

STATES OF JERSEY

OFFICIAL REPORT

THURSDAY, 22nd FEBRUARY 2018

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

PUBLIC BUSINESS - resumption

1. Draft Machinery of Government (Miscellaneous Amendments) (Jersey) Law 201-(P.1/2018) - proposal to continue debate on the Articles on 20th March

The Greffier of the States (in the Chair):

We resume at the point where the chairman of the Corporate Services Scrutiny Panel was about to propose the sitting of the Assembly at which the Draft Machinery of Government Law, principles of which were agreed yesterday, would return to the Assembly.

Deputy J.A.N. Le Fondré of St. Lawrence (Chairman, Corporate Services Scrutiny Panel):

I have discussed the matter with the panel, both Corporate and the review panel. It is going to be tight but we will go for 10th April. We will do our best to get a comprehensive report to Members. What I will just say, the alternative being the 20th March, would in reality only allow if an amendment, for example, was to be forthcoming, would only allow us 2 weeks to do the work, which is certainly insufficient time, so that is why we have gone for 10th April.

1.1 Senator I.J. Gorst:

Could I amend that proposal to 20th March, and I do so with being disappointed because we know that the P.P.C. (Privileges and Procedures Committee) chairman will be proposing that the sitting in April is only for 2 days. We know that business is already growing for that sitting, as Members are lodging important propositions which should be debated. Also, because when the Scrutiny Panel wrote to me on 15th February, in that letter, as well as asking me to reconsider about having the debate on 20th March because they would have been able to do their work, they said that in relation to 20th March, although they could not commit absolutely, they said: "That being said we will naturally do our utmost to complete our review in time to contribute to the March debate." It may be that it falls to the 10th sitting but I would ask that Assembly amend that to have the debate on 20th March. It already appears that we will have to sit the following week as well, and I know that Members will be understanding if amendments need to be taken outside of the normal lodging period for amendments.

Deputy J.A.N. Le Fondré:

Can I talk to that?

The Greffier of the States (in the Chair):

Hold on a second, Deputy. That is a proposition from the Chief Minister for an alternative date, is that proposition seconded? **[Seconded]** Deputy Le Fondré, do you wish to speak?

1.1.1 Deputy J.A.N. Le Fondré:

I make the following point: the Chief Minister just made reference to amendments being taken out of time. While in certain circumstances the Assembly has accepted this, this is a fundamental change to things like the Public Finances Law. There are some issues, and this has been the concern the panel ... I think this is why the issues around trying to look at the principles properly. One cannot do this thing on the hoof. Doing something we might ... we go for 20th March and it might fall back to a different date, you need certainty to be able to plan and to look at law properly. This is a fundamental change in the workings of some key legislation that we are looking at, and therefore, at the extreme end of the argument, the Scrutiny Panel in theory could have said 26th or 23rd June,

which is completely ridiculous, I would emphasise, because you would then be into completely different panels, you would not know the views and all that type of thing. But that is the normal timeframe, that is allowed for a normal Scrutiny review. This is complicated. I emphasise that again. So 10th April is very much really the only practical date. 20th March, if a panel said: “Yes, we need to do a review”, in reality with a lodging period of 2 weeks from the legislation that is it. We have got 2 weeks to do the work. That is not sufficient time for what is a complicated and important piece of work. 10th April, I really urge Members to reject the amendment by the Chief Minister. It is the Chief Minister who set the timing on this. We are having to react to this, as Deputy Brée said, the actual legislation in its actual form is only seen ... I cannot remember the exact date, it is some time in January. The earlier assessment we had included proposals for 37 Assistant Ministers. Those have gone. So we are concerned and it is a complicated piece of legislation. It needs to be given the time, 10th April is the time we need to look at. There has been talk already to address some of the concerns that have been expressed by the panel of an amendment coming from the Chief Minister already. We have not seen it. The Chief Minister is nodding. So 4 weeks from there we do not even know what that looks like. We need to allow time to look at this. This is not something we want to do on the hoof. I ask Members to reject that proposition and go with 10th April.

1.1.2 Deputy G.P. Southern of St. Helier:

This seems to me like a complete abuse and disrespect of Scrutiny. Every Minister - and I mean every Minister and Assistant Minister - knows that they have to build enough time for Scrutiny into what they bring to this House. If we had been talking about this was lodged back in the end of October, beginning of November, that would be a different argument. But it is not. It has been lodged quite recently and without consideration of giving enough time on major issues for Scrutiny to take place, it beggars belief.

1.1.3 Deputy E.J. Noel of St. Lawrence:

I feel like I may have been unintentionally misled yesterday because we heard yesterday from the chair of the sub-panel that they only needed until 20th March to carry out a review, and that was backed up by the Constable of St. John. So I cannot see over less than a 24-hour period we have gone from 20th March to 10th April.

1.1.4 Deputy R.J. Renouf of St. Ouen:

I have to support the view of Deputy Le Fondré. It is ridiculous to ask a Scrutiny Panel to prepare a considered report on something so important as this in the time suggested by the Chief Minister. I would find myself in a position, if I was on that panel, of just being totally frustrated at not being given the adequate time to do the work. This whole proposition has been brought too late, if it is suggested that Scrutiny can simply click its fingers and come up with a considered report after evidence being taken. This is a topic that will and should interest the public and would need public participation, and I would expect the public to respond to this, and to say that it can all be done and amendments be ready within a fortnight is quite wrong. Therefore, I hope this House will give Scrutiny the proper time that it will need.

[9:45]

1.1.5 Deputy S.M. Brée of St. Clement:

First of all, I feel that I must correct Deputy Noel on something he said. The panel did not say we could get our work done by 20th March. The panel actually said that we had asked for a deferral until 20th March to the Chief Minister on 25th January. The Chief Minister has openly stated that the panel did not undertake to complete its work by that date and any inference that the panel has made such an undertaking is completely incorrect. I think really what we are looking at here is whether or not this Assembly are going to allow Scrutiny to carry out its role. This is a very, very

important draft legislation that impacts on a large number of areas. It will be difficult to complete a proper review by 10th April. It will be impossible to complete a proper review by 20th March because we have a large number of people that we still need to speak to and we would seek views from not only Members of this Assembly but also members of the public, because this does have very, very wide-ranging implications on the way in which the Civil Service is structured. The way in which budgets are transferable between ministries and the way in which ministerial government works. It is important that we are given ... I was about to say sufficient time, but I personally do not believe that 10th April is sufficient but we have to try to do our best. For the Chief Minister to infer that we had undertaken to complete our work by 20th March, once again I believe to be incorrect. We had said that is the date that we are asking for a deferral for because we felt that it would give us an opportunity to look at the bigger picture and start to take evidence. Really it is down to this Assembly obviously, as to whether or not they support the process of Scrutiny and give Scrutiny sufficient time to undertake a proper, meaningful review, which includes taking evidence, and 10th April is probably the earliest date that we could achieve anything meaningful.

1.1.6 Deputy S.Y. Mézec of St. Helier:

Just to start by stating the absolute obvious but these next few States sittings are going to be a complete mess, I am afraid, whatever decision we try to make because so much has been left until the very end of term. Scrutiny, at the moment, I think is pressured because of how much work we are having to do on several pieces of very far-reaching and important bits of legislation. I would like to say that this should be a chance to learn a lesson for future terms, although I think making that point is probably quite futile. This proposition, at its heart, is about where power in this Island lies. That is what makes it important. This is not just any other proposition. It is about who exercises what power, who is accountable for this job that we all do on behalf of the public. The Chief Minister in putting this proposition together has done precisely no consultation with the public whatsoever. So given that it is about power then I think that it is absolutely right that the Scrutiny review panel has the ability to engage with the public where the Council of Ministers has not, so we get some perspective on that, because there are several different elements to this law, not all of it needs to be taken as one block. We need to have a proper Scrutiny process. They say that it is impossible to deliver that by 20th March therefore, unfortunately, 10th April it has to be, but what a sorry state of affairs we find ourselves in. This sort of thing should have been dealt with much earlier.

1.1.7 Deputy S.M. Wickenden of St. Helier:

I think Deputy Mézec is right. There is a lot of stuff that has been put on our Order Paper at the late thing. I notice a lot of them from Reform Jersey Party as well. There are 2 levels of Scrutiny in this Assembly. There is the Scrutiny Panel that goes and looks at things and gives us their reports or comments. There is ourselves. We are talking about the Public Finances Law. We are talking about the States of Jersey Law, we are talking about the Machinery of Government, which we should all be experts in right now. We will also scrutinise this legislation and what we think about it, in our own minds, we do not just sit and wait for Scrutiny to do their work and then find out ... we look at it ourselves. I think we should be able to do this by 20th March. We have got a very busy Order Paper going on but let us get these changes decided for the next Assembly as soon as possible.

1.1.8 Deputy M. Tadier of St. Brelade:

We are being told off for bringing propositions now. So obviously a good Back-Bencher should just sit there and be quiet and not do anything. When one brings a proposition it is not normally the first resort, it is after trying to cajole Ministers for years often into action, maybe since 2002 on a living wage, for example, and they have been on the Order Paper and it is often Ministers that delay. Something of this magnitude however, as I said yesterday, has only come now in the beginning and it is outrageous to say that Scrutiny should only be allowed less than 4 weeks to scrutinise. That is

what we are talking about because of course they have got nothing else to do. We are all just sitting round twiddling our thumbs at the moment because there is nothing else coming up in the next 3 months, is there, that is going to preoccupy our minds? Completely outrageous. Something as far reaching as the changes that are being proposed by the Chief Minister I think are the most important and significant changes that came through since the introduction of ministerial government. That was certainly a longer process and had proper scrutiny and proper public consultation, for goodness sake. I mean we talk in this Assembly about needing public consultation yet these are decisions which are being pushed by the Council of Ministers. What we are being asked to do today is completely egregious. I think it is fairly unprecedented that Ministers stand up and say: "Sorry, you cannot have the 8 weeks that you are asking for" when they are allowed. They are quite within their rights and I thought that they would just come back and say: "No, we will do it in June. We will do it once the dust has settled, once we have had an election, once the public have had to vote for people who have put their colours on the mast in the arena of electoral reform, and also States reform where we have a meaningful decision." So this is a very moderate request from the chairman of the Scrutiny Panel and it has been completely hijacked. This is an example of why it needs to be scrutinised because it is about where the balance of power, it is about the potential abuses if we make the wrong decision and the unintended consequences of what happens when you give too much power, if you give any more power to the Council of Ministers, if you give any more power to the chief executive. I am not saying it is the right or wrong thing to do but these are the consequences. We cannot even allow Scrutiny to do their job now. We are having to argue for their right to do what they are supposed to be able to do. I think every States Member acting independently in this Assembly should vote for the right of Scrutiny to do its job otherwise I know that certainly if I was on the Scrutiny Panel I would think: "Why bother? What is the point of us being here?" It could mean a withdrawal of goodwill from the Scrutiny Panels which we all need in this Assembly to function properly.

1.1.9 Senator S.C. Ferguson:

It seems to me that the most urgent matter is the position of the chief executive officer of the States. Now the Chief Minister, I think he was on the ministerial side when the previous but one, Bill Ogleby, was hamstrung by the fact that he did not have the executive power to deal with other accounting officers. Now that part I think is probably urgent. But the whole thing does beg the question: why, after 6 years in the position of Chief Minister, at the last minute, the 12th minute of the 12th hour sort of thing, we suddenly get this proposition late. But basically can the Chief Minister not cut out... bring a separate proposition on all the Jersey Ministers' collective, which is what it is, it is a collective. Leave that and let us just deal with the chief executive officer. I merely throw that in as an idea because I know that - certainly those of us who have been in the States some time - the position of the chief executive officer, really he is sitting there with a position but no power. That does need to be addressed. The rest of it surely can wait until after the election.

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

The Draft Machinery of Government - P.1 - is a very, very important piece of work and for Scrutiny to scrutinise this by 10th April they are really going to have to go for it and work well into the night to get it done. But to get it done by March is really pushing it far too far. The Chief Minister always says that he supports the role of Scrutiny, could he please do so now and accept 10th April?

1.1.11 Deputy S.G. Luce of St. Martin:

I hope Members will bear with me. The United States of America have had many Presidents over the years. Some of them great, some of them not so great, some of them memorable, some of them forgettable, some have done things -, Obamacare - maybe Roosevelt with Lend-Lease, some have come up with notable quotes. Kennedy: "Ich Bin ein Berliner" and: "Think not what your country can do for you." Others, President Nixon: "There can be no whitewash at the Whitehouse." Another

of their memorable Presidents, maybe for the wrong reason, Bill Clinton said this, and it is a quote that I quite often think of. It is one that I entirely agree with: "It is the economy stupid." I think, and I have always believed that a strong economy is vital to moving forward. Because of that I tend to follow like-minded people on Twitter. Twitter is an interesting social media. In the past an event would happen, the newspaper would report it the next day, and then maybe members of the public would write in. Over the course of a number of weeks you would ascertain what public opinion was. But Twitter is something that allows people to comment immediately. Those of us who follow it, for example, something like Eurovision song contest will know, if you follow Twitter, that during the song the public are commenting instantly; before the song has finished they are making a judgment on what they think about that particular entry. Yesterday, our new chief executive spoke to the Chamber of Commerce, 270 people at that meeting, and I - because I follow people who were there - was watching the Twitter feed and while he was speaking people are commenting about how much hope, how much new ideas, how much they want to get involved. The thing that came over to me more so was #teamjersey. The people who were there yesterday wanted to engage with our new chief executive with his vision for the future. They want to be part of the partnership that he was proposing between Government, this Assembly, the public and the Island more generally. I want to be part of Team Jersey as well. I agree with Senator Ferguson when she says there are some parts of this proposition that need to be brought in immediately. I say to Members, I want to be part of Team Jersey, we should all want to be part of Team Jersey. We should try to move mountains so that in time we can get the bits we need of P.1 through before the election.

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

Regrettably I had to leave early last night due to a Parish meeting but it was half an hour early and one of the biggest issues we have had, which is P.1, I turn up this morning with a speech all ready and told: "Oh, it has gone through already." So the principles were discussed in virtually no time at all and it has gone through. Some 18 months ago I brought a vote of no confidence in the Chief Minister. One of the promises made very solemnly was that he would consult more. There has been no presentation on P.1. There has been very little consultation at a political level. I take my hat off to the new chief officer. He has been to see the P.A.C. (Public Accounts Committee), he has been to see the Chairmen's Committee, and he has also been to see the review panel on the machinery of government. He has been running around making sure that we have been informed. But I am sorry, Chief Minister, we have not seen you, we have not had the political side of things, and we need that. We need that input. I am very disheartened that such a major piece of legislation has been rushed through. The Public Accounts Committee have been producing reports for a very long time and certainly for the last 5 years we have been banging on at the same repetition reoccurring themes. We were even going to do, if time had allowed, a paper on reoccurring themes.

[10:00]

Because each report we produce has the same faults over and over and over again. P.1 is going to cure that and I am really excited but the devil is in the detail and it is the detail that takes time to examine. Now either Scrutiny be allowed to do its job and be given the time to do. The fault is not with Scrutiny, the fact that we have so little time. The fault is that P.1 should have been lodged 3 or 4 years ago when the problems were raised by the P.A.C. So the fault does not lie with Scrutiny. Please do not blame Scrutiny. Can we have the time and the resources to do our job properly?

The Greffier of the States (in the Chair):

Does any other Member wish to speak? If not, Chief Minister?

1.1.13 Senator I.J. Gorst:

I think I might have said yesterday, sitting where I sit and being asked to do this job by the Assembly I am used to being blamed for everything. Only last week, I think it was, an Islander wrote to me

about ... not the same story I was telling yesterday, about a myriad of problems that they had encountered and they said in their letter they were going to write to the chap at the top who was legally responsible for every department and every Minister. That is what they thought. We, in this Assembly, know that is not the case. That those chief officers are not legally responsible to the chief executive. Ministers are not legally responsible to the Chief Minister. Reoccurring themes. I say to the chairman of P.A.C.: “Do not lose heart, produce the report.” Reoccurring themes. A system which is dysfunctional. Read our old reports. Absolutely. But what is the one report that has galvanised action in this Assembly, and I say that ... and Deputy Mézec is shaking his head. He has sat and questioned me in his sub-panel and said the thing that was the weakest in the report that I presented was how was I going to change culture and structure of the Civil Service. They had a special hearing with officials and they met with officials, because they were dissatisfied with what was in the published formal report. I alluded then that there was, and there needed to be, a transformation and a change in the structure. I am happy to take the criticism, I am happy to be blamed that I should have done it earlier, that it should have happened 3 or 4 years ago, but many Members yesterday in the debate said ... you know what, they changed their mind, they got fed up with the structure not serving the public. I wrote to Deputy Mézec’s Scrutiny Panel, the chairman of P.P.C. and the chairman or the president of the Scrutiny Panel - as I said yesterday, I got the date wrong, not 22nd November, 24th November - with these principles of strengthening governance and changing the structure. I wrote to them and then we drafted the law and we got it lodged on 8th January. I was concerned that some people who did not want to see this change, who had an interest in Government carrying on in dysfunctionality and not serving Islanders because it was ... and I am not saying that was them. I was concerned about that, which is why I wrote initially to the Scrutiny Panel and said I wanted to continue with the principles yesterday - that should not have stopped them doing their work - and they were suggesting 20th March. They wrote to me, and I am finding it difficult now to accept what was in that letter, because they wrote to me and they said: “Absolutely, that being said about 20th March, we will naturally do our utmost to complete our review in time to contribute to the March debate.” So they were leading me to believe that they could do their work by 20th March. I cannot interpret that in any other way. Yet this morning, the chairman of Corporate Services said it is such a detailed, difficult, complicated piece of work that they really can only just do it by 10th April, and the chairman of the sub-panel who is going to do the work has even said, in his opinion, it will not be possible to do it well in that timescale. If, when we get to the Articles, Members wanted to vote against certain ones, as they suggested yesterday, that is the democratic process, but let us make a decision before the election to change the dysfunctional system. Realistically, because of the debate, the closing down of the numbers of days in the last sitting, which I think is what the P.P.C. rightly are saying, because we will be moving to nomination meetings, means that we have to try and get this done on that sitting of the 20th, albeit that it will fall to the next week as well, so in every likelihood, this will be taken on the week of the 26th, I think it is. This is about people, this is about a system which is failing Islanders. I think we have slightly overstated just how complex this is. It is quite straightforward: we are either going to remove the silos and improve Islanders’ lives or we are not. Members will decide whether the principal accounting officer is what they think stands alone in removing those silos or whether they think the legal structure of government needs to change as well, and then there are the other 2 or 3 items which Members can either approve or not, of course they can, collective responsibility, the Chief Minister’s ability to shuffle the Cabinet. Reoccurring themes: Islanders have appeared before public inquiries, appeared before eminent individuals doing reviews and saying that they have lost faith in the system. They have lost faith in us, they have lost faith in this Assembly because we do not make decisions; we do not listen; we do not know who is accountable; we do not hold people to account; we do not have a system that works across government in their interest. I do not want us to carry on with that system. It is my fault, I should have started earlier is what Members are saying. No other Members brought this proposal. It is nobody’s fault. We are where we are, let us deal with the proposal before us. It

will not be easy for Scrutiny to have completed their work by the 20th. I yesterday said that I and my officials ... I am glad there has been recognition that my officials, as I requested, have made themselves available to all panels at all times that they have requested; that is how it should be. Ministers normally wait to be invited to attend upon panels, that is the normal process. I ask Members to ask themselves, do we want to have made a decision on this issue prior to the election, and if we do, we need to ask Scrutiny to do their work by the 20th. We will give them all the support that they need and I know that Members yesterday said that they would appear before the Scrutiny Panel, they would help in any way that they can. If they need more support, if they need officer support to help with amendments, we will give them all the support they need. We need to make these decisions to improve the system going forward. We cannot let it carry on as it is. It is not circumventing Scrutiny, it is not bypassing Scrutiny. We will support them in every way that we can. I ask Members to agree that we should endeavour to come back on the 20th and improve the system and thereby improve the lives of Islanders and the service that we provide for them.

The Greffier of the States (in the Chair):

The appel has been called for. This is effectively a choice between a return date of 20th March and a return date of 10th April. A vote pour is a vote for 20th March; a vote contre is a vote for 10th April. I ask the Greffier to open the voting.

Connétable J. Gallichan of St. Mary:

Can I just ask you: would we be bringing this back on 10th April if that was the wish of the House as the first item of business?

The Greffier of the States (in the Chair):

Can we deal with this one first? That is a separate decision for the Assembly.

Deputy M. Tadier:

May I just ask a point of order? It relates to Standing Order 72(5). We are only voting on the amendment of the Chief Minister to what has been proposed by Deputy Le Fondré. If this falls then it does not mean that the proposal will go through for 20th March, it means that the floor will be open, surely, to other amendments for dates and the procedure ...

The Greffier of the States (in the Chair):

I was hoping, Deputy, that nobody would notice that, because that would be a very sensible situation, but you are technically correct. There are only 2 other options. One is the next sitting, which clearly is not appropriate, and the other one is 26th June, which has been ruled out by every contribution I have heard. Yes, you are right, if you wish after this vote to propose 26th June, that is a possibility, but after that 10th April would have been agreed by default, assuming that 10th April is the outcome, that contre is the outcome of this vote.

Deputy M. Tadier:

But further, for future reference, part (5) of 72 says that the States should decide which date it should be referred back to Scrutiny ... sorry, Scrutiny should bring it back for debate. The problem is of course that when the Chief Minister stood up and made his proposal for an amendment, nobody else in the Assembly was asked if they had a counter-amendment to amend the Chief Minister's amendment. I think this needs to be borne in mind for future, because it has been possible ... it is not something which is used very often. In fact, I do not think I have seen it very often, a counter-proposal for when it comes back. It is important for future that Members know that they have a right to make counter-amendments to proposals by the Council of Ministers, because people do tend to caught out, given the fact that the Council of Ministers prepare their strategy before and Members often have to follow.

The Greffier of the States (in the Chair):

Deputy, I have agreed with you, so you can bring a proposition straight after this if the vote is contre for 26th June, if you wish to. I was hoping to bypass that, but you have caught me out, so it is entirely possible. You are technically correct. If the vote is contre, it is possible to have an alternative date put forward to replace 10th April, so there is nothing ...

Deputy M. Tadier:

I will be doing that if this vote goes through.

The Greffier of the States (in the Chair):

Fine. So there is nothing wrong with the rules as they stand. To correct the situation then, the vote pour is for 20th March; a vote contre is for something which is not 20th March. The vote is open again, please, Greffier.

POUR: 24		CONTRE: 22		ABSTAIN: 0
Senator P.F. Routier		Senator S.C. Ferguson		
Senator A.J.H. Maclean		Connétable of St. Lawrence		
Senator I.J. Gorst		Connétable of St. Mary		
Senator L.J. Farnham		Connétable of St. Ouen		
Senator P.M. Bailhache		Connétable of St. Martin		
Senator A.K.F. Green		Connétable of St. Saviour		
Connétable of St. Helier		Connétable of St. John		
Connétable of St. Clement		Deputy J.A. Martin (H)		
Connétable of St. Peter		Deputy G.P. Southern (H)		
Connétable of St. Brelade		Deputy J.A. Hilton (H)		
Connétable of Grouville		Deputy J.A.N. Le Fondré (L)		
Connétable of Trinity		Deputy K.C. Lewis (S)		
Deputy of Grouville		Deputy M. Tadier (B)		
Deputy of Trinity		Deputy of St. John		
Deputy E.J. Noel (L)		Deputy M.R. Higgins (H)		
Deputy S.J. Pinel (C)		Deputy J.M. Maçon (S)		
Deputy of St. Martin		Deputy S.Y. Mézec (H)		
Deputy R.G. Bryans (H)		Deputy of St. Ouen		
Deputy of St. Peter		Deputy L.M.C. Doublet (S)		
Deputy R.J. Rondel (H)		Deputy R. Labey (H)		
Deputy S.M. Wickenden (H)		Deputy S.M. Bree (C)		
Deputy M.J. Norton (B)		Deputy of St. Mary		
Deputy G.J. Truscott (B)				
Deputy P.D. McLinton (S)				

Deputy M. Tadier:

May I just ask Members of Scrutiny this lunchtime whether they would be willing to meet downstairs in one of the rooms in order that we might all collectively consider our positions? I am not sure, as a member of Scrutiny, that I can continue when such a disregard has been shown for the will of Scrutiny. I will certainly be there. I am not making any rash decisions now, but I think it is something that we need to discuss for the future of this Assembly.

Deputy J.A.N. Le Fondré:

May I ask a question?

The Greffier of the States (in the Chair):

Who is it a question to, Deputy Le Fondré?

Deputy J.A.N. Le Fondré:

It is a point of clarification, Sir, from the Chief Minister. He offered all sorts of officer support, which completely breaches all Scrutiny profiles. We did it once before and we learnt the lesson.

[10:15]

The point is the Chief Minister made allusions to an amendment that is apparently being lodged. Could we have it by close of play today, because he says it is all ready? We need it now, please. I am seriously angry about what has happened here today, and 10th April, I am sorry, Deputy Tadier, I am sure it was well-meaning, but I think they may have lost a couple of votes there. I do take the point he is making. The timing has been in the Chief Minister's hands. It was lodged after January. We can only scrutinise the detail of what is lodged and to say now: "Yes, you can have all the resources", we do not even have the amendments being proposed by the Chief Minister in front of us, when he has just shortened the timeframe. It is unacceptable, in my point of view. I hope he pulls his finger out, Sir. The failure and the distrust of the public in this Assembly falls at his feet.

Deputy J.A. Hilton of St. Helier:

Could we hear both votes, please?

The Greffier of the States (in the Chair):

Can we just deal with the ...

Deputy J.A.N. Le Fondré:

The question was can the Chief Minister give us the amendment that has been referred to today?

The Greffier of the States (in the Chair):

Thank you very much. Chief Minister. Do you wish to respond to that, Chief Minister?

Senator I.J. Gorst:

Hansard will show I did not refer to an amendment, but, however, my officials and Ministers have been considering, as I said yesterday, that we will work with Members to produce amendments. As I have said, my officials are working with Ministers on some of their concerns and amendments and the Deputy will have them as soon as they have been agreed.

Deputy J.A.N. Le Fondré:

I am sorry, at the very least, the chief executive has inferred to me that there is an amendment in the pipeline. I am fairly certain - Hansard we will check - that either the Chief Minister said it, he may have said it to me privately, but I thought he said in the proposition that an amendment was being considered. That infers that there is an amendment in the pipeline. If we have now got a month to look at this, which means any further amendments have to be lodged within 2 weeks, we need this fairly quickly, more than fairly quickly. If it is so ready, if it is so urgent, we need that today.

Deputy M. Tadier:

A point of order. The second point of order is that, as I understand it, we were voting on a proposition by Deputy Le Fondré and then there was an amendment by the Chief Minister. We have now voted on the amendment of the Chief Minister to the original proposition. That has passed, but it is up to Deputy Le Fondré to decide whether he wants to maintain the original proposition as amended. We can vote on that now. It is ultimately for Deputy Le Fondré to sum up on the amended proposition that was made and for the States Assembly to decide whether they agree with that proposition, as amended.

The Greffier of the States (in the Chair):

I think Deputy Hilton asked for the names to be read out. Greffier.

The Deputy Greffier of the States:

Those voting pour: Senators Routier, Maclean, Gorst, Farnham, Bailhache and Green, the Connétables of St. Helier, St. Clement and St. Peter, the Connétable of St. Brelade, the Connétable of Grouville, the Connétable of Trinity, Deputy of Grouville, Deputy of Trinity, Deputy Noel, Deputies Pinel, St. Martin, St. Peter ... Bryans, sorry, Rondel and Wickenden, Norton, Truscott and McLinton. Those voting contre: Senator Ferguson, the Connétables of St. Lawrence, St. Mary, St. Ouen, St. Martin, St. Saviour and St. John, Deputies Martin, Southern, Hilton, Le Fondré, Kevin Lewis, Tadier, St. John, Higgins, Maçon, Mézec, St. Ouen, Doublet, Labey, Brée, Truscott. [INSERT VOTE TABLE]

Deputy D. Johnson of St. Mary:

I do not think my name was read out and I am contre. Could I ask you to check, please?

Deputy G.J. Truscott of St. Brelade:

Could I just correct that as well, because I voted pour, not contre?

The Deputy Greffier of the States:

Sorry, it is in a different format to normal. I can confirm that Deputy Truscott voted pour and the Deputy of St. Mary voted contre.

The Greffier of the States (in the Chair):

I think Deputy Tadier was on fire today and is correct that technically we are now back to the main proposition of Deputy Le Fondré, as amended. If he wishes to speak on it, he is entitled to do so. It is now a proposition for a 20th March return. You do not have to speak on it, but you can do if you wish to.

Deputy J.A.N. Le Fondré:

The reason I am puzzled ... I will seek some direction here. If the proposition falls, is there scope to make a further proposition which might include 10th April and it being the first item of business, which I do not think is feasible?

The Greffier of the States (in the Chair):

You could not do 10th April, I am afraid, no.

Deputy J.A.N. Le Fondré:

I think 26th June is not practical, so the alternative is if I withdraw it, we proceed with the debate, which I think is also unacceptable. That is the correct circumstances, is it not?

The Greffier of the States (in the Chair):

I think my view is that the Assembly has voted for a return date of 20th March. If the Assembly wishes to have another vote on the subject, I think they are entitled to do so. I was hoping to move on on the grounds that 20th March has been agreed. I think, Deputy, you are setting out some of the practical problems if for some reason the Assembly changed its view at this point. I think the honest answer is I would want to suspend for 5 minutes to think about it and to make sure there is a serious way forward, but the sensible decision, in my view, is that the Assembly has voted narrowly 20th March and that should be maintained.

Deputy J.A.N. Le Fondré:

Can I ask a further question, Sir? If we proceed with normal business and leave the default position as at 20th March, can this be readdressed when we set the order of business and timing under section M?

The Greffier of the States (in the Chair):

No. What would happen is this will be listed for 20th March. It is a decision of the Assembly. Obviously on 20th March the Assembly would have the option of deferring the debate to 10th April.

Deputy J.A.N. Le Fondré:

No, what I meant was are we able to discuss this under section M, Arrangement of Business, later today, Sir?

The Greffier of the States (in the Chair):

No.

Deputy M. Tadier:

Can I raise a further point of order? I think it is important we get this decision right, given the closeness and the strong feeling of the debate. 72(5) says the States must decide at which meeting the Second Reading of the draft should be listed. It does not say at which sitting it shall be drafted. If the States followed the procedure and rejected the amended proposition, as maintained by Deputy Le Fondré, it would then be open to the Assembly to suggest a new date, which I would suggest as 11th April for debate.

The Greffier of the States (in the Chair):

Can I interrupt you there, because you have misread the Standing Orders, I am afraid. The meeting of the Assembly is the day - so that will be the Tuesday - which is chosen for the Assembly to sit. The other days are continuation days. There is not a difference between them in terms of Standing Orders, so you cannot list them for the 11th rather than the 10th. The meeting day is the principal day that the Assembly sits. You can have 20th March; you can have 10th April. You cannot pick days in that week, because they are not meeting days in terms of Standing Orders.

Deputy C.F. Labey of Grouville:

People have been talking about extending the meeting of 20th March into the following week of the 26th of March, which is Easter week, because Easter is early this year. Is there a scenario in which this incredibly important piece of legislation gets pushed to a new follow-on of 26th March, when potentially people already have arrangements, legitimate arrangements, not to be in the Island on that week?

The Greffier of the States (in the Chair):

At the moment, the sitting of 20th March is on the 20th, 21st and 22nd March. Any other dates for the Assembly to sit during that meeting is a matter for the Assembly. I believe the chairman of P.P.C. is going to be making a proposal at the end of this meeting, but that is in the hands of the Assembly. The Assembly can decide itself. As I think the Constable of St. Mary alluded to earlier, the Assembly could decide to put this item of business first or second or the start of Wednesday, as we did with the Care Inquiry debate. There are lots of different options for the Assembly to choose at some point. We are at the point of, I think, confirming whether or not it is 20th March. I think it is time to take that decision. Those Members who are in favour of the proposition as amended for 20th March kindly show.

Deputy M. Tadier:

The appel, please.

The Greffier of the States (in the Chair):

The appel has been called for. The vote is on 20th March, yes or no, pour yes, contre no. I ask the Greffier to open the voting. It is 20th March. It is as the amended proposition, so it is 20th March is the return date for the draft law. I ask the Greffier to open the voting. To add to our situation, the electronic voting system has chosen this moment not to work.

Deputy M. Tadier:

That is another reason we need P.1, Sir.

The Greffier of the States (in the Chair):

I am not sure P.1 will affect the electronic voting system, but the finest I.T. (information technology) brains are at work.

The Connétable of St. Mary:

Would it be an opportune moment to take that 5-minute recess you thought about earlier so that Members can think about what the implications of their vote are going to be?

The Greffier of the States (in the Chair):

The implication of the vote, if the Assembly did not vote for 20th March, 20th March would have been rejected, 10th April would have been rejected, so the Assembly would have to choose between the next sitting or 26th June. That is the implication. They are the only 2 possible other dates. Deputy Le Fondré was raising the prospect of what if all the dates were rejected and I would want to go and sit in a corner with a towel on my head to work it out. **[Laughter]** I am rather hoping that that does not happen, and I would ask the Members now ... the appel has been called for. The appel is 20th March, yes or no, very straightforward. I ask the Greffier to open the voting.

POUR: 27		CONTRE: 19		ABSTAIN: 0
Senator P.F. Routier		Senator S.C. Ferguson		
Senator A.J.H. Maclean		Connétable of St. Lawrence		
Senator I.J. Gorst		Connétable of St. Martin		
Senator L.J. Farnham		Connétable of St. Saviour		
Senator P.M. Bailhache		Connétable of St. John		
Senator A.K.F. Green		Deputy J.A. Martin (H)		
Connétable of St. Helier		Deputy G.P. Southern (H)		
Connétable of St. Clement		Deputy J.A. Hilton (H)		
Connétable of St. Peter		Deputy J.A.N. Le Fondré (L)		
Connétable of St. Mary		Deputy K.C. Lewis (S)		
Connétable of St. Ouen		Deputy M. Tadier (B)		
Connétable of St. Brelade		Deputy of St. John		
Connétable of Grouville		Deputy M.R. Higgins (H)		
Connétable of Trinity		Deputy J.M. Maçon (S)		
Deputy of Grouville		Deputy S.Y. Mézec (H)		
Deputy of Trinity		Deputy L.M.C. Doublet (S)		
Deputy E.J. Noel (L)		Deputy R. Labey (H)		
Deputy S.J. Pinel (C)		Deputy S.M. Bree (C)		
Deputy of St. Martin		Deputy of St. Mary		
Deputy R.G. Bryans (H)				
Deputy of St. Peter				
Deputy R.J. Rondel (H)				
Deputy of St. Ouen				
Deputy S.M. Wickenden (H)				
Deputy M.J. Norton (B)				

Deputy G.J. Truscott (B)				
Deputy P.D. McLinton (S)				

2. Draft Public Elections (Amendment of Law) (No. 2) (Jersey) Regulations 201- (P.2/2018)

The Greffier of the States (in the Chair):

The next item is the Draft Public Elections (Amendment of Law) (No. 2) (Jersey) Regulations, lodged by P.P.C. - P.2/2018. I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Public Elections (Amendment of Law) (No. 2) (Jersey) Regulations 201-. The States, in pursuance of Article 72(1)(a) of the Public Elections (Jersey) Law 2002, have made the following Regulations.

2.1 Connétable L. Norman of St. Clement (Chairman, Privileges and Procedures Committee):

On Tuesday morning I answered some questions from Deputy Southern about voter registration and I said then that one of the things we wanted to do was to make it as easy as possible for people to register. Since sometime in 2016 the Committee of Constables and P.P.C. have been working together to create a system where we could register to vote or apply to register for the electoral roll electronically online. I am pleased to say that the programme to achieve that has been completed. The testing was completed yesterday and passed with flying colours, I am pleased to say, so we are ready go live with online registration, which I think is a great advance. The only thing we need to do is to approve these amendments to the regulations, because currently to apply to go on to the electoral register, you have to have a signature. With electronic registration, that could be a bit of a problem, so we are asking for that requirement to be removed as far as electronic online registration is concerned. I think this is a great step forwards and I hope the States will approve the regulations. I propose the principles.

The Greffier of the States (in the Chair):

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

2.1.1 Deputy S.Y. Mézec:

Obviously I certainly welcome this in principle, but I would just like to ask a couple of questions, to ask the chairman of the committee to give us some more information. Firstly, I would like to know if this is accepted, when will this procedure be online and ready to use by the public? The second question I would like to ask is could he tell us a bit more about what security functions there will be as part of this to ensure that every person who attempts to sign up on that register can be demonstrated to be a real person who is eligible to vote?

The Greffier of the States (in the Chair):

Does any other Member wish to speak on the principles? If not, I call on the Constable of St. Clement.

2.1.2 The Connétable of St. Clement:

Yes, a fair question from the Member of my committee. It will go live 7 days from today if the States approve this regulation. It will go live on 1st March.

[10:30]

Security-wise, currently the same security arrangements will apply as with the paper application. If the electoral administrator or the staff at the Parish Hall feel there is any question, any doubt about it, the form will be checked and the person who makes the application will be contacted, like if you

have someone with the same name, the same date of birth, that might just raise an alarm bell that it needs to be checked and that happens with the paper applications as well. I hope that answers the Deputy's question and I maintain the principles.

The Greffier of the States (in the Chair):

Those Members who are in favour of the principles, kindly show. Those against? The principles are adopted. This is a matter that could be called in for Scrutiny by the Corporate Service Scrutiny Panel.

Deputy J.A.N. Le Fondré (Chairman, Corporate Services Scrutiny Panel):

I think after the last experience, no, thank you, Sir.

The Greffier of the States (in the Chair):

Thank you very much. Chairman, how do you wish to propose the Articles?

2.2 The Connétable of St. Clement:

I propose the Articles. They do exactly what I said during the debate on the principles, so I propose the Articles.

The Greffier of the States (in the Chair):

Are the Articles seconded? **[Seconded]** Does any Member wish to speak on the Articles? If not, those Members who are in favour of the Articles kindly show. Those against? The Articles are adopted. The Third Reading?

The Connétable of St. Clement:

I propose the Third Reading, sir.

The Greffier of the States (in the Chair):

Seconded? **[Seconded]** Does any Member wish to speak in the Third Reading? In which case, those Members in favour ...

Deputy J.A.N. Le Fondré:

The appel, Sir.

The Greffier of the States (in the Chair):

The appel has been called for in the Third Reading of these regulations. Members are invited to return to their seats and I ask the Greffier to open the voting.

POUR: 41		CONTRE: 0		ABSTAIN: 0
Senator A.J.H. Maclean				
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator P.M. Bailhache				
Senator S.C. Ferguson				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Peter				
Connétable of St. Lawrence				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Brelade				
Connétable of St. Martin				
Connétable of St. Saviour				

Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy J.A. Hilton (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy of St. John				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy R.G. Bryans (H)				
Deputy of St. Peter				
Deputy R.J. Rondel (H)				
Deputy S.Y. Mézec (H)				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy P.D. McLinton (S)				

3. Senators and Deputies: removal of citizenship requirement (P.3/2018)

The Greffier of the States (in the Chair):

The next item is Senators and Deputies: removal of citizenship requirement - P.3 - lodged by Deputy Tadier. I ask the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of the opinion - (a) that the requirement that Senators and Deputies must be British citizens should be removed; and (b) to request P.P.C to bring forward the necessary legislative changes to the States of Jersey Law 2005.

3.1 Deputy M. Tadier:

I will take a moment to compose myself and ask maybe if I could have some water for the course of this speech. I will try not to keep it too long, because I know that the arguments have been well-rehearsed, and some Members might be asking why I am maintaining this. I am maintaining it because I think it is such an important issue and that change does not happen overnight. I think that the last debate we made some significant steps. I certainly am trying to effect the right change for our Island and I have no doubt in my heart that whether it be in 2, 5 or in 20 years' time, we will look back again at this day and say: "Why would we discriminate against people based on their nationality to serve in an Assembly when they have been part of the community for such a long time?" Ultimately, surely it is for the electorate to decide who they put in this Assembly. I have also had a chance to think of other arguments to put forward, and perhaps to crystallise my own thoughts and try and understand a bit of where the opposition comes from. I thank Members for having the

patience to sit through this debate. It is an important issue for lots of people out there. We like talking about ourselves and we have just been doing that for the last few hours. That is absolutely necessary. This time we are talking about what are often seen as the forgotten people in Jersey. People might have listened to the radio this morning and I was very pleased to have somebody sitting alongside me, so it is not just a male British politician talking about getting more diversity into the States Assembly. It was a longstanding member of the Jersey community, who is also a Portuguese national, who I was fortunate enough to meet in my capacity when I was professionally studying Portuguese. I was working at Jersey Telecom at the time, just to give some context, and they thought it was important to encourage their workforce to be multilingual, so I took the opportunity to learn Portuguese at night classes. The lady who was on the radio this morning is somebody who taught me. She has taught lots of children and adults throughout the Island. She is somebody, just by way of example, who does good work professionally, but also in a charitable context. She works with the organisation, Caritas, not necessarily on their living wage programme, as we have heard about them this week, but they also do work generally for inclusion in the community. We know that their outreach is not just a religious one, but their ministry extends to secular areas and to getting more people involved in the community, especially in the large minority groups of the Portuguese and Polish communities, which they see as being fundamental to the functioning of their organisation, but also to the wider Jersey community. She does not need to be a British citizen to join Caritas. When she goes through the doors of that church or through the doors of the community hall, they do not say: "Ms. Ramos, can you show us your passport? It is great for you to be here and you are allowed to be a member of our congregation, but you cannot come and help us on this committee unless you are a British citizen." For some reason, that is not one of their requisites, they just want good people with good ideas who can offer something and have passion and be able to speak the language. As I said on the radio this morning, we need people in this Assembly who speak the language of those in our community, both figuratively, but also actually in some cases. The police recognised this a long time ago, I think it is almost over 20 years now. This is something I cannot quite get my head around, because the argument that seems to be put forward is just one of a self-evident acceptance that of course you need to be British to stand for election in Jersey, without any further explanation. If you ask people the question, and it is all in the phrasing of the question: "Do you think you should have to be a British citizen to be able to stand for election in Jersey?" Some people will say yes and then other people might say no. If you ask the same question: "Do you think you should have to be a British citizen to be a police officer?" a lot of people would probably say yes. Then you say: "Why do you think that? Because you do not need to be" and they will say: "Oh well, I thought you did need to be a British citizen to be a police officer." You say: "No, not anymore. Why would you?" and they would start to think about it and say: "I suppose you are right. We need a diverse police force." We need people out there who can speak Portuguese, Polish, English, whatever, and communicate. We know that of course a lot of the good work that the police do is just by offering words of advice in many cases. It is not always heavy-handed. Of course there will be times when people do need to speak English and do need to have access to translators, but good policing needs to be done on very many levels. That is no different to being a politician, that is no different to the politics that we see and should be promoting in this Island. We say, as an Assembly, whether it is coming from the Council of Ministers' side, whether it is coming from the Opposition party or whether it is coming from just Back-Benchers generally or the Greffe, that we need to have more diversity in the States Assembly. We promote women in politics, whether it is through supporting the Jersey Community Relations Trust and the good work that is being done by Deputy Doublet and others in women in politics, or whether it is done through the Greffe. The Greffier, we heard yesterday, and P.P.C. have got videos on their website in Portuguese. The website, up until recently - and I do not think it has changed yet - says that anyone can stand for election if you are over 18.

The Greffier of the States (in the Chair):

We have lost our quorum, if Members in the coffee room could come in, please. In the absence of that, I will have to ask the Greffier to call the roll. Yes, electronically. If we are going to call the roll, I ask the Greffier to open the voting.

Senator P.F. Routier
Senator A.J.H. Maclean
Senator I.J. Gorst
Senator L.J. Farnham
Senator P.M. Bailhache
Senator A.K.F. Green
Connétable of St. Clement
Connétable of St. Mary
Connétable of St. Brelade
Connétable of St. Martin
Connétable of Grouville
Connétable of St. John
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy M. Tadier (B)
Deputy E.J. Noel (L)
Deputy of St. John
Deputy J.M. Maçon (S)
Deputy S.J. Pinel (C)
Deputy of St. Peter
Deputy S.Y. Mézec (H)
Deputy L.M.C. Doublet (S)
Deputy S.M. Wickenden (H)
Deputy M.J. Norton (B)
Deputy G.J. Truscott (B)
Deputy P.D. McLinton (S)

The Greffier of the States (in the Chair):

I am pleased we have reached 26 and those names will be on the record. Deputy Tadier.

Deputy M. Tadier:

If there are not enough British people in this Assembly to make a quorum, perhaps we can ask for some non-British people to come and join us, because there are people out there who do not have a Jersey passport or a British passport who are quite willing to serve within this Assembly. Now, I think last year was the year in which the Commonwealth Parliamentary Association decided to launch a project about slavery, about modern-day slavery, and I think that may still be ongoing. It is a very worthwhile project. Now, why do I talk about slavery? What connection could this possibly have with the debate that we are having today? First of all, it is that slavery, we think of it as something that existed in the past and that does not go on anymore. It still goes on today. It is often hidden and it often takes many subtle forms. Slavery is basically allowed and was allowed when we suggest that some human beings are worth less than others. The reason it has happened historically - and it is no longer at the point where it is State sanctioned, but of course it was State sanctioned at a time, especially under the colonial powers - that is because there was a dehumanising effect. The only way possibly that one human can feel right and justified that they can own another human being is by some kind of intellectual somersault which says they are not human, because it is not within one's natural make-up, I would suggest, to think that another human being can be subjugated, can be treated cruelly, can be enslaved, can be tortured, in some cases. That was all part and package of what slavery was in the past and what it still remains today. Now, that is no longer the mainstream,

thankfully, although of course for those who still suffer it today, that remains critically important and it is right that the campaign against slavery goes on. But the point is do we, as a society, still have a value system? Do we value some humans intrinsically, even at an unconscious level, more than other human beings? I am not going to repeat the very distasteful quote which some might know from media circles, but we know that when you listen to news reports, if there has been a terrible accident somewhere, somewhere far away - and Deputy Norton, I think, and others who may have worked in the media know exactly what I am not going to say - that there is a value system which works within the media, and that is because it partly reflects society and also what sells news. A plane crash that happens in Thailand, 100 people, 200 people die, including one British person, no mention of the other 199 people on board, the focus immediately goes to that one British person. You can say, of course: "This is not a conspiracy, Deputy Tadier. That is not racist, it is just because we have passion about people that live near us, of course, and they are more interesting, if you like." But there is a saying in the media, and it is talked about the exchange rate that you use when it comes to nationality: "One British person equals 10 French people equals 100 non-Europeans" let us say. That is not the parlance, that is the politically correct way of saying it. The original slogan does not have any place in a parliamentary debate. That is because in our society, in this Assembly, we set up legal barriers to people, saying: "Yes, you can be part of our society. Oh, and as we become a little bit more progressive in 1994, we will let you vote now if you are not British, because we recognise that you are part of the community. It is completely inappropriate to stop you being able to vote, but we will still keep the barriers in there that allow you real representation." The lady that I spoke to and who spoke on the radio this morning about the difficulties that we already have in engaging the public, let alone minority communities in this Island, said: "They tell me: 'What is the point in voting when there is nobody in there who speaks for me, that there is nobody in there who represents me, that there is nobody in there who speaks my language?'" We know it is already difficult enough to get good people in politics, so the first argument I think that we can all agree on is that we want good people in politics wherever they come from. We might disagree, of course, what the definition of good is. A good candidate for me might be different to a good candidate for other people, based on their politics, but we all know what the intrinsic good values are that we seek in people. There are many diligent hardworking professionals and people out there in the voluntary sector who, for whatever reason, do not have a British passport. That should not rule them out, logically, and it should not rule them out legally from standing for election and from being elected. I think the second point really is to do with fairness as a society and it ties-in to the first point I have made. If we want to promote a fair society and anti-discrimination in society, which we are doing, we have made great progress. Some will say it is too little and it is too slow, but we are getting there, in the right direction.

[10:45]

I never thought for one moment that we would see same-sex marriage introduced so quickly when we had enough difficulty getting civil partnerships through, but that happens. It is because as soon as the penny drops, people realise we do the right thing and the resistance evaporates, because people realise there is nothing to be scared of. Similarly, there is nothing to be scared of if we did open up elections to more people in our community. That can only be a good thing. I think again to reiterate the practical reasons, having diversity in your Assembly or in your Parliament is a good thing *per se*, of course it is, but we do not do it just for the sake of it, to tick any boxes. We do it because for practical reasons, if you get a more diverse and representative Assembly, one which does include more women, one which does include more minority groups ... and I do not even like to call them minority groups, because we are all minority groups. In a sense, we are all individuals, as the "The Life of Brian" said collectively: "Yes, we are all individuals." What unites us, of course - I know it is clichéd - is much greater than what divides us, but we should not look at people even ... and I find it difficult to talk about people in communities, there is a Portuguese community, a Polish community, a religious community, a secular one, whatever, because we all do the same things, we

all move about the same; we might mix with different people. If we are excluding those people from this Assembly for whatever reason, by visible or invisible barriers, then we are all poorer, first of all as an Assembly, but more important, as the Jersey community. I think I am beginning to understand the nub of the issue here. It is that it is not uncommon, of course, and I do accept - I do not think it is necessarily right - that there is some form of citizenship requirement in other places, in other parliaments. The problem is that normally their nationality is intrinsically linked to their community, so in Australia, for example, you might have to be an Australian national, but your parliament is also the Australian Parliament. In Jersey, we are the Jersey Assembly, we are the Jersey Parliament, if you like. We are not the British Parliament. The British Parliament does not exist. The U.K. (United Kingdom) Parliament exists, the Scottish Parliament exists. So it seems to me we are applying the wrong test. We are applying a British nationality test and what we should be doing is applying a Jersey citizenship test. If you are a Jersey citizen, if you are a Jersey resident, you should have the ability to at least put yourself forward for nomination before you even get elected, of course. That is the other part of the battle. It seems completely inappropriate that we have one test which says: look, somebody who is not a Jersey resident or a Jersey citizen ... I made the example and I have no problem with it, is that somebody from the Outer Hebrides can come to Jersey and after 2 years stand for election; absolutely fine, as long as they are a British citizen. Somebody from within viewing distance from the Normandy Coast can move to Jersey. They are already Norman, so they speak Jersey's inherent language of Jèrriais, Norman French. They are already one step ahead, they speak the indigenous language. They also speak English, the invasive language, and French, another invasive language; fine. They cannot stand for election, even though they might have lived here 40 years; they might have worked somewhere like the Maison de Normandy; they have contributed, *et cetera*. It is a very bizarre set-up. That is because we do not accept their Jersey credentials above the British credentials. We say your British credentials are more important. I am saying, let us level us. It is fine. It is great to have the option of having English and Scottish candidates who can stand for election, even after 2 years. I am not trying to amend that. But, we are excluding other swathes of the population. I am hoping that nobody in this Assembly thinks that you should have to be Jersey born in order to be a States Member. Is there anyone currently in this Assembly who thinks that? I think there is a view out there that you should have to be a Jersey-born person to be able to stand for election. I do not think it is particularly common. If you look at the underlying reasons why there are so few people who think that, it is because they recognise the fact that we have a plural society. If you restricted it only to Jersey born people, not only have you got a very small gene pool, but you also have a very small skills pool. There are some very great, I am sure, and talented Jersey born people in and outside the Assembly and in community. There are so many more people who are also not born in Jersey and have made it their home. I am saying: this is the Jersey Assembly for Jersey residents; simple, just take away the requirement to be a British citizen. I think it is all about the value system. As I have said, they still have to be elected. It is all great to have these fine words about diversity and inclusion, but the one biggest thing we can do today to make inclusion happen is to send the message out that we will make this Assembly open and more transparent. Of course, I suspect it will not happen before this election, but it will send the message out and it will set the ground work for people to come forward in future by-elections and future elections. I will leave this thought with us: I was reminded on the radio, these are not my words, they are the words of the presenter this morning, who said: "The States recently banned foreign nationals from being able to stand for Constable." That is what they said. Now, in the almost 1,000 years that Constables have existed in some form or another in this Assembly or the *de facto* government of Jersey, there has never been any requirement for them to be British. I know there is a suggestion there might be some customary law. There has never been anything in the law that say you could not have a Constable who is not British. Of course, in the past, until the early 20th century, the Constables would have been speaking French or Jersey French on a daily basis. So, it would have been ludicrous to try and impose a law which says that all Constables have to be British citizens when the language they are

speaking on a daily basis is probably French, Norman French, Jèrriais and perhaps later on a bit of Breton thrown in, with English probably only as a very exclusive language at the time. So, which direction are we travelling in as an Assembly? Are we travelling in a direction that says: we do not want any foreigners, thank you very much? We are even going to close the door on those who can currently stand for Constable. It has not gone through the Privy Council yet, incidentally. So, the message that we send out in this debate today, I think, can send far-reaching ripples locally and further afield in the community. I do ask Members to consider their support for this, especially those who made the argument last time, I believe in a more diverse Assembly, but I think we need to have parity across the board. By voting for this we send a clear message out, a line in the sand, saying: we do want a diverse Assembly, not just in words, but in principle. We know that there are people out there who are very good and very capable to serve the community, who currently do not have that opportunity. Let us give them that potential opportunity. If not in the next few months, certainly next time round.

The Greffier of the States (in the Chair):

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

3.1.1 Deputy P.D. McLinton of St. Saviour:

Firstly, I would like to make an observation. That is, when we were talking about the machinery of government and scrutinising it, there was a lot of chest thumping and “poor me” and rage in a packed Chamber. The very instant we talk about what we are here for, that is to engage with people out there in the Island - I wanted to use a dysentery metaphor, but I will skip it - this place emptied quickly. The very thing that we are here for suddenly is not worth bothering about, because we are desperate for a cup of tea or coffee. That is appalling. You do not have to be a British citizen to vote in this Island; a fine thing indeed. You do have to be a British citizen to stand to be in this Assembly. Therefore, this Assembly, by definition, is not representative of the electorate; by definition. I say that this proposition will help this Assembly be representative of the electorate and then let the electorate decide; the electorate decide. You are not above the electorate. That is the point of us being here, is that we represent the electorate. With this proposition we will more fairly represent the electorate. Maybe, just maybe, this Assembly in the future, whatever form it takes, will remember what it is for and it is not for itself.

3.1.2 Deputy G.P. Southern:

Yesterday was described by the Chief Minister as a historic day. Indeed it felt like a historic day to me, because I have been working on this particular proposition for the last 16 years. To see it come to fruition with almost unanimous support of the Chamber was very, very deeply satisfying. But, the potential is there to make this day even more an historic day. While yesterday’s proposition may well open the gates to the trickle of companies wishing to sign up for a living wage and make that into a flood and cause significant change in our society the way we treat our employees, equally it may not. It may fizzle out. If we were to accept that those who are not British nationals have the right to stand, not just to vote, but to stand in this Chamber, and represent our residents, our Islanders, that would be a significant, I would say, historic change. I think it is entirely the right thing to do. I think what we are doing otherwise is, despite all the waves of discrimination law that have come through these Chambers in the last few years, sticking with a discriminatory position that says: “You are perfectly welcome to vote in our elections for our representatives, but you are not allowed to stand, simple on the grounds that you are the wrong nationality.” To my mind, that does not fit with values that I think this Chamber represents and stands for: “You can vote, but you cannot stand.” If that is about giving other nationalities a test that says: “Prove your allegiance.” One has to ask: your allegiance to whom? To what? Allegiance to a non-discriminatory, participatory democracy? No, because we are still maintaining this exclusion. The argument was posed last time that: oh yes,

anyone can become a British citizen. All they have to have is a spare £1,200; go through the 6 or 9-month course; do a test; and prove your allegiance in some way.” If that was the case, if people want that test to be maintained, with its financial barrier, which I would argue is discriminatory in itself, then so be it. But, be prepared for the next debate, because the next debate on this particular subject is going to be proposed, something along the lines of, and we should be setting up a trust fund to reduce the cost of the test, the allegiance, the British citizen test from £1,200 to - what would be reasonable - £200. Let us set up that fund and say: “Let us get round it this way.” We can open it up to non-British nationals to qualify to do that if we decide that is what we want. I will bring that. I am quite happy to bring that. We can test, again, what it is that we are doing in our society, with this Chamber, in discriminatory, in some way, in any way, against foreign nationals, other than British nationals. So, if that is what you want, that is what you get, Members.

[11:00]

But, you have the opportunity today to vote with a principled, non-discriminatory decision in this House, which may well then become a historic move, significant, magnificent move to open up this Chamber to other than British or Jersey nationals. I urge Members to do exactly that.

3.1.3 Deputy M.J. Norton of St. Brelade:

I spoke the last time we were talking on this subject with one of Deputy Tadier’s proposition and felt I should talk this time. Last time I made the schoolboy error of discussing a conversation that was had over the dinner table, where it was pointed out to me that my other half could not stand as a politician, because she is not a British citizen. I mentioned that. You should have seen the trouble I got in when I got home, following the phone calls from various people who wanted to run her campaign, should she ever decide, and those people in the supermarket and elsewhere. Where I failed... yes, standing in my district against me as well. **[Laughter]** Boy, that is going to be a fight at home. What was interesting, of course, that had been pointed out to me and we considered, that was not discussed, was the fact that my other half may not have agreed with what I was saying. We still have differences of opinion over it. She is, at this moment, undecided as to whether it would be right that you become a British citizen. So, I just give that some balance. However, my thoughts, and these are my thoughts, are regarding those people who are the most valued people in our community; the most valued people in our community. We can all think of various occupations that we value so highly. Be they our teachers, our doctors, our nurses, our policemen, our firemen, even our lawyers. There is no nationality barrier for them, whatsoever. In fact, it is encouraged to have as much diversity as possible, in order that we can manage our community. It is interesting that we talk about our lawyers, because if we talk about our lawyers and law officers, there is no barrier whatsoever for any law officer to be of a different nationality other than a British citizen; even our Attorney General. I do not think there is even a legal barrier to the Bailiff being a British citizen or not. So, the person that can sit in that chair does not have to be a British citizen and yet the people that sit in these chairs have to be. Interesting thought. Why, when we have a very large Portuguese community do they - and we know this - not vote? Because they do not relate to us. Us and them. I see people in our community; they are all people in our community and yet we put up a barrier and say: “Oh well, if you want to stand in here, what you have to do is you have to buy your way in. It is very simple; just give us some cash and buy your way in.” I understand why it is the price it is. That is because the tests that take place are set and adjudicated by people from Britain. There is a small part of that that is a Jersey part of the test. That British citizen test is quite difficult. If you ever get the chance to see some of the mock questions, do go online and test yourself and see whether you pass. I disgracefully failed on the first 2 attempts. It is not easy, but if you have £1,200 you can buy your way into at least having the opportunity to stand in front of people and say: “Vote for me.” It will, at the end of the day, be up to the electorate, not up to us. As Deputy Southern rightly said, this could be quite historic. No, it does not happen in many other places at all, but it could happen

here. It could send out the message that we are a very diverse community and that includes this community inside here as well, because we are giving people simply the opportunity to stand in front of people and say: "This is what I think. Would you like to vote for me?" What are we so scared of? It is an interesting proposition and it will continue to be so. I think as time goes on we will look back and realise that you can either talk about diversity or you can enable diversity; in all its forms. When I look back over the last 2 or 3 years, we have kicked down a couple of barriers that would not have even been thought of a couple of sittings ago. They may have been mooted, but they did stand a chance. We have kicked down a few doors. We have said: no, when we question this, when we deeply question why we are making the decision we are making, is it just based on "that is what we have always done," so therefore that is what we must always do? Community has changed. It has been changing for many years. It was changing in the 1950s when we had a large influx of those workers from France; those restaurateurs who came in from Italy; those very valuable Portuguese workers that we needed then and we need now; those very valuable Polish workers, Latvian, Romanians. We have many groups. In fact, we are, in many ways, much more multicultural than many other areas. There will come a time, and it may not be today, I really wish it would be, when we will have to reflect that; just by taking down some barriers that are there saying: "No, no, no, sorry, you cannot come in. You cannot even stand on a platform along with a whole pile of other people and make a relevant argument as to why people could vote for you." Many of the officials that back up what we do, whether they are in Scrutiny, whether they are those officers that work behind the scenes at the Council of Ministers, we do not ask them for their passport when they walk through the door of Cyril Le Marquand House. We just say: "Are you good enough to do the job? Yes, you are. Please advise us. Please help us. Please run our community for us. Please vote for us. But, do not ask anyone to vote for you, because you are not allowed, simply because you have not paid £1,200 and sat a test." I will leave it there. Thank you.

The Connétable of St. John:

Sir, on a point of clarification, when we were debating about the citizenship of Constables, which was only a few weeks ago, the advice given to us was that the Attorney General would not recommend for swearing a non-British citizen to be Constable. The previous speaker said that the Bailiff could be a non-British citizen. Could I have clarification from the Solicitor General as to whether he would be presented for swearing if, of course, he was not a British citizen?

The Greffier of the States (in the Chair):

It just so happens, the Solicitor General was next on my list to speak, so I am sure he will be keen to answer your question. Solicitor General?

Mr. M.H. Temple Q.C., H.M. Solicitor General:

I have not had the opportunity that the Attorney General had to do some research that he did in relation to Constables and the requirement for them to be British citizens. In relation to the Bailiff, however, I have no reason to think that I would form any different view from the Attorney General's conclusions that he reached in relation to Constables as I would in relation to the Bailiff. The Bailiff is appointed, as are Law Officers, by Her Majesty and it would be a matter for Her Majesty. But, it would be most unusual, I could not put it any lower than that, for Her Majesty not to approve at least a Jersey qualified advocate to be a Bailiff or a Law Officer. Currently, Law Officers do need to be Jersey qualified advocates and in relation to the consultation that is taking place in relation to the appointment of members of the judiciary ... sorry, I know it is envisaged and it is recommended in the Consultation Paper that Law Officers have a minimum period of qualification as Jersey advocates, whether it is 7 years or 10 years I know cannot recall. But, it is of that order. While I am on my feet, in relation to the debate on Constables, the Attorney General in his research referred to the case of Barclays 2009 in relation to Sark, which came before the Supreme Court. In that decision the

Supreme Court referred to some research that they had undertaken via the Inter-parliamentary Union and their website. I think the Attorney General was keen in that debate to try and get hold of that research, but he was not able to. But, he has had the opportunity to do that in relation to this debate. We have produced 2 spreadsheets which set out both the requirements for voting in elections and also the requirements for standing as candidates, as a politician, in elections. I am happy to circulate the 2 spreadsheets to Members who are interested. In relation to the second of those 2 spreadsheets, it is for any requirement for a citizenship requirement or a nationality requirement for those standing as candidates in elections, the overwhelming majority of countries do have a citizenship or a nationality requirement. On a quick look at the 2 spreadsheets, I can only see 3 countries which do not have a citizenship or a nationality requirement. As I say, I am happy to circulate those to Members who are interested.

Deputy M.J. Norton:

Sir, could I just ask a point of clarification, if I may, from the previous speaker? Could we have confirmation that a Law Officer, and I speak, Sir, of your role and that of Attorney General, there is no requirement whatsoever to be a British citizen in order for you to have your role?

The Solicitor General:

I do not believe there is, but in our oath we have to swear to uphold the laws and customs of this jurisdiction. We take an oath to Her Majesty.

3.1.4 The Connétable of St. John:

Last night I had a Parish Assembly. One of the propositions put forward was to produce a playground for the school. A significant number of parents of the school said: "Look, this is affecting our school. These are our children. Why can we not come and vote?" I had to say: "You must be a registered voter or a ratepayer in the Parish. That is the law." They continued at me and said: "Well, this is terribly unfair." Thankfully, I was across the pond earlier in the year and this very subject came up. It is not a matter of being unfair to those individuals. It is a matter of being unfair to the entirety of the rest of the Parish. That was a Parish matter. If I had let non-parishioners in to vote, and I accept that it was only voting, but the principles are the same, I would be allowing other people the equal rights to my own parishioners, which is wrong. There may be all sorts of mitigating circumstances, but at the end of the day, the people who were voting on it were parishioners. I was not being discriminatory of parents who lived outside the Parish, it was just a simple straightforward fact. No doubt there will be references to clubs. If you want to be on the committee of a club you have to be a member of the club, I do not want to go there. The bottom line is: we would be discriminating against all those people who are British citizens, who are Jersey men and who have complied, by saying: "Oh, we will let anybody in." That is what we are doing. It is the majority that we need to represent.

[11:15]

Yes, we need to take account of the minorities and that we have done. We have allowed them to vote. But, to allow a non-British citizen to swear an oath of allegiance in taking this office, to me, is contradictory. I am sorry I cannot possibly support this proposition. I urge Members to reject it. Thank you.

Deputy M. Tadier:

A question to the Solicitor General, if I may? He does not have to answer straightaway. We have just heard that taking an oath of allegiance if you are not a British citizen is contradictory. Could the Solicitor General clarify that legally it is not contradictory, of course, and that there are lots of occupations and positions in Jersey which require an oath of office but do not require one to be a British national?

The Solicitor General:

The Deputy is correct, there are oaths of office which are administered by the Royal Court, which do not require a person to be a British natural. Having said that, though, they are often sworn, for example, by Honorary Police Officers ... and the same point that was discussed in relation to the appointment of Constables may well apply in relation to those officers. But, it is correct that there are oaths that may be taken by various officers, such as officers of the taxes department and even police officers that do not require British citizenship.

Deputy S.Y. Mézec:

Sir, could I ask a point of clarification from the previous speaker? I just wanted to ask him if he is aware of any nationality requirement to be a St. Jeannais?

The Connétable of St. John:

No, Sir, there is no nationality requirement to be a St. Jeannais.

Deputy S.Y. Mézec:

Further clarification? Could he therefore confirm whether or not the argument that he has just brought forward to this Assembly was about residence rather than origin?

The Connétable of St. John:

No, it was for people on the electoral role and ratepayers.

3.1.5 Senator P.M. Bailhache:

There are many valuable members of our community who are of Portuguese or Polish or Romanian or some other nationality. If they are settled here they are entitled to all the benefits of living in Jersey as may be prescribed by law and, as I have said on many public occasions, they are entitled to regard themselves as Jersey people. I think on the whole we have been reasonably successful in this community in creating a harmonious and welcoming environment for people from many different countries who have come and settled here and made their homes in the Island and we should be proud of that and, if there is a message to go out from this Assembly after this debate, that message ought to be that all members of our community are welcome, honoured, respected and are part of our community. Making laws for a country and being a member of the National Assembly of that country is a different matter in my view. Certainly it is the case that almost every country in the world, and I have had the opportunity because I did discuss this point with the Attorney General earlier this morning, almost every country in the world contains in its legislation a nationality or citizenship requirement for membership of the National Parliament. It is true that there are a very small number of countries, and the ones that I picked up were I think in the Caribbean, where, in addition to being a citizen of the individual country in question, you might also be a member if you were a citizen of the Commonwealth. In the Caribbean context where there are many small Caribbean countries where people move easily from one place to the other, one can understand why such countries might very well make it permissible for a Commonwealth citizen to be a member of their Assembly. But in general the rule is that you have to be a citizen of the country in order to become a member of the Assembly. Why is that? Why do all countries in the world take that view? The secondary question: are we different? Is Jersey somehow different from the rest of the world? The answer to the first question in my view ultimately reduces to a question of loyalty: where does your loyalty ultimately lie? Is it to the Queen as head of state of our country or is it to the head of some other country? If you want to become a Member of this Assembly in my view you should be prepared to say that you have made a commitment to this place, a final commitment to this place, and that you are prepared to become a citizen of this country. I have spoken to numbers of friends who are of a different nationality and I must say that not a single one of them disagrees with that point of view. Some have

taken the decision to apply for British citizenship, others have not, but all of them accept that to make laws for a country you have to be a citizen of that country. I hope this does not sound too extreme, but 75 years ago Great Britain was at war with Germany. Regulations were passed in 1939 for the internment of certain German nationals. I do not know, I ought to know, I am sorry, whether in Jersey in 1939 the States debated and passed similar defence of the realm regulations. I think they did but I may be wrong. It is not difficult to imagine the difficulties that would have been faced by Members of that Assembly at that time if they had been asked to pass regulations, which were going to lead to the internment of nationals, 2 or 3 of which might have been sitting here in this Assembly. That is why loyalty is important. That is why citizenship is important. It is a question ultimately of where your loyalty lies. If your loyalty lies ultimately to some other country then you should not be qualified to make laws for this country. I am going to vote against the proposition.

Deputy S.Y. Mézec:

Can I ask a point of clarification from the previous speaker? He spoke quite a lot about this concept of loyalty and he referenced the monarchy in that? Could I ask him if he was therefore making the argument that a British citizen who was a proclaimed republican should not be eligible to stand for election to this Assembly?

Senator P.M. Bailhache:

No, I am not making that argument, but it does remind me that I meant to refer to the position of Crown Officers because it was suggested that someone sitting in that Chair could be a foreign national, whereas people sitting in this Assembly could not, and that seems to me to be an absurdity. The Solicitor General was appropriately discreet in his response to the question but it seems to me an absurdity to contemplate that the Queen, Her Majesty, could appoint as one of her Crown Officers someone who owed no loyalty to her. It is just inconceivable. It has never happened before; I do not know why it should happen in the future, and if the argument is that it could happen then those who put forward that argument ought to put forward much more persuasive grounds than I have heard so far.

Deputy M. Tadier:

Could I ask a question to the Attorney General on that basis, because it seems to me that I do not even know to what extent we are allowed to talk about what Her Majesty might or might not do in this Assembly, that is for you to direct but I am obviously asking a question in response to Senator Bailhache.

The Greffier of the States (in the Chair):

Why do you not ask the question?

Deputy M. Tadier:

I will ask the question. The Senator suggested that Her Majesty would not allow somebody who had no loyalty to her to take up the office of Bailiff, for example. But clearly there would be an oath of office that would be sworn to her even if that member was not a British national and therefore the loyalty test, even if that is something that Her Majesty would require, would be in the form of an oath of office, not in the form of a nationality *per se*.

The Greffier of the States (in the Chair):

I am not sure that is a question; it seems like a statement based on things you have heard, Deputy.

Deputy M. Tadier:

The question is: is that what I say correct or not?

The Solicitor General:

I do not think I have cause to change my previous answer. I am not really sure what the question is there. I am not aware of any Bailiff, as Senator Bailhache has just said, who was not a British citizen ever being appointed Bailiff. While there may be no statutory requirements that I am aware of for a Law Officer to be a British citizen, nevertheless that Law Officer or Crown Officer does have to take an oath of office to Her Majesty and the matter of appointment is one ultimately for Her Majesty. While recommendations may be made as to the right candidate to be appointed, a factor that will go into the person chosen, one factor will be whether they are a British citizen and whether they can properly take the oath of office to Her Majesty and ultimately it is a matter for Her Majesty as to who she appoints. I am not sure that I can take the matter much further in this debate.

3.1.6 Deputy S.Y. Mézec:

The argument that has been put forward by Senator Bailhache is absolutely absurd and illogical in every single way that he has attempted to outline it. This idea about loyalty to the Queen is simply a ridiculous point and it is made clear by the fact that he said he was not suggesting that British republicans should be ineligible for election to this Assembly. British republicans are British mostly because they were given that at birth, did not ask for it, did not pay for it, just got given it, but are not loyal ...

Senator P.M. Bailhache:

Will the Deputy give way?

Deputy S.Y. Mézec:

I will purely out of intrigue.

Senator P.M. Bailhache:

Because I do not think I did properly answer the question put by Deputy Tadier. My position is that a person should be loyal ultimately to the country. One talks of the head of state, at the present time the Queen as our head of state. If ultimately a republic were to be declared, heaven forbid, but if ultimately a republic were to be declared and a president of that republic were appointed, it would be the duty of every citizen to owe loyalty to that president.

Deputy S.Y. Mézec:

Thank you, a fascinating comment there, and I am sure Sinn Fein will be glad to hear of that. Of course the Sinn Fein M.P.s (Members of Parliament) show a very interesting example here and if you are a resident of Northern Ireland you are both eligible to be a British citizen and/or an Irish citizen if you so choose, and the U.K. has carved out exceptions for Irish citizens to make it acceptable for them to play a much greater part in the democratic process than people of other nationalities. But I am going to come back to that point later. I am sorry for having to be so frank about this, but I find this argument about loyalty to be sinister. It is an argument I am uncomfortable hearing, questioning what is really in the heads of these other people who do not possess a British passport.

[11:30]

I am sorry, but your loyalty to your home has nothing to do with what document you possess, whether it was given to you or whether you paid for it. What matters is what you feel in your heart; that is what makes somebody a Jersey person, it is whether they love this Island, care for it, and want it to succeed. It has nothing to do with what document they do or do not possess. This is the implication behind what Senator Bailhache says, it says if you do not have a British passport but you live here you are not quite really committed to this Island. That may not be what he thinks he said but it is the logical conclusion of that argument that you are not really committed if you do not have a British passport. Given the wonderful Portuguese and Polish friends that I have made in my time living in this Island, right from back when I was at school to being an adult today, I simply find that argument

offensive. Many of the Portuguese, Polish, Romanian, Irish, French, all sort of nationalities who live in this Island, make a wonderful contribution and the fact they have not taken up British citizenship, which in fact offers them nothing in Jersey apart from the right to stand for election, is not a sign that they are not committed or not loyal to this Island. In any event, if they were to stand for election here, they would have to make that oath of office to the head of state or to the country, as whatever Senator Bailhache may like to see it, and that is what fixes the problem he has with this. If it is the case that not having a British passport means you are not really loyal, then why do we let non-British people become police officers? The reason we let non-British people serve as police officers here is because the argument about nationality is so ridiculous it obviously does not count. We are happy to have non-British people serving in the police force, essentially upholding the law and arresting people who do not obey the law, we want them to be serving in our police force because we know that policing by consent is the best form of policing and we want people in our community to look at our police service and say: "I cannot hold a grudge against them for not being like me", we want to trust them because they are us, the police are part of our community, whether they were born here, whether they are British citizens or otherwise. Right now, we look at this States Assembly and to the non-British people who live in Jersey who are Jersey people because this is their home and because they care about it, they look at an Assembly and say: "That is not for me. They do not care about me really and they want to exclude people like me. Why should I trust them?" In fact it is quite an interesting variation of the Jersey Way that has been spoken of as a result of the Care Inquiry, which spoke of the attitude that exists in many parts of Jersey society where they do not trust the institutions of the Island, they do not trust the courts, they do not trust the States Assembly, because they do not think it is really made up of people like them. That will also count for some of our immigrant communities, which I think is quite an interesting angle on it. If you were in one of those communities, not a British citizen, listening to this debate, the inevitable conclusion you will make from these arguments is that there are people in this Assembly who just do not care about them. That is the only conclusion that people can reach from that. I thought the example that Senator Bailhache made about the war was really, really weird, to be frank, he spoke about rules against Germans in 1939 at the outset of the war. Of course one country that did this was America who passed all sorts of laws against Japanese citizens and the way they treated Japanese people was disgraceful and it caused all sorts of disillusionment, it caused all sorts of resentment that took years to get over and now these countries are essentially the best of friends, working together, trading together. That is the point here is that we want people around the world to be friends, we want them to get on with one another, not to be enemies or to be suspicious of one another, focusing on what divides them rather than what unites them. The argument that Senator Bailhache makes is the argument of building walls, not building bridges. That is what it is at the end of the day and I really hope Members disregard it. But one of the strange comments that have been made has been this argument about what other countries do or do not do, as if somehow that has some bearing on what we do here. So, at the last States sitting we passed legislation on same-sex marriage, the vast majority of countries in this world do not have legislation on same-sex marriage and oppose it, but that argument does not come forward there because we know that the position of those who support equal rights for gay people is a more enlightened position than may exist in other people who do not agree with this. So this is not about whether we are like other countries or not, it is whether we are enlightened and inclusive, and not just because of what that offers us culturally, but what it offers us frankly economically by taking advantage of the talents that other people have rather than excluding them for these ridiculous arbitrary reasons. But there are 2 points that have been made by speakers in support of this proposition that I simply want to highlight because I think they really show how ridiculous the arguments are against this and how I think they are good reasons to vote in favour of this proposition. The first was the comparison that Deputy Tadier made, he spoke about the different rules exist in different parliaments for who is eligible to stand there. The example he used was the Australian Parliament. Of course in Australia you have to be Australian to stand for the Australian

Parliament. In France you have to be French to stand for the French Parliament. Here in Jersey, to stand for the Jersey Parliament, you have to be British, you do not have to be Jersey, you have to be something else, you have to be British. So Jersey is out of step with the rest of the world here because we have a requirement, to be a Member of this Assembly, you have to be the citizen of another state somewhere else. What other countries have that enshrined in their rules on who can be a member of their parliament? So what Deputy Tadier's proposition does is it restores normality to this position, it says if you want to be a member of Jersey's National Assembly you should be a Jersey person, it is not about being British, it is about being a Jersey person. As I said, what makes somebody a Jersey person is not down to whether they are a citizen of another state or not, it is down to what is in their heart. To judge whether somebody is capable of being a States Member or not is not the duty of these laws, which exclude people, it is down to the electorate to decide, to judge a candidate in front of them and say: "I like what this person says, I like the values that they are espousing, I think they would make a positive difference so I am going to vote for them." If people out there want to refuse to vote for people based on where they were born or what nationality they are, then frankly I feel sorry for them because they are shooting themselves in the foot by excluding the possibility of this Assembly benefiting from talent from elsewhere outside of this Island originally. But the other point I want to draw upon is the point that was made by Deputy McLinton, I cannot remember exactly how he phrased it, but he spoke about the fact that in Jersey elections you do not have to be British to vote, you can be any nationality to vote here, you just have to have lived here for 2 years. I have voted in 3 national elections of another state; that state was the United Kingdom, I was resident there and as a British citizen I voted in 3 U.K. general elections, in fact I even voted for a candidate that won on one of those occasions, she is now the Shadow Foreign Secretary. So in that election your eligibility to stand is the same as your eligibility to vote. In the U.K., to be a Member of Parliament, you have to be either a British citizen or an Irish citizen, and to vote in U.K. elections you have to be either a British citizen or an Irish citizen. I remember at university some of my friends who were from other countries, European Union countries as one example, could not vote in that election. They were allowed to vote in local council elections but they were not allowed to vote in national elections because of the nationality requirement. In France, to vote in national elections, you have to be a French citizen. So again Jersey is out of step because, to vote here, you just have to have a residency requirement, not a nationality requirement. So the question here then is that if you want somehow to be consistent across the board, there are only 2 directions we can go on this, if you want to have the same principle that other countries have, which is that your eligibility to vote is the same as your eligibility to stand, we have 2 choices before us, we either go backwards and reduce the franchise and say that: "No, you must be a British citizen to vote here", or we go forward and say that we will bring the eligibility criteria to the same as the voting criteria. That seems to me to be the most sensible way forward. I completely support Deputy Tadier's proposition and if this proposition has to come before the States 100 more times I will vote for it 100 more times and I think the arguments used against it have been sinister. Let us be an all-inclusive Island and benefit from the talents of other people, not just exclusive: "You are not really loyal because you do not have this document", it is a ridiculous argument against it.

3.1.7 Deputy R. Labey of St. Helier:

The British have every right, do they not, to set a citizenship test for foreign nationals to test their cognisance of the language and the culture and the history, because how the British have led by example, how the British, when abroad, have completely immersed themselves in the culture of the country they find themselves in. Of course the British are famous for doing exactly the opposite. Wherever the Brits are, I mean look at them, there are more Irish pubs on the Costa del Sol than there are Tapas bars. Look at Britain's history in the colonies. Well the British love an Irish bar. How many members of the British Raj returned from India speaking fluent Bengali or Punjabi or Tamil? It did not happen. So the British are famous for turning places they tend to colonise into little

Englands and so the idea that we should ask Polish or Portuguese nationals to name the 6 wives of Henry VIII before they can sit in this Chamber, we have spoken of it in this debate before, and it does not really mean anything. I hear what Senator Bailhache is saying of course and that kind of loyalty to some nationhood; it does not hold sway for me in this particular argument. I can understand people being proud of their citizenship and all their citizenships, but loyalty to this sort of nationhood, I do not know, maybe because I have worked and lived in other continents, it does not mean as much to me as perhaps it does to others. But loyalty to people means a lot to me and is very, very important. I think that members of our Romanian, Polish, Portuguese community putting themselves up for election is a demonstration of their loyalty to the people of Jersey and to Jersey. The thing about them having to be British citizens does not mean that much to me. If there was a sort of Jersey citizenship... not a test in any way, but a way of qualifying in some way for a Jersey citizenship, then I could understand that and that would be fine. But I made a lot of the same notes during Senator Bailhache's speech as Deputy Mézec, so I am trying to cross them out now because I do not want to repeat what he said, but I have the phrase "building bridges" down here too and I agree that most people do not realise, when I have engaged with people on this issue after the last couple of debates, there are very, very strong views and when you bring up the issue of the fact that our foreign nationals can be policemen and women and have to take an oath for that, a lot of people are very, very surprised that indeed happens. If our foreign nationals can take an oath to be policemen to uphold and enforce our laws they can do the same to be politicians to pass our laws. That is just my belief. I am completely relaxed about it and I think it is really, really important that we have foreign nationals in our police force because our police force should reflect, should look like, the population it serves, and so should our courts and so should our politics. So we are out of step. We are out of step because our Parliament, our establishment here, should look a bit more like the community it serves and we should be trying to take down the barriers that are preventing that. If it is the British citizenship thing, we should be trying to find an alternative and break that down. What I find most people who I have engaged with, and I have to say most of them are opposed to this idea, and I do not think they are rabid xenophobes at all, they are perfectly reasonable, a lot of them, in their beliefs, so I have had lots of arguments on Facebook and on the phone and in the street about it, and one sticking point they feel is that, well, we cannot go to Madeira and stand in the Madeira Parliament if we cannot go to Poland and stand in the Polish Parliament.

[11:45]

My answer to that is why would you, because you would not be representing a community of Jersey people in Poland because there is not one? There might be a smattering of people but there is not a significant community of Jersey people in Poland or Madeira that need to be represented in the Parliament, but there are a significant number of those foreign nationals in Jersey who deserve to be represented in the Parliament. That for me is what it is about and we should be moving towards that and trying to break down barriers. I like Deputy Tadier so much, he is very brave and has tremendous chutzpah, and he slammed this in very quickly and I just feel that it is an important issue, which might have benefited from some sort of engagement with the population before it came back to the House. I have always supported Deputy Tadier on this but I feel he is a bit like St. Jude, is he not, he is the patron saint of lost causes of this Assembly and I do not want this to be a lost cause. This is a really important cause and I feel this coming back to the House, what should have preceded it is some engagement with the public in assemblies or through a petition, a way of engaging with the public to try to explain this point of view to people who are desperately, desperately against it. I am not having a go at Deputy Tadier, but I feel we have had a lost opportunity to have garnered some support, tried to educate people, tried to make them understand the importance of this Assembly reflecting, looking like, the community it serves.

3.1.8 Deputy A.D. Lewis of St. Helier:

If I could just start with a quick question to the Solicitor General, if I may. I just wonder if he is able to advise as to whether Members of the Parliament in Scotland and Wales, the devolved Assemblies, whether they have to be British or Scottish? Also, in this Assembly, if you were Irish, you would need to naturalise to be British before you could join this Assembly but in the U.K. you do not have to. Has it ever been considered to revise that, so that is in line with the British system? It seems a little bit odd that, as an Irish person, you can stand for election in the British Parliament but you cannot in our Parliament. I just wondered why that anomaly existed.

The Greffier of the States (in the Chair):

I wonder if that would be helpful to the Solicitor General and you just carry on with your speech because you have asked several questions about other jurisdictions' law, which may take some time for him to think about.

Deputy A.D. Lewis:

Yes, okay, that is fine, thank you. But I raise that because this is perhaps a little more complicated than some of us may realise and it raises up all sorts of questions like that, which is quite interesting. Sorry, I was being distracted by colleagues behind. We hear a term used quite regularly in the press, in Parliament and so on, through globalisation as well, is that we are all citizens of the world and that is really a nice phrase; all citizens of the world. But you try getting into the United States of America as a tourist, it takes you hours. You try and get naturalisation in the U.S. (United States), this is one of the most democratic countries in the world, it is not easy. I am not saying it is right, I am just saying that is just the way it is. There is an elephant in the room here and is being spoken about but I do not think it is being perhaps spoken about strongly enough. There is not ultimate discrimination here at all. If you wish to join this Assembly you can naturalise. I know there is a cost to that and I know that there is a process you have to go through, which is not easy but, boy, does that show a commitment to the place that you live in to become a British citizen. There are a number of people of the nationalities that have been mentioned that have done exactly that but I do not see them queuing up to join the political forum; they are not. I would love to see some of those people here. There are lots of people of extract from those nationalities, their families have been here for decades, so, consequently, they are British. I do not see them queuing up either. Maybe there is a lot more we could do. Maybe this is something that is putting them off but I do not think so somehow. I do not think they feel excluded to the degree that Deputy Tadier is suggesting but still we do not see them coming forward, putting themselves forward. But in the Parish of St. Helier we work really hard to try and engage with those communities and we have successfully attracted a number into our Honorary Police Service, more recently on other Parish committees very successfully. There is engagement going on with those communities at that level of Government, which is at Parish level, which is good. But if you want to join this Assembly, if you want to join the Assemblies and Parliaments in virtually all countries around the world you take the citizenship for that country. I would like to be a trailblazer for all sorts of things in Jersey but this one is not at the top of the list. To be one of the only ones in the world to do it there has got to be a really, really good reason and there is probably a really, really good reason as to why other countries have not done it, that is why they have not done it. But, interestingly, I was very taken by the speeches of both Senator Bailhache and Deputy Mézec, both really convincing speeches; very eloquently put, very passionately put and perfectly logical as well. But we are who we are and to trail-blaze as a small State on this issue and be one of the first or perhaps the first to say: "No, you do not have to be a citizen to join our legislative Assembly", I think is a step way too far. There are other things we could trail-blaze on first because there must be a very good reason, and I am sure there is, as to why countries do not do it. The people we are talking about are represented in this Assembly. I represent a large number of Portuguese and Polish citizens. Not a huge number of them turned out to vote, many did but not as many as I would like and maybe that is one of the reasons. Perhaps Deputy Tadier might use that when he is summing

up. I do not personally believe it is massive reason at all. Why do we not do some research and survey the segments of our community and find out for sure. There are lots of unanswered questions here, maybe there should be a Scrutiny review on it properly before Deputy Tadier is tempted to bring it back yet again; I think this is the third time, which, I think, one of the other Members alluded to earlier, Deputy Labey. There is more work to be done before a cold presentation like this is made to this Assembly, so that there is more evidence to suggest this is the right thing for Jersey to trail-blaze on, be the first but there are so many other things I ought to be first on, this is not top of my list but I can see the sentiment behind it. We are British, which we are proud to be British. Somebody suggested there was no advantage to having a British passport, I think it was Deputy Mézec. There is a huge advantage having a British passport, one of the most respected documents in the world, including in Jersey. If you are travelling around the world and something goes wrong, there are embassies and ligations in most countries around the world. You can go to that consulate or that embassy, show your British passport and it is: "Welcome, how much can I do to help you?" If you are caught up in a warzone you get evacuated. If you have a problem with your health and you are in a Commonwealth country you will get help. If you are a student and you want to go and work in a Commonwealth country you can do so because you have got a British passport. It is extremely valuable, it may become even more valuable if Brexit goes ahead because suddenly the people that live here with that British passport and work freely and easily in the U.K., as they can now, have got no restriction at all, whereas European citizens might find it slightly more difficult, make more people apply for naturalisation. I will be interested to know what the answer is to my question, Solicitor General, when he has a moment to do it. But I cannot support this proposition, it is not something that I would want to see us trail-blaze on. I can see the sentiments coming from both sides of the argument. The argument to do it, to trail-blaze on our own is simply not strong enough. But I would challenge Deputy Tadier to go away, gather more data, get a Scrutiny review going on this, look at it properly and then bring it back to the Assembly, if he still feels that strongly about it. We need more to change something that has been in place for so long and I think for some very good reasons and nobody else has done it. If that can be proved to me that there is a really good reason why all the countries in the world should do the same thing, then I would consider it. But right now I have not got that, so I am afraid, as laudable as the attempts for inclusivity are from Deputy Tadier, I do not think on this occasion this is one that should be pursued much further.

The Solicitor General:

There are citizenship requirements for all 3 jurisdictions; Ireland, Scotland and Wales, although in the case of Wales and Scotland the citizenship requirement extends to membership of an eligible Commonwealth country or a member of a country in the European Union.

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

The previous speaker, the previous Deputy before me, spoke about trailblazing and that he did not want to trail-blaze on this particular issue. I think the gist of that speech being that this was perhaps quite a minor issue. I think it is really important. Our voter turnout and our political engagement is so, so low. We have been comparing ourselves with other jurisdictions and say: "Most jurisdictions have their citizenship requirement, therefore we should too." But we are forgetting the fact that Jersey is not like other jurisdictions, we are different. One of the great ways that we are different is that we have this diversity built into our Island. We have a Portuguese community, a Polish community and others. Look around, there is nobody in this room who is a member of the Portuguese community. There is nobody in this room who is a member of the Polish community. As many Portuguese and Madeiran friends as I have, I have not lived their lives and I cannot pretend to represent them and I do not think any of us can. We are letting down a huge section of our population and it is not good enough and we need to get serious about addressing it. Addressing this really serious and quite fundamental issue of democracy might mean us taking some action, which is

perhaps a little bit counterintuitive and a little bit trailblazing. I do not think it is extreme. I think the test for being a Jersey person and whether you are committed to Jersey, that test is decided by the electorate and I do not think we should be so arrogant as to take that decision out of their hands. I think we should removing barriers, not maintaining any current barriers and I think we should be removing the citizenship requirements. I will be voting for this proposition.

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

Senator Bailhache does not need any advocates in this Chamber but I think it was unfair of one speaker to talk about him putting up barriers to other nationalities living in Jersey when he has done more than most to build bridges with other communities living here. **[Approbation]** I was grateful to him for his explanation and I think some Members have shot him down rather harshly for really giving us a very clear account of the position. Other Members, of course, have referred to the need for Jersey to be different in this area, as we are in others and it is true that we have blazed a trail. I am thinking of the fact that in the U.K. they are now talking about giving 16 year-olds the right to vote and we have been there and we have done that and we are really very happy with it. Interestingly, also some Members are speaking as if there is a great queue of people waiting to join this Assembly, who are prevented from doing so because they have not passed the naturalisation procedure. If we could just get some gender equality in this Chamber I think some of us would be pleased. Whether this is the panacea that the mover of this proposition thinks, I am not sure it is.

[12:00]

I think there are some bigger issues facing the Assembly, why do more people in Jersey not want to come into this Chamber and stand for office? What is putting people off standing for office? I think nationality may be one factor but I suggest it is a minor factor and there are much bigger problems involved. I do have another question for the Solicitor General to contemplate, could he, at some point, just clarify whether a person who is naturalised and becomes a British citizen here in Jersey has to give up their own nationality or can they keep dual nationality because I think that is important? Some people I have spoken to have said that they would enjoy being a Member of our Assembly but they do not see why they should give up their own nationality. I think it is possible, like that super sleuth thing, some of the thrillers they have a whole suitcase of passports, as it were, then why should not someone be given that offer? It was discussed earlier, I think, that the naturalisation procedure is expensive and rather difficult and one of the things that I think one of the Reform party members said was that if this does not get through they will move very quickly to bring down the cost of becoming naturalised. I would absolutely support making that process easier and more accessible to the public. In fact it seems a bit arcane, how many people know how to do it? I am not sure that it is being promoted enough as something that people coming to Jersey to live and pay their taxes, that it is open to them. I would like to see more work done on that and I would pick up here on the comment by Deputy Labey of St. Helier who said that really this is too important to be thrown away today. This is an important subject and the whole issue of becoming naturalised, what is involved, why does it cost what it does, how can that process be opened up more? I think that needs to be done. You certainly look at some countries, I remember when my father became an American citizen; it is a great day. They open up a civic building and it is a great day for people. Here it seems to be happening in a slightly quiet way. Of course, it happens in the Royal Court, while we are in there seeing our Honorary Police officers sworn in, they go first if they are being naturalised, followed by the swearing in of Honorary Police and back to that in a minute. But I would like to see, whatever the outcome of this debate, more work done on the naturalisation process, how much it costs, how well it is promoted and whether we could do more to really make it possible for people. Of course, it has to be said in passing that certainly some of the people I have spoken to about becoming Members of the States are just far too busy making a living, often holding down 2 or 3 jobs, to even contemplate joining this Assembly and even to contemplate going through the nationality procedure.

So that is another issue but there is no doubt that we need their talent in here. We all do this, I am sure, particularly around election time, we try and get our friends to stand for office, hopefully not in our own district: “Go and stand in Deputy Norton’s district. That is perfect.” **[Laughter]** I do not know whether it is a desire to share the pain with other people but certainly I think we are all advocates. We are all advocates for what we do. We want other people to do it and every time I normally line up half a dozen people, often women because they are under-represented here, and I try to persuade them to run and they come up with all kinds of reasons why they would not want to do what we are doing. Nationality is not normally one of them but it has been in the past. We do need to do more about it. I must say now that the subject of loyalty has been introduced by Senator Bailhache, it does give me a problem because if the message that goes out today is that people of other nationalities living here, who have not been through the process of naturalisation, in some way lack loyalty to Jersey then I do not want my name on the list of people sending out that message, because I regularly sit in the Royal Court and see members of other nations swearing an oath of office to be Honorary Police Officers. St. Helier has almost, I think, half of our Honorary Police Force from other countries, not only from Portugal and Poland but from Bulgaria. We have people from all over the place and they are going out, when I am tucked up in my bed, keeping St. Helier safe. I do not want to send out the message that they lack loyalty to Jersey, because they do not and they are passionate about the work they do. Of course, our Honorary Police system is one of the great unique things that Jersey has. If we are talking trailblazing, we have been blazing that trail since the Middle Ages. So I do believe that, certainly for me, I will have to vote in support of the proposition. I see the problems that the people arguing against it have outlined. I think we could get over those and I think for me it is far more important to harness the skills and talents and commitment and loyalty of the foreigners living in Jersey who would like to be part of our number than to allow this difficulty to stop us in that process.

Deputy R. Labey:

I am not sure if the previous speaker in his opening remarks was referring to me or not but I do want to correct any wrong impression I might have given. I have publicly in this Assembly, on a previous occasion, paid tribute to Senator Bailhache when as Bailiff he made giant strides in making our foreign nationals feel included and at home and I am happy to repeat that now.

3.1.11 Deputy K.L. Moore of St. Peter:

I will not speak at length because I spoke in the last debate on this subject and my support for this proposition will be maintained today, but I wanted to briefly touch upon the practical matter of payment of naturalisation, which falls under my remit. Just to set the record straight really, this cost and the fee that is associated to the process of naturalisation, which is a lengthy process, taking up to about 6 months at least ... that cost and fee is set by the U.K. and at the moment we follow that, as we do with many other fees. So it would be slightly awkward to change that.

3.1.12 The Deputy of St. Mary:

Like the previous speaker, I voted in favour of a similar proposition raised by Deputy Tadier some time ago and I shall be doing likewise today. It seems to be quite illogical to me that we are happy to grant voting rights to citizens of other countries, accept them in our society by allowing them to ... not allowing them but encouraging them to take up responsible positions such as police officers and are happy for them to swear the appropriate oath of office. Why should they not be allowed to stand in this Assembly? At the end of the day it will be the electorate who decides whether they are worthy of that position and I do not think there will be, first, too many people standing and, secondly, if they do they will have to have very high credentials to get first past the post. The one additional point I would make is that on my way to work this morning my mobile beeped and there was a text message saying: “Make it 5 years.” If this particular proposition is rejected and it is then re-brought to the

Assembly, I wonder whether it would not be a useful use of time to question whether the present 2-year period for residents applying for citizenship is in fact enough and that a proposition might gain greater support if there were, say, a 5-year period applying to British citizens and other nationalities alike.

3.1.13 Deputy S. M. Brée:

I feel it a great shame that we are going over arguments that happened last time Deputy Tadier brought such a proposition. I will probably go against the flow of some of the speakers. I cannot support this. We are who we are. We are British and it reaches a point whereby arguments are being put forward: "Why do I have a passport for another state?" I am sorry, there is no such thing as Jersey nationality. We are British. We have a proud history of being British and British is not a state, it is a nationality. We have also had the argument put forward that we accept non-British nationals into roles like the police or the honorary and, yes, we do and their role is very important in that but they are not making the laws that affect every person on this Island. They are enforcing the laws. The laws are made here; we are the law makers. We have to protect, if you like, our culture. The argument has been put forward as well that we need to encourage more people from immigrant communities to enter politics. I could not agree more. Of course we do. Of course we do, but the *quid pro quo* is that you, as an immigrant, have come to this Island. You knew who we were and are. We have a culture that we are fiercely, at times, protective of, very proud of, that we are British. Now, there is nothing wrong in somebody saying: "If you wish to become part of this Assembly you have to be a British citizen." You can hold dual citizenship unless the country of your birth does not permit it. There are countries around the world that do not permit their citizens to hold another nationality, dual nationality. Australia is an ideal example of that. An Australian cannot hold office in Australia if he holds dual nationality. So what is wrong with saying if you want to be in the States Assembly, if you want to be part of the law making, the Executive, that you are a British citizen? In my opinion there is absolutely nothing wrong in that and this argument that we are depriving certain sections of our community from being able to be involved in it ... we are not. We are not depriving them. We are not saying: "No, you cannot under any circumstances." We are merely saying: "This is who we are. This is our culture, this is our history. We welcome your involvement but to do so we ask you to become a British citizen." Now, in most cases, as far as I understand it, with European Union countries - and I am sure somebody will correct me if I am wrong - no European Union country forbids dual nationality. So, what is wrong in that? The case has been made: "Hang on a minute, we are discriminating against non-British people through financial reasons", i.e. they cannot afford to take the nationality test that will grant them British citizenship. That is another debate to be had. I actually agree. I think the cost of that could be somehow subsidised by the States of Jersey, but we do not set that cost. That is set by the U.K. Government. We cannot have a different cost. While I agree with all the laudable arguments that are put forward about inclusivity, about we need to encourage more people to stand for the States, I agree with those, but what is wrong with asking all those people to be a British citizen? We are British. There is no such thing as Jersey nationality because we owe allegiance to the Crown. If you wish to change that then, fine, bring a proposition that Jersey becomes independent, we create Jersey nationality and we do our own thing, but that is not the case at the moment. Most people I have spoken to cannot see why somebody who has another nationality would not be willing to take that step to become a British citizen. I cannot support this in the same way as I did not support the previous propositions brought Deputy Tadier because it misses the point completely. We are who we are. Most people on this Island are incredibly proud ... who are British, incredibly proud to be British and we ask those who wish to join us to take British citizenship. We are not asking them to give up their own.

[12:15]

The Greffier of the States (in the Chair):

Does any other Member wish to speak on the proposition? If not, I call Deputy Tadier.

3.1.14 Deputy M. Tadier:

I thank Members who have spoken on this, including the last speaker who decried that we were having this debate at all but nonetheless took the opportunity to speak against and to put on record his thoughts, which are valid, of course. There has been a lot of talk about this British nationality test. I, for one, admit that I have not really looked at it. I have heard a lot about it. I know it is very expensive to do and I know that there are lots of questions in it which I probably would not pass and I suspect, like many, if I were to take my driving test again tomorrow, without any lessons or without any revision of the Highway Code, I probably would not pass that again straightaway. It is okay because I could do it again but it would cost me. Of course, firstly, you do not necessarily get your British nationality requirements first time round. You might have to have very deep pockets and if you are working a full week plus the extra hours to do that it should not be a luxury to be able to put yourself forward for election. You should not have to be a wealthy immigrant to be able to stand for election. You should be able to stand for election, I believe, if you are a citizen of Jersey, because we are the Jersey Assembly. When Deputy Labey of St. Helier quoted or suggested one of the questions to do would be you have to name all of the wives of King Henry VIII, perhaps when they died and how they died or which one survived and so on, I thought he was about to introduce a guillotine motion again, as he did yesterday [**Laughter**] but clearly that was earlier on in the debate and I am glad that he did not. A lot of the things that one is required to know is of questionable relevance and I think what relevant information you need to know in your head and what principles you have to have in your heart will be asked by the electorate when you stand for election. They will be asked of you whether you are a British national or whether you are a foreign national and they will have very good questions. They will not be asking about how many wives King Henry VIII had and which ones got their heads chopped off. They will be asking: “What do you think about population? What do you think about the parking in this area? I cannot get a parking space. What do you think about the cost of maternity cover. What do you think about how long we should get for maternity leave? By the way, before I can ask that, let me see your passport.” If having a British passport is such an important issue in Jersey, why are none of the candidates ever asked to produce one when they stand and hand in their nomination paper? It is because it is not relevant. It does not appear in the mind of the officer there, the secretary, to ask for a British passport. This idea that they are not queuing up around the block, first of all, is anybody queuing up around the block to become a States Member irrespective of nationality? No, not really and that is why each of us probably in the actual parties that exist, the only party in the States that exists but also in the informal parties and the coalitions and the coteries that exist in this Island, people are meeting together, as the Constable of St. Helier said, and we all do it. We think about who would be good to run in the Assembly. Let us get some good people for election and it is difficult enough to find good people to do it at the best of times. The Constable quite rightly said this is not the panacea. Of course it is not. I am not naive, I do not try and suggest that this is a panacea. Of course we need more women in this Assembly and that is the one urgent thing we need to do and that we can do to make this Assembly more representative, but that does not mean that we should not be campaigning. We are campaigning, incidentally. I am trying to ... every time I think of who might make a new candidate I think, first of all, can I get a woman in this Parliament, with the right politics of course, because politics do not go out the window. I do not want to vote for somebody whose politics I do not agree with and clearly people on the other side will be doing the same. But what I would say to the Constable of St. Helier is there is not a legal impediment for women to stand in this Assembly and if it was the case that women could not stand for election, trust me, I would be one of the first people to bring that proposition and hopefully there would be others who would have got there before I did. But there is a legal barrier to foreign nationals. Of course, we know that there are lots of invisible barriers and I found it quite amusing, to be honest, the idea that came up that there is no legal requirement stopping

the Bailiff or the Crown Officers from being British. Essentially what Senator Bailhache was saying: “But of course we would never let that happen. We would make sure that nobody in their right mind recommended to Her Majesty, or His or Her Majesty in the future ... would ever allow somebody who is not British because they are clearly not the right type.” That just smacked of the old empire argument. I think it is right to say that Senator Bailhache has done a lot for the community in Jersey and he continues to do so and we can work together, many of us from different parts of the Assembly. But the other point is that this kind of debate does, thankfully, bring together people from across the political divide. It is essentially one, I think, that unites liberals who have a view about universality versus those who hold on to what is becoming an increasingly quaint and outdated concept of empire and we are not living, thankfully, during the Cold War or during the Occupation anymore. We are living in a forward-looking world where the barriers are becoming less and less relevant, despite some very worrying individuals and politics that are going on in the wider global community. So I do thank the Constable of St. Helier for his words. They were in the right direction and hopefully his vote too. Similarly Deputy Labey is another one who likes to stand and hopefully most of the time always votes with his conscience and gives me his support even if it is not his full verbal support. We could consult on this, of course. For me, I think it is a very clear intellectual matter. I do not know how sometimes you can consult with people who have visceral disagreement with a certain position. It is not easy. It is essentially an intellectual argument and you either can see the argument or you cannot. This argument ... and I know we are coming to election, of course, and it is risky to have controversial points perhaps that are put out there, and because they are my 2 friends outside of the party, perhaps, in the Assembly who I like in particular and because I know they are literary men, I just want to give a quote from a good, well known book, which is of course George Orwell’s *1984*. I think it is the last paragraph of the book, if I remember rightly. It says: “He gazed up at the enormous face; 40 years it had taken him to learn what kind of smile was hidden beneath the dark moustache. Oh, cruel and needless misunderstanding. Oh, stubborn, self-willed exile from the loving breast. Two gin-scented tears trickled down the sides of his nose. But it was all right, everything was all right, the struggle was finished. He had won the victory over himself. He loved Big Brother.” Now, the reason I say that is perhaps the Constable of St. Helier and Deputy Labey are thinking that I am some kind of St. Jude character. I did not immediately get the reference. It is without my normal cultural reference. I was not particularly brought up Catholic, so to speak. But maybe they are hoping that one day I will finally get the message and that the penny will drop and I will be crushed myself and that spirit that I have will some day be sated and that I will truly also love Big Brother, but at the moment I am going to stand up for the little guy not for Big Brother, I am afraid. I hope that they will also do that and that they will support this because they know that it is the right thing to do. When we hear the arguments that come to us: “Well, I cannot stand for election in Madeira, I cannot stand for election in Poland”, because, of course, they are queueing up to do that, what is the logical conclusion of that? Should we legislate for other countries? Should we, therefore, say in the gay marriage debate, if I can call it that in the vernacular, that we should let only British or Jersey gay people in Jersey get married because Jersey gay people cannot get married in Madeira and gay Jersey people cannot get married in Portugal, therefore anyone from those countries who comes to live in Jersey should not be able to get married in Jersey. Of course we do not say that because that is a nonsense. We legislate for Jersey people and we legislate for our community. We cannot force other countries to act in a way that would be more becoming and we can be trailblazers. We are not the first country to do it. We are not the first place to do that. It is correct that we are not a country. That is why I emphasise the point that the test should be about Jersey citizenship, not about British nationality, somebody who has the nationality of a different state, because the U.K. is a different state to Jersey, in the true sense. They have their own Parliament which is not our Parliament. Senator Bailhache tells us that all the time. He wants to make sure that we enforce our own laws and that we are not dictated to by the U.K., which is understandable. We make laws here for Jersey. We do not make laws here for the U.K., therefore it is entirely appropriate that Jersey people make Jersey laws.

That is why I fully agree with the Constable of St. John that you should have to be a resident of Jersey in order to be able to stand for election in Jersey. That makes complete sense to me. Going back to the argument about are they queuing, well, some people are actually making approaches. It is true that in some cases we might approach people saying: "You would make a good candidate. Have you ever thought about it?" and sometimes they say: "Yes, I would." The people who say that: "I cannot afford to give my job up, I cannot afford to give my pension up for 4 years, I cannot afford to take a month unpaid leave because I am a States employee to do this and pay my mortgage in the meantime", the people who say yes, despite all that adversity and then you say: "By the way, just a bit of housekeeping, are you a British citizen?" "No, I am not. I did not know I needed to be", that is usually the response: "Sorry, mate, you cannot do it." But in some cases they do approach you. I was approached by an Irish national out of the blue who said: "I would like to stand for election. How do I do it?" I said: "That is good news. By the way, are you British?" He is Irish, obviously. He said: "No, I am not. I have not been naturalised." "Sorry, you cannot do it then but we are discussing it. We are looking to talk about the law." That is why I was particularly pleased this morning to have someone come out and speak publicly. It is not easy for somebody to do that, especially someone, even if they have lived in the Island for a long time, to speak out because speaking out nowadays in Jersey means that you can attract a lot of hate, unfortunately. We might have to take that on the chin on social media but when people put their names out, especially if it is on a Facebook posting or on Twitter, they can get abuse just for even saying: "Hello, I am here. I am interested in standing for election." You will be surprised at the amount of racist abuse that can come just from that simple, reasonable statement. Today we have the opportunity to stand up and I am pleased that the Minister for Home Affairs gave clarification because in good faith at the last vote the Assistant Minister did stand up - and I think she was trying to be helpful - saying: "We could look at the costs. We know it is costly. Maybe we can do something around that." I think it is reasonably... I thought that was strange because, of course, it is the U.K. that ultimately sets the cost of that. It is not within our gift to do that. I think when Deputy Southern was suggesting setting up this trust, is this Government or the next one really, in this Assembly going to suggest that we subsidise, perhaps to the tune of £800, every non-British person in Jersey who wants to get a passport? Are we going to put some kind of eligibility requirement there saying: "Well, only if you want to be a States Member"? Are we going to force people to then run for States Members if we have given that free subsidy? I do not think it is workable. I do not think most people would agree to do that, to hand out £800 to every foreign national just so they could get fast tracked for a passport. I think the easiest way, let us not make it overly complicated, is just to remove the legal requirement. There will still be lots of invisible hurdles and there will still be glass ceilings that prevent all sorts of people from getting into the Assembly in the first place. The Greffier - gov.je - is already doing some good work in that area and I will certainly work with the Constable of St. Helier, my colleagues here and others in the Assembly to make sure we break down those barriers, but this is one tangible way today. This is action that we can take, not just words, to get a more diverse Assembly. I do ask Members for their support, including other Ministers not just the Minister for Home Affairs. I know that there are other Ministers out there who in their heart of hearts have seen ... and if I may finish by saying this. I think ... because there are various reasons, I am sure, and I do not want to embarrass her, why the Minister for Home Affairs might be supportive of this kind of idea and I think part of the reason may well be because she has seen the contribution within the police force that non-British people can give, serving the community, and they do that without any problem. They can take an oath without any problem and she has seen that they are an effective contributor to the system. Similarly, I suspect, the Minister for Health and Social Services knows that there are many good people working within the hospital who are not British citizens, who may be one day when they retire give their knowledge to serve in this Assembly to do with healthcare and to do with the great work that we are going to be doing, or whoever is going to be doing, in the field of health. I do ask for other Ministers, Assistant Ministers and people across the board to support this proposition today.

[12:30]

Deputy G.P. Southern:

Could we have the appel, please, Sir?

The Greffier of the States (in the Chair):

The appel has been called for. I ask Members to return to their seats. I think everyone is here. I ask the Greffier to open the voting.

POUR: 17		CONTRE: 29		ABSTAIN: 0
Connétable of St. Helier		Senator P.F. Routier		
Connétable of St. Lawrence		Senator I.J. Gorst		
Connétable of St. Brelade		Senator L.J. Farnham		
Deputy J.A. Martin (H)		Senator P.M. Bailhache		
Deputy G.P. Southern (H)		Senator A.K.F. Green		
Deputy M. Tadier (B)		Senator S.C. Ferguson		
Deputy of St. John		Connétable of St. Clement		
Deputy of St. Peter		Connétable of St. Peter		
Deputy R.J. Rondel (H)		Connétable of St. Mary		
Deputy S.Y. Mézec (H)		Connétable of St. Ouen		
Deputy of St. Ouen		Connétable of St. Martin		
Deputy L.M.C. Doublet (S)		Connétable of St. Saviour		
Deputy R. Labey (H)		Connétable of Grouville		
Deputy M.J. Norton (B)		Connétable of St. John		
Deputy T.A. McDonald (S)		Connétable of Trinity		
Deputy of St. Mary		Deputy of Grouville		
Deputy P.D. McLinton (S)		Deputy J.A. Hilton (H)		
		Deputy of Trinity		
		Deputy K.C. Lewis (S)		
		Deputy E.J. Noel (L)		
		Deputy M.R. Higgins (H)		
		Deputy J.M. Maçon (S)		
		Deputy S.J. Pinel (C)		
		Deputy of St. Martin		
		Deputy R.G. Bryans (H)		
		Deputy A.D. Lewis (H)		
		Deputy S.M. Wickenden (H)		
		Deputy S.M. Bree (C)		
		Deputy G.J. Truscott (B)		

4. Jersey Police Complaints Authority: re-appointment of members (P.9/2018)

The Greffier of the States (in the Chair):

We now move on to the Jersey Police Complaints Authority: re-appointment of members, P.9/2018, lodged by the Minister for Home Affairs. 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, in accordance with Article 2 of, and the Schedule to, the Police (Complaints and Discipline) (Jersey) Law 1999, to re-appoint the following people as members of the Jersey Police Complaints Authority for a period of 3 years, commencing on 10th March 2018: Mrs. Gail McCourt, Mr. Duncan Baxter.

4.1 The Deputy of St. Peter (The Minister for Home Affairs):

I will try to be as brief as possible for Members. I would like to begin by paying tribute to Mrs. Debbie Sebire who is standing down from her role as a member of the Jersey Police Complaints Authority after 3 years, the last of which was spent as the deputy chair of the Authority. I am grateful to her for her dedication and commitment over the past 3 years and the voluntary service that she has given to the Authority. I know that Mrs. Sebire will be greatly missed by her colleagues and I wish her the very best for the future. **[Approbation]** I am pleased to recommend to the Assembly that Mr. Duncan Baxter and Mrs. Gail McCourt be re-appointed to the Authority for a further 3-year term. It is welcome news that both candidates have offered their services for a second term and that the Authority can continue to benefit from their hard work, knowledge and experience. I extend my appreciation to both Mr. Baxter and Mrs. McCourt, subject to the Assembly's agreement, wish them well for the next 3 years. Should the Assembly agree to this proposition the authority would be constituted of a chairman and 6 members, thus remaining compliant with the law under which it was established. Members will also wish to note that a recruitment process is presently ongoing for a deputy chairman. I very much hope the Assembly will feel able to support the proposition.

The Greffier of the States (in the Chair):

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

4.1.1 Deputy J. M. Maçon:

On a slightly wider point, and again I support his proposition, I wonder whether the Minister when people are departing the Police Association, given that this is a relatively new structure for Jersey, some form of exit interview was conducted so that we could understand how the authority is operating, how it could be improved and if that was not done perhaps the Minister would take that point on board and institute that type of feedback mechanism, because, as I say, it was a relatively new institution that was brought in and we are always looking to improve our structures. That is all I wanted to say. Thank you.

The Greffier of the States (in the Chair):

Does any Member wish to speak on the proposition? Minister.

4.1.2 The Deputy of St. Peter:

I thank the Deputy for his comments, although I would like to just clarify that these positions are for the Jersey Police Complaints Authority, which has been constituted for some time. Although I think the idea of an exit interview is a useful one, I would like to reassure the Assembly that I do meet with the various authorities that are the Home Affairs umbrella as regularly as I can and also the chief officer does also. So we do try to keep in touch with them and to hear their work. I should shortly be signing off a Ministerial Decision that will contain the annual report for said authority, so Members will also be able to read about the work that they have been doing in the current year. I ask for the appel.

The Greffier of the States (in the Chair):

The appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting.

POUR: 42		CONTRE: 0		ABSTAIN: 0
Senator P.F. Routier				
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator A.K.F. Green				
Senator S.C. Ferguson				
Connétable of St. Helier				
Connétable of St. Clement				

Connétable of St. Peter				
Connétable of St. Lawrence				
Connétable of St. Mary				
Connétable of St. Brelade				
Connétable of St. Martin				
Connétable of St. Saviour				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy J.A. Hilton (H)				
Deputy of Trinity				
Deputy K.C. Lewis (S)				
Deputy E.J. Noel (L)				
Deputy of St. John				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy R.G. Bryans (H)				
Deputy of St. Peter				
Deputy R.J. Rondel (H)				
Deputy S.Y. Mézec (H)				
Deputy A.D. Lewis (H)				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy T.A. McDonald (S)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy P.D. McLinton (S)				

5. Jersey Law Revision Board: appointment of member (P.15/2018)

The Greffier of the States (in the Chair):

We now move on to the Jersey Law Revision Board: appointment of member, lodged by the Chief Minister P.15/2018 and I ask the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion to appoint, in accordance with the provisions of Article 2(1)(a) of the Law Revision (Jersey) Law 2003, Senator P.F.C. Ozouf as a member of the Law Revision Board.

5.1 Senator I.J. Gorst (The Chief Minister):

The Law Revision Board requires 2 States Members to sit on it. Members will see from the report the work of the Law Revision Board and I propose Senator Ozouf as a States Member. I am sure Members are fully aware of his long history of interest in these matters throughout his political career in this Assembly. I ask Members to give him their support.

The Greffier of the States (in the Chair):

Is the proposition seconded? **[Seconded]** Does any Member wish to speak on the proposition? Those Members in favour of adopting the proposition, kindly show. Those against? The proposition is adopted. That completes the Public Business and we move on to Arrangements of Public Business next time.

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

6. The Connétable of St. Clement (Chairman, Privileges and Procedures Committee):

We refer to the Consolidated Order Paper. For 6th March, there is as *per* the items listed there and I would request that Projet 16, the Draft European Union (Repeal and Amendment) (Jersey) Law be moved to the top of the agenda because the Minister for External Relations does need to leave for a meeting in Brussels the next morning. Looking at the business there I would think that we could complete that in 2 days quite possibly. 20th March is a different kettle of fish because it is as *per* the Consolidated Order Paper with the addition of the Committee of Inquiry into the Lifeboat Service lodged by Senator Ferguson and the Machinery of Government - Projet 1 - in the Second Reading. I think there is enough business there for considerably more than 3 days so I wish to propose that at that sitting we start at 2.45 p.m. on Monday 19th for questions and statements so that at 9.30 a.m. on the Tuesday we can get straight into the Public Business. But also that we prepare ourselves not only for continuation days on the Wednesday and Thursday but also potentially Friday, 23rd and possibly even Wednesday 28th and Thursday 29th. Now, I hope that will not be necessary but if Members do want to complete the business on the Order Paper it might be necessary to do that. The alternative would be to ask Ministers who do have items down for that date, and also Back-Benchers who have items down for that date, whether they feel it is really necessary to complete it in this session or whether they could wait until June. That would be matter for Ministers. Looking to 10th April, in addition to the higher education funding proposal by the Council of Ministers we now also have the petition lodged by Deputy Kevin Lewis. I do have to say that it is subject to the Minister for the Environment producing his report, because the Minister does have 8 weeks to produce a report. If he produces it earlier that is fine, but if he does not produce it then that proposition will have to wait until June. We also have Projet 37 in the name of the Constable of St. John regarding the new hospital sites. The other complication with 10th April is that that is the day for the nomination of Senators and the following day for Deputies and Constables. Now, official purdah starts on 25th April but the reality is with the nominations taking place on 10th April and if States continue to sit after that, that will clearly give sitting Members who have been nominated for re-election an advantage over other candidates. My committee feels that the States should not sit after 6.30 p.m. on 10th April. But to help with points of extra time, we start that sitting on Monday, 9th April at the normal time of 9.30 a.m. so we could have 2 full days to try and complete the business, although I suspect that with other items yet to come that is not going to be possible. We propose that we do agree that at 6.30 p.m. on 10th April that this Assembly rises and does not meet again until after the election. We do have the opportunity of course on both 20th March and 9th April to sit later into the evening. That, I think, will be a matter to be decided at that time. But that would be my proposal.

6.1.1 Senator S.C. Ferguson:

As the Connétable has said, there are 2 lifeboat propositions and I wonder if on 20th March they could be debated in sequence, next door to each other.

The Connétable of St. Clement:

That is not a problem, as far as I am concerned, in fact that would seem logical.

6.1.2 Deputy S.M. Wickenden:

Just to clarify, when we say we are not going to have a sitting after 10th April, is Liberation Day considered a sitting day? Can I just clear up what that means, please?

The Connétable of St. Clement:

That is a ceremonial occasion and therefore would not cause a problem.

The Greffier of the States (in the Chair):

So that will go ahead but there is no public business.

6.1.3 Deputy R. Labey:

Could I just ask the chairman of P.P.C. why the continuation days after 20th March week does not continue on the Monday? Why are we waiting until the Wednesday and Thursday, pushing it even closer to Easter? I mean, it is Easter week anyway but I am just enquiring why.

The Connétable of St. Clement:

I should have made that clear in my proposition. That is the dates set for the Youth Assembly, the first day for the rehearsal or practice and the Tuesday for the actual Assembly. I think it would be a great pity if that had to be abandoned or another date found later.

6.1.4 Deputy M. Tadier:

I think one question that needs to be asked and it may not be helpful but for future reference is that why was nomination day set when people knew surely that we had a States sitting which was likely to last not just the one day but several days, or why was the States sitting held at all. Where is the co-ordination that is going on there because it seems to me that we could easily have nomination day a week later and it still gives ample running time for an election. It still gives 4 weeks effectively in my reckoning for an election period which is standard. Secondly, we could, of course, sit on 11th April and there are 2 ways of doing it. If we want to be purist about it we can say that all States Members sit but no Senatorial candidates should come in, if we wanted to, and of course the reaction that that entails shows ... and they are presumably saying that because that would be absurd. It would be absurd to do that because, of course, Senatorial candidates who are still Members of this Assembly are still States Members and therefore they should be making decisions right up until the end of their term on States business. If we have a States sitting which is scheduled, under our oath of office, which we talked a lot about, did we not, in the last couple of hours, we make an oath and the one key thing that we have to do as States Members is to attend the States when we are asked to do so. We do not necessarily have to respond to emails, phone calls or even keep our election promises, but we do have to come to this Assembly when we are asked to do so and I do not see why that should change. We have lots of business on the Order Paper and if Members do not see any merit with the first proposal, that we allow the candidates to excuse themselves, then I think we should all be sitting in that week. Why on earth would we schedule 2 meetings, nominations and States sitting, together if they are mutually incompatible.

The Greffier of the States (in the Chair):

Can I deal with those 2 matters in the first instance? On the first one, that really is not a question about the arrangement of public business today, that is a valid question you might want to put as a written question or oral question but it is not really a matter to address today. The second one: it is not possible, as you know full well, to exclude certain categories of Members from participating in the Assembly. If you are making a proposition that in fact the Assembly continues with its existing arrangements and sits on 10th to 12th April, or indeed from the 10th to 11th and adjourns at the end of the 11th, that is within your gift if you wish to do so.

[12:45]

That will be an amendment to the Chairman's ...

Deputy M. Tadier:

I would like to do that.

The Greffier of the States (in the Chair):

Fine. Does any other Member wish to speak?

6.1.5 Deputy R. Labey:

Forgive my lack of knowledge of the procedure, but when is the time that we address whether the Machinery of Government proposal goes to the top of the order on 20th March, because it would be bad, would it not, if that was left until 28th and 29th, which is just before Easter when people may already have commitments and not be able to make those dates. It is such a big debate.

The Greffier of the States (in the Chair):

If the Chairman is willing to accept that and nobody objects, there is no problem.

The Connétable of St. Clement:

I do not think there is a problem. I think, by practice, it would go as the second item on the agenda as it is a proposition in Second Reading, but we have as the first time, which is also in Second Reading, the Draft Criminal Procedures (Jersey) Law. Now, if the Minister for Home Affairs is happy to swap that with the Machinery of Government proposition it would seem reasonable that that could take the first spot.

The Greffier of the States (in the Chair):

I think that might be a problem for the Attorney General, because he asked previously the Assembly agree to put it top of the list, at his request. That is not to say somebody could not change it but that is my understanding. So maybe second would be ...

6.1.6 The Deputy of St. Martin:

Could I just ask the Constable for clarification on the sitting of 20th March, that if we do go over the 3 days that the first additional day will be Friday, 23rd? That will not change, because I have States business off-Island that I am going to have to change if that is the case.

The Connétable of St. Clement:

That is my proposition and I think when Members see the amount of business down for that sitting that it is not an unreasonable proposition. But clearly it is a matter for the States to decide.

The Greffier of the States (in the Chair):

I think if at the end of this the Constable's proposition is accepted then we will have extra continuation days, the 23rd, the 28th and the 29th. So if we have business left over at the end of Thursday, 22nd the Assembly will sit at 9.30 a.m. on Friday, 23rd.

6.1.7 Deputy J.A. Martin of St. Helier:

I just rise to speak against the proposition or amendment from Deputy Tadier. I am amazed it is a proposition from Deputy Tadier because in not long-ago history his politics is and the party, Reform Party - sorry if I have the name wrong - is that there should be no advantage for sitting States Members. So we were going to start on the Tuesday then we realised around the table at P.P.C. half of the people coming back in the next day, they may be Deputies now, they may be standing in the Senatorials, there may be Senators who are standing again, would be on the election campaign. I do not care what the Deputy thinks, you will be accused ... you will be making speeches, you will be

adding little bits in that are grandstanding and I cannot believe that the Deputy thinks that it is quite right that we sit. We have put in the Monday. We come in the Monday, we come in the Tuesday, what is not finished by 6.30 p.m., so everyone can run, literally, down to the Town Hall who wants to be there ... he has not convinced me. When he sums up I would like to know why he thinks that it is now ... I know his politics, he does not think we should have ... I do not think he thinks we should even sit on Liberation Day because there is an advantage.

The Greffier of the States (in the Chair):

I am not sure that was the proposition, Deputy. Liberation Day is not affected.

Deputy J.A. Martin:

Okay, I am sorry. I just think we cannot sit after nomination and he is saying: "Why are we having nomination?" that was going to be, I think, around 25th April and discussions around P.P.C., I said - and it was me - that does not give candidates, especially new candidates that you are trying to encourage, 3 weeks to do an election. So he can blame me for that but we are where we are, I do not think anyone should be coming in here on the Wednesday morning having been nominated on the Tuesday and doing work. We are all in election mode and we are all going to be same after ... I know we are sitting States Members but we should not be doing States work. Thank you.

6.1.8 Connétable S.A. Le Sueur-Rennard of St. Saviour:

Could I just say, could we all just be prepared when we are here to stay on possibly later than we normally do and get the work done, rather than add on extra days? We have just been told we are States Members first so our allegiance is to the States, so why do we not stay on, be prepared to stay on, and get most of the work done that we possibly can? This happens at the end of every time there is going to be an election. Everybody puts things in so they can look good. [Laughter] No, seriously. We have had plenty of time to do this. My father, bless his heart, God rest him, used to say: "Empty vessels make the most noise." You have had 3 or 4 years to bring these things up, why rush it now? Because you want it to be really in someone's mind. So let us all be prepared to stay here later than we normally do.

6.1.9 Deputy J.M. Maçon:

Just briefly, when the chairman proposes his measure can I just have some clarity whether he will propose it in sections or whether it will be *en bloc*? Just because there might be some elements that want to support sitting on the Monday but maybe not the extra days in the following week.

The Greffier of the States (in the Chair):

I think it might be sensible to break it down and make sure the Assembly is specifically agreeing to each element in the package if the Constable agrees. So when we get to the end perhaps we could just take each bit as it comes. We will have to deal with Deputy Tadier's amendment as well. Does any other Member wish to speak?

6.1.10 Deputy A.D. Lewis:

I am just picking up on what the Constable of St. Saviour said. It would be useful to know, because a lot of us, particularly with Parish affairs, having meetings between 6.00 p.m. and 8.00 p.m. and we can work around that, but if it was a decision made today for example - as most Parliaments do sit late - to say on the days we know we have a lot of work on can we agree today we sit until 7.00 p.m. or beyond and then we can arrange our Parish business around it. The worst thing is ... we had it last night, we had a Parish meeting that we were all a bit late for because we sat a bit later. A good thing for the business of the House but not for the Parish commitments that we have. So if we knew now that we are very likely or we will definitely agree to sit until 7.00 p.m. or beyond it would be very useful in organising people's diaries.

The Greffier of the States (in the Chair):

All I would say to that is that can obviously be decided on the day, it does not need to ...

Deputy A.D. Lewis:

That is the problem. If we were to agree now, as the Constable of St. Saviour very eloquently put: "Why not work late", if we agree now that we will work late, we can arrange our diaries so we can. The worst thing is on the day to decide: "No, we are going to work until 7.00 p.m. or 8.00 p.m., because that does not work for a lot of people, particularly Constables who have Parish Assemblies often on a Wednesday night.

Deputy M. Tadier:

Point of order. Could we just deal with my amendment first and then ...

The Greffier of the States (in the Chair):

Well, I am trying to allow a general debate and then reach some decisions at the end of it, otherwise we will end up going backwards and forwards the entire time. All I would say to Deputy Lewis, an extra hour and a half on 3 days gives you 4½ hours, a continuation day gives you 6, 6½ hours. So that is I imagine in line with the Constable in terms of the amount of time that is required. So, yes, it is possible to have amendments as an alternative but it would not give you the same amount of time. That is just worth bearing in mind. Constable of St. Mary.

6.1.11 The Connétable of St. Mary:

I would just like to say very briefly, I understand the difficulties that the chairman of P.P.C. has because I have done that job myself. Other Members have too. But a lot of talk has gone on today about encouraging people to be in this Assembly and making it possible for people to sit in this Assembly. Some time ago we had an unwritten rule, certainly when I was chairman of P.P.C. about extensions of debates, *et cetera*, especially in regard to evening ones. Not because it is difficult for the Constables, not because we have meetings we have to change but simply because this is Assembly is made up of people who have families, who are carers. We are a cross-section of society with the same problems that they all have. That does not mean we cannot facilitate these decisions but it does mean that we need the notice. I think we cannot forget that. If anybody wants to know what people are not going to understand, it is because of the lack of discipline in this Assembly. I have had, in the last 3 days, my fill of what the Constable of St. Saviour has already alluded to, grandstanding and extra speeches. Parkinson's law dictates that the amount of time we set aside will be filled by the speeches of people who simply want to get their names out there. I am not going to say anymore because I do not want to be one of those. But please, Members, I implore you, discipline and knowledge of parliamentary procedure is what is lacking in this Assembly. So let us not procrastinate about this, let us just get on, discipline ourselves, cut our speeches down, do not repeat. In other words, Members, let us obey the Standing Orders and we ourselves have set. **[Approbation]**

The Greffier of the States (in the Chair):

I wonder with that in mind it is time to deal with Deputy Tadier's amendment, reach a decision on that and then go through the rest of the package.

6.2 Deputy M. Tadier:

Thank you. The first point to make is that on a personal level I would much prefer to not be sitting at all on the 10th or 11th. That is a personal point of view. It is certainly not a party position because I would prefer to be out knocking on doors rather than sitting in this Assembly. That is how you electioneer. People are not sitting at home listening to the radio, or watching the States, they are not doing that. So from a personal point of view I would much prefer not to be in the States Assembly,

from a selfish point of view, knocking on doors rather than doing my job that I am paid to do here. But the question I would ask is: are we not States Members until we are elected out of office? The States of Jersey Law says that we are here until the end of our contract and we should be working that. That is what the public expects and we have a States sitting on 10th April and continuation days that are set out on those days. We are not the U.K., the U.K. do things properly in this context. They say that once the election has been called you are no longer an M.P. You are no longer an M.P. therefore of course you cannot sit and there is a proper recess period. In Jersey we are good at talking about ourselves in this Assembly but we are also really good at making confectionary. We make fudge, but it is not just any fudge, it is the good old Jersey fudge. Now, why on earth would we set ourselves a purdah date, which is 24th April, but then have an optional purdah which is a week earlier or 2 weeks earlier when we already have a States sitting. It is complete nonsense. Now, States Members, if they want to be paid for that period of work that they are supposed to do should be here doing the decisions. That is in our oath of office and there is also in the code of conduct for States Members, which says that we should act selflessly not selfishly, Deputy Martin. So when she stands up and suggests that I am acting selfishly because I much prefer to be here grandstanding, you do not need to look over here and accuse us of that. We grandstand every day, from the first day of the States through to the end because it is not about grandstanding, it is about getting people's lives better. We do not wait until the last 2 months of a cycle to lodge questions as an Assistant Minister. We do not need to because we know what it is about. So please do not have those accusations. On a personal level, by all means, I will be happy if this loses and that I can go out with my party colleagues, knock on doors, get people registered to vote for the first time, still within that first 2-week period, get them out to vote. But technically, and as the Standing Orders and the code says, we should be here and we should not be scheduling sittings which we then just throw out because it is convenient for us. Let us not pretend that we are doing it in the public interest, we are doing it because it is convenient for us not to sit. We would much prefer to be out there getting in the votes in. Thank you very much.

The Greffier of the States (in the Chair):

So the proposition is to maintain the existing arrangements, that is the amendment. Are you calling for the appel?

Deputy M. Tadier:

I think so.

The Greffier of the States (in the Chair):

Excellent. The appel has been called for. I ask all Members to return to their seats. It is on the amendment which would retain the existing arrangements where the Assembly sites on 10th, 11th and 12th, in some cases after the nomination periods. I ask the Greffier to open the voting.

POUR: 7		CONTRE: 33		ABSTAIN: 0
Senator A.K.F. Green		Senator P.F. Routier		
Connétable of St. Saviour		Senator I.J. Gorst		
Deputy K.C. Lewis (S)		Senator S.C. Ferguson		
Deputy M. Tadier (B)		Connétable of St. Clement		
Deputy M.R. Higgins (H)		Connétable of St. Peter		
Deputy A.D. Lewis (H)		Connétable of St. Lawrence		
Deputy T.A. McDonald (S)		Connétable of St. Mary		
		Connétable of St. Brelade		
		Connétable of St. Martin		
		Connétable of Grouville		
		Connétable of St. John		
		Connétable of Trinity		

	Deputy J.A. Martin (H)		
	Deputy G.P. Southern (H)		
	Deputy of Grouville		
	Deputy of Trinity		
	Deputy E.J. Noel (L)		
	Deputy of St. John		
	Deputy J.M. Maçon (S)		
	Deputy S.J. Pinel (C)		
	Deputy of St. Martin		
	Deputy of St. Peter		
	Deputy R.J. Rondel (H)		
	Deputy S.Y. Mézec (H)		
	Deputy of St. Ouen		
	Deputy L.M.C. Doublet (S)		
	Deputy R. Labey (H)		
	Deputy S.M. Wickenden (H)		
	Deputy S.M. Bree (C)		
	Deputy M.J. Norton (B)		
	Deputy of St. Mary		
	Deputy G.J. Truscott (B)		
	Deputy P.D. McLinton (S)		

6.3 Deputy A.D. Lewis:

I just wondered if I could make a more formal proposition concerning sitting late. I would like to propose that on the days that we setting that we are allowed to sit until 8.00 p.m., 9.00 p.m. as most Parliaments do to get the business done and end up with an extra day simply by sitting later. If we know that now, what the Constable of St. Mary was saying, quite rightly, that we can start planning for that. Without knowing that now it is very difficult for many Members to plan. So I would like to make the proposition to sit late, whatever late people feel is acceptable, 9.00 p.m. somebody is saying at the back. If that is the case we know now, we can make plans. What I would rather not see, as I said before, is on the day being told we are going to carry on until we finish.

The Greffier of the States (in the Chair):

So this would be for the sittings of 20th March and on 9th April as well?

[13:00]

Deputy A.D. Lewis:

Any of the blocks that we have we should agree now to sit late if we feel it is appropriate and agree it now, not on the day.

The Greffier of the States (in the Chair):

I understand. I am clarifying the dates.

Deputy A.D. Lewis:

Yes, on all the sittings that we have an excessive amount of business to cover.

The Greffier of the States (in the Chair):

Yes, and 9.00 p.m. is your suggestion? Does anybody wish to speak on that?

6.3.1 The Connétable of St. Mary:

It is just to say that for efficiency if we are going to go until 9.00 p.m., I think we need to build in some sort of half hour break or whatever where everybody can go and get some refreshment, otherwise there will be people not here and it will just be a mess. We need to do it properly and organise that.

6.3.2 The Deputy of Grouville:

Yes, I would just like to ask, does this include in the 28th and 29th?

The Greffier of the States (in the Chair):

I think it is an alternative, is that right? It is an alternative to the extra continuation days.

6.3.3 The Connétable of St. Clement:

I do not think that would be wise. It is up to the States but I do not think that would be very wise because the continuation days are only there to be used, if necessary. If we manage to complete our business by sitting until 9.00 p.m. then we will not need those continuation days. I do think we need to have that in reserve just in case.

6.3.4 Deputy J.M. Maçon:

I do not know the feeling of the Members but I would be more minded to sit until 7.00 p.m. I think 9.00 p.m. is a little too late but that is just me.

The Greffier of the States (in the Chair):

Well, the proposition is 9.00 p.m.

Deputy J.M. Maçon:

Can I put an amendment until 7.00 p.m. then, as everyone else seems to be chucking in amendments left, right and centre?

The Greffier of the States (in the Chair):

I think it would be better to decide 9.00 p.m. and then if that is not decided have a go at 7.00 p.m. 9.00 p.m. is the proposition.

Deputy A.D. Lewis:

What I am suggesting is up to 9.00 p.m. It may, on that particular day we finish a little early but at least you know it could be up to a maximum of 9.00 p.m.

The Deputy of Grouville:

It was my understanding we will sit until 9.00 p.m. or whatever it takes to finish that week and not go into the 28th and 29th.

The Greffier of the States (in the Chair):

That is the hoped for effect, I think. Yes. The Deputy of St. Peter.

The Deputy of St. Peter:

I was going to make the same point.

The Greffier of the States (in the Chair):

I would suggest that the Assembly decides on 9.00 p.m., which is the proposition on the table and then depending on the outcome of that ... up until, it is not compulsory.

Deputy R. Labey:

Is the proposition up until 9.00 p.m. for the Monday through the whole of that week?

The Greffier of the States (in the Chair):

Not the Monday.

Deputy R. Labey:

The Tuesday to Friday, the 20th to 23rd. Can we have a separate vote on whether put in the 28th and 29th, please?

The Greffier of the States (in the Chair):

Yes, this proposition is up until 9.00 p.m. on the days that are provided and there can be a separate proposal whether there are extra continuation days at all. That can be broken down into specific ones.

Deputy L.M.C. Doublet:

The Constable of St. Mary asked about a recess.

The Greffier of the States (in the Chair):

I think that is an informal arrangement. I do not think there will be any argument about that. Certainly from my point of view and, I am sure, the point of view of whoever is occupying the Chair.

Deputy L.M.C. Doublet:

I will then be able to stay until 9.00 p.m. I am happy to do so but I will only be able to do that if I have got time to go home and feed my son at bedtime and come back.

The Greffier of the States (in the Chair):

It is not possible for the Assembly to sit for nearly 7 hours without any sort of break. There will have to be a chunk of time in there for a break. But that does not need to be decided at this moment.

6.3.5 Deputy G.P. Southern:

Given the mess we are in, can we not accept that we may not finish the agenda and so we do not have to have every hour of every living day between now and 11th April in order to sit. Some of it will go by the board, it has happened in the past and it will happen again. Let us not load ourselves up with a workload that is just going to leave some of us without the will to live.

The Greffier of the States (in the Chair):

Shall we move to a vote on the 9.00 p.m. proposition? So the proposition is that the Assembly sits up until 9.00 p.m., if necessary, on Tuesday, Wednesday, Thursday and any other continuation days of the 20th March sitting and on Monday, 9th April. Can the Greffier open the voting?

POUR: 35		CONTRE: 5		ABSTAIN: 0
Senator P.F. Routier		Deputy G.P. Southern (H)		
Senator I.J. Gorst		Deputy M. Tadier (B)		
Senator A.K.F. Green		Deputy M.R. Higgins (H)		
Senator S.C. Ferguson		Deputy J.M. Maçon (S)		
Connétable of St. Clement		Deputy S.Y. Mézec (H)		
Connétable of St. Peter				
Connétable of St. Lawrence				
Connétable of St. Mary				
Connétable of St. Brelade				
Connétable of St. Martin				
Connétable of St. Saviour				
Connétable of Grouville				
Connétable of St. John				

Connétable of Trinity				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy of Trinity				
Deputy K.C. Lewis (S)				
Deputy E.J. Noel (L)				
Deputy of St. John				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Peter				
Deputy R.J. Rondel (H)				
Deputy A.D. Lewis (H)				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy T.A. McDonald (S)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy P.D. McLinton (S)				

The Greffier of the States (in the Chair):

Now, if we can go back to the original proposition. Constable, the first element was to sit on Monday, 19th at 2.45 p.m. for questions and statements.

6.4 The Connétable of St. Clement:

If we could just go back a step from that if you do not mind, so there is absolute clarity, hopefully. The sitting on 6th March I have proposed as *per* the Order Paper with the exception the Draft European Union (Repeal and Amendment) (Jersey) Law being the first item of business and I suggest that sitting would take probably 2 days. That is nice and easy.

The Greffier of the States (in the Chair):

Is that adopted? Thank you, move on.

Senator I.J. Gorst:

Could I just ask the Chairman to clarify, that agenda does not look that lengthy, is he still sticking with the proposal to come on the 5th for questions?

The Greffier of the States (in the Chair):

No.

Senator I.J. Gorst:

No? That has gone. Thank you.

The Connétable of St. Clement:

For the next sitting the proposal is that we start on Monday, 19th March at 2.45 p.m. for questions and any statements. Then we start Public Business on 20th March at 9.30 a.m.

The Greffier of the States (in the Chair):

Shall we deal with the Monday first, make sure that that is ... all those favour of sitting on Monday for questions, please show? Those against? Okay, Chairman.

The Connétable of St. Clement:

That the business be as *per* the Order Paper plus the Committee of Inquiry into the Lifeboats by Senator Ferguson and the Second Reading of the Machinery of Government Projet 1, which will be taken as the second item. The continuation days would be - we will break it down again - as normal the Tuesday, Wednesday, 21st and 22nd, and Friday 23rd and the States would sit, if necessary, up to 9.00 p.m. on each of those days.

The Greffier of the States (in the Chair):

Friday, 23rd is an additional continuation day. Those in favour, kindly show. Those against? It is agreed to. Wednesday, 28th is an additional continuation day. Those in favour? The appel is called for on whether Wednesday, 28th should be an additional continuation day and I ask the Greffier to open the voting.

POUR: 24		CONTRE: 16		ABSTAIN: 0
Senator I.J. Gorst		Senator P.F. Routier		
Senator A.K.F. Green		Connétable of St. Mary		
Senator S.C. Ferguson		Connétable of St. Saviour		
Connétable of St. Clement		Deputy G.P. Southern (H)		
Connétable of St. Peter		Deputy of Grouville		
Connétable of St. Lawrence		Deputy M. Tadier (B)		
Connétable of St. Brelade		Deputy of St. John		
Connétable of St. Martin		Deputy J.M. Maçon (S)		
Connétable of Grouville		Deputy S.J. Pinel (C)		
Connétable of St. John		Deputy of St. Peter		
Connétable of Trinity		Deputy S.Y. Mézec (H)		
Deputy J.A. Martin (H)		Deputy A.D. Lewis (H)		
Deputy of Trinity		Deputy L.M.C. Doublet (S)		
Deputy K.C. Lewis (S)		Deputy R. Labey (H)		
Deputy E.J. Noel (L)		Deputy T.A. McDonald (S)		
Deputy M.R. Higgins (H)		Deputy P.D. McLinton (S)		
Deputy of St. Martin				
Deputy R.J. Rondel (H)				
Deputy of St. Ouen				
Deputy S.M. Wickenden (H)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				

The Greffier of the States (in the Chair):

Next the 29th as an additional continuation day. The appel has been called for on the 29th March as an additional continuation day. I ask the Greffier to open the voting.

POUR: 23		CONTRE: 17		ABSTAIN: 0
Senator I.J. Gorst		Senator P.F. Routier		
Senator A.K.F. Green		Connétable of St. Mary		
Senator S.C. Ferguson		Connétable of St. Brelade		
Connétable of St. Clement		Connétable of St. John		
Connétable of St. Peter		Deputy G.P. Southern (H)		

Connétable of St. Lawrence		Deputy of Grouville		
Connétable of St. Martin		Deputy M. Tadier (B)		
Connétable of St. Saviour		Deputy of St. John		
Connétable of Grouville		Deputy J.M. Maçon (S)		
Connétable of Trinity		Deputy S.J. Pinel (C)		
Deputy J.A. Martin (H)		Deputy of St. Peter		
Deputy of Trinity		Deputy S.Y. Mézec (H)		
Deputy K.C. Lewis (S)		Deputy A.D. Lewis (H)		
Deputy E.J. Noel (L)		Deputy L.M.C. Doublet (S)		
Deputy M.R. Higgins (H)		Deputy R. Labey (H)		
Deputy of St. Martin		Deputy M.J. Norton (B)		
Deputy R.J. Rondel (H)		Deputy T.A. McDonald (S)		
Deputy of St. Ouen				
Deputy S.M. Wickenden (H)				
Deputy S.M. Bree (C)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy P.D. McLinton (S)				

The Greffier of the States (in the Chair):

Finally, April.

The Connétable of St. Clement:

Yes, finally April. The proposition is that we start that sitting on Monday, 9th April and continue until 9.00 p.m. that evening if necessary and appropriate, and that on the Tuesday the sitting will finish at the latest at 6.30 p.m. and then the States will not sit again until after the election except for the ceremonial occasion on 9th May. Any business which is not completed on 10th April will need to be left over until the June sitting. That is the proposition.

The Greffier of the States (in the Chair):

Those in favour kindly show. Those against? That has been adopted. The Assembly is accordingly adjourned until 9.30 a.m. on 6th March.

Senator P.F. Routier:

Could I just ask that those dates ... I know we have all been listening to this, you will be sending them out?

The Greffier of the States (in the Chair):

We will email them.

ADJOURNMENT

[13:10]