

**WRITTEN QUESTION TO THE MINISTER FOR SOCIAL SECURITY
BY DEPUTY M.R. HIGGINS OF ST. HELIER
QUESTION SUBMITTED ON TUESDAY 6th APRIL 2021
ANSWER TO BE TABLED ON TUESDAY 13th APRIL 2021**

Question

Will the Minister advise for each year since she was appointed –

- (a) the number of times she has personally exercised her discretion under the laws she administers;
- (b) in any such case the discretion she exercised (in an anonymised form), and in what circumstances it was exercised; and
- (c) what effect any such discretion had on the person or organisation concerned?

Answer

The Minister's legal powers run across a wide range of statutory and financial areas. In any decision in which the Minister can choose to take an action or not, she will exercise discretion in her ultimate decision.

The wording of parts B and C of the question suggest that the question is drawn more narrowly than this and relates to situations in which the Minister takes a decision, using her legal powers, to provide a benefit-like payment to an individual in a discretionary manner. All of the incidents relating to payments to of this nature relate to the legal powers provided under Article 8 of the Income Support Law.

(a)

Year	Number of discretionary decisions made
2018 (from election)	9
2019	37
2020	50
2021 (to date)	9

Note in respect of 2020 and 2021, two decisions were made in each year relating to additional support for university students due to Covid19. Multiple students were covered by each decision. In all other cases each decision relates to one specific case.

(b) As noted above the power exercised by the Minister in each case is that provided by Article 8 of the Income Support Law. The circumstances leading to discretionary payments included the following situations:

- Financial support to pay repatriation costs – note a significant increase during Covid19
- Additional financial support over and above that normally provided under the Income Support scheme to university students during Covid19
- The need for additional childcare support over and above that available through the childcare components of the Income Support scheme
- The need for financial support for an individual in hospital in Jersey or in the UK for a longer period than is provided for under the Income Support scheme

- A payment under the diffuse mesothelioma scheme as set out in the Income Support Policy Guidelines
- Financial support in respect of a safeguarding issue
- Financial support to households who do not otherwise qualify for Income Support in exceptional circumstances

(c) In each case a targeted financial payment was made to address a specific issue that required urgent attention and did not fall within existing statutory benefit rules.