shorter time span. We have got to remember that these recommendations for changes were made almost 20 years ago and that the Minister has already been in office for 2 years. He is a Minister who has the luxury of not having had any upheaval in his department because he is the same Minister that was elected 2 years ago. He is also the Minister who was an Assistant Minister for 2 years of the term previously and his department would have known full well that this was an issue that was in the inbox that needed to have attention to it. Unfortunately we have seen this department, like previous departments, take it out of the to do list and put it into the too difficult to do inbox, I think. That is why we are seeing again the Minister coming back saying: “We will lodge changes and we will bring in a new law and the changes that need to be done, which we agree with holistically, but it will not be done by this Minister, it will be done by a future Assembly.” So we may well then find that a future Assembly is going to have to make a decision with a different Minister potentially. It may be an Assembly that has no desire to do that or also thinks it is too difficult or undesirable. There is a corollary to this because of course this deals with the customary laws of the Bailiff and the first point is that it is pretty much uncontentionous now that the Bailiff is quite happy to see a new system being brought in. I think the caveat is that it is a system that works well and that is robust and it is not anything less than what we have got at the moment. But he is quite willing to give up those powers; I think there is a recognition that this is something that should have political oversight and not the oversight of the President of the Assembly or the President of the Court. It also has an impact on this Assembly when we keep lodging these every 3 years because what it means is that the Bailiff can no longer preside in the Assembly; the Deputy Bailiff I think chooses rightly to recuse himself, and of course, therefore, Article 3 of the States of Jersey Law is invoked where it says: “If both the Bailiff and Deputy Bailiff are unable to preside at the meeting the Bailiff shall choose an elected Member”, interestingly it says, “the Greffier of the States or the Deputy Greffier of the States to preside at the meeting.” So in an interesting way, although this is not the primary debate that we are having today, it also touches on the separation of powers because on the one hand it recognises the fact that not only is the Bailiff the President of this Assembly, we do not have an elected speaker like in pretty much all parliaments apart from Guernsey.

I am not criticising the Bailiff or the Deputy Bailiff for that; it is not their making, it is a tradition that we have and that comes up from time to time. It also recognises that the other perhaps most significant role that they have - apart from maybe guardian of the constitution and civic head - is that they are in charge of the Royal Court. An uncomfortable addition that they have is that they make rules about what kind of entertainment is permitted, what kind of fines you might get; and in fact that is what we are dealing with today, what sentences you might get if you put on a performance unlawfully. But also the wider issue about drink, about who can serve drink and how long you can serve drink for, and licences, all that needs to be looked at holistically. This work should have already been going on for the last 4 years really; certainly the last 2 years. I know this is not entirely what we are talking about because we are talking about the principle here, but the principle is very much of course whether we need to rubberstamp these and whether we have any real choice in the issue. In making these statements what I am going to say is that we are not yet at the regulations point; those come in the Second Reading. I have given a clear indication that from my panel's point of view we think that this is an area that does need to be scrutinised. I think we would have been more reassured if the Minister had said that change was going to come back within this term of the Assembly because it would have been within his gift and within our remit to be able to scrutinise that during this term of office. I did say to the Minister as well: "If you cannot bring it back because there is literally too much work to do and you have tried your very best, the Assembly and the Scrutiny Panel would of course listen to the fact and if you need an extension of course the triennial regulations could be extended."

[12:30]

I genuinely hope that this is the last time that the triennial regulations are brought back for renewal, but I am willing to listen to counterarguments. If indeed there are people out there who would argue that the current system is fine, it is working and it does not need fixing then that is a legitimate point of view. If there is a body of evidence for that then it is something that the Scrutiny Panel would like to hear. But interestingly that is not an argument that we have been hearing from anyone, including the Minister and including the industry. There does seem to be that consensus that change is necessary. I would, therefore, argue of course that if change is necessary let us explore the option of what resources and what timeframe the Minister can feasibly do this in to bring it back within this term of office and not kick the ball into potentially another electoral cycle and leave it at the mercy of that Assembly.

8.1.4 Deputy P.M. Bailhache:

Despite Deputy Tadier's valiant efforts, I do not think this has anything whatsoever to do with arguments about the separation of powers. The role of the Bailiff in relation to public entertainment has been settled for decades and successive Bailiffs have agreed, going back a very long way, that this is not a function which should theoretically in any event be operated by the Bailiff. The difficulty is that it works quite well at the moment, and the problem is finding some means to replace it. In fact, the Bailiff has almost nothing to do with the regulation of public entertainment. Public entertainment is regulated by the Public Entertainments Panel which is composed - as the Minister's report makes clear - of a number of senior officials in the police and other entities like the fire and rescue service and the ambulance service. The function that the panel performs is a useful one because it ensures that any public entertainment that takes place is safe so far as the public are concerned. My purpose in rising is only really to tweak the tail of the Minister and to ask him whether he has any idea what he is going to do to replace the role of the Bailiff in the functioning of public entertainment.

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

I must say that I asked to speak prior to Deputy Bailhache having spoken and he has said most of what I was going to say. I have sat in the Assembly and heard the triennial regulations being lamented

by some Members as being an improper way to legislate and an improper way to make decisions, and the other matters which Deputy Bailhache has explained better than I can. It is perfectly within the constitutional right of the States to make triennial regulations; there is a sunset clause on them, they can be repeated, and we are here today debating whether or not they are the right or the wrong thing to do. We just heard from Deputy Bailhache that there are the checks and balances in place. It is difficult to find a long-term solution; it is about resources. We could be creating a monster in terms of a new law; if it ain't broke don't fix it, and I can see that this arrangement - which I hope the Assembly will approve these triennial regulations for a further 3 years - the previous Assemblies have done a number of times and it has worked. It has worked with a proportionate, proper and pragmatic approach which deals with the conflicts of interest. You are sitting in the chair as the Deputy Greffier, Sir, the Bailiff is not, and the States is free to legislate for a sunset clause of 3 years, and it is working. I also look forward to the Minister's summing up of exactly what is going to be the solution, and is the solution going to be a much more complicated and much more expensive one when in his report he says he has got so much other legislation to bring forward, which is of course much more important in dealing with some of the issues that Islanders are facing.

8.1.6 The Connétable of St. Brelade:

Speaking with the hat of a Connétable that we very often are involved with discussions dealing with public entertainment, I think we need to be cognisant of the fact that the goalposts in public entertainment have moved in recent years in that there are several grandiose events that are put together by events organisers - which is probably something that did not happen in time past - and it needs some regulatory control. I am not really saying who needs to be chairing that but the situation at the moment seems to be satisfactory and I see no reason, as the last speaker mentioned, to change it in any way. But I think my message to the Minister would be let us be aware of what the economic situation in the Island is. While we do not wish to discourage economic activity in this sphere we have also got to be aware that Jersey is tight for space and entertainments which can be put on outside, whether it be on beaches or on private land, can affect others in the neighbourhood quite significantly and we must not distance ourselves from that.

8.1.7 Deputy G.P. Southern:

I speak in support of my chairman on his panel when I point out again that perhaps I have been here long enough; I think I have seen these triennial regulations through 7 times. I think this is the eighth; the eighth and last I hope. The Bailiff has suggested that he should not have a part to play necessarily in the ordering of entertainments on the Island; in fact I was there when he manifestly intervened with a scene of nudity in I think it was Titus Andronicus. Coriolanus; thank you. The players resorted - having been told that they could not have a nudity scene - to the most glorious flappy set of underpants I have ever seen in my life on the centre of the stage in Jersey. So it is possible that our reputation could quite easily be brought into disrepute by the wrong entertainments or the fuss around the right entertainments. I personally would believe that we should be able to produce a set of regulations which perfectly adequately replace the Bailiff's role, which the Bailiff says should not be there. I would urge people to support the speeding up of these triennial regulations.

8.1.8 Deputy J. Renouf:

Just to make a small point, partly in response to the Constable of St. Brelade. It does strike me that the current system places a great deal of power - the ultimate decision-making power - in the hands of one person. The risk is that in a time when we are, I think, trying to understand more about what young people might want as entertainment, we might want to offer a more varied offering in terms of entertainment in the Island and we might want to be responsive to demands for that kind of entertainment. Notwithstanding the fact that of course that has to be balanced against the community needs for peace and quiet and so on, but we do want to encourage occasional, I would have said at least, entertainment that offers more to young people in particular. It would be helpful, therefore, if

the system was overseen by a more varied, more pluralistic body that was able to take into account these things and be perhaps more accessible. I will support obviously the renewal of these triennial regulations but I do urge the Minister to act at as much pace as he can because I do think that it is part of a bigger picture in terms of how we see this Island moving forward as a more youth friendly and more responsive place for young people to enjoy.

The Deputy Greffier of the States (in the Chair):

Does any other Member wish to speak on the principles? If there is no other Member to speak on the principles I call on the Minister to reply.

8.1.9 Deputy K.F. Morel:

I thank everyone for taking part in the debate. I will start by picking up where we left off with Deputy Renouf's comments. He is absolutely right. One of the really important things Jersey needs to have is a vibrant events scene, and one of the reasons for that is to make Jersey relevant to young people so that they can see that this is a place they can live their lives and that they can have that entertainment while they are living here, but also to attract people to the Island as visitors. It is very difficult with limited premises in the Island to be able to use just existing pubs, clubs, nightclubs, restaurants as the sole place you can have events, and so it is really important in my mind for our visitor economy and for our whole society that we have the ability to hold events which add to the interest and excitement of Jersey. I think it is a really good point that the Deputy is making. I will also take into account the fact that I will not just vest all the power in the Minister to make a decision following his point about the diversified board or panel. This is quite fascinating, the place where we are, because effectively the chair of the Scrutiny Panel and myself agree that we would like to change these regulations. The chair of the Scrutiny Panel and myself disagree on how much time that will take, but I do take umbrage with it being painted as though I have in some way been the person who has not acted on this. Yes, I was Assistant Minister 4 years ago but these regulations were not part of the Department for the Economy or the Minister for Economy's remit. Yes, I was Minister 2 years ago, but still these regulations were not part of the Minister for Economy's remit. It was only last year that I voluntarily took over these regulations from the former Minister for Home Affairs, saying that I would like to change them. The only department which has not changed these regulations over the last 10 iterations of these regulations is, as far as I understand it, the Home Affairs Department and the committees which preceded it. It is not the Department for Economy, it is not the Minister for Sustainable Economic Development that has not brought these changes forward. Having taken hold of these regulations I have made all the right moves to start the ball rolling in terms of changing them, and so I do find it fascinating that I have to stand here to defend doing exactly what the chair would like me to do. He is just saying it is not fast enough and yet I have only just taken over these regulations, so it has not been possible for the Minister for Sustainable Economic Development or his predecessors to make the changes. Now it is possible and we are absolutely set on making these changes. The reason I have asked for the full 3 years is because I want to make sure we get it done. We have all heard ... I cannot remember the exact phrase but we all know that law made in haste can be bad law, and there is nothing worse than a bad law. I always think back to the U.K. back in the 1980s or 1990s when they brought in laws banning different types of dogs and muzzling different types of dogs, and they made a real mess of it because they did it in haste. I just want to get this right. It is complex. I know Deputy Alex Curtis has spoken to law officers about wanting to make a simple change to the regulations, and what he learnt - as I understand it - was that the regulations are far more complex, despite the simple look of them on the page, not because of themselves but because of the way they reach back into customary law. So making the simple change that Deputy Alex Curtis wanted to make was, I believe, not a viable way forward. It is that complexity that I want to negotiate properly, with the industry by my side because they need to be happy with the new system that was brought into place. That new system will have to replace everyone from the Bailiff through to the panel that the Connétable of St. Brelade mentioned, and

replace them all in different ways. I want the Parishes to still have a role because obviously the Parishes do need to be included in some way, precisely for the reasons that the Connétable of St. Brelade mentioned, that if you suddenly have a rave taking place in the field next to your house it is going to have an impact on your quality of life for that night. There has to be a local element to feed into it.

[12:45]

This is not easy. I have committed to bringing forward the primary law this side of the elections. A lot of work will have been done on the regulations; I would like to get both of them done, I am just being slightly cautious and saying if I cannot get the regulations done, which is where the detail will be, then that may have to hold over to the election. Why bother with this 2-year situation and then renew them for 2 years? It just makes no sense to me, which is why I have said let us just do this for 3 years and get the whole job done this time. That is what I am committed to. Previous Ministers who had these regulations did not make that commitment, did not make the changes that it was said would be done. I cannot be held responsible for those Ministers. My department cannot be held responsible for those Ministers. I really am here wanting to make these changes and I will try my best to get them done this side of the election in their entirety, but there is a possibility it will not happen. That is also because unfortunately Deputy Tadier did make out as though it is all in my gift. I think he said it is in the gift of the Minister; it is not in the gift of the Minister. Many Members in this Assembly have engaged with law drafting and have engaged with changing laws. There are large parts of that process which are outside the remit of the Minister. The Minister cannot go and tell the law drafters to get a move on or do it quicker. That is not something that is possible for us to do. The Minister cannot sit there with the law drafters to make sure it happens at the pace that the Minister wants. It is also the case that during the drafting that is also when you find other issues which crop up, and the law drafters will quite rightly come back and say: "This bit does not work; we need to change that." That then takes further consideration. I know that law drafting takes time and I think in their hearts any Member of this Assembly who has engaged with changing laws knows themselves that law drafting can take time. That is why I am asking for the 3 years; not because of any desire to obfuscate, delay or postpone at all. I want to get this done, I want to get it right, I want us, at the end of this 3-year period, with a new system in place that the whole Island can be happy with, that the economy can be happy with because events are happening in a smoother way and a less complex way, but equally that Islanders can be happy that they can have their say when events are going to be affecting their quality of life. So I do ask the Assembly to back these regulations and I do ask the Assembly to back me in bringing them back in 3 years' time. I apologise, my mistake; I will not be bringing these back in 3 years' time and I hope my successors will not be bringing these back in 3 years' time. I hope the Assembly can back me in making the changes that we need to get this off the books for good and have a new system. In summing up, I thank Deputy Bailhache for his words because he has got experience in all aspects of these regulations, and I also thank the Bailiff and his office for their support in us making these changes because this will be a significant change away from customary law into statutory law. For some people they may be upset by that, but I think it is the right thing, and the Bailiff has accepted that and I am grateful. So I ask the Assembly to support the principles, thank you.

The Deputy Greffier of the States (in the Chair):

I am conscious we have gone past 12.45 p.m. but are Members are happy to deal with the vote on this matter? Those Members who are in favour of the principles ... the appel has been called for. I invite Members to return to their seats. With that I ask the Greffier to open the voting.

Speaker:

Can I just clarify, is this for the amendment?

The Deputy Greffier of the States (in the Chair):

No, this is for the principles of the regulations. If all Members have cast their votes I ask the Greffier to close the voting. I can announce that the principles have been adopted: 39 votes pour, one vote contre and 3 abstentions.

POUR: 39		CONTRE: 1		ABSTAIN: 3
Connétable of St. Helier		Deputy M.B. Andrews		Deputy G.P. Southern
Connétable of St. Brelade				Deputy M. Tadier
Connétable of Trinity				Deputy K. Wilson
Connétable of St. Peter				
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 C.F. Labey				
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 S.Y. Mézec				
Deputy P.F.C. Ozouf				
Deputy Sir P.M. Bailhache				
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 L.K.F. Stephenson				

The Assistant Greffier of the States:

The Member voting contre: Deputy Andrews, and the 3 abstentions: Deputies Southern, Tadier and Wilson.

The Deputy Greffier of the States (in the Chair):

Thank you very much. Does the Economic and International Affairs Scrutiny Panel wish to scrutinise this matter, Deputy?

Deputy M. Tadier (Chair, Economic and International Affairs Scrutiny Panel):

Yes, Sir.

The Deputy Greffier of the States (in the Chair):

Very well, with it being referred to the panel the Assembly needs to agree the date on which the debate would resume. Do you have a proposal?

Deputy M. Tadier:

I understand that under Article 72.6 of Standing Orders that it says the meeting must not be later than the fourth meeting following the debate, so could you clarify to me when that fourth meeting is please?

The Deputy Greffier of the States (in the Chair):

Yes. Deputy, the fourth meeting after this would be the meeting on 1st October.

Deputy M. Tadier:

As we are approaching the lunchtime adjournment I wonder whether we might consider ... we do have an ability to refer it back to that, it would be worth thinking about how much scrutiny we have to do on this particular topic so could I speak to my panel and perhaps even the Minister and then after lunch make that decision?

The Deputy Greffier of the States (in the Chair):

Just to confirm, in order to propose which date the debate should resume you wish to deal with that after lunch?

Deputy M. Tadier:

After lunch please.

Deputy K.F. Morel:

Obviously these regulations currently in place do run out in July so it will be interesting because there will be a period I believe when there will be unlimited fines and unlimited prison sentences should you fall foul of the regulations should you undertake an unlawful event without the permission of the Bailiff, which is why the regulations are in there in the first place.

Deputy M. Tadier:

It does raise the question about why they were not lodged earlier in that case to allow for Scrutiny to call it in for the maximum 4 meetings but we can talk about that over lunch I am sure.

The Deputy Greffier of the States (in the Chair):

Thank you, Deputy, yes.

LUNCHEON ADJOURNMENT PROPOSED

The Deputy Greffier of the States (in the Chair):

The Assembly stands adjourned until 2.15 p.m.

[12:53]

LUNCHEON ADJOURNMENT

[14:15]

The Deputy Greffier of the States (in the Chair):

Just before the midday adjournment the chair of the Economic and International Affairs Scrutiny Panel had asked for the Draft Unlawful Public Entertainments Regulations to be referred to his panel, and I believe, Deputy Tadier, we are awaiting your proposition as to the dates on which the debate should be listed to resume.

Deputy M. Tadier:

I consulted with the panel over lunch and I also managed to speak relatively briefly to the Minister, and we have agreed that we can come back ... we think we can do the amount of work required by the sitting of 16th July so it would not put anyone in a difficult position of not having any regulations in place.

The Deputy Greffier of the States (in the Chair):

So that is a proposition for the debate to resume on 16th July. Is that proposition seconded? **[Seconded]** Does any Member wish to speak? Those Members in favour kindly show. Those Members against?

Deputy M. Tadier:

Does it go to a proposition normally?

The Deputy Greffier of the States (in the Chair):

Well, the States decide and that is how the Assembly has decided in this instance, but I think that is a clear indication of support for your proposition, Deputy, and so the debate on the regulations will be listed to resume for 16th July.

9. Draft Income Support Law and Regulations (Jersey) Amendment Regulations 202-(P.25/2024)

The Deputy Greffier of the States (in the Chair):

The next item of Public Business is the Draft Income Support Law and Regulations (Jersey) Amendment Regulations 202-, P.25 of 2024, lodged by the Minister for Social Security and for which the main respondent is the Chair of the Health and Social Security Scrutiny Panel. I ask the Greffier to read the citation.

The Assistant Greffier of the States:

Draft Income Support Law and Regulations (Jersey) Amendment Regulations 202-. The States make these regulations under Articles 5(4), (5) and (7) and 18 of the Income Support (Jersey) Law 2007.

9.1 Deputy L.V. Feltham (The Minister for Social Security):

I am pleased to be able to bring these regulations to the Assembly today, not least of all because it is the first time I am doing so as Minister for Social Security. This legislation represents the final stage of a long running project but also, importantly, a step towards breaking down barriers so that people have a more realistic choice about where they receive their care. This Government is committed to

supporting people that need care to be able to stay in their own home as long as possible in order that they can be closer to their family, friends and the wider community. If approved, these regulations will update income support legislation to introduce a new ancillary home care costs component, which will be available to anyone with an income support claim who is receiving care via the Long Term Care Scheme. This new component will provide support for both older Islanders and young adults. For example, a young person receiving long-term care who continues to live in the family home and who is able to make an income support claim in their own right will be eligible for the new component. In addition the new component will increase the total value of income support available to eligible households. In some cases where household income is just on the cusp of income support, this may mean that the household starts to receive income support for the first time. This additional support will initially help over 260 families for the payment of £30 per week to assist with the extra costs they face because of care being provided at home. This could be for things like higher utility costs for using their water and heating more, replacing damaged or worn clothing, or purchasing specialist consumables. Most people who receive a care package in their own home will also be supported by informal family carers. I would like to express my gratitude and appreciation to these carers who fulfil a vital role within our community. This new benefit runs alongside the support that is already available to informal carers and is designed to provide some extra weekly household budget to meet the extra domestic costs which these households often face. I would like to thank the previous Ministers for Social Security, the then Deputy Martin and more recently Deputy Millar, who started and progressed this important project; and the families that engaged with my officers to give them a better understanding of the cost pressures faced by families delivering care at home. If the Assembly agrees to adopt these proposals over 260 families will immediately see the benefit of extra money in their household budget - a little over £1,500 over the course of a year - and the new component will of course be available to anyone who is receiving income support that requires long term care in the future. This is a good start in extending support to people that require care and their carers, and I am confident that this additional support will make a meaningful difference and assist with additional costs that these households face. As an income support component it will be adjusted in line with other components when they are increased, and I am also committed to ensuring that the benefit be reviewed to ensure that it is having the impact I hope it will have. I will be glad to answer any questions that Members may have and I propose the principles.

The Deputy Bailiff:

Are the principles seconded? **[Seconded]**

9.1.1 Deputy H. Miles:

First of all I would like to declare that I have a conflict in that a close family member is part of the legacy cohort mentioned in the penultimate paragraph, page 4 of the Minister's report, although he will not benefit financially by this amendment at this time. While I applaud the Minister for developing the extra benefit which will support people already in receipt of long-term care, I do not believe that this goes anywhere near addressing the needs and covering the costs of young people transitioning from school at the age of 18 and moving from Children's Services into Adult Services. Currently a person claiming income support who is assessed as eligible to receive the impairment component has an extra £190 per week. If a person chooses to access long-term care that impairment component moves to the long-term care budget and their income reduces accordingly to £130 per week. If that person is living in the family home, cared for by parents who cannot be preferred providers of care, none of that long-term care budget comes back to the household unless it is purchased from a care provider and delivered outside of the home. Also, a person living in the family home is not entitled to a rental component of income support. So this benefit will increase household budgets by only £30.03 per week, but that will leave some families £160 short of what they are accustomed to receiving when nothing has changed in the household circumstances except that the child is no longer at school. On page 4 of the report the Minister refers to 2 legacy cohorts who are

subject to slightly different funding arrangements. It states that separate arrangements will be established via order. I am confused by this currently because that is the Minister for Health and Social Service's budget and he has just told us in response to my oral question that he assumes this to be the case but he does not know and he is not aware of any consultation that took place. So while I am grateful that this will allegedly be available and there will be no additional cost to those groups, it raises the question about how the new people coming through the system are going to access a short break service outside of the home. Long-term care is a choice but there will not be much of a choice if a person transitions from school to a short break service. Either the parents will have to pay or opt for long-term care, instantly losing £160 per week as part of the transition to long-term care being replaced with this benefit of £30.03. I would also be interested to hear more about the consultation process. I note in the report that the Minister refers to fieldwork. In preparation for this debate I have met with officers from Social Security and Health who confirmed that there had been no consultation with interested charities, Autism Jersey, Mencap or Enable, and I have also pointed out that there was no public consultation and that my family and other families who are in a similar situation had not been given the opportunity to comment. This is because the list given to officers at Social Security comprised only those cases at Adult Social Services who are open to social services, i.e. those that have a social worker. Many adult children in this bracket do not have a social worker. We are one of those families and, therefore, we were not able to contribute to the consultation or the fieldwork of this proposition. So I find myself between a rock and a hard place. My family circumstances will not change, which is very positive, providing the commitment given by the Minister is honoured by the Minister for Health and Social Services, and I hope will continue to fund in the same way until such a time as our family member is able to move out of the home into a package that will cost the States of Jersey in excess of £120,000 per year; considerably more than the component which will be lost. But for the other groups I fear that transitioning out of school will make them much worse off and individual needs may not be met appropriately. In particular I am concerned that they may feel pressurised to move into care before they are ready. I would also be interested to know whether the Minister has received any advice about discrimination issues. If you have 2 adults with similar needs being met with differing amounts of cash benefit and a different model of care, I am not sure how this creation of a 2-tier system can be equitable. I would like an undertaking from the Minister that she might speak to some of the families that will be affected adversely by the transition from income support to long-term care on these benefits. As a further question; student grants. Regulations require that funds received from long-term care are included in the calculation for awarding a grant to a student. Will this additional benefit also be included in student grant awards? If so, does the Minister think that is fair? Finally, as I said, I feel caught between a rock and a hard place. I want to support this proposition for people who are receiving long-term care and an element of income support; it will increase their budget. But there will be unintended consequences to others who will be adversely affected by this change of regulations and future policy. The £30, as I have said, will provide benefit to many families but not all. In view of my conflict, and because I am caught between a rock and a hard place, I think I am going to be abstaining from this vote today.

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

A number of interesting points there raised by the previous speaker and I am sure the Minister will hopefully be able to answer those. I have been involved in this project myself and I do know of quite a lot of contact with families. Having spent some time myself as a carer for my father at home in his last weeks, and having met many unpaid carers while doing community work, it has been a priority of mine to improve the lot of unpaid carers. Last year I drafted a proposition for more financial support for carers, but then I withdrew that proposition because I learned that there was already work underway on this matter, and that is the work that has led to this amendment today. I would like to thank the previous Minister for Social Security, Deputy Millar, and the present Minister, Deputy Feltham, who have met with me, who were happy for me to meet with the officer leading this project

numerous times, including with leaders of care organisations, including with other Deputies such as Deputy Barbara Ward, who was also keen to see more support for carers. I applaud these Ministers for being open with Back-Benchers and working with them.

[14:30]

I also appreciate the time given to me by the carers I have met and the caring organisations. It is good to see in this amendment some recognition of the cost involved in caring for someone at home. Without unpaid carers our social care system would collapse. Unpaid carers should be recognised for the invaluable contribution to society that they make. While caring for a family member may be a fulfilling experience, carers still need support and this amendment will assist those carers most in need. I would like to see carer well-being always kept central to any plans around social care and health policy, and I see this amendment as a step in the right direction and will be happy to support it.

9.1.3 Deputy M.R. Ferey of St. Saviour:

I support these regulations as this project has been a long time in the gestation and it is good to see it finally coming to fruition. When Deputy Millar and I - when she was Minister for Social Security - met with carers groups they always highlighted a desire for more financial support and expressed a need to provide targeted support for the additional costs that were associated with being a carer, and the additional costs that both the cared for person and their families face. This is why I am keen that this matter progresses. The component is aimed at providing additional financial support associated with care being delivered at home and the extra cost of things like utilities, consumables, clothing and other items, including wear and tear. This new component fulfils that financial need as it will provide £30.03 per week in additional support for around 265 families or individuals who are in receipt of income support and receiving their care from the Long Term Care Scheme. I am also glad that once implemented this new benefit will be reviewed after 2 years to ensure that it is meeting its brief. It is good to see a recognition that the overall aim of this legislation is to remove the potential financial barrier to the delivery of long-term care packages in the home, and demonstrates support for the important role played by information carers. The addition of this new component will increase the total value of income support available to eligible households. In some cases where household income is just on the cusp of the income support eligibility, the new component may mean that the household starts to receive income support for the first time. As the Minister said in her speech, it is important to note that there are some young adults who have income support claims in their own right and are living at home receiving long-term care, so it is not just for income support households. These young adults might be living with parents who do not receive income support, so we are widening the scope of the benefit. If the aim of enabling more people to stay at home longer is achieved it is hoped that we will see in time a reduction in spend from the Long Term Care Fund. Residential packages are more expensive than domiciliary care; on average approximately £15,000 per year more. If the scheme results in one in 5 low income families maintaining a home care package for an extra 6 months before needing to move to a care home setting the savings to the Long Term Care Scheme in terms of care costs would be around £375,000 in that same period, which would be a significant contribution towards covering the cost of this new component. This change in legislation is supported by existing Government planned funding of £550,000. So for all these reasons I will be supporting these regulations.

The Deputy Bailiff:

Does any other Member wish to speak on these regulations? I call on the Minister to reply.

9.1.4 Deputy L.V. Feltham:

I would like to firstly thank Deputy Miles for raising her concerns about a subject that I know is very close to her heart, and I would be more than happy to meet with the Deputy to discuss her concerns

and also how we can make further improvements to the services available and income support and care packages as we move forward. During her speech the Deputy did mention the consultation process. I am aware that consultation happened over an extraordinarily long period of time, partly due to COVID. The reason why I do know that is I was an officer working at C.L.S. (Customer and Local Services) and received the reports from the officer that was undertaking the consultation. The reason that it was elongated during COVID is because the officer took a lot of time to go and meet with people in their homes, and unfortunately that was not able to happen during that time. Also, as Deputy Ferey mentioned, previous Ministers had done consultation with the organisations involved. I have come along to this as Minister fairly late in the piece but I am very happy to bring these regulations, and I was happy when I took office that they were in the place they were in so I could bring them today and make a real difference to people. I would like to make the point again to Deputy Miles' points that this is just a step in the right direction; it is not the final solution. There is lots of work that we can continue to do as Government and the question around the legacy cohort and the care costs currently being paid by H.C.S., it is my understanding that they will be paid by L.T.C. (long-term care) into the future and that my officers are working with officers in Health to look at how that is going to be administered into the future. Thank you to Deputy Curtis as well. I know again this is something that is dear to Deputy Curtis and she does a lot of work in relation to support for carers. I hope to continue to work with Deputy Curtis, Deputy Miles, Deputy Ward I am looking at as well, and Members across the Assembly so that we can really continue to improve the offering to families who are caring for their loved ones. I think that is all I have got to say so I maintain the principles and call for the appel.

The Deputy Bailiff:

Deputy Miles, you have a point you wanted to raise?

Deputy H. Miles:

I just wanted to raise in my speech I did ask the Minister to consider whether she had had any advice over the discriminatory aspects of this legislation.

The Deputy Bailiff:

Do you want to respond to that?

Deputy L.V. Feltham:

It is my understanding that the Deputy met with my officers late last week. I got advised of that meeting I think on Thursday and it was the intention to get further advice on some of the issues that she had raised, but officers did not raise anything of specific concern in line with the regulations being proposed today.

The Deputy Bailiff:

Thank you. The appel has been called for. Members are now voting on the principles. Members are invited to return to their seats and I ask the Greffier to open the voting. If all Members have now cast their votes I ask the Greffier to close the voting. The principles have been adopted: 40 votes pour, no votes contre, and 2 abstentions.

POUR: 40		CONTRE: 0		ABSTAIN: 2
Connétable of St. Helier				Deputy D.J. Warr
Connétable of St. Brelade				Deputy H.M. Miles
Connétable of Trinity				
Connétable of St. Peter				
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 K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy S.Y. Mézec				
Deputy P.F.C. Ozouf				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B.de S.V.M. Porée				
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				

The Deputy Greffier of the States:

Those Members abstaining: Deputies Warr and Miles.

The Deputy Bailiff:

Deputy Renouf, does the Health and Social Security Panel wish to scrutinise this matter? In the absence of Deputy Doublet I am asking you.

Deputy J. Renouf (Vice-Chair, Health and Social Security Panel):

No, Sir.

The Deputy Bailiff:

Minister, how do you wish to propose the regulations?

9.2 Deputy L.V. Feltham:

En bloc please.

The Deputy Bailiff:

Are the regulations seconded? **[Seconded]** Does any Member wish to speak on the regulations in Second Reading? Those in favour of adopting the regulations kindly show. Thank you very much, regulations are adopted in Second Reading. Minister, do you wish to propose the matter in Third Reading?

Deputy L.V. Feltham:

Yes, Sir.

The Deputy Bailiff:

Are the regulations as adopted seconded? **[Seconded]** Does any Member wish to speak in Third Reading? Those in favour of adopting the regulations kindly show. Thank you very much, the regulations are adopted in Third Reading.

10. States of Jersey Development Company Limited: New Articles of Association (P.26/2024)

The Deputy Bailiff:

The next item is the States of Jersey Development Company Limited: New Articles of Association, P.26, lodged by the Minister for Treasury and Resources. The main respondent is the chair of the Corporate Services Scrutiny Panel. 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 approve the new Articles of Association of the States of Jersey Development Company Limited, S.o.J.D.C., as set out in the attached appendix.

10.1 Deputy E. Millar of St. John, St. Lawrence and Trinity (The Minister for Treasury and Resources):

Until the process of updating them began, the Articles of some of our States owned entities dated back some 18 years, and S.o.J.D.C.'s current Articles are approximately 14 years old. In that period corporate governance standards have improved, the U.K. Corporate Governance Code was published in 2018, and our own Jersey Companies Law has been amended to reflect best practice standards and modern ways of working. It was for this reason that after the implementation of the new memoranda of understanding with the wholly-owned S.O.E.s (States-owned entities) work began on drafting and agreeing new Articles of Association with these entities. The benefits are obvious in terms of ensuring consistency of approach between the States-owned entities as well as being aligned with modern governance standards. New Articles of Jersey Post, Jersey Telecom, Ports of Jersey and Andium have already been adopted, but the current Articles of S.o.J.D.C. require changes to be approved by the Assembly, hence the reason for bringing this proposition. I am grateful to the Corporate Services Scrutiny Panel for their comments which indicate broadly their support for the proposition, and I am also grateful for their time in scrutinising these new Articles. I have submitted - admittedly only yesterday in timescales - a comments paper of my own responding to the panel, which I hope has been sufficient in addressing the areas where the panel raised questions. If I can assist further in my summing up I will do so. In concluding, I draw Members' attention to the report, my comments responding to Scrutiny, and the fact that the Articles of a company are simply no more than the internal rulebook for how a company and its board operates, and the relationships between

shareholders and between directors. Policy matters, a company's objectives and strategic aims are dealt with separately in, for example, the memoranda of understanding, ministerial policies, and indeed decisions of this Assembly. I make the proposition.

The Deputy Bailiff:

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

10.1.1 Deputy H. Miles:

I rise to speak in my capacity as the chair of the Corporate Services Scrutiny Panel. I am just going to talk very briefly for Members that have not read the comments paper, and I thank the Minister for providing her comments very late - due to us, not due to the Minister. The panel scrutinised the proposed new Articles of Association for both Andium Homes and the States of Jersey Development Company, and the Minister of Treasury and Resources acknowledged within her report that the new Articles of Association reflect substantive similarity to those of Andium. On that basis the panel compared the new Articles for Andium with those proposed for the States of Jersey Development Company, and also cross-referenced them with provisions within the relevant memoranda of understanding. From an observation perspective we want to highlight, with reference to the observation made within our comments regarding Article 5, that on further reflection we understand that to be a contradiction that has been resolved with the updated memoranda of understanding. Thus, paragraph 14 of the panel's comments should be disregarded, and this has been confirmed by the Minister. It is the panel's view that fundamentally the proposals intend to modernise the governance frameworks across the States-owned entities and we have observed that the new Articles of Association are in a standard format which appears to be the approach followed to achieve consistency across the States-owned entities. We did observe, however, that because a standard format had been used and the Articles of Association had not been tailored to each company's specific operational environment, objectives and needs, that in practical terms propositions in the proposed new Articles of Association for the S.o.J.D.C. are effectively redundant.

[14:45]

Nonetheless, the panel does not consider the proposed new Articles to be inappropriate and it is our view that the memoranda of understanding is more important for ensuring that the company's provisions are adequately positioned for clarity and proper governance. The panel highlighted some areas of concern and I thank the Minister for the clarity regarding those Articles in particular. We were particularly concerned with the Article around remuneration of directors and officers where the provisions were maybe not clear. The Minister confirms in her comments that the States of Jersey Development Company is obliged by the memoranda of understanding to comply with the principles of the 2018 U.K. Corporate Governance Code regarding remuneration. The panel highlighted further concerns relating to the issuance, alteration and repurchase of shares, including the specific circumstances under which shares are issued and how the actions will be managed to ensure that they align with the strategic objectives and public interest. I am again grateful to the Minister for confirming that although the panel's observation is valid, that no unissued shares are present and all issued shares are, ultimately, held by the States of Jersey. The Minister confirms that the issuing of any additional shares would only be possible by special resolution, which would be a shareholder decision and the Minister confirms that she is satisfied that the M.o.U. (Memorandum of Understanding) has sufficient controls and the power to direct for proper governance. The panel is appreciative of the clarity received from the Minister for Treasury and Resources in respect of concerns raised within their comments paper. Taking the Minister's comments into consideration, the panel is supportive of the proposition, particularly as the Minister confirmed she is satisfied that the M.o.U. from the States of Jersey Development Company has the appropriate controls for proper governance of the entity.

10.1.2 Deputy I. Gardiner:

I am grateful for the chair of the Scrutiny Panel for raising various concerns. I would like to address ... it is connected to we have now Articles of Association, we will have M.o.U. in place, would the Minister in her closing speech advise if she has plans to do a strategic review to satisfy herself that S.o.J.D.C. are meeting objectives set by the Government and the States Assembly in 2011? This review has been suggested 5 years ago and it has not taken place.

The Deputy Bailiff:

Thank you, Deputy. I call upon the Minister ... Minister, do you want to ...

Deputy E. Millar:

Yes, Sir. I am not sure really what more I can add. I am ...

The Deputy Bailiff:

Is this your speech in reply or you wanted to say something else? This is your speech.

Deputy E. Millar:

Deputy Gardiner's comment ...

The Deputy Bailiff:

Is this your speech in reply because I need to make sure no one else wants to speak?

Deputy E. Millar:

Yes, my summing up or ...

The Deputy Bailiff:

All right, so no one else wants to speak.

Deputy E. Millar:

Sorry.

The Deputy Bailiff:

I thought you wanted to ask for a point of clarification but if no one else wants to speak, then I call upon you to reply, Minister. [Laughter]

10.1.3 Deputy E. Millar:

I do apologise, I was assuming that nobody else wanted to speak and I was being pre-emptive, so I do apologise. I suppose the thing I would really like to emphasise in summing up is that I have looked at countless Articles in my career and there is really generally no more boring document than a set of Articles. They are just really how a company operates and it is very easy to look at a document like a set of Articles and assume there is some nefarious purpose, and there is none. This is simply about ensuring that the company operates effectively, that it has answers to what it does in terms of giving notices of meetings, how resolutions are passed. I think a reduction just challenges the suggestion that some Articles are redundant because there are in fact 2 shareholders because the shares are held by 2 entities on my behalf as nominees. But in the end it is really neither here nor there whether the Articles suggest meetings of multiple members. This is just what Articles look like and there really is no ulterior motive, other than trying to get a consistent position. I believe all the Articles ... we asked legal advisers for a standard set, modern standard set of company Articles. There was some degree of tailoring for some of them, some of the entities, the States-owned entities, so there may be some differences between them. The place to set objectives is not within Articles; Articles can only be enforced, I believe, among shareholders themselves. The Articles are not the place to get concerned about. I do not think the directors would be insane enough to try and give

themselves a massive pay rise if they consent, nor would they be insane ... it is inconceivable that directors would issue shares in the context of a States-owned company. It is simply, to my mind, inconceivable that a board of directors would issue shares to a third party without consent. I really just would emphasise there is nothing unusual in this document, other than the fact that it is States-owned companies that are at issue. As regards we have said we will be reviewing the Memorandum of Understanding later this year. It was adopted in 2022. I think our view is that those would be reviewed every 3 years, so we will start a review later on this year. Deputy Gardiner said that there had not been a strategic review since 2011, in which case I then have to share some of the frustration of the Minister for Sustainable Economic Development this morning, if it has not happened since 2011. When we had the new chair I said I would meet with her. We will continue to look at what the States of Jersey Development Company are doing, how they do it and to make sure that they are delivering what we want them to do. I make the proposition.

The Deputy Bailiff:

Those in favour of adopting the proposition, kindly show. The appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. I can announce that the proposition has been adopted unanimously: 45 votes pour.

POUR: 45		CONTRE: 0		ABSTAIN: 0
Connétable of St. Helier				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
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 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 S.Y. Mézec				
Deputy P.F.C. Ozouf				
Deputy Sir P.M. Bailhache				
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				

11. Draft Social Security Law (Jersey) Amendment Regulations 202- (P.27/2024)

The Deputy Bailiff:

The next item is the Draft Social Security Law (Jersey) Amendment Regulations lodged by the Minister for Social Security. The main respondent is the chair of the Health and Social Security Scrutiny Panel. I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Social Security Law (Jersey) Amendment Regulations 202-. The States make these regulations under Articles 50 and 51 of the Social Security (Jersey) Law 1974.

11.1 Deputy L.V. Feltham (The Minister for Social Security):

I am pleased to be bringing this today. As other Members I am sure will be aware, I am a fan of increasing efficiency and effectiveness within the public sector. As the background to the explanatory notes to these amending regulations explain, the law was drafted at a time when an application process was an inevitability. Improvements in technology, data collection and the recent movement of the administration and collection of the contributions element of Social Security to Revenue Jersey mean that this is no longer the case. Instead the statutory requirements for applications now pose an unnecessary obstacle to Islanders, particularly at times when they may be dealing with new caring responsibilities, bereavement, loss of work or income. It cannot be right that the law says where a person is entitled to help and where we are aware of it, officers are prevented from acting until unnecessary administrative processes are completed. These regulations simply remove the blanket requirement in the law for an application to be completed. I will then be able to make the changes required to the relevant Ministerial orders to allow me to introduce practical improvements for Islanders. I move the principles.

The Deputy Bailiff:

Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles? Okay, so those in favour of adopting the principles, kindly show. Thank you very much. The principles are adopted. Deputy Renouf, does the Health and Social Security Scrutiny Panel wish to scrutinise this matter?

Deputy J. Renouf (Vice-Chair, Health and Social Security Scrutiny Panel):

It does not, Sir.

The Deputy Bailiff:

Thank you very much. Minister, how do you wish to propose the regulations?

11.2 Deputy L.V. Feltham:

En bloc, please.

The Deputy Bailiff:

Are the regulations seconded? **[Seconded]** Does any Member wish to speak on the regulations? Those in favour of adopting the regulations, kindly show. Thank you very much. The regulations are adopted in Second Reading. Minister, do you wish to propose the regulations as adopted in Third Reading?

Deputy L.V. Feltham:

Yes, Sir.

The Deputy Bailiff:

Are the regulations seconded in Third Reading? **[Seconded]** Does any Member wish to speak on the regulations as adopted? Those in favour of the regulations ... the appel has been called for. I invite Members to return to their seats. I invite the Greffier to open the voting. If all Members had the chance of casting their votes, I ask the Greffier to close the voting. I can announce that the regulations have been adopted unanimously in Third Reading` : 43 votes pour.

POUR: 43		CONTRE: 0		ABSTAIN: 0
Connétable of St. Helier				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
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 S.G. Luce				
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 S.Y. Mézec				
Deputy P.F.C. Ozouf				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B.de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
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				

12. Youth Service Statutory Provision (P.28/2024)

The Deputy Bailiff:

The next item is Youth Service Statutory Provision, P.28, lodged by Deputy Kovacs and the main respondent is the Minister for Children and Families. Deputy Kovacs, there is an amendment to your proposition from the Minister, do you accept the amendment?

Deputy R.S. Kovacs of St. Saviour:

Yes, Sir.

The Deputy Bailiff:

Are Members content for the proposition to be read as amended? Thank you. I invite 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 Children and Families to undertake an evaluation with input from, but not limited to, young people, the Youth Service and Parishes, to consider the benefits and disbenefits of making the Youth Service a statutory

service under the Minister or his successor in title and enshrined in the Education (Jersey) Law 1999 or other legislation as appropriate and to take the necessary steps to ensure that the results of the evaluation inform any proposals put forward for consideration by the Assembly by the end of March 2026.

The Deputy Bailiff:

Is that the accurate way of reading the proposition, Greffier, because the Minister's amended document has a few additional words at the end, if you look at his amendment?

Deputy M.R. Ferey:

Sir, I believe "if required" were the 2 extra words that should be at the end of that sentence.

The Deputy Bailiff:

Yes. The Greffier will read the proposition as amended again.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion to request the Minister for Children and Families to undertake an evaluation with input from, but not limited to, young people, the Youth Service and Parishes, to consider the benefits and disbenefits of making the Youth Service a statutory service under the Minister or his successor in title and enshrined in the Education (Jersey) Law 1999 or other legislation as appropriate and to take the necessary steps to ensure that the results of the evaluation are brought back to the Assembly by the end of March 2026, with the funding of any actions identified for implementation to be included in the 2027 Government Plan, if required.

Deputy L.K.F. Stephenson:

Sir, before we start I wonder if I could just declare that I sit on the committee of St. Ouen's Youth Club. I do not believe it is a direct financial interest but I would like it on the record, please.

The Deputy Bailiff:

Thank you very much.

Deputy H. Miles:

Likewise, I sit on the committee of St. Brelade's Youth Project.

The Deputy Bailiff:

Thank you very much. Any more declarations?

Deputy I. Gardiner:

I am sitting as *ex-officio* for La Pouquelaye and First Tower Youth Project.

The Deputy Bailiff:

Thank you very much.

Connétable R.P. Vibert of St. Peter:

Likewise, I sit on the committee of St. Peter's Youth Club.

The Deputy Bailiff:

One at a time, you will all get your chance.

The Connétable of St. Martin:

I sit on the committee of Maufant Youth Project.

Connétable M. Labey of Grouville:

I sit on the Gorey Youth Club Committee.

The Connétable of St. Brelade:

I am on the St. Brelade's Youth Project Committee

The Deputy Bailiff:

Are there any other declarations?

12.1 Deputy R.S. Kovacs:

I am also sitting on the Maufant Centre Committee. I want to express my gratitude to the Minister and Assistant Minister for Children and Families for reconsidering their positions since our initial discussion on this proposal and for collaborating with the Greffier and me to reach a compromise on the wording of the amendment.

[15:00]

This demonstrates that we all have the best interest of the Youth Service at heart and it is beneficial to identify any potential negative outcomes early on to prevent uncertainty. My proposal aims to make the Jersey Youth Service a legal requirement to ensure it is continuity, despite changes in Government priorities that could come. It seeks to protect existing youth services and their funding without altering ownership or the current network of youth clubs in the Parishes. The Youth Service in Jersey is highly valuable, also empowering young people through different initiatives, like the Jersey Youth Parliament, Jersey Youth Assembly, Multilingual Learners Programme, the Youth Enquiry Service and others. The statistics outlined in there on our review of 2023 demonstrate considerable dedication, achievement and commitment of staff, translating to positive engagement of the Island's young people in various imaginative ways, giving them broader life experiences during a formative time. Over 3,300 young people benefited from the services in 2023 and there were over 52,000 project sessions attended. This essential work has proven to be effective in guiding young people away from troubles, in some cases preventing the need for more complex services to be involved in the future. The National Youth Agency collaborated with the U.K. Government to make youth services mandatory for all local authorities. This agency pointed out that youth services had been shut down in the U.K. to save money and some local authorities and decision-makers did not consider youth clubs and other services valuable enough. We cannot know that this could not also happen in Jersey at any point in the future. Therefore, providing legal protection for the services can effectively safeguard against such an outcome. The Children and Young People Plan 2019-2023 outlined 4 outcomes: all children in Jersey should grow up safely, learn and achieve, live healthy lives and be valued and involved. Making the Youth Service a legal requirement aligns with these outcomes and provides structure and safe spaces for children and young people. Chapter 13 of the Independent Jersey Care Inquiry report recommends the introduction of legislation to protect vulnerable children and young people saying: "The principle of the paramountcy of the child's welfare is long established in children's legislation and lip service seems to be given to this by the States of Jersey. If the failings of the past are to be avoided, it is essential that these matters are given a prominent position in the legislative process, to ensure that the interests, safety and well-being of children have the most modern legislative backing." On contacting briefly the Children's Commissioner's office regarding this proposal, they responded that although not having the time to consider in detail my proposition, as a matter of principle the office is supportive of measures to finally incorporate the rights of children into Jersey law. Such actions are in line with the general measures of implementations of the United Nations Convention on the Rights of the Child, as set out in Article 4, and contribute to the progressive realisation of children's rights on the Island. Next I want to briefly answer the questions raised by the Minister in the comments paper from my proposition perspective, to highlight it is not as complex as it is made to look. What are the benefits

of the Youth Service becoming a statutory service? It will protect its future existence in law, better safeguarding the service and its budget. What are the disadvantages of the Youth Service becoming a statutory service? At this point in the format I have proposed, I do not see any harm that could occur but acceptance of evaluation would clear any doubt about it. What will this mean in practice? In practice there does not need to be any changes in the law, the change can be as simple as referencing the existence of the legislation or as complex as the Minister desires. However, my proposition is intended to protect the future of the Youth Service by mentioning its necessity in the law, without creating a separate body, unless that is the intention of the Minister. What will statutory status seek to protect that is of value? The existence of this valuable service and funding for it in the future, no matter how priorities of different incoming Governments would change in this matter. What impact will there be on funding with this proposition? Unless decided by the Minister and expanding on services, it should not change and its current funding system and the valuable contribution that Parishes and the existing charities also bring to the service should remain the same. Will this change the relationship between the Youth Service and the Parishes if the service is statutory? The fact that the Minister in charge of directing the wording of such law is a Connétable as well, doing a great job for the Youth Service in his Parish, can also give reassurance to the Parishes that the best interest of their Parish services would be kept in mind when drafting the wording of such law. Are there any examples of a transition to a statutory service that can be understood from both the U.K. and other jurisdictions? I want to clarify again that I am asking for a statutory service and not statutory body, which except they mention in law should not require anything else changing practice, unless the Minister wishes so, therefore, the transition should be just at policy level. What is the outcome the Youth Service is trying to achieve for young people and the wider community change should the Youth Service become a statutory service? There is no requirement to change the services current plans, it is just the requirement of its existence in law should not change its existing activity. What do current funders and stakeholders think about any potential changes? I have spoken with a few representatives of the youth services in different Parishes and I am also a committee member, as mentioned, of the Maufant Youth Centre and shared my proposition with them. Everyone that I have spoken to about it from the service are seeing it as a positive action, welcome the protection of its future in law and they are happy with the system it currently operates in. How do we involve children and young people in any consultation on their service? The statistics referred to from the Jersey Youth Service Annual Report 2023 showed a large volume of users and high interest of our youngsters attending these services. Once the scoping document for the evaluation is ready, a plan can be made to ask the children and young people attending relevant questions on this. From my point of view it should not be a very extensive exercise to have this evaluation done. I have agreed to the amendment that also requests an evaluation of any potential and intended consequences before any changes in the law are made, as neither of us would want to cause harm in any way inadvertently. It also reassures me that, as a trustee of the Maufant Youth Centre, I will be involved in this evaluation process and be kept informed of its progress. However, as explained, I fail to see how the proposition I presented could negatively impact in its current format. Additionally, I hope that we can receive the evaluation results sooner than the allocated time, as realistically the evaluation should take much less time than stated. Therefore, while the evaluation is completed, I expect the proposition to be brought into law before the end of our political term, if the outcome demonstrates that it will not harm the Jersey Youth Service or if the benefits outweigh any potential negative impact, which could be easily addressed to safeguard it. The services play a critical role in guiding young people and providing them with essential support and opportunities. It is imperative for this Assembly to acknowledge the importance of the Jersey Youth Service and to continue supporting and protecting their future in every possible way. Sir, I now make the proposition.

The Deputy Bailiff:

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

12.1.1 Deputy M.R. Ferey:

Firstly, I welcome this proposition by Deputy Kovacs, as it provides a focus on our Island's Youth Service, which, as the Deputy highlights in her proposition and I quote: "Is a hidden gem." Also, thank you to the Deputy for accepting our amendment to her original proposition, as it demonstrates that, ultimately, we all want what is best for our Jersey Youth Service. Jersey has a Youth Service that is outstanding and over many years has developed and grown. Some recent celebrations of the service have been that we launched the new Youth Work Curriculum earlier this year. In 2024 the service has worked with 35 per cent of the Island's 10 to 16 year-olds. The services got a development of an on-Island apprenticeship scheme to develop and grow local youth workers. Working in partnership with Skills Jersey we provide programmes to support young people who are not in education, employment or training. We also have the development of a new multilingual youth project and recently we have 9 students who are studying towards a degree in youth work from Wrexham University on placement within our Youth Service locally. The list could go on but my point is that our Island Youth Service is the envy of many local authorities in the U.K., as unfortunately in the U.K. many youth services and youth centres have closed due to funding cuts. This is not the case here in Jersey. We continue to invest in our Youth Service so that it provides the correct level to meet the needs of our children and our young people between the ages of 8 and 15. Also, the offer that the Youth Service delivers, such as engaging young people in positive activities, creates savings in other areas, such as policing and criminal justice. Preventing young people from engaging in negative activities and keeping our youth offending low is important for us as a society. While delivering this speech, I would like to take this opportunity to thank the 12 Parishes and their Connétables for the investment that they make towards the local youth clubs. Parish partnership started back in 1996 with the first being the Parish of St. Peter and the funds are important to support the employment of youth workers based in the relevant Parishes. I know from the conversations within the Youth Service leadership team that relationships with the Parishes is not just about money, it is also about access to Parish buildings, the Parish youth club, providing a safe space for children and young people to meet with their friends and encouraging young people to be part of Parish events and provide a voice for young people at Parish level is extremely important. It is for all these reasons that the Minister for Children and Families and the Council of Ministers advise fellow Assembly Members to be cautious when considering Deputy Kovacs' proposition. I thank, again, the Deputy for accepting the amendment to her proposition. On an initial review and a brief assessment of the proposition, it may appear, if adopted, to be a force for good to strengthen the service further. However, a note of care should be exercised to ensure that the adoption of the proposition does not lead to unintended consequences for the Youth Service, which have yet to be considered or appreciated. It is, therefore, proposed through this amendment to the original proposition that an evaluation is carried out to the efficacy of Deputy Kovacs' proposition, to fully understand the implications of placing the Youth Service on a statutory footing and answer the many questions within the amendment paper. I know that the Deputy has already attempted to answer some of those questions in her opening speech but the evaluation would provide time and space for consultation to take place with key stakeholders, such as Parishes, youth project charity committees and young people to have a voice and for the staff engagement to be undertaken, so that all parties can look at the advantages and disadvantages of the proposal. But I have already asked C.Y.P.E.S. (Children, Young People, Education and Skills) officers to start to prepare an evaluation scoping document. Within the amendment I have highlighted various points that they must consider as part of that work. C.Y.P.E.S. officers and I will take the necessary steps to ensure that the results of the evaluation inform any proposals put forward for consideration by this Assembly before the end of March 2026 and the funding of any actions identified for implementation will be included in the 2027 Government Plan, if required.

The Deputy Bailiff:

Thank you, Deputy. Does any other Member wish to speak on the proposition?

12.1.2 Deputy L.K.F. Stephenson:

I just want to take a couple of moments to really pay tribute and, I suppose, echo the words of both the Members that have spoken already about the Jersey Youth Service and the people who work within it and support it. The Youth Service has a very special place in my heart; it is the reason that I ended up in Jersey. I was 6 years old when we moved to the Island so that my mum could become a youth worker at Le Squez Youth Club and she went on to become the Island's principal youth worker. I grew up in youth clubs in the U.K. and then in Jersey as well and saw as a child and then as an adult kept a keen interest in all the very good work that goes on there. I think this really is an opportunity for us as an Assembly to just pay tribute to that. As I think Deputy Kovacs said in her opening, the Youth Service really does do invaluable work. I note that Deputy Ferey called it a hidden gem and I sometimes wonder why it is hidden. I do not really know the answer to that but I think it is an interesting thing to reflect on. Because it is celebrated but also I think it does have its benefits to just be allowed to continue with its work and tap into young people. Because if we want to know about what is going on with young people in our community youth workers are the first people that I would be going to speak to.

[15:15]

That is the main gist of what I would like to say. I would like to just point out that as we go forward and we consider the role of the service in a statutory point of view but also when there are projects that link to the Youth Service I would like us to bear in mind, just not forget it really as that hidden gem. I give you an example of the skatepark and the opening of the Les Quennevais Skatepark because there was a really excellent project there to provide a skatepark youth worker when it first opened. That youth worker did some really excellent work around the park and engaging young people, which I am absolutely convinced will have helped to not only reduce any instances of antisocial behaviour in that area but to engage and make important links with young people who otherwise probably would not have interacted in that way. Unfortunately, that funding was temporary and it came through Jersey Sport, I believe, at the time and a bid was previously made to make that a permanent role. I believe that that did not happen and once again I think the project has been allowed to continue or able to continue, thanks to some charity funding, so it is still in place. But I share that as an example because I think that when we are looking at building something like a skatepark it is not just an infrastructure project where you build a skatepark and then walk away from it. We have maintenance costs and I think we should be looking at how we utilise support services around projects like that as well. I would say that building in a part-time youth worker post that can help to support in those areas and use skateparks as a base to interact with our young people should be considered as part of ongoing maintenance and running costs, to be quite honest. My final point would just be to congratulate the Government on some really excellent use of language in their amendment because they have done very well to avoid the use of the word "review" and use "evaluation" instead. **[Laughter]**

12.1.3 Deputy J. Renouf:

Only a few short comments but I cannot offer the same breadth and depth of experience as Deputy Stephenson but I would echo her points that the Youth Service is indeed a terrific thing for the Island. The thing that sits behind this proposition and indeed the amendment to it that is good is that we clearly have a very strong consensus in the Assembly certainly and I would think in the Island for supporting the Youth Service. As I think Deputy Ferey made clear, that is not the case in the U.K. where the services get dropped quite quickly when under funding pressures, and I think we should be very pleased to note that we do have a functioning Youth Service here, albeit it could obviously always be improved. The point I would just make in terms of practical experience is that both my sons have used the Youth Service but my sort of own personal engagement with them as a representative in St. Brelade has been in terms of talking about behaviours down at St. Brelade, both, for example, antisocial behaviour and so on. Only yesterday the Parish Deputies in St. Brelade were

all at a meeting of stakeholders down at the bay that looked at this issue and the youth workers were there. I must say that their contributions to that discussion about what could be done to improve the situation in terms of safety and reducing antisocial behaviour at St. Brelade's Bay were particularly on the money because they had taken the trouble to go and speak to the kids in their care, if you like, before the meeting and canvassed their views about things that might work and things that had not, ideas that had come up on social media. They were able to provide a very quick and dirty but, nevertheless, valuable response to some of the suggestions that come through from people who may not have thought about it that deeply. But the people who are relevant, the kids, had been asked about that by the youth workers. I think they stand as excellent advocates for the youth in the Island because they interact with them on such a good basis and such a strong basis. I think their understanding of those issues is particularly good and I think it is of huge help to Members of the Assembly, such as myself, who try and engage with those issues. As I say, my main point is I hope that we can sustain a consensus around the importance of the Youth Service and for keeping it funded and the statutory provision may go some way to cementing that.

12.1.4 The Connétable of St. Brelade:

Just briefly, and to add to the comments made by the previous speaker, in terms of St. Brelade we do do that for quite a long time. But we have the Communicare Centre which originally was financed jointly 3 ways; by the Parish, a funding trust and the Education Committee of the day. I have to say that their funding came and went and going back many years we are pleased to say that we are now in a position where there seems to be more stability from the Government side. It is one of those areas which is fundamental to what the Parish offers in terms of supporting the youth community in the Parish, in conjunction with the youth workers who are an excellent crowd and really appreciated, not only by the Parish administration but also of course the youth that they serve. The skatepark that was mentioned earlier, we were pleased to endorse and support in terms of funding to the person, shall we say, to manage it? Although I gather there is no permanence to that funding, so these are areas that we have to look to and see how that can be made, shall we say, more long term? In terms of the proposition, it has not been made clear to me what the difference will be to the Parishes and maybe in her summing up the Deputy might enlighten us what her vision is for our involvement in that as time goes on and what she envisages that we might be doing.

12.1.5 The Connétable of St. Peter:

Firstly, I would like to thank Deputy Kovacs for accepting the amendment to the proposition. I think the evaluation is a particularly important part of this proposition in that there are those unintended consequences that we may find. One of those that the Constable of St. Brelade has alluded to - and I think it is particularly important in relation to my Parish which has the longest association with the Youth Service - is that relationship with the Parishes and the funding that they provide. Also, the work that they undertake is often not seen because it may not be financial but that the Parishes take with their various youth clubs and the encouragement they give them. That is all I really want to say. I would ask Members to support the proposition and I thank Deputy Kovacs once again. Thank you very much.

12.1.6 Deputy I. Gardiner:

First of all, I would like to congratulate and thanks to Deputy Kovacs for bringing this proposition forward and also managing to work with the Ministers to find a way forward with the amendment. I know it was challenging. I am in complete support of this proposition, as it is also my manifesto commitment that the Youth Service, who has the vital job in the community, will receive statutory recognition. Hidden gem, these words is first, and several people mentioned it, and I am going back to Senator Vallois that brought the proposition to make the Youth Service statutory in the previous term but it was not enough time and I hope this term we will progress. We spoke about the Parishes which play a really important work, we spoke about the Government but we did not speak about

youth workers. The youth workers who do this work day in, day out, at night and late evenings, in the mornings. When they have been called to support a young person they are always there. I would like to thank all youth workers for contributing their time and their passion to our young people. It is important to understand that youth workers is not just who meet these young people in the evening. They are now participating in multi-agency meetings dealing with safeguard issues. They are part of the child integrated support team, they are part of the early health team, they are part of child and youth team, they are part of child protection and more. During my work as a Deputy, because I am involved with 2 youth projects and also as the Minister who had responsibility, I have had multiple conversations with youth workers, police, young people attending youth projects, headteachers, Children's Commissioner and social workers. The simple feedback is youth worker is the key person, partner and has the best rapport with the children. When teachers and some adults - us as adults - are not managing to connect and to understand and they are not trusting, the youth worker becomes this trusted adult and work for the children. All multi-agency work showed extremely great results, they are connected to the Youth Service and work with the youth workers and other professionals. Youth offences dropped only from this engagement and I had data ... I will not bring data now but it can be seen online. Regarding the amendment, I do believe that the amendment is the way forward and thank you for bringing the amendment and not rejecting the proposition. I would raise the question about, yes, to evaluate; 100 per cent we need to engage with young people but engagement with young people we have done not once and not twice, and young people telling us from the Youth Parliament and other forums that they need more activities for young people on the Island. Engagement with the Youth Service, and I am grateful that now we are ... that the Assistant Minister mentioned multilingual service. I am not sure, Assistant Minister, whether the multilingual service, which was a debate in the Assembly as an amendment for the Government Plan brought by myself that won, but it was a debate; people were not sure. We basically almost back for 2 young people to use youth workers to work, now is the project and it is working. The same happened to the inclusion youth worker, that the amendment for £70,000 needs to be brought to the Government Plan because it was almost impossible to get this funding. I am sure that the Minister for Children and Families remembers the debates that were around the Council of Ministers' table when we discussed extra 2.5 staff, which cost much less than anything that we discuss here for 5 projects on the Island, then the youth workers need to have a security that they will not need to continue to work a second job. Because with a part-time job they would need to do a second job and not dedicate their time and be involved with everything that happened before. I think that the Youth Service is pretty clear. The skatepark was another example that we tried to get the funding, funding was not available and now charity support it, which is important. Why I am bringing this? Because I believe all of us, as Members of this States Assembly, recognise and value the Youth Service. It is just a question how we value and how we make sure that they are secure and regardless what is happening in the Government, because we have seen when times are happening with the Government the funds can be slashed, regardless what is happening in the Parish because I am sure that some Parishes ... I know that some Parishes support it more than others, some Parishes put much more funds into the Youth Service than others. I think that the Parishes do amazing work and without Parishes we would not have the Youth Service and we will need Parishes. We cannot run the Youth Service without Parishes but what we need for the Youth Service is the stability.

[15:30]

I really hope that the word "evaluation", which will take 2 years, and maybe it will be possible to do it less than in 2 years, to make sure that we secure statutory and we secure the funding within this term of Government and not kick it down to 2027 when it will be the next Government and we do not know what will happen. I would encourage the Minister and the Assistant Minister to consider if this evaluation does really need to take 2 years or we can bring the time forward to ensure that one of the legacies of this Assembly of this term will be secured funding for the Youth Service. I just would like to end that, as Deputy Kovacs mentioned, it is just this additional protection and I do

believe that Parishes always, always, always will have a key role in the Youth Service. Because the Youth Service are around the Parishes, around the community and it is within the community. It just is to have this security for them.

The Deputy Bailiff:

Thank you, Deputy. Does any other Member wish to speak on the proposition? If no other Member wishes to speak, I call upon Deputy Kovacs to reply.

12.1.7 Deputy R.S. Kovacs:

Thank you to everyone speaking in the debate, for emphasising once more the incredible value and work of the services and showing why we should do anything possible not to lose it. In short, the proposal is asking to acknowledge the significance of Youth Service and secure its future through legislative measures involving Parliament, rather than possibly getting involved in an ongoing future budget conflict in the name of efficiency. All of us in this Chamber have been involved with the Youth Service in some capacity, whether by participating in a youth project, being part of a Parish youth project committee, supporting children and young people through a local youth club or having children or grandchildren who are involved. I welcome Deputy Stephenson's suggestion on linking more of the youth services with the sports, as this can only be beneficial as well. I totally agree with Deputy Gardiner that the value of the services will not be the same without the amazing youth workers and the passion of all the staff there supporting the young children and developing these services, so thank you all. We know that there was also much earlier discussion of the possibility of establishing a statutory Youth Service, even before Senator Vallois brought hers. More specifically, P.48 in 1972 which was adopted, asking the committee to make provision in 1976, the succeeding years for the development of youth work, both statutory and voluntary, in its estimates of revenue and capital expenditure. Long term in drafting the proposed Consolidated Education Act for Jersey, the committee will consider incorporating statutory provision for a service too and for youth. Then in 1975 the Education Committee undertook some actions in response to the proposition but a statutory service was not established. The Education Law 1999, as enacted in that year, was the law to consolidate and reform the law relating to education and appeared 27 years after this reference, still without the mention of a statutory provision for a service to and for youth. We can see that over time there have been several recommendations and even an old proposition passed to make the Youth Service a statutory provision but is not in place yet. We have the clear precedent that this service is being cut in the U.K. We may argue we are not the U.K. and it will not happen here but can we predict the future and what future Governments would see as important services or not? Currently the service functions on contracts signed for 3 years with each Parish. What if at the end of a 3-year cycle a decision to just not sign another one comes? This clearly indicates the need to protect the future of youth through the law. This can be, as mentioned before, as simple as a reference phrase of existence in the law or as complex as the Minister wants to make the wording of it. Therefore, yes, by all means have the clarifying evaluation to avoid any unintended consequences or find solutions for any occurring where possible. However, I would ask this to be done with a can-do attitude in mind and not delay it more than necessary. The significance of Jersey Youth Service work for our youth cannot be ignored and we should take all necessary measures to ensure its continuation by making the service statutory. I now call for the appel.

The Deputy Bailiff:

Thank you, Deputy. The appel has been called for.

Deputy L.J. Farnham:

Sir, just before the appel, I was listening earlier but I was not in the Assembly and I just wanted to declare an interest insofar as I am also a member of St. Peter's Youth Club Committee.

The Deputy Bailiff:

Thank you. The appel has been called for. I invite Members to return to their seats. I invite the Greffier to open the voting. If all Members have cast their votes, then I ask the Greffier to close the voting. The proposition has been adopted unanimously: 43 votes pour. **[Approbation]**

POUR: 43	CONTRE: 0	ABSTAIN: 0
Connétable of St. Helier		
Connétable of St. Brelade		
Connétable of Trinity		
Connétable of St. Peter		
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 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 S.Y. Mézec		
Deputy P.F.C. Ozouf		
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				

That concludes Public Business for this meeting.

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

The Deputy Bailiff:

I invite the chair of P.P.C. (Privileges and Procedures Committee) to propose arrangement of public business for future meetings. Connétable.

13. The Connétable of St. Martin (Chair, Privileges and Procedures Committee):

The next States sitting is listed for 25th June and at the moment we have 8 items listed, which are Draft Statistics and Census (Jersey) Amendment Law, P.29/2024; Jersey Employment and Discrimination Tribunal - Appointment of members, P30/2024; Cannabis: Decriminalisation of Personal Possession and Recreational Use, P.31/2024; Transfer of 2024 departmental underspend into the Stabilisation Fund, P.35/2024; Affordable and right-size housing provision on the Waterfront, P.37/2024; Fully funding education or training for all 16 to 18 year olds, P.38/2024. We also have the deferred Strategic Reserve Fund, P.22/2024. As always, please keep the rest of the week free in case these days are needed as continuation days. I make the proposition.

The Deputy Bailiff:

Is the proposition seconded? **[Seconded]** Are Members content to proceed as proposed by the chair of P.P.C.? In that case the States are now adjourned until 9.30 a.m. on 25th June.

ADJOURNMENT

[15:37]