

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 14th JUNE 2011

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[9:30]

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

PUBLIC BUSINESS – resumption

1. Grant aided Schools: grants (P.72/2011) - amendment (P.72/2011 Amd.) - resumption

The Deputy Bailiff:

We now return to the amendment of Deputy De Sousa on the grant aided schools proposition of Senator Shenton and does any Member wish to speak? Yes, Deputy Reed.

1.1 Deputy J.G. Reed of St. Ouen (The Minister for Education, Sport and Culture):

This Assembly has a duty to all children, not just those in fee-paying schools. Deputy De Sousa is absolutely right to point out that the States is responsible for providing an education service to all members of our society, regardless of their social, cultural or ethnic background. This amendment gives Members the opportunity to send a clear signal to our States schools that their contribution to the Island's education is equally important as fee-paying schools and valued by this Assembly. **[Approbation]** In an ideal world, there would be no cuts to the education service, but the choice is stark. We either all play our part in reducing public expenditure or accept the need for higher taxation. The solution preferred by the Council of Ministers and supported by the States is a balance of the 2. A reduction in grants payable to fee-paying schools is one of many tough savings proposals and I am pleased that Deputy De Sousa has highlighted the one-sidedness of the main proposition. Our Island's education system is unique and highly selective. On the one hand, a number of private schools, including Beaulieu, FCJ, De La Salle and others not mentioned in the main proposition, receive an annual subsidy from the States. There are other private schools that do not. We have 2 subsidised, selective States fee-paying schools, namely Victoria College and Jersey College for Girls, offering single-sex primary and secondary education. Last but not least, we have our States primary and secondary schools that are required to provide for all children regardless of ability or need. Members should not forget that unlike most of the fee-paying schools, nearly all of our States schools are inclusive and cater for all needs. Earlier this year, our 11 to 16 schools were subjected to unfair criticism for their G.C.S.E. (General Certificate of Secondary Education) results. The facts were conveniently brushed aside. The highly selective nature of our education system was ignored or belittled by those who called for league tables. The effect of this was demoralised pupils and staff whose schools are performing well and who, precisely because they exist, pave the way for other schools to score so highly in the G.C.S.E.s. Some people have chosen to promote a slanted view that only one type of school could properly meet the needs of Island children, meaning fee-paying schools, and that any other school would fail them. This is not true. The truth is that Jersey has many different kinds of schools and these schools need each other. I recognise the contribution fee-paying schools make to the overall education system. I have also said numerous times that I support choice in education. That includes the faith schools. I have listened to the concerns raised by parents and although I understand why fee-paying parents have strongly-held views, I have been contacted by many parents with children at our State schools and they feel just as strongly. They believe that this Assembly is ignoring them and that because they cannot afford a private education, they do not count. Although I have no control over the fees charged by private schools, I aim and have aimed to do all I can to help those parents who may find themselves in financial difficulty as a result of the proposed reduction in grants. I, like many parents, have experienced first hand the need to make difficult decisions in order to provide for my family within a limited budget. So I understand their concerns. In this current economic climate, all Islanders are facing tough choices and they are looking to the States to demonstrate leadership and resolve in addressing the many challenges we know must be dealt with. I will continue to fight hard to protect the core services of my department. However, decisions have been made requiring all departments to deliver savings to

make up the shortfall in budget. With 86 per cent of the department's overall budget spent on education, savings were bound to impact on this area.

[9:45]

Further work is being undertaken in certain areas but all the department's savings proposals for 2012 will be included in the Annual Business Plan to be debated in September. Furthermore, I have never disputed the fact that the final decision rests with the States, and both I and the Council of Ministers have already given a commitment to this effect. There does need to be a debate on our current education system to ensure that the future needs of the Island are met. The intention from the start was to have a genuine, first-level public consultation rather than put forward a set of options designed to fit a particular agenda. Subject to gaining approval from the Council of Ministers, I plan to publish the paper shortly. In a statement issued on 11th November last year, after Senator Perchard had decided to withdraw his proposition, the Council of Ministers and I agreed not to make any reduction in the level of financial support in 2011 until this matter had been brought to the States. This is still the case. Since that time, I have endeavoured to keep Members informed of the work undertaken with the fee-paying schools and any changes to the original timescale as a result of those decisions. Let me be clear. The Green Paper was never designed to provide short-term solutions for the challenges of the C.S.R. (Comprehensive Spending Review). It is about long-term strategy, not short-term politics. It cannot be hijacked by immediate funding pressures or used by individuals as a reason to delay decisions on fee-paying school subsidies, which have already been the subject of extensive consultation. Yes, the Green Paper should have been issued earlier as I promised, but I wanted to develop it in-house and did not anticipate the additional work imposed on my department by not only the Comprehensive Spending Review but other matters that required my attention. I want to be part of a caring and socially inclusive community, one that demonstrates Christian values by supporting the most vulnerable and those in need, not an exclusive one. I hope most Members share this ideal. If Members support the need for my department to deliver savings in order to address the budget deficit, then all schools need to play their part. It cannot be right that certain fee-paying schools should be immune from this process. Senator Shenton might choose to be selective in those he wishes to support, but I will not. Following comments made by the States Members last week, it seems to me that some States Members are not confident they have all the information they need to make an informed decision. If Members prefer to allow the debate to take place in the context of the Annual Business Plan, I will make a commitment now to commission an independent report on the proposal to reduce grants to fee-paying schools and the agreement reached with the fee-paying schools to be presented to the States before the Business Plan debate in September. Thank you.

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

Once again, I have been in this House for 9 years and I think I have heard a first. That was a Minister for Education referring something back to himself; but never mind. It is an interesting debate we have already had so far and what I want to do is focus on the principles that underlie this particular debate and, in order to do so, what I did was to take a look at Hansard and the debate that originated this particular debate, which was on the Annual Business Plan back in September 2010 and I think what I came across was a whole pile of what the Deputy of St. Mary refers to as macho politics. To illustrate that, perhaps I can start no better place than to use the words of Senator Perchard on that day when he was debating the amendment brought on by Deputy Vallois, who I think was testing the water as to how far we could go ... brought by Corporate Services testing the water, I think, to see how far we could go. I warned her not to do that because you never know; if you suggest anything in this House, no matter how absurd, sooner or later it becomes reality is what I find, and lo and behold, a proposal to cut an extra £5 million that day, because that is what it was, pro rata from every department, turned into a commitment from the Minister for Treasury to slash another £15 million from the overall States spending, making things worse than they were before. Senator Perchard's words, on that day he said: "I think the real resistance from the Council of

Ministers is the appetite to do it. There is no appetite in the Council of Ministers to really crack this nut. Now I [the Senator] have an appetite to deal with this because, let us be honest, there may be short-term pain but the long-term gain by ensuring that Jersey's financial situation is being dealt with and that we are able to put our House in order will become apparent." Macho talk. Let us cut hard now. Let us cut. To show that we are dealing with it robustly, it is cutting deep where it needs to and we will be sending a fantastic message out to our industries, for those who are seeking to do business with Jersey. Macho talk. Let us cut deep. Let us take the pain now for the long-term gain. He was backed up on that day by Senator Shenton who again has brought this proposition. There is a small minority of us, meaning him and others, that believe that the cuts should come quicker and harder now in order to save pain in the future. Lo and behold, we have made those cuts and the pain is on us and the pain is affecting people like us, meaning the 2 Senators. Here we are hearing parents in the fee-paying sector saying: "Please do not cut your subsidy to us. That will hurt us." Whether we call them the squeezed middle or whatever, the fact is that of course when we engaged on this programme of cuts, we were going to hurt people on this Island. Some people thought there would be no hurt, there would be no pain. Of course there would be. Some people perhaps believed that we could do this with no damage.

Senator B.E. Shenton:

With all due respect, we are debating the amendment. We are going to be here all day if we have main speeches on the amendment.

The Deputy Bailiff:

Senator, I was pondering that. For the purposes of the amendment, it does seem to me that one has to assume that there will be cuts, but I think Deputy Southern is entitled to say although there will be cuts, it is right to focus on the extent of where the cuts might fall, and I therefore think that what he is saying is relevant to the amendment.

Deputy G.P. Southern:

I thought that too as well [**Laughter**] and for once we are in agreement, which again is another rare thing but we will pass over that for the moment.

The Deputy Bailiff:

Deputy, you do not know how often I agree with you.

Deputy G.P. Southern:

That is true, Sir. I am not a mind reader quite yet.

Senator J.L. Perchard:

While there is a pause, I wonder if you ...

Deputy G.P. Southern:

There is no pause here.

Senator J.L. Perchard:

I wonder if the Deputy would be so kind as just to let me make an observation.

The Deputy Bailiff:

He is not giving way, Senator.

Deputy G.P. Southern:

So the issue here is do we put a freeze on something like £3 million worth of cuts if we accept the main proposition or do we expand that and put a freeze on another £3 million worth of cuts or something like that to double the amount that we do not cut from our public services. That is the

issue today. The context in which we have to put that is the philosophy that overrides the origin of what we are doing today, what we are debating today, which is those C.S.R. cuts and the Annual Business Plan that we passed last year virtually unamended. That philosophy says the choice is that we are in desperate straits and we must either cut services or raise taxes. Aye, there is the rub: “or raise taxes”. The possibility raised itself of raising taxes - whisper it who dare - in an election year, and that is not going to be popular.

The Deputy Bailiff:

Deputy, you are now going off point. This is not a debate about taxation. It is about the question as to whether or not the grants should be cut from non fee-paying schools as well as ...

Senator J.L. Perchard:

No, Sir, it is not the case. It is not a debate about whether the grants should be cut to fee-paying schools.

Deputy G.P. Southern:

I thank you for your direction on that, Sir. However, I am trying to set the context of what is happening here and whether we save £6 million or £3 million on those cuts and it has been presented particularly by the Minister for Treasury and Resources that this is a choice between making cuts and tax rises. That is the reality.

The Deputy Bailiff:

You can continue, Deputy, but it is not a choice about tax rises. That is not relevant to this debate. This amendment, please, is only about whether or not the language “and funding for all non fee-paying schools” should be added into the proposition.

Deputy G.P. Southern:

And we are told, time and time again by the Minister for Treasury and Resources, that the alternative is making cuts, whether it is in the private sector or fee-paying sector or not, or tax rises. Is that not the case, Sir? It is. We have been informed that by the Minister for Treasury and Resources many times.

The Deputy Bailiff:

If I may say so, those are views you can advance on the main proposition but it does not seem to me to be relevant to the amendment.

Deputy G.P. Southern:

Well I shall save that for the main proposition if that is the case you make, Sir. However, I wish to refer to the words in that debate where the Minister for Treasury defended the position he was taking. They, the Corporate Service Panel, want to hold the feet to the fire of the Council of Ministers and they want to deliver better savings, more savings over a quicker period of time. We cannot responsibly accept this amendment but I would like to thank Corporate Services for having made forcibly the arguments and putting across the alternative view. It is important that we have this debate and that savings are important to minimise tax increases. Minimise tax increases. Where possible, we will make further savings. I would ask Members to support the Council position of concluding its C.S.R. part 2 in the manner that has been set out, which changed to add on another £15 million of cuts. These cuts are now hurting and the choice is whether we accept this amendment to delay, defer, abandon those cuts, £6 million worth of those cuts, or we merely delay, abandon £3 million of those cuts in a particular area. The issue is how did we get here. Who thought we could make these massive cuts without affecting services? What was the Minister for Education doing when he said, as he must have done in the Council of Ministers’ meeting: “Yes, I can accept £11 million worth of cuts to Education. I will work to bring that about.” £11 million worth of cuts to Education, without affecting frontline services. Cannot be done. That is the

reality. How did the Minister get himself into a position of volunteering to do that? Why was he not in there saying: “Hang on, not as with Health where we are going easy on Health because we accept that you cannot make cuts there without cuts to frontline services. Why not the same for Education?” Why was he not in there fighting hard for the sake of the education of our children? He was not.

[10:00]

Nobody, including this Minister for Education would come to the House saying: “I only want to cut the subsidy to fee-paying schools.” If we do not accept this amendment today, that is what we will be doing, we will be exempting fee-paying schools only from the impact of cuts that we have voted for. It is no good the Treasury - I keep trying to call him the Minister for Treasury and Resources - the Minister for Education; it is no good the Minister for Education saying: “But I have a Green Paper; I have lots of ideas for the future of education I want to discuss in an open frank and free way. That is the alternative; that is the way forward; that is the long-term aim; I have vision.” He has been in place for 2 and a half years; where is the Green Paper? Still being created. Where has it been before? To say: “I want an open frank debate” is not true. “I want a full frank and open debate with everybody about the future of Education, within the context of having the Sword of Damocles hanging over your heads, because I am going to cut the subsidy to the fee-paying sector.” That is not a free and open debate; that is a coerced debate; that sets the context, which says: “I am going to inflict some pain on you, now let us have a free, frank and open discussion about how I do it.” That is the reality. So I must vote for this amendment and, having voted for this amendment, I must vote, because I voted against each and every one of the £65 million of cuts that we are threatening our people with. I voted against an extra £5 million, so I can do it with a clean conscience. But those of you who voted for the macho approach: “We have to cut public spending, of course it will not hurt” I ask you too to vote with the amended proposition and put it through and say: “Whoa, enough is enough; this particular hurt is too much.” I believe all of those hurts, the physiotherapy, the closure of the pool, *et cetera, et cetera, et cetera*, were impacting on frontline services, and I opposed them at the time and I oppose them now. But I will vote for this because it lets a little gleam of common sense into the macho attitudinising that this House has been doing for too long, saying: “Cutting is tough, they are tough decisions, we must cut. We must cut; accept that, but take the consequences, there will be harm, there will be hurt, there will be pain” and there is out there. The fact that this particular group of people are particularly vocal and effective at getting their message across does not affect the rest of the cuts that we do not hear about day in and day out; that is what we are doing to this Island, we are cutting unnecessarily; let us at least stop this particular cut.

1.1.2 Senator P.F.C. Ozouf:

As we are seeing from media reports from all parts of the globe, we are seeing that spending reductions by Governments, while necessary, are difficult, and they are challenging. In the last few days we have seen, after the initial statements in the U.K. (United Kingdom) about N.H.S. (National Health Service) reforms, we are seeing changes in the original proposals put by the U.K. Government, we are seeing changes to local council services, of bin emptying, we are seeing the Government revisiting sentencing policies, which were designed to save money. So it is the case by all governments that are trying to cut spending, and the original proposals that were set out by the Council of Ministers have been amended, and are the subject of ongoing change and analysis. Nobody is saying that spending reductions are easy, and nobody is also saying that spending reductions are popular. I have not said that a spending reduction of 10 per cent is going to be easy; I do not think that I have ever displayed macho tendencies in terms of saying that this has to be done for some sort of macho reason; it is necessary because - and I have to agree with some of what Deputy Southern had to say - it is necessary in order to rebalance our public finances and to ultimately ensure that taxes do not go up. Spending reductions require courage, they require leadership, they require proper analysis and they require proper debate. So in the main proposition

I am going go on to argue that the right time to discuss spending reductions is in the Business Plan when we do have all of the options before us and we can have a proper composite debate about where the trade-offs for spending reductions are. We are, in this amendment, going to be, for those Members who are supporting both the amendment and the underlying proposition; we are effectively tying our hands in the later Business Plan debate by effectively insulating a large area of public spending from any consideration for cuts. The Back-Benchers of the Senatorial Benches will say that is not the case, but I think the intended or unintended consequences of accepting this amendment and the main proposition is that is exactly what is going to happen. It is not going to be possible to consider reductions, even the small first-step reductions in the private school grants, if this proposition is accepted. Because of the enormous lead-time that is required for the Minister for Education, Sport and Culture in terms of making changes to his spending, neither are going to be possible for the 2013 reductions in spending; they must be given, if they are going to be given authorisation, they need to be given authorisation in the Business Plan and do require a year, 18 months' planning, in order that they can happen. One has to start somewhere and while we are trying to change the Public Finances Law in order to get better medium-term planning, we are not there now. There are, I think, legitimate reasons why Members would vote in favour of this amendment; there are legitimate reasons on the grounds of equality, those are the arguments that have been put forward by the Minister for Education, Sport and Culture and I understand them. There are also grounds however, if I may say, to abstain from this proposition, because I do not believe this is the right time - with all the information that we have - to effectively insulate all schools from grant reductions in this year's C.S.R. I am going to be arguing for a consistent approach. Deputy Southern has said he will vote in favour of this and vote against the main proposition. If Members like me believe there are necessary and deliverable and fair ways to deliver spending reductions that are genuine efficiency savings, then Members will, I believe, be able to vote against this amendment and the underlying proposition. There is nothing in any way selective about supporting this amendment or effectively selecting one group of schools from the other. I understand why Members are concerned about it, but I do not think those arguments are valid; this should not be a debate about private schools or States-funded schools. That is not the views that many Members have about the importance of education. Certainly Members need to stand up, as the Minister for Education has done, and support the education for all schools, but they certainly I think should not be lulled into a sense that this is a "them or us" or "that group versus that group" amendment. I will be voting against this proposition, against the amendment, because I believe the C.S.R. savings proposals that should be legitimately discussed in the Business Plan debate, in the States schools can be delivered. I will also be arguing that there can be, and that there should be, consideration being given to the way in which we fund private schools too. We should be not having this debate today, as I will repeat; this debate is not an appropriate discussion about finances at this time. I do not often stand in this Assembly and say: "put the decision off" but we should be putting the decision off about spending to the Business Plan when we have all of the information to hand, and indeed the Minister for Education, Sport and Culture has also explained how he is going to inform Members properly about the consequences of private schools. Fundamentally, if we accept this amendment and then go on to accept the amended proposition, we will insulate all schools from the C.S.R. and I do not believe that is the appropriate, I do not believe that is in conformance to the decisions that we have already made about the target of £65 million. As the Minister for Treasury and Resources I have to say to Members that it is simply not going to be possible to deliver £65 million worth of spending reductions without looking at Education, Sport and Culture, and indeed all areas of Education, Sport and Culture. This is perhaps the right debate; but it is at the wrong time. I understand how Members may vote on the amendment, the main proposition is the most important, but I am going to remain consistent. All areas of public spending need to be looked at, they all need to contribute in part in proportion to the £65 million, and I urge Members not to engage into the seductive arguments that this is a certain way to ensure equality or that some Members are going to be supporting, by supporting this amendment, the States schools versus the private schools. This is not what this debate should be about, I urge Members to reject

the proposition, the underlying one, but I understand how they might vote on the amendment to send a signal.

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

It is always a pleasure to follow the Minister for Treasury when he tells us we have to find courage, leadership and proper information to make decisions. I would look to the Minister for Education, Sport and Culture and say he has been very tardy in delivering anything in information about the effects this will have on all schools. We were promised a Green Paper; and it is still coming. Apparently the expertise was not in-house to deliver it on time. That is not good enough. This is a very, very important debate. The Minister for Treasury and Resources says: "It is not about State schools versus private schools" and I totally agree with him there, and I think that is why Deputy De Sousa has brought this amendment; because we cannot ignore one sector against the other. The Minister for Treasury and Resources said: "Give the Minister for Education, Sport and Culture time to properly inform the House what this will mean to people", parents I presume, and pupils who are now attending private schools. Well, I do not think the Minister for Education, Sport and Culture should have come out with these ideas in the middle of last year without analysing this completely properly; it has not been done. Yes, Deputy De Sousa said in her speech: "It is unfortunate sometimes it is those who shout louder that get the results." I was at the Town Hall and I did genuinely speak to parents who do give up a lot to send their children - and this is the squeeze - and the real worrying thing, listening to the Minister for Education, Sport and Culture's speech earlier, and he said he has somehow miraculously got a way to help those who will feel the squeeze. Now we do not know any of that information. Will it be an extra grant? Will it be means tested? Will he say: "Well you are the sort of parent that we cannot help, you are choosing to send your child there. You may also be choosing to never have a holiday, you may be choosing to never do this, that and the other, but we cannot help you." He did say that, and what does it mean? Who will he be targeting? I am totally different. I am looking at the argument the other way to the Minister for Treasury and Resources. I think, if you support this amendment, and I will, you have to support the main proposition. This has been a long time coming, even when I was on the Education, Sport and Culture Committee in 2003 to 2005, with Deputy Fox and Deputy Labey, we knew the changing at 14 affected the State schools a lot, and even years ago there was apparently a terrible debate in this House, I do not even think it got here because of not sending people to Hautlieu, taking the best pupils out of States schools and leaving others behind, because you try to rise to your peers and they are helping you. You have study groups. You do not take best, you do not take the cream at 14 and send them to Hautlieu, and in fact it is not always the cream, there are such good pupils with good results in our States schools, they just miss out. So the system is not fair, it has never been tackled, but this, just to say: "We are going to cut across" has not been explained.

[10:15]

Where is this Green Paper, where is the proper information? Can the States schools, if ... I do not know, maybe 100, 200, 500 pupils' parents decided they cannot afford the rises? Has this been analysed? I say no. I think why Deputy De Sousa has brought this is to make sure that if the main proposition is supported it does not hive off any more money from the States schools. For the Minister for Education, Sport and Culture to stand up and say he does not like league tables to be published because it is divisive; it is divisive, but at some point, in all the years in this House, when we compare our G.C.S.E., our A-level results, with the U.K., I am told what a fantastic education system we have, but we never mention those. I did ask a question once: "how many people left the school without any exam results" and it was sadly, the Minister was then Senator M. Vibert, and he said ... I think he stood up and said: "One." My question should have been: "How many left with results under A, B or C?" and I can assure you there are many, many. Does that say that we have the best education system? I am not sure. It is something we need tackling. We do put a lot of money in. We have bigger, bigger classes. You read there is already £2,000 spent more on each child in the fee-paying schools but, then again, many of the parents are putting in £3,000 or £4,000.

Are they putting into smaller class schools? Yes, of course they are. We are stretching our States schools, and the private schools are maybe not being stretched enough. I am not saying that the fees may not need to go up; they may well need to go up with the rest of the support given by the States in capital and everything. What I am saying, as the Minister for Treasury and Resources will tell us, we do not have the information in time. It is not there and the Minister for Education, Sport and Culture is late, and if he thinks this not the time to make a decision, I disagree with him, because we are always told you must make it on the information in front of you. He said: "If you do not think you have the information, abstain." I do not think I have ever heard the Minister for Treasury say: "Abstain." I do not think he has the information and I fully support this, and I think that everyone who is going to support this amendment must, in all honesty, support the main proposition, and please do not sit there worrying again, as we have been told in the last few weeks about the urgency of this, we must do it now, we must put it in train, or the world will just go mad. We have time. We need the proper figures, we need to be told what will happen and we really need to know; is it going to come from the States sector to fund the private sector, or are the private sector people who are really squeezed going to say: "We have had enough, we want you to educate our child in the States school." We do not have that information, and if the Minister for Education, Sport and Culture had provided that I could have made a proper decision, and I do not have the information, so I urge everyone to support the amendment and the main proposition.

1.1.4 Connétable J.M. Refault of St. Peter:

Last week when I read the amendment I was very seduced by it and thought, yes, this is entirely right to bring forward, it is a degree of fairness across the schools in that they are all treated equally. Certainly in St. Peter I enjoy the services of excellent schools, superb environments, superb facilities, superb staff and a superb atmosphere within it, and why should they have to carry the can because we are imposing cuts on others, which they will have to contribute towards? I found that very enticing to go along with the amendment. But then I thought about my commitment when I stood for office as the Constable of St. Peter, and one of the main tranches of my reasons for standing was to assist in cutting States spending, the things that when I was knocking on doors the people were saying to me: "We have to cut the States spending." They also said we have to cut the States Members, but I will not go into that piece today. So, on reflection, then I thought a little bit more about my commitment of just over 3 years ago, and then also my commitment made last year where I supported £65 million of cuts in the States expenditure, and I supported it because ... and I can remember saying to the Minister for Treasury and Resources at the time: "Unless you are prepared to make cuts in the States spending, how can we expect the taxpayers to pay more tax?" We have to give them something back at the same time. I come back to that in my commitment in standing for office and my commitment for standing for States cuts drives me now to say I cannot, as much as I would love to, on the basis of fairness, support this amendment and certainly I will not be supporting the main proposition either.

1.1.5 Deputy J.A.N. Le Fondré of St. Lawrence:

Just briefly. Just a little bit of housekeeping, because, in addition to the declaration I made last week, I should have also said I used to be, and it was a number of years ago, involved in the audit of the 3 of the fee-paying schools, and also that the firm for whom I occasionally act in a consultancy role as a general accountant continues to audit 2 of those schools, but I have not been involved for quite some time, so there is no pecuniary interest whatsoever. Very briefly, as far as I am concerned on this debate, it is purely about whether the proposition by Senator Shenton should be amended to take account of non fee-paying schools. As far as I am concerned it is not about whether to support the main proposition or not; this amendment in itself is only logical and in my view it should be supported, and it will be.

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

Firstly, Deputy Martin, along with many others, asked when is the information coming from the Minister for Education? Well I say, let us get that information and debate this in the Business Plan, but to do so today, we will be making the decision with one arm tied behind our backs, because we do not have the full information yet. From what I understand that information is going to be coming out in the next few weeks from the Education, Sport and Culture Department, so now is not the right time. I would like to add my support to Deputy De Sousa for trying to ensure we have fairness in the way we treat the fee-paying education providers and the non fee-paying education providers. However, I will not be able to vote pour in doing so, because in doing so, in my opinion, we would assist Senator Shenton's proposition, which would make it more easy to be adopted by this Assembly, and that proposition is far from fair. The fee-paying sector must participate in the C.S.R. process. They can be more efficient, and from what I understand they are willing to be so. So, as I have said, I support the fundamental foundation of Deputy De Sousa's amendment, but tactically I cannot vote for it. I find that ... I must confess this is a strange position to be in, but when one talks about fairness, is it fair that other departments are and will continue to deliver their respective C.S.R. savings? If this amendment, and indeed Senator Shenton's proposition, are adopted, then Education will not be able to play their part fully in the promise that we made to Islanders when we said that we will achieve £65 million worth of savings year-on-year by 2013. I, among many other States Members, am committed to delivering that promise, and I go further, because I would like to develop a culture that year-on-year delivers top-class efficient services. Turning a super-tanker around takes time and commitment. I call on Members to reject this amendment, and the main proposition, and deliver those difficult choices.

Deputy M. Tadier of St. Brelade:

May I ask clarification from the last speaker? The speaker suggested that the Minister was going to come forward with some new information within the next few weeks; can he advise what information that is supposed to be?

Deputy E.J. Noel:

I think the Minister said that subject to the Council of Ministers' approval, he is about to lodge the Green Paper.

Deputy M. Tadier:

So the point I am making, the question I am asking, the Green Paper is not new information, it is a consultation paper, and there seems to be an indication from the previous speaker that the consultation would be complete before the Business Plan; which I do not think is correct, and maybe misleading the House.

The Deputy Bailiff:

Is there anything you wish to add? Does any other Member wishing to speak? The Connétable of St. Helier.

Connétable A.S. Crowcroft of St. Helier:

What I was going to say has been said by a previous speaker, but I would like to make sure that my personal financial interest is recorded as I have 2 children at a fee-paying school.

1.1.7 Deputy R.G. Le Hérissier of St. Saviour:

Very briefly, we are all in a place we do not want to be and I may have to make a decision, which is always difficult. I am very sad about this; as you know, we do scrutiny and we have been waiting and we have accepted the Minister's reassurances that there was a major policy examination taking place, and then its findings would come in a Green Paper, or his paper, which will, I understand, be imminent. We have been waiting for information. While I do accept the thrust of Deputy De

Sousa's amendment, I will pre-empt the criticism and say that, if necessary, I will wait to see the kind of evidence that will be adduced in the main debate, but I may well vote against it. The reason is, I think what is lacking in Deputy De Sousa's amendment, and I am sure there was not the time to do it, is asking vital questions about the States sector. I am really worried that what we are doing here is that we are entrenching sectors, we are entrenching thinking and we are not asking the bigger questions, which should be asked in a Green Paper or should be asked in other fora. What is the purpose of education, and how effective are our schools? I am sorry, because we have had this debate, we have it continually on our panel and I have no problem with it, that if you ask for more information, somehow you are seen as a league-table person. I do not think, as I mentioned to one of my colleagues last night, the 2 things are necessarily synonymous. We need more information about the - for want of a better term - the performance of our schools, as Deputy Martin said. We need to have an intelligent debate about the direction of education on this Island, and while it has been a very good system - the States system in its Hautlieu incarnation, for example - while it has been a very good system in what you might call meeting the needs of the middle class classes, and it has sent a lot of children to higher education and an increasing number and so forth on and so on, the question still has to be asked about how it deals with other issues, for example vocational education. I am aware, and I do say this because I know the Minister feels quite unloved by the Scrutiny Panel at times, that there has been, for example, in that area a good initiative. But these are the questions that have to be asked and I do not ... while I will support the amendment, I support it on the basis there has to be a lot more information out there, and I am afraid, and we have had this debate a fair amount of time and it will continue, the Minister for Education and the department have to acknowledge that there has to be information out there about the private sector and the States sector, because people are making decisions about relative performance. They make it on gossip, they say: "One school has become a sink school", and all this sort of stuff. It is all done on the basis of terribly superficial, quite frankly dodgy kind of issues; it is very sad, the way it is done, but it is there. So we have to break through the openness barrier, we have to be much more open and we have to celebrate good things where they are occurring - and they are - all over the system. But ultimately we have to say these are the issues as regards the sectors and these issues apply to the private as well as the States sector. Because even if the private sector is to win the day, for example, there are some very hard questions to be asked about the performance of some of those schools. Some very hard questions, and they must not be allowed to run away with the idea that this vote, particularly the second vote, if it goes through, it will somehow protect them from criticism, or protect them from the hard questions. I am sad because I know the Minister for Education, Sport and Culture feels in a massive dilemma that he cannot release all of the information because it is private, because it is the private sector, or they are in competition with each other. But this is public money that is being put in; quite a large amount into that sector, and we have to know how effective it is.**

The Deputy Bailiff

This is all about the main proposition.

Deputy R.G. Le Hérissier:

You are absolutely right, but I do thank you for allowing me to, [Laughter] as with Deputy Southern, to put the broader context.

[10:30]

But I do ask Deputy De Sousa: "bear in mind, it is not a question of saying States is good, private is not so good", that is not the issue. The issue is the performance of the sector in its fullest sense, the performance in its fullest sense. I do not want to be in hock to any pressure group, we all know the pressure groups; be they the unions, be they the parent groups, and be they other groups, are at work in this situation. Somehow we have to rise above that.

Deputy S. Power of St. Brelade:

I was going to say something; I have decided to refrain from speaking and I will speak when we go back to the main proposition because some of what I wanted to say has just been said.

Deputy A.E. Pryke of Trinity:

Just very briefly, I was ill last Thursday afternoon, I just want to ... conflict of interest, that I have 4 members of the family who are working at both secondary private schools as well as State schools.

The Deputy Bailiff:

If no other Member wishes to speak then I call on Deputy De Sousa to reply.

1.1.8 Deputy D.J. De Sousa of St. Helier:

First of all, I want to thank every Member that spoke, whether they are supporting the amendment or not. A lot of people have made very similar arguments for why they would or would not support the amendment to the main proposition. I just want to be clear; all this amendment is here for, and I hope Members will listen to the summing-up, and will take this into account, this amendment is purely about fairness and equality. If Members are going to vote for the proposition, they have to support the amendment. If not, they will extend an inequality that has already happened. State schools have taken their cuts; we have been told by the Minister in his speech that for 2011 the cuts to the fee-paying schools were frozen; the cuts to the State schools were not frozen for that year, so there is already a slight inequality. I just want to address that. Now, what has been put forward is the Council of Ministers’ reasons for rejecting this amendment is the fact that my amendment would cost an extra £3-point-something million, making the total amount for the proposition and the amendment to £7-point-something million, and yet yesterday, in the *J.E.P. (Jersey Evening Post)*, we see that the social security hike to higher earners has been dropped, and that has not come back to the States, and that is a total of £8 million. What is more important: the education of our children? I leave the amendment and I hope Members will support it. I call for the appel.

Deputy C.F. Labey of Grouville:

Before the vote, could I just record my interest, I have one son at a fee-paying school.

The Deputy Bailiff:

I did not hear that, apart from “one son”, Deputy, but I am sure other Members did. So long as it has been picked up. The appel is called for. I ask Members to return to their seats. The vote is on the amendment of Deputy De Sousa and I ask the Greffier to open the voting.

POUR: 33		CONTRE: 7		ABSTAIN: 1
Senator T.J. Le Main		Senator P.F.C. Ozouf		Deputy of Trinity
Senator B.E. Shenton		Senator S.C. Ferguson		
Senator J.L. Perchard		Connétable of St. Brelade		
Senator A.J.H. Maclean		Connétable of St. Peter		
Senator F.du H. Le Gresley		Deputy J.B. Fox (H)		
Connétable of St. Ouen		Deputy A.E. Jeune (B)		
Connétable of St. Helier		Deputy E.J. Noel (L)		
Connétable of Grouville				

Connétable of St. Saviour				
Connétable of St. Lawrence				
Connétable of St. Mary				
Deputy R.C. Duhamel (S)				
Deputy of St. Martin				
Deputy R.G. Le Hérisier (S)				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of St. Ouen				
Deputy of Grouville				
Deputy of St. Peter				
Deputy P.V.F. Le Claire (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy S.S.P.A. Power (B)				
Deputy S. Pitman (H)				
Deputy K.C. Lewis (S)				
Deputy I.J. Gorst (C)				
Deputy of St. John				
Deputy M. Tadier (B)				
Deputy T.M. Pitman (H)				
Deputy A.T. Dupré (C)				
Deputy T.A. Vallois (S)				
Deputy M.R. Higgins (H)				
Deputy D.J. De Sousa (H)				
Deputy J.M. Maçon (S)				

1.2 Grant aided Schools: grants (P.72/2011) - as amended

The Deputy Bailiff:

We now return to the debate on the main proposition, as amended, does any Member wish to speak? Deputy Le Claire.

1.2.1 Deputy P.V.F. Le Claire of St. Helier:

Recognising this is a run-over day, and trying to keep speeches in context, I think the support shown there for Deputy De Sousa in relation to this really gives a strong steer to the Assembly as to what is going to happen. So, rather than rehash what was said, or at least what I said in support of the amendment, I would just like to ask if we could take a look at the contradictions and the hypocrisy that is floating around in relation to what we are going to do in relation to making a fair system for all, and achieve savings so that it looks good, while increasing taxes. Deputy De Sousa just held up the front page of the *J.E.P.* from ... and if I could ask clarification. From what date was that newspaper?

Deputy D.J. De Sousa:

It was Saturday's, and they said they did not need the £8 million.

Deputy P.V.F. Le Claire:

They do not need the money, but they certainly need the P.R. (Public Relations), because it is a disaster. Everything is spun to the media, spun to the people, about how comprehensively competent the Council of Ministers are in managing our finances while they are away. When we go to the newspaper from the *Jersey Evening Post* who has done an excellent job, sometimes we do not get along, the *J.E.P.* and I, but the *J.E.P.* has done an excellent job of putting on the front page, there for everybody to see, unspun, the reality. A States' decision to save money, raise money, introduce a fairer system for all, scrapped. Work longer, pay more, live in cramped houses in St. Helier, and keep your big mouths shut, or we will have you deselected by rigging the elections or stacking the elections - I will withdraw "rigging the elections" - stacking the elections with candidates that support our neo-liberal views. Liberal to the extreme. "We do not need the money." Well you certainly need some P.R.

1.2.2 Senator S.C. Ferguson:

I do not know how to follow that one. We have heard a quick view of Deputy Southern's philosophy on cuts versus taxation. I will not divert too much on that, but I will just point out that the economic evidence - and we work on evidence - is that cuts encourage economic growth, increased taxation stunts economic growth. I have a lot of sympathy with Deputy De Sousa and her quest for equity but that is only one side of it. You know, equity will be served by voting against the amendment, which I did, and against the main proposition. I am aware that State schools have been squeezed consistently over the past few years, but I am not sure that the fee-paying schools have been subject to the same constraints. I have seen somewhere a mention of new service level agreements. Were the last ones so poor, or did they even have one? Were they running as efficiently as they should? We have a graph from Senator Shenton, and that graph suggests to me that they were not running efficiently. If I were a governor or official at that school, I would have been asking questions as to why the fees were rising disproportionately to the R.P.I. (Retail Price Index) and average earnings. If it were my business, I would be asking hard questions. I am led to believe that the rest of the schools are showing a similar disparity between the indices, but perhaps the Minister will indicate whether this is in fact correct. Now, I do have sympathy with parents, but I have particular criticism of the schools for not reviewing their operations more carefully over the past 15 years or so. The particular graph would support my contention that the fee-paying schools, for whatever reason, were not subject to the same constraints as the State schools, and I would contend that this is where there is the unfairness. It seems to me that recent proposal, from what I understand, the proposal of the reduction of subsidies to these schools, has spurred their managements on to examining what they are supplying, whether they are as efficient as they should be, and how their businesses are running. Because, make no mistake, a school is a particular type of business. The particular profit motive may not be there to the same extent, but you have to run

things efficiently. Have the parents been taken into the confidence of the schools when the schools are discussing any means to reduce expenditure? We hear a lot about how the Minister must say this, the Minister must say that. What are the schools telling their parents? For example, when was the last time, if ever, they or we saw the accounts of any of these schools? This is public money going into these schools, and the accounts should be published on their websites and to the States, and particularly to the parents. Some years ago we were told the schools were going to work together, to optimise the use of resources, but then I learned recently that one of the schools, I am not going to say which one, but they will know which one they are, one of the schools wanted a new drama centre. Cue application to the department for extra funds, but the next-door school had a recently built facility that was not being fully utilised. So why were they still in silos and not working together? It is also my understanding that the Minister is endeavouring, working together with the schools and the Minister for Treasury and Resources, to ensure that the increases are phased in gradually to cause the least distress possible to the parents affected. This does require the schools to manage their affairs properly and not just run to the Minister for finance for any nice-to-haves which they want; like the drama centre. I had sympathy for Deputy De Sousa and her plea for fairness, but it seems to me that fairness is the rejection of the whole proposition. I voted against the amendment for that reason, and I will also vote against the proposition.

Deputy M.R. Higgins of St. Helier:

I have not indicated that I wanted to speak yet. I will later.

The Deputy Bailiff:

Your light did flash, but it was clearly accidental. I call on Senator Le Main.

1.2.3 Senator T.J. Le Main:

I would like to remind Members what all this is about. It is a request that we maintain the status quo, while we are able to consult and work with the providers and the users, as amended by Deputy De Sousa. The Minister says in his response, re the Green Paper: "To clarify, there are 2 parallel pieces of work taking place: (1) C.S.R., a major project to deliver targeted savings of 10 per cent over the period of 2011-2013; (2) a Green Paper, a strategic document for public consultation on the long-term future of education." The Minister goes on in his following comments to defend the reasons, his reasons why he has changed his mind on having a finalised Green Paper followed by White Papers, on full public consultation delivered before these proposed cutbacks. These proposed discussions on cutbacks have delivered up some very real personal stories on how parents, and often single parents, are able to achieve choice in educating their children by making real and heart-rending sacrifices, very often with the assistance of grandparents and family members. The Minister goes on in his comments: "The Green Paper was never designed to provide immediate solutions to the short-term funding dilemma of the C.S.R."

[10:45]

It may be short-term in regard to C.S.R., but once these severe cutbacks affecting parents are in place, they will not be short-term, they are there for ever. I and many others would see the Green Paper as about consulting with the user and the public, and the provider. Those families affected with educating their children and the right of a good hard-working people having a choice, hard-working people having a real choice and a real say in the education of their children. Let me say, I fully support the aims of C.O.M. (Council of Ministers) in achieving savings, and every States department has a part to play. Every recipient of public funding, whether they be fee-paying schools, charities, or anyone else, will have to look to themselves in being more productive and more efficient. This is an aim I fully support. There are 2 things, which are certain in life, whether it is here in Jersey or anywhere else, even in third-world countries: (1) is to have a decent affordable home to live in and raise your family; (2) secondly, to give your all for your children's education. I would suspect the majority of people anywhere in the world would probably opt to

give their children the best opportunity in education to suit their particular needs. These parents often live at poverty level, and often forsake even decent homes so their children can have the best opportunities in education. Now, I am not sure what the Minister has said or told other Members, but I do remember very well, when this matter was first raised, I spoke with the Minister and told him I was totally opposed to his plans, especially as all of this had been thrust upon the fee-paying schools and the parents without consultation. His words to me: "Do not worry, as no decision will be made until after the Green consultative paper has been determined." I am not one to tell tales outside of school, but while I was a member of Council of Ministers; while discussing C.S.R. savings of 2 per cent, the Minister for Education, Sport and Culture just would not budge on his opposition to any cuts being made or proposed to his Education budget. I very well remember the Minister for Treasury and Resources virtually cracking up over the anti-co-operative stance of Minister. **[Members: Oh!]** The Minister for Education, Sport and Culture insisted that no cuts or proposals would take place until the Green consultative paper had been determined. I wonder who has tickled his tummy since then. **[Laughter]** Now, of course we all know this consultation will not be part of these premature, ill thought-out proposals. All the people that I gave assurances to, given to me, passed on to me by the Minister, will just mean nothing. Makes me look like a twerp. Nearly every day I get calls from parents and grandparents about their personal sacrifices they are making for their children in education, whether they be in fee-paying schools or non fee-paying schools. I would agree there are some or perhaps many parents who, through choice, should pay more; because of their wealth and/or income. But equally there are many who need support financially in assisting them, often in one of the faith schools. I do not sympathise with those wealthy parents, often "high-worths" who arrive in Jersey and just walk their children into Victoria Ladies College, they can pay, let them pay. But to be fair, these "high-worths" will happily pay more. They do not want to be subsidised. But let us not penalise the ordinary working mum and dads who wish to make real sacrifices in the educating of their children, often to supplement their chosen faiths, and at great savings to the taxpayer. I may be wrong, but I am sure I heard one of the Assistant Ministers of Education, Sport and Culture last week say: "Taxes of people are subsidising private schools." Well, this is totally incorrect, I totally disagree, because Senator Shenton has ably and well explained in his report that it is the parents who choose fee-paying schools who subsidise the taxpayer, and let us not forget it. If it was not for the faith or Catholic schools providing schools, playing fields, premises, *et cetera*, at vastly subsidised rates through their own faith resources, then the public or taxpayer would need very many millions annually of extra monies. I have no further intention of repeating what was so well said by Senators Shenton and Perchard, but please let me quote from Senator Perchard who said: "The States need a Green consultative paper, with the views, opinions and experiences of the user." We need a 10-year policy of Education, not one on the back of a cigarette packet such as these proposals, and we the States are the ones who should and must determine the future needs of education. Not the Council of Ministers or the Minister for Education. These future and policy needs in Jersey need to be debated by this House; and the current proposals need to be put on hold, with no arbitrary cuts until this Assembly has had the final say and had all the facts; and the direction in education given to the Minister. As I say, the subject matter is too serious for the Council of Ministers and the Minister for Education, Sport and Culture to decide alone. Finally, I would like to say I am afraid I am getting extremely worried at the way and manner, certainly since I have not been a Member of C.O.M. for some time now, but I am extremely worried at the way and manner that the Council of Ministers is going in direction. They are becoming far too obsessed with international identity, with travelling the world, and I believe that their eye has been taken off the ball and there are some real issues in health, education, social housing, people need homes. They are taking their eyes off the ball and I believe that we are going down the wrong road at the moment. Council of Ministers need to be brought to heel at the moment, and we need to be dealing with the real issues that are facing Jersey socially. Although I support very much the need to maintain our business interests and our identity, but I am afraid they are losing... there is a slight going off the rails here. I will be supporting Senator Shenton's proposition, ably amended by Deputy De Sousa, because all it does is it puts on hold, until we

really get the full information that we can have a full debate on the issues and facts, because some of the cases that have come to me, not only in fee-paying schools and the faith schools, as I will say, also in other areas of education, are quite worrying with the amount of hardship that is being caused to a lot of people who would like to try to choose, and have choice in educating, to the best of their ability, their children and their needs. I will be very much supporting Senator Shenton and thank Deputy De Sousa for her amendment.

1.2.4 Deputy D.J. De Sousa:

As I stated in my speech when I began way back last Thursday; I stated that I support the whole of education. I said that if my amendment was not accepted I would have had to have either voted against this proposition or abstained. Thank God I can go with it and support this proposition. I know that we must make efficiencies, and I know that we must show value for money. Most of the entities we deal with, we have memorandums of understanding, maybe it will be an idea that, when all of the information is in from the Green Paper; that the Minister then, if it is in this House or in the next House, comes back and says: "We give whatever fees, but we have a memorandum of understanding that all budgets, spending, capital projects, exam results, are all completely open to everybody to find out how the schools are doing and how the funding is being spent." I also know, as the last speaker, that a lot of parents make real sacrifices because they want their children to go to certain schools. That is a right in a democracy. We have to have choices and be able to make decisions of what we feel is best for our loved ones. As Deputy Martin said in the amendments speech: "Some parents go without holidays until their children have totally finished their education." That is a choice they make, and those choices have to be there. Way back last week, Senator Le Gresley said that he was Mr. Angry, and today, I have to admit, I am Mrs. Angry. How can we possibly conduct our business in this way when we have, as I have already said, the Ministers turning around and saying they do not need to have £8 million of funding that would have been got from the social security hike to higher earners? This decision was never brought back to this House. It is too late, it is out there. I thought yesterday was Friday the 13th instead of Monday the 13th, when we look at the soar in the 6-figure salaries being paid to the high-earners of this States. The Minister for Treasury and Resources can shake his head, but the people out there are hurting. They need to know that the Government is there to support them and this cannot go on. I will be supporting the proposition

1.2.5 The Deputy of St. Ouen:

This proposition; even as amended, is selective in the schools it seeks to protect, and ignores the fact that every school is different. Outside of the comprehensive spending review, FCJ and Beaulieu have been exploring whether it was feasible to provide a Catholic education on a single site in Jersey. Part of this work included due-diligence reviews of both the FCJ and Beaulieu primary schools in February this year. One of the key findings, and I quote: "The currently vastly different fees charged to parents would need to be rationalised to a single fee structure." This comment highlights the comment that FCJ fees are approximately a third less than those charged at Beaulieu. One of the reasons for this is that FCJ Primary School currently receives a 40 per cent grant while Beaulieu Primary School, and others, receive the same, which is 25 per cent. I hope Members will now realise that the Senator's proposal to maintain grants at current levels is not as fair and equitable as he suggests. Claims that consultation has not taken place are far from the truth. I well remember discussions starting with all fee-paying schools in September last year. Since that time, I can confirm that the governing bodies of each school have been good advocates for their schools and fulfilled their responsibility in keeping parents informed of the work being undertaken to determine whether the proposed reductions in grants could be delivered. Furthermore, over the last 8 months, and I repeat, 8 months, extensive consultation has taken place on this subject, and terms have been agreed with all schools to enable the proposed reductions in grants to be delivered. The department has supported each school in their attempts to find efficiency savings to help minimise fee increases and limit the impact on parents and children.

With the full co-operation of the fee-paying schools, independent value for money reviews have been undertaken to determine the effectiveness of each school, and identify opportunities to reduce their overall costs.

[11:00]

In a number of cases, these reviews have recommended that invest-to-save funds should be provided to help schools manage the proposed changes and restructuring if necessary. Any efficiency improvements will benefit, and are recognised to benefit, the schools by the schools themselves in the long run. After listening to the concerns raised by parents and the fee-paying schools, I have persuaded the Council of Ministers to agree that reductions in grants can be phased over 5 years and not restricted to the original timescale set for the C.S.R. Also, my department will provide additional assistance if necessary to support each school's existing bursary scheme. This will help those people that Senator Le Main speaks about, and others, who may find the fee increases hard to pay. We have progressed well and are now at a point where further discussions would achieve little. I know that the Governors of all the fee-paying schools share the same objective; which is to make the best use of the resources to provide the best education for their pupils. I believe that we have worked together constructively to achieve this, and are committed to delivering the savings in a way that will not affect the high quality of education their pupils enjoy. Ultimately, the fee increases are set by the private schools, the decision is not mine. I am pleased that the overall fee increases that have been already agreed with the schools for September 2011 are in line with previous fee increases over the past number of years, that is to say at about 6 per cent. The real impact of these fee increases for the schools Senator Shenton mentions amounts to about £6 per week. If one discounts normal increases to cover wage rises and the every-day cost of the school, the impact is closer to £3 per week. Let me make it clear, it is not my intention, and never has been, to put fee-paying schools out of reach of the families that currently use them. Even after the publicity over the proposed reduction in grants, most fee-paying schools have waiting lists, and transfers to and from State schools remain at normal levels. Both I, and more importantly the governing bodies of each school, want to ensure that all fee-paying schools, including the Catholic schools, continue to offer parents choice and contribute to the education of the Island's children. Many months have passed since it was accepted that this saving should be considered alongside all other proposals and debated by the States as part of the 2012 Business Plan. Yet the Senator chooses to ignore this decision and the overall process used to determine Government expenditure, which he, as the chairman of the P.A.C. (Public Accounts Committee), strongly supports. Yes, I was a member of the P.A.C. before becoming a Minister, and there is no doubt the tough decisions will have to be made if we are to deliver the major savings demanded by the public. These savings might have been proposed by me, but they are driven by decisions made, not only by the Council of Ministers, but the States themselves. The final decision on each department's proposals, including my own, will be made by the States in September. This has presented certain challenges as the schools are required to set their fees well in advance of the new school year. Although the States will ultimately decide whether to accept the proposed grant reductions, it was mutually agreed with all schools that the fees should be set for the academic year to reflect possible changes and provide certainty to parents. The alternative was to place schools in the position of increasing fees part-way through the year, which they were not prepared to do. I would like to remind Members that the total saving is planned to be phased over 5 years. The 2012 Business Plan will only confirm the first portion; that is just one-fifth. Members will have other opportunities in future Annual Business Plans to decide whether the remaining savings are taken. My department will work closely with all schools to monitor the effects of the implementation of this proposal. I am more than happy to report to Members on an annual basis. Another good reason why decisions should be linked to the Business Plan is that the level of overall funding is based on pupil numbers, which can fluctuate each year. Pupil numbers will only be known in the autumn term, therefore it would be difficult to agree to maintain a certain level of funding today. If we do that, a school whose pupil numbers have changed might find that they have insufficient funds to meet their needs, or worse the

States might be locked into paying for pupils that the schools do not have. Flexibility is essential to ensure the right schools get the right level of funding. Senator Shenton suggests that we should defer making a decision on this matter until the outcomes of the Green Paper are known. I believe that this would not be helpful. Senator Le Main, I have not changed my mind; I understand the frustration of Members and I accept the criticism that the Green Paper should have been published by now. However, I did not want, and still do not want, the Green Paper to be deflected or even hijacked by immediate funding pressures and a small group of people who represent part of our education system. The Green Paper has not been designed to provide immediate answers or solutions to the short-term funding dilemmas of the C.S.R. Its scope is much wider than that. The proposed reduction in the level of subsidies to fee-paying schools is not a strategic issue; the selective nature of our system is. Transformation of the education service, if that is what the public wants, will take time. Further Green and White Papers, which are bound to follow the initial consultation, are unlikely to deliver answers for at least 2 years. Finally, I have already agreed and plan to review arrangements to introduce service-level agreements with each fee-paying school in receipt of States subsidies, which, I might hasten to add, until now, has not been present at all. Preliminary discussions have taken place and once decisions have been made on the level of grant to be provided to fee-paying schools, separate agreements will be drawn up with each school. Due to the fact that every school is different the agreements will reflect their individual requirements; only in this way can we end up with meaningful agreements that both the schools and the States can rely upon, as one size does not fit all. States Members should be in no doubt that if this proposition is successful the savings will be lost. Delay is not an option. We all want lower public spending, but we do not want it to affect us. I am not asking Members to vote for reducing the subsidies to fee-paying schools by rejecting this proposition. If Members want more information, and I am interested to note that the Members that have spoken to date have not even bothered, over the last 8 months, to contact me or raise their concerns with me over this matter, and visit the department to find out the information that they choose to seek now. If Members want more information, as I said before, I will commission an independent report on the proposal and present it to the States before the Business Plan debate in September. I fully recognise that this proposition is to be determined by the States, but I would say to Members, the decision rests in your hands. We either choose to reduce Government expenditure, or we do not. We either choose to protect education, and I would be the first to celebrate that fact, but I do not believe firmly that it is in the long-term interest to approach it in this manner. Thank you.

Deputy J.A. Martin:

Can I have a point of clarification? For the second time in his speeches, the Minister for Education, Sport and Culture assures this House that there will be assistance with bursaries for the parents that we are worried about. I want him to clarify, if he knows, how many that will be and how much that will cost. Has this research been done? He has twice mentioned there is a scheme; what is it?

The Deputy of St. Ouen:

We are still developing the scheme with the schools; however we are confident that the money that has been set aside is more than sufficient to manage any changes. I would like to just underline the fact that the proposed increase that is being suggested for fee increases this coming year, starting September 2011, are absolutely equivalent to previous years' increases even with the reduction in grant that is proposed.

Deputy C.H. Egré of St. Peter:

Equally a point of clarification. In his 2 speeches, one to the amendment and one to the main proposition, the Minister alluded to the fact that he was going to call for an independent review. Could the Minister state the purpose of that review.

The Deputy of St. Ouen:

It is not a review, it is an independent report. My difficulty is that, although much information and reviews have been undertaken with all the fee-paying schools, they are not able to be offered and provided to the public because there are other parties involved. We are dealing with, for the most part, private schools. What I can do, and what I would propose to do, is to get an independent report. In other words, a recognised body of people to look at the agreed terms and proposals put forwards by the schools and supported by my department and verify whether they believe that they are suitable.

Deputy A.E. Jeune of St. Brelade:

If I may? If I have understood the Minister correctly; is he saying that the fee-paying schools have said they can work within these savings over the 5 years and did he not also say that further discussions will achieve little? If that is the case, why would he then do an independent review or report?

The Deputy of St. Ouen:

It is not an independent review. What it seems to me, and maybe I am missing the point, but what it seems to me is that Members are suggesting that I, as Minister for Education, Sport and Culture, and my department, have not undertaken the work necessary to determine that this proposal is a satisfactory one. What I am suggesting and proposing is that, acknowledging that, I will get an independent view on the work that has been undertaken by my department and the schools to confirm, or otherwise, whether the proposal to reduce the subsidy to schools is acceptable. I will do that in full preparation for the Business Plan, when we have all agreed is the time to consider all savings, including the one, which is this proposal.

Deputy A.E. Jeune:

Sorry, the Minister is not confident that what he has done is ...

The Deputy Bailiff:

Deputy, this is not question time, and you have the opportunity of making a speech in just a moment. Deputy Le Fondré, clarification of what the Minister was saying.

Deputy J.A.N. Le Fondré:

The clarification was in relation to the bursaries, how much, and how much is the total sum being considered, and how long is it likely to be in place?

The Deputy of St. Ouen:

It will be in place for the period of the phasing-in of the subsidies; that is the present proposal. But I am unable to give further details because they are still in discussion. I would repeat that it is very difficult at the moment to judge what the impact of an additional £3 a week is to the average person that is sending their child to the fee-paying schools. We have set aside a considerable sum of money, which is available if the schools require it. But I repeat, these schools are private schools.

[11:15]

Deputy J.A.N. Le Fondré:

Therefore, what is the considerable sum of money that has been set aside?

Senator P.F.C. Ozouf:

I can help the Minister if he wishes, he knows his figures, but as Minister for Treasury and Resources I can confirm that £500,000 has been built in for bursaries, which I think that I am right in saying is built in the base budget of Education, Sport and Culture going forward, so it goes forward. Obviously this Assembly decides year-to-year on budgets, but it is built into the Education, Sport and Culture budget and it is a substantial amount of money.

Connétable D.W. Mezbourian of St. Lawrence:

I would like a point of clarification, and I have been flashing my light since we started ... I would like a point of clarification from the Minister. I would like to ask the Minister to clarify whether or not, in the Green Paper, which he intends to issue, whether or not he will address the question of grants to fee-paying schools? That was not clear when he spoke.

The Deputy of St. Ouen:

No, it is not designed for that purpose.

1.2.6 Deputy K.C. Lewis:

When the story first broke last year, and being a St. Saviour Deputy, I was approached by many concerned parents and I went on to Radio Jersey and voiced my concerns. I was subsequently invited to a meeting at the Town Hall by parents, along with ... and to sit on a table with Senator Perchard and Deputy of St. John on the panel. The Town Hall was absolutely packed, and some very, very angry parents there, and I subsequently realised it was not just anger, it was fear. It was fear the way things were going and the fear that their children may have to come out of the private schools. It has been said that these are just regular people doing regular jobs; this is not wealthy people, it is nurses, firemen, office workers, regular people doing regular jobs, and they are very frightened. They are driving around in old cars and they just want to do the best for their children, as do people in State schools and parents. It is 2 sides of the same coin and both are equally important. I will be supporting this proposition. If people wish to put their children into faith education they have the right to do so. I will be supporting it.

1.2.7 Senator J.L. Perchard:

When speaking earlier on Deputy De Sousa's amendment, the Minister said - and I wrote it down - that fee-paying schools were selective. I can categorically say they are not. As living proof of the fact, I am a De La Salle old boy, so they are definitely not selective being that I was a pupil. My 2 sons went to De La Salle, and I am very proud of that school. My father went to De La Salle, it is a fabulous institution and tinker with it - our relationship with it - at our peril. I would say the same about Beaulieu; I would say the same about FCJ, J.C.G. (Jersey College for Girls) and Victoria College. Any changes to the relationship between the States of Jersey and these schools needs to be very, very carefully considered. There will be consequences if we tinker too much. Not only are the States schools not academically selective, particularly the Catholic schools, I want to dispute something the Minister said earlier. I will tell you a personal story about one of my sons who left primary school at the age of 10 and started De La Salle barely able to read. Through the pastoral care and the support given by the school, he learned to read and suddenly the penny dropped with him, and he was able to read the questions he could never answer; and he started to excel at mathematics. He graduated 2 years ago at Durham University in a degree in maths and physics. He has passed every accountancy exam subsequently thrown at him and is due to be a qualified accountant at the end of this year. That boy could not read at 13. That school supported him. I know De La Salle do the same good work today, as do Beaulieu, despite what the Minister says. There are 30 children at Beaulieu who are supported intensively, there are 2 children there on the autistic spectrum, 2 children with A.D.H. (Attention Disorder Hyperactivity) disorder, and there are 30 children that require emotional and behavioural support. These schools are not selective; it is unfair for the Minister to say they are. Beaulieu and De La Salle particularly are doing a wonderful job in some difficult and trying circumstances. Our fee-paying schools not only offer an excellent level of education and achieve extraordinarily good results at G.C.S.E. and A level, they are, as I say, fabulous institutions. If they were buildings, they would be listed. They are wonderful institutions. One walks into Victoria College and looks at the history there. As I say, tinker with the relationship between these schools and the States of Jersey at our peril. Let us understand the consequences of change. Let us be prepared for it. The Minister, I believe, is bullying the schools into submission and now intends to offer bribery in the form of a loan or a

grant, we are not quite sure, I do not even know if they know, the Minister is unable to tell the House this morning what it is that he intends to offer them, in order to be submissive. It may be that his desire, the Minister's desire, to achieve his C.S.R. savings in the 3 year timescale has left him with little scope for manoeuvre. As Deputy Fox said yesterday, the Education budget, 80 per cent of which is spent on salaries and staff, so the Minister has a very, very difficult job in achieving his C.S.R. and that is why we were right to support Deputy De Sousa's amendment. This C.S.R. programme cannot be delivered in 3 years, it may take 10, 15 years in order to deliver cuts at education, if at all. It cannot be delivered because, as I say, 80 per cent of the Minister's budget is staff and salaries. There are terms and conditions, which have to be honoured. The Minister bases his proposals to cut just under £5 million from the fee-paying schools on a report undertaken by Tribal. Members will be familiar with the Tribal report, and I have just highlighted on page 2 some of their comments, the department's approach to the C.S.R., this is Tribal, and there are some very pertinent points that I think the Members would wish me to highlight: "The forthcoming Green Paper on Education will set the scene for the future of education in Jersey." This is Tribal. The date of this report is 25th August 2010: "Any transformation of the service will take time, and that, if the department is to get it right, it needs to have a clear strategy, a plan, and a plan for implementation of the strategy. With nearly 80 per cent of the department's costs being staff costs, a successful service transformation will be essential in ensuring a sustainable financial future for Education, Sport and Culture. Teaching staff savings will be achievable within 3 to 5 years, but are unlikely to be achievable within the C.S.R. time span proposal." So, Tribal are saying it is not possible, unless ... and further on in the report they say: "The only way we can achieve these savings is to attack the low hanging fruit, the easy options. If you want to reform structurally education, it is going to take a long time, if at all." I think the consequences of this smash-and-grab raid we have; that the Minister is proposing, have not really been considered. The consequences of the smash-and-grab raid have been ignored. What would happen if, particularly in respect of the faith schools, those on Wellington Hill, if a reduction in subsidy afforded to them was made to the level of 50 per cent? What would be the consequences to those schools? We know the headmaster of De La Salle has already said there is a small migration of children away from the school, and if the reduction of 50 per cent subsidy meant that school fees were to increase to the level of 30, 40 per cent more than they are currently; there is no doubt there would a significant migration of children from that school, rendering De La Salle - and I would suggest Beaulieu, but I have not had the financial information to support this, but I would suggest Beaulieu would be in a similar position - rendering these 2 faith schools uneconomical. Eventually, not in the 3-year C.S.R. programme, maybe not even in 5 or 10 years, but certainly over 15 years, rendering them uneconomical to continue, forcing their closure. The consequence: moving 1,200 children into the States sector. Perhaps that is the Minister's plan ultimately. Be under no illusion, if there is a migration, even 10 per cent of children away from these faith schools, the economic model of the school does not stack up. They are barely viable now. The consequence of a significant reduction in subsidy to fee-paying schools needs to be understood fully before we make these reductions. It may be that is where the States will end up in order to satisfy the desire to cut public spending, but we need to understand and recognise the consequences of our actions. I am afraid the Minister has failed. The Minister ... it was mentioned in Deputy De Sousa's amendment that the Minister had broken his promise to the States, and the parents and the school children of Jersey. He has. The Minister - I have to find the document, I have papers everywhere - on 2nd November 2010, made a statement in this House and I have highlighted 2 relevant paragraphs: "I have discussed this", talking about Senator Perchard's proposition P.164 to bring to this House any proposals for changes in the level of support to fee-paying schools. The Minister says: "I have discussed this proposition with the Council of Ministers. They support my view that the States should be asked to consider any significant changes to the funding of fee-paying schools, I am therefore happy to accept Senator Perchard's proposition." He goes on to say: "I look forward to further discussions on this subject, and intend to bring a report and proposition to the States in due course for a full and proper debate and in time to allow schools to set their fees within normal timescales." 2nd

November 2010, the Minister for Education, Sport and Culture informed the states formally of his view then. Five months' later, again in answer to a written question in this House, in answer to a written question from me, the Minister again had changed tack, reducing, in his response says: "Reducing the subsidy to fee-paying schools is one of a range of measures the department is taking to meet agreed savings targets. This proposal is supported by the Council of Ministers and the final decision about the reduction in subsidy will be taken by the States when it debates the 2012 Business Plan in September."

[11:30]

So we have a Minister telling this House 2 different things on 2 different occasions. I am not sure if the Minister really does know what he is doing. He has mismanaged and bungled this process completely and I will quote again from 4th October 2010, and you have to remember the Minister just told us September 2010 was when he started the consultation with the schools, the fee-paying schools. 4th October: "Minister announces reduction in subsidies for fee-paying schools. The Minister for Education, Sport and Culture has announced a reduction in subsidies for fee-paying schools following the completion of a review into primary and secondary school funding." It goes on, but on 4th October the Minister issued this wonderful press release and the proverbial hit the fan. There had been no consultation with schools before that date, the Minister again suggested there had been and there had not. A bungled process, a process of catch-up and repair, and it must stop. We must stop, take breath, regretfully admit, with regards to the C.S.R. programme, Education are going to struggle, and understand the consequences of what we are doing. I just want to draw Members' attention to the proposition, Senator Shenton's excellent proposition, P.72, and it is in 3 parts, and I would draw Members' attention to part (a) and (b), part (c) is consequential, as I see it. I would like to remind Members that this proposition, as amended now, requests the Minister to maintain the levels of finance given to all schools until a meaningful consultation and understanding of the future requirements of education has been undertaken and understood. This is our children we are talking about. Part (a) does not give any definitive instruction to the Minister, to the States, to the Treasury, it says: "Let us understand what we are doing." Part (b) asks the Minister to keep his promise.

1.2.8 Deputy P.J. Rondel of St. John:

I must say, I am supportive, as I was previously with the amendment, of the amendment and the proposition. Given the Council of Ministers have had their head in the sand in an approach to cost cutting in our education system, given we have a unique system within the Island, unlike our cousins in Guernsey and the U.K., who have embraced a somewhat different system, which is considerably more expensive for those people wanting to send their children to private education, and this has worked well over many generations. It has not been a "them and us" society. What is being proposed by the Minister for Education, Sport and Culture will, before long, create a divided society of haves and have-nots. This must not be allowed to happen. We were given an undertaking by the Minister that he would provide us with a Green Paper and we could work with that and other documents, and this has not been forthcoming. Let me say at the outset that I have 12 grandchildren, some have attended State schools, others are in the private sector, and it is the parents' choice on the grounds of religion to send their children to faith schools. Given Jersey does not have States faith schools, they had no option but to go to the private sector, at great cost to the families. Let me say, most of the children at faith schools, the families come from the ordinary man in the street, whether they are bus drivers, and as has been said by Deputy Lewis, they are the ordinary men and women trying to do the best they can for their children. Many of them carry 2 or 3 jobs just to fund that education. Yes, we do appreciate there are families that can afford to do this, but others are really struggling, and a lot of them come from the blue collar class, people like myself as a former plumber, but all these people are trying to do is what is right by their children. Remember, by paying fees, these families are subsidising the education system we currently have, which has worked well for generations, and yet the Council of Ministers, through their Minister for

Education, Sport and Culture, are trying to squeeze these families even more. I have to ask, is it so the Council can spend more money sending retiring Ministers on jollies to India, the Middle East, Israel and now China? Let us hope the China visit is not a fiasco similar to that that happened in India when an organising officer could not even get his act together on an official visit to one of the provinces where the official delegation, or Jersey party, arrived for a special ... due to arrive at a specific time, shall we say midday on that day in this particular province to be greeted by the good and the great and children waving flags, *et cetera*, the organising was so bad that in fact they arrived shall we say an hour and a half or thereabouts prior to the official party's time of arrival. This has been well documented, so I ...

The Deputy Bailiff:

We will leave it there, because we are debating schools.

The Deputy of St. John:

Yes, it is, schoolchildren do come into this. But the funding, the funding for these visits, this was never agreed in this House. I do not ever recall this House debating that we would have a Foreign Affairs Department, or sub-department of the Chief Minister's Office. This all costs money, money that we are asking families in Jersey to pay extra for and it has not been budgeted for through this House, to my knowledge, and I do not ever recall a debate, it might have happened when I was out of the House, when I had that 3-year gap, but I do not recall this House voting for a Foreign Affairs Department, or a sub-department of the Chief Minister's Office. That is of concern; there are costs involved, whether we like it or not, and I am not saying we should not have a Foreign Affairs Department, I think it is the right way forward, but, that said, it should have been agreed here. We are asking the parents of our young people to cough up more taxes so these things can happen. Remember, if children are taken out of fee-paying schools, then sent to State schools, there would be a bigger burden on the States schools and on their budgets, as less funding, as is proposed, means larger classes, additional teachers and the like, and all of these under more pressure. I think, both the Minister for Treasury and Resources and the Minister for Education, Sport and Culture need to be giving this serious thought, because I do visualise big problems and these problems always arise with those people who can afford the least, they can always hit the bottom ... the bottom of society always get hit the worst. If Members had been given all the documents that have been called for by the proposer and others, we could have come into this debate with a much clearer way forward, but, for whatever reason, I do not know why, and I have spoken to the Minister for Education, Sport and Culture umpteen times, on this issue to do with fee-paying schools and cost-cutting, whether he likes it or not I have, Minister, spoken to you, and I heard him say that nobody had come to him and spoken on issues to do with the fee-paying schools and cutting his budget. I was one of those, with Deputy Lewis and Senator Perchard at the Town Hall when it was filled with parents, not only from private schools, but from States schools, who had real concerns, real concerns about cost-cutting within education. That is an area that we should not be going in, an area that should not be gone ... education of the children, they are our future. We cut this at our peril and, as was rightly described by Deputy De Sousa in her amendment, when she brought out that *Evening Post*, we saw quite rightly, she raised an issue to do with social security. Well I had the same notes down here, only last week we saw the Minister for Social Security come to this House in a joyous mood saying: "We do not need to increase social security contributions for the ... was it the ... sorry, I am getting something from the back.

The Deputy Bailiff:

Yes you are, and the Deputy can speak later on.

The Deputy of St. John:

Yes. We have the paperwork somewhere that there will be no increase in the contributions for the employee, but the employer will still be making a contribution. If they can cut figures in those

areas, why is the Minister and the Minister for Treasury and Resources still insistent that we go down the road of cuts to Education? Our children are our future. Our children are our future. We have no alternative, and I have already said it, for those families who wish to send their children to faith schools, the States do not operate a faith school policy, so therefore people wishing to send their children to faith schools have to do it in the private sector. I have to recount, some time ago, I was a Governor at a certain ... well Le Rocquier School, and at that time we had plans to increase the cohort size from 600 to 900 or 950 or thereabouts, and to do certain extensions to the school at a cost of approximately £4.5 million, and that school, only being 20 years' old, it was, as a Governor, it was a sensible way forward to spend public money. But the committee changed and the president, the following president, decided the answer must be to demolish Le Rocquier School and build at a cost of £20 million-plus a new school. £15 million in my book, £20 million, whatever the figure was, and simply more of that money was spent than was required to achieve the extension. Demolish a 20 year-old school and rebuild it new. It happened, because they could go to the Treasury to get the cash. At the same time, a private sector school, wishing to extend their school buildings, they did not demolish, and their schools were considerably older, they went to their bursars and found out that they only had X to spend, and they built their school extension accordingly at a considerably cheaper figure per foot than what the States of Jersey could build it. That is because it was done in the private sector. There is a big difference in the way we spend money; we have to have the Rolls Royce of everything within the States sector, whether it is education, whether it is doing anything within the States sector. When you go out into the private sector, people will accept a Ford, not a Rolls Royce, and there is a big difference. At the Town Hall meeting, which I am about to refer to, many, many of those parents had asked for the Minister to come and speak to them. He refused and in fact many people wrote to him and he never returned their correspondence, I am not saying he did not to some, but many groups wrote and he never returned their correspondence, and I think it was a disgrace that the Minister is here today treating us with the contempt by not giving us the documents that we require to debate this properly. If we have all the information we could debate this properly.

[11:45]

We have come here solely with what is on the table from Senator Shenton and what we have gleaned ourselves from the public, i.e. the parents of children, from both private schools and from the State schools, but it is unacceptable to come to the floor of this Chamber to such an important debate, all debates are important, but when it comes to our children it is that much ... it carries that much more weight, for the Council of Ministers not to have made sure that their colleague, the Minister for Education, Sport and Culture, had not made sure that all Members had been brought to the floor with the latest information that was available to them, to not allow us to come here and have to put up with hearsay evidence, because what is being said in some cases is hearsay, and therefore it does not carry the weight of an official document. I ask that this goes through and I will support it because no other evidence has been forthcoming by the Minister or his department and therefore I have to go with the evidence we have been given. Thank you.

1.2.9 Deputy J.M. Maçon of St. Saviour:

I will try to raise some points that have not been spoken yet, and my first point is a direct question to Senator Shenton: if the Education, Sport and Culture Department cannot make their cuts, and their cuts are not efficiency savings in this area, where is the money going to come from, from the rest of the Education, Sport and Culture budget? On Scrutiny, we have looked at the budget of Education, Sport and Culture, and what was left, the Culture budget, well that is on a shoestring to begin with. The Sport budget, well does that not apply in all of our health policy ... fly in the face of all of our health policies to cut back there? Next we have the Youth Service, well that is a false economy, because if you cut there, you will see more in the Home Affairs and the Health budget, which is why we put money in the Youth Service. What is left? Special education; that is what is left. The most vulnerable children in our system; that is what is left in the Education budget, and so

I find it very difficult ... of course I find this very difficult to face, but we are here to make tough decisions. However, it is all right for Members to criticise the Minister, it is all right for Members to call him different names, but please, Members, if you are going to do that, help the Minister, point him to different areas that he can go to in order to make his savings where this House has instructed him to do. This House has instructed the Ministers, like it or not, by majority, to make the savings in the appropriate areas, whether we like it or not, in the budget the £65 million was passed by this House. Therefore, the question is, well if Members want cuts and whatever, indeed I think that some of the frustration of some Members in this House, where some of the loudest people in this debate are also those who are calling for the most forceful cuts, but it is difficult for us because then they turn around: "Ah, but not in any area that should affect us." But of course it does not go that way. So, reluctantly, I have supported the policy of the cuts, I have not liked it, but I have accepted the axe had to fall. I have not always supported exactly everywhere that the axe has fallen, there are some cases where I do not think it should have gone, but that is democracy. I find it very difficult when Senator Perchard has said it is absolutely awful that this is going to be done in the 3-year process, and he is telling us that it is going to take longer for E.S.C. (Education, Sport and Culture) to make their cuts, but was it not Senator Perchard under the P.A.C., and Senator Shenton, who were telling us that they wanted it in 2 years, before the election. This brings me to my next point. We have had Senator Shenton, who has amended previous propositions to say: "Cut more", but also to say: "No, the States has to be disciplined." The States has an annual process where things in the budget are debated through the Annual Business Plan. He has amended Senator Le Gresley's proposition before in order to allow that process to happen, and yet here we find a proposition where it could be interpreted that he is usurping that process. At the same time, one has to remember, the education of a parent's child to that parent of course is going to be incredibly important, and quite rightly so. I understand and I sympathise with ... although I did not receive a fee-paying education, I am a peasant, I went to a States school, I have absolutely no problem and I am very much one who is pleased to defend the States schools, because Senator Le Main spoke of the concept of the best opportunities for education, and maybe he did not mean this, but there was the implication that the fee-paying schools are there for the best opportunities for education for that child, and that is not true. We all know that it depends upon the individual, the child and the school, because some will flourish better in a State school and some will flourish better in a non State school. The point I am trying to make here is just to dispel this concept that ... one point is that teachers move in between States and the public schools, they go back and forward, and it is just to ... and I have spoken before on this notion that somehow the State schools and non State schools there is such a huge disparity between them, and the point I am trying to make about the teachers here is, because they move back and forward, the standard of education in certain cases is very similar, because it is the same people doing it. As to this proposition, I wait for other Members, I want to make those points because I think they do need to be considered, but I am still undecided and I wait for other Members to make their points. Thank you.

1.2.10 The Deputy of St. Martin:

I thought that this morning would be almost like a vote of confidence, be it in the Council of Ministers or indeed the Minister for Education, Sport and Culture. I was really hoping that over the 2 or 3 days since last Thursday that maybe the Council of Ministers and the Minister for Education, Sport and Culture could have sat around a table and said: "Well where are we going to go from here because I think we are in for a blood bath?" Already this morning we have seen that 33 or 32 Members have already expressed their concern about where we are going with our education. The Minister for Treasury and Resources mentioned about courage, leadership, analysis and debate, and how important it was, and at the same time it does take courage, it takes leadership, to consult before the debate. I think, again, had the Council of Ministers, and I have to put the Council of Ministers here because really ... and I do have sympathy for the Minister for Education, Sport and Culture, the Deputy of St. Ouen, I think he is a nice chap but at the same time he is having to go along with a policy he might not even be happy with, but at the same time, now we have this

collective responsibility, and was welcomed this morning to hear the new Senator Le Main, no longer was he speaking with the shackles that he had been shackled for so many years speaking as a Minister of the Council of Ministers, he was speaking as he used to speak when he thought about the people that he was there to represent, so welcome back to the fold, Senator Le Main. But when we talk about courage and leadership to consult and, had they done so, I think the Council of Ministers would have found how out of touch they are with the ordinary man in the street, and indeed how out of touch they are with a great number of States Members, because that has been proven this morning. Consultation again, we keep hearing about this wonderful word “consultation”. Consultation does not mean to tell people the decision you have already made, because that is basically what has happened. The decision has been made and the Deputy of St. Ouen quite rightly is nodding, he is saying: “Yes, the decision was made, I had to tell them what it was, but we had not consulted.” Again that is a failing. Also, cuts in expenditure does not mean that you have to pay more to have less, because that is basically what we are having here, cuts and someone else is having to pay. We have had some figures this morning, it started off as £6 a week it was going to cost all those people who have to pay for their private education. But it has been slightly reduced down to £3, I do not know how it came to £3, it was just £3 at the end, but ask the ordinary person who is going to find that extra £3, or even the £6 a week, where is that money coming from? Because they are having to make cuts themselves and here we are, as a Government, trying to force these on people. Again, the Minister has been out of touch and Senator Perchard is not in the House now, but he did remind us about statements that had been made in last October, November or October last year, but also there was that window of opportunity given to Education when Senator Perchard withdrew his proposition last year, there was an opportunity to produce that Green Paper, that promised Green Paper. If not, at least keep Members informed, and again, had we had an update, I notice the Deputy has put his arms up, but it is important that Members are kept in touch, because it may well have been, as indeed has happened, Senator Shenton has brought forward a proposition and really what it is, it makes sense, do we go forward or do we wait and get this Green Paper? So the opportunity has been missed, and one thing the debate has highlighted, it has highlighted this debate is more than just about fees, I think it is important that we have to look at what is a private school? If it is a private school, does it become exclusive, and does it mean that there is no grant whatsoever? Or do we mean a fee-paying subsidised school where some people can pay for the privilege, some people have a lot of money and they are being heavily ... the taxpayer is subsidising those people sending these children to private schools when they could afford probably to pay the whole fee, rather than half the fee or a quarter of the fee. So, again, I would hope that this Green Paper will address that, and it will also address the selection process and the 14-plus process, because now we now get the true figures of where we are with our education, it is quite understandable that those children who have not been selected off for the private schools or Hautlieu, *et cetera*, those who are left at Grainville, *et cetera*, are probably, they are going to give it their best, but obviously the resources are not going to be as if they are a high achiever, so really there are a lot of other issues here about. I think what we have today is an opportunity to take a breathing space. I will be supporting Senator Shenton and I am sure that again there will be a fair number of other people like me who will be doing so, and I just ask the Minister really, do we have to go through the charade of going right through after lunch, *et cetera*, to come to a result, which I think is inevitable?

1.2.11 Deputy G.P. Southern:

We have learned quite a few things today about the process of Government, especially from Senator Le Main, who is, as we say, released from his shackles, and he has pointed out that initially that the Minister for Education, Sport and Culture was opposed to all cuts to his Education budget, and he fought like the devil to maintain his budget initially. The question was posed by Senator Le Main: “What has happened since to tickle his tummy?” How appropriate that that should come from Senator Le Main who has regularly over the years given up his maintenance budget until the state of States housing was lamentable. But what has happened? How was the Minister persuaded

to go from a position of complete opposition to any cuts, which was his instinctive reaction to the C.S.R., to be persuaded to cut over £11 million, a substantial figure, from the Education budget? How did he get there? Was he persuaded? Was he cajoled? Was it just the group-think? Was he sent to Coventry for a month until he came around? I do not know. Or was he quietly spoken to in the corridor? I do not know how the Council of Ministers works to get collective responsibility, but obviously, somewhere down the line, he was persuaded that he ought to join the team and do some cuts; do significant and major cuts, which his starting point was you cannot do that without doing damage. Having been persuaded to do so, he came up inevitably almost with a set of cuts in the non fee-paying sector which, if you look at them, examine them, they are not that serious, and some cuts in the subsidy to the fee-paying sector. Now, I have heard, as an aside, I have heard twice today people say that people have a right to faith education or to single sex education, but faith education. They may well have a right to faith education, they do not have a right to a certain level of subsidy; that right is not written anywhere, as far as I know. They do not have a right to subsidised faith education or subsidised single-sex education. If they want to exercise that right then quite rightly they pay for that privilege, and it is a privilege.

[12:00]

So let us not have statements like: "They have a right to a faith-based education." So, having got there, are we seeing a fairly incompetent process being delivered, whereby the Minister has made mistake after mistake in terms of the information he has put out, the timescale he is operating on, the consultation that has taken place or not taken place, or are we seeing, as some often suggest in this House, somebody playing political games? I know what I will bring forward; I will bring forward something that the House cannot possibly in a month of long Sundays ever accept. I will have a go at the fee-paying sector. Is it a subtle play? Is he cleverer than we imagined? Far cleverer than we imagined as a Minister for Education, Sport and Culture? I personally suspect not. **[Laughter]** He has brought forward reluctantly a set of proposals that he has got no faith in but he has had his arm twisted up his back to come up with something so he is reluctantly coming forward with something and he is immensely relieved that somebody has taken a pop at it and said: "You cannot do this." Whether it is amended or unamended, it is now amended, you cannot do this. But let us consider what we are doing here before this becomes one of the States catchall debates where we can have a go at anything. What we are doing here is we are proposing to cut £7.9 million, to take £7.9 million out of the Business Plan that we voted for last year. Out of the comprehensive savings, £7.9 million. That is a significant amount of money. It is 12.5 per cent of the total savings and that is what we are going to give up today. I think it is absolutely right that we should give it up because I voted against the comprehensive savings review and the Business Plan originally back in December. But we are going to shoot a great big hole through the Council of Minister's policies in order to please an effective and vocal minority of the public. That is the reality. Now, I welcome that and I particularly welcome Senator Perchard's sudden Road to Damascus enlightenment where he says: "This cannot be delivered, this series of cuts, these Education cuts in particular cannot be delivered in 3 years, they would have to take at least 5, possibly 10." Where was he, indeed, when I brought the proposition to say: "Do not do this over 3 years, do it over 5"? Where was he when I said: "Delay the advance of G.S.T. (Goods and Services Tax)"? Where was he when I said: "Let us borrow or use the strategic reserve to tide us over so we do not have to make these cuts and that we can cover ourselves"? Where was he on the vote for a higher rate of tax so that those really wealthy shoulder the burden? Apparently not here, absent without a note. But now he sees the light. When it affects my people, I come out and I say: "No, no, no, no." I know where Senator Perchard stands and I know where Senator Shenton stands, and I know where the Deputy of St. Martin now stands and the Deputy of St. John and the Deputy Maçon. They voted back in September for an additional £5 million tax. They are now running hurriedly away from that position and saying: "Oh no, we cannot cut here, we cannot cut there, we cannot cut the people who vote for us. We cannot cut where it is going to hurt people like us." That is the reality. I am looking back at that vote and I am saying: "So where now will Senators Breckon, Ferguson

and Le Gresley be because they voted for an extra £5 million, do it quicker, do it sooner, do it deeper. Where will the Constables of St. Helier, Trinity, Grouville, St. John, St. Saviour, St. Clement be now, because they too voted to do it faster, deeper, better. Where will Deputies Duhamel, Fox, Martin, Grouville, St. Peter, Vallois and Higgins now cast their votes? Are they too running away from the position of tax cuts more, cut deeper and cut sooner?" I hope they are because they will be joining a strange amalgam back in September of every single Minister and me, and some others, saying: "These cuts are wrong, they will hurt, there are all sorts of ways, delay, borrowing, *et cetera*, to do this more appropriately." One of those was 5 years. Do this over 5 years instead of over 3 and you stand a chance of delivering. We have now a position where the Minister is in line with the rest of the Ministers and they are suggesting that we do not run away from that position. They are now the people saying: "Let us cut and it does not matter who it affects, we have to cut and we will see this through." Let us not pretend that this has got anything to do with the Green Paper. It has not got anything to do with a paper that reviews overall where we are with our education. Let us face it, how could it? The Minister has said: "It has got nothing to do with my Green Paper, this is the C.S.R., this is the issue." Let us face it, we have got 9 secondary schools to cater for 100,000 people; that is pretty high. We have got 6 centres post-16, for post-16 education. Nowhere in the U.K. or in Europe in a population of 100,000 would you find 6 post-16 centres. Absolutely untenable, completely inefficient, we need to review those sorts of things. Of course we do. We have got a system where we have 50 per cent of our people in fee-paying education. It does not exist anywhere else in the world. It exists here and somehow we manage with it. On top of that we have then got a Hautlieu system which 14-plus, despite the fact that we generally operate 11-plus elsewhere. The whole set of questions in there will be addressed, I hope, by the Green Paper, not necessarily this particular question of how much do we subsidise the fee-paying sector by in order to achieve that section. So let us not vote in a pretence that somehow some more information down the line and the Green Paper is going to solve everything. It is not. It is not. In the context of blowing a hole in the Council of Ministers proposed spending cuts we are talking about £7.9 million. How strange it is that changes to the social security system have been announced and backed off because we have some more money in the kitty so we do not have to progress the Minister for Treasury and Resources' balanced approach, increased G.S.T. and increased social security payments to the same extent. We are talking about losing £7.9 million of cuts. Well, how convenient it is that that 2 per cent change on social security produces around £7 million, and the 2 fit. £7-8 million produced by that. So look out; we may be making another change: "Oh, we have just lost £7 million, maybe we need to do it after all." How short term can you get? How short term can you get? Long term what is happening? We have a Council of Ministers, as I said earlier and I repeat now, which is torn between making cuts and increasing taxes. I do not know which is the more macho pose. I suspect it is making cuts because the business sector want us to make cuts, the people do not necessarily want us to make cuts but we are told that nobody wants to pay extra taxes. The reality is the business sector is paying less tax than it ever has before in its history. I remind Members what is happening on the Island. Who is paying tax that we are arguing about cuts or not cuts to our education system today? Only 5 years ago business tax was £238 million in 2007. In 2011 the estimate is £65 million. Business tax on this Island £65 million compared to £238 million for 5 years ago. That is what is happening and what is happening, personal tax all lumped in together, direct and indirect, let us take the figure of 5 years ago, £290 million in 2007, this year estimated to be £436 million. So why have we got a problem, why are we being forced into making these cuts to our education system which I do not believe can be made to work? Why are we being forced in the position of attempting to cut £11.1 million from our Education budget, an impossible task, because this Council of Ministers has set about reducing business taxes down to the bare minimum, and it will go further, while increasing personal taxes to the maximum. That is the reality, that is why we are being persuaded, that unless we make these cuts taxes will go up further. The reality is not necessarily about the cuts, it is about the policy of this Council of Ministers. The reality is, please come on board and abandon these ridiculous targets for cuts, for savings of £7.9 million here today and knock a great big hole in the Council of

Ministers' policy for putting cuts because the business sector want it, cuts before tax rises. The reality is that our taxation base has gone through the floor, it will not recover and the fact is we have given up all those business taxes voluntarily. The Council of Ministers has said we are giving them up in order to load tax already on to private individuals. That is the reality that we face. So come on board, let us kick a great big hole in the Council of Ministers' policy and hope that induces the Council of Ministers to reconsider.

1.2.12 Deputy J.B. Fox of St. Helier:

I keep hearing the same arguments going around and around but unfortunately we are living in a world that is a very uncomfortable world to live in. I am not going to vote for this proposition as I said last week. The reason being that there is a process that we are going through and the process is we have already agreed to cut £65 million and we have agreed to put G.S.T. up 2 per cent. Although my wife tells me that milk has gone up by a further 5 per cent, 5 pence. But there you are, that is just one small item. The truth of the matter is, as I said last time briefly, that we have fixed costs but to change them causes a major change in as much as that teachers and other staff, whether it is hospitals ... at the moment we are talking about teaching staff, higher education, primary school education, secondary school education, pre-school education, all of which we have commitments that cost a lot of money and we cannot just juggle them around to suit ourselves. We have the complication of an election, which everybody who is standing for election wants to be popular and vote for things often outside the normal budgetary factors in order to encourage the electorate to vote for them. I cannot blame for that, that is the process. The problem lies of course in that every time we delay an uncomfortable decision it means that somewhere along the line someone or something is going to suffer.

[12:15]

In this case it is children, parents and obviously teachers, lecturers, *et cetera*. The alternative is that we carry on talking about it, we carry on delaying it. Today we are talking about education, private and fee-paying. Tomorrow we will be talking about nursery schools or higher education, *et cetera*. We got a document on our desk today that will Health, which is probably an even greater problem, and that is without Social Security that we had last week and which we will have next week. The truth of the matter is that we have got to make decisions, and part of our role as States Members is to try and make the best decisions we can regardless of how painful or how horrible they are. If we delay them, the only thing that we can guarantee is that you might get re-elected and the problem will come back after the election to be rediscussed. In the meantime the cost of everything will have gone up, especially food with droughts and all sorts of things, and individuals will have to make even greater decisions that they do not like, and that is the truth of the matter. But the other thing is that we started off at having to pay for an alternative consumption tax because of the outside world giving us pressures, the outside world having their own pressures and they are targeting us. We know about those, I am not going to go into them. The previous speaker has illustrated that very clearly. But what we are going to have is we are going to have G.S.T. at 3 per cent, then 5 per cent, but if we do not do things then we are going to have to look at G.S.T. at 7 per cent, 9 per cent, 10 per cent, it could go up to 20 per cent, which is an absolute disaster. Or you look at alternatives, and we have been looking through the alternatives over the years before we even got to G.S.T. Even the people who are dead against G.S.T. had to recognise or did recognise that putting a tax on employers or on employees, self-employed, social security in one form or other was not the way that is going to bring in the resources that this Island is demanding. So the only other method of dealing with things is looking realistically and that is going to be a compromise. The compromise is to look at things that have to be cut in order to balance the budgets if you are not going to put up the taxes in one form or other or look at ways of increasing the savings. In this particular case I know very well that the fee-paying sector and the private sector, and the States public school sector and others, have been looking at ways of minimising the necessity of having to reduce the quality of their education and staff but at the same time being able

to provide the resources at lesser cost in order to achieve it. There is no simple answer but today's proposition is not the solution, it is a deferment of finding a solution, and that I am afraid I cannot go along with.

1.2.13 Deputy M.R. Higgins:

Deputy Noel reminded us earlier that the C.S.R. process is to save £65 million by 2013. That to my mind is part of the problem. The speed at which we are trying to achieve the savings. I sometimes think the States is like a runaway train heading for a washed out bridge. We seem to be accelerating and accelerating towards imminent disaster. I fully support the C.S.R. process in that I think it is vitally important for us to examine public spending and to see if it is properly formulated, properly focused and appropriate, and that we eliminate waste. Whether the £65 million is achievable without serious harm remains to be seen, as to whether it can be achieved in 3 years. Unfortunately Deputy Southern - and he has a habit of doing this - has reminded me of some tactical voting on an amendment that I made last year during the budget, but he failed to mention that I voted against the budget as a whole because of the final package that was being proposed. However, that is the nature of politics. Because of the timescale with which Ministers and their officers are working, they are all rushing through the process and not providing the information that Members need to make informed intelligent decisions. Indeed one of my main criticisms of the States Chamber and some of its Members is the willingness to make decisions on the flimsiest of information and evidence. States Members, in my opinion, should not tolerate the lack of information, nor should they vote without knowing the facts or the context in which the decisions are being made. How any Member can justify their stance or votes when they do not have sufficient information, I do not know. I say sufficient information because we will never have enough information but we need to have a lot more than we are getting. I would also like to point out one of the things that concerns me is the lack of joined up government. This debate and issue has highlighted this once again. When the issue first broke and the Council of Ministers came under intense pressure they started distancing themselves from the Minister for Education, Sport and Culture. In fact it appeared to me that Minister for Education, Sport and Culture was walking around for quite some time with a number of daggers in his back. He seemed definitely alone. This Assembly should be aware of 2 facts: the first is the Chief Minister and our so-called Minister for Foreign Affairs are currently in China drumming up business for the Island, which incidentally I support. We would be deluding ourselves to think that if we sit back the business will automatically come to us. We must promote the Island and we must go out and get the business. Mind you, I also believe that we would be deluding ourselves if we think it will bring quick and substantial returns that will get us out of the recession and eliminate the 1,300 people currently unemployed and the school leavers and returning graduates over the next few weeks who will also be unemployed. This process will take months, if not years. We have also been told by the Ministers for Economic Development and for Treasury and Resources that the new economic growth strategy will be brought to the States before the end of this month. Members should be aware that education is an important element in achieving economic growth. Jersey's future in my view is wrapped up in the quality of our workforce. Why are we discussing these cuts before we know what the economic growth strategy is? If our future strategy lies in China and the Far East, why are we not teaching Mandarin or other languages and learning the customs and *modus operandi* of the markets in which we hope to secure business? If our future lies in the knowledge economy, what impact is that going to have on our educational system? How is it going to be structured and how are the educational needs to be delivered? Can it be done with the current level, let alone with a post-C.S.R. budget, or do we need to spend more rather than less on education and in what areas should that money be spent? To my mind we are all wrapped up in a cut syndrome without knowing where we are going and the education system we need to have to get there. This debate, the cuts and the argument regarding private and public education is, to my mind, premature and unfocused. Let us support this proposition now it is fair and equitable between the public and

private sectors and have a proper debate about the funding and future of our Island education system and our economy. I will be supporting the proposition.

1.2.14 Deputy D.J.A. Wimberley of St. Mary:

I have been listening to this debate and many aspects make me very, very uneasy. I am still going to wait for the summing up but I think I know which way I am going to vote in the end. First of course, as people have pointed out, we have a proposer who was foremost saying: “Cut, cut, cut” and as an aside to that on page 7 of his report, there is something quite extraordinary, if I can get the right ... Yes, this is just very interesting and it shows the kind of difficulty that certainly I have with this proposition and voting for it, although I may end up doing that. “Regardless of one’s position on public support for religiously affiliated entities, it is difficult not to acknowledge that these schools are fully engaged in the noble vocation of public service and social justice.” So the proposer is asking us to sign up to support for schools that embody the ideal of social justice. I fully agree with that. Amen to social justice. So why is the proposer the main advocate in this Chamber of cutting public expenditure which benefits all of us and which helps to create social justice? So that is a kind of indication of the problem around this, then suddenly today, or last week, up he pops and: “No, no, do not cut this.” So that is one area of unease. Then I noticed that the Minister for Education, Sport and Culture is the one who, in a sense, is the target. He is the one whose credibility is at stake here and I am uneasy about that as well because it is funny, this, because I remember that when the Minister for Education, Sport and Culture first came up starting to consult about this policy, and it is the sort of policy you cannot consult on, as soon as it gets out the balloon goes up and there are fireballs everywhere. So it is very, very difficult to have a rational discussion starting from a blank sheet of paper and so on because it just does not happen like that. As soon as it is out, bang! Pretty soon after that, as somebody pointed out, he had daggers sticking out of his back. From his own colleagues. That makes me uneasy as well as to where this proposition comes from and how it fits in the political landscape. Then I want to draw Members’ attention to the actual proposition because there is so much wrong with it. So much wrong with it. We have the statistics and the Minister - I missed that part of his speech because I was having to do something else - in his comments lists 4 items where the Senator, the proposer, has mangled the statistics, has presented them in a misleading way. I just refer Members to page 8 of the comments of the Minister. For instance, the Senator says that the corporate savings can be divided up and then allocated to the non fee-paying schools, but of course some of this also applies to the fee-paying schools which he omitted to mention. He also compared Grainville School to Beaulieu and failed to mention the specialist resource provision which there is at Grainville for autistic spectrum disorder children who do not go to Beaulieu and De La Salle. So it carries on. That is just the first of it, the statistics. We then have 2 studies quoted in the Senator’s report, neither of them referenced, how do we find out whether there were any controls as to those studies, whether they were done properly? We have been here before in other debates with studies referenced that are not worth the paper they are written on. So I do not know, I am not going to go googling and hoping I find the paper. I would like it referenced. I take the trouble when I write reports to reference things so that people can check and I expect the same respect to be paid to me and to other Members. Muddled, my goodness there are statements in here that I do not even know what they mean. Japan. A wonderful statement about Japan: “Similarly, all girls’ schools in Japan have also contributed powerfully to the ‘personal and educational patriarchal society’.” What does that mean? What does that mean? All girls’ schools in Japan have also contributed powerfully to the personal and educational patriarchal society, and that is an advert for catholic schooling. I simply do not understand what that is about. We then have a completely unsubstantiated assertion about free private nursery provision which is being used as an argument for ... I think he is saying that there is free private nursery education for all regardless of wealth and that maybe we should look in some way at that as a model.

[12:30]

Despite there being no educational benefit to the majority of those of middle or high incomes. No educational benefit from nursery education. He says it again on page 13, which is: "We have an education system that offers free nursery day care to everyone" that may be a target of Senator Shenton's I do not know, maybe he thinks we can cut free nursery day care to everyone: "which is of questionable benefit to most social economic classes." That is the direct opposite of what I understand the research to show. That early intervention in education pre-school really brings dividends, particularly of course with disadvantaged children who are brought up to the level of others because they have the social contact and the skilled help. "Which is of questionable benefit to most social economic classes." This is the level of argumentation that we are being asked to subscribe to, so then of course you go to the actual proposition and you think: "Is there anything here that makes any sense?" More astonishingly still, if that is possible, we have the economy. "The problem with increasing the fees is that it looks to take money out of the pockets" this is on page 12 "of hardworking local parents [which it would do] thus decimating their disposal income to the detriment of the whole economy." I did not notice that logic being applied when we were talking about faster cuts and deeper cuts where exactly the same applies. Exactly the same. If you take money out of the economy then of course you are acting in a procyclical way, you are driving it downwards, and yet we see this argument used here. It is like one argument this week and the opposite argument next week. I just find I have a problem with that. I have a problem because we want honest debate in this Chamber. We want a debate where, as I think Deputy Higgins said, we can see where we are going and understand the arguments and have clear good arguments and then in the end you do decide on the basis of decent information. Finally, this little exegesis of this amazing report, we have consultation. Senator Shenton wants better consultation and accuses the Minister, I think, of not really consulting on this and saying that the decision has been taken. Well, the day before this debate started, I think, we were discussing the State pension age. Twice there were references back proposed, once to ... the first one was back to the Minister and the second was back to Scrutiny for proper consultation on the ground that to go from 65 to 67 was a major, major change. It has been 65 for years and years, since Bismarck in fact, and to propose to take everyone's pension age up to 67 was a massive step and we had not looked at alternatives, we had not offered alternatives to the population and asked for their views in a formal consultation. Did Senator Shenton support the reference back for better consultation, for any consultation at all? No. On the reference back to Scrutiny he was not at the debate so one obviously does not know the view there but the main reference back was to the Minister to say: "You cannot do this without consulting formally. You have got 10 years to do it therefore you can do it, please reference back." The good Senator who now wants consultation on this did not want consultation last week. It is very, very difficult.

Senator B.E. Shenton:

I did not vote to increase the pension age.

The Deputy of St. Mary:

My point was on consultation, it was not on the merits or otherwise. I made the point in that debate quite specifically that I might be in favour, I might be against the raising of the pension age but the point was that the public who are all affected by it, or most of them, were not asked. That is so much for the report, and it does make me uneasy because we are being asked to support something on that basis. Now a few remarks on other issues, which I think are possibly more difficult. Deputy Rondel talked about we are not a divided society. That kind of ... I think I would like to believe that. Not a divided society, and I think that is the nub of many of our policies and many of our discussions and it is a phrase that leapt out at me when I was listening downstairs and I wonder. Just to sort of think around that a little bit, Deputy Lewis said: "They make the sacrifices, the parents who send their children to fee-paying schools" and I have spoken to parents and I know this so. He also said that at the public meeting in the town hall it was not just anger it was fear. Fear. Then he said: "Those whose children go to State school" and he had to sort of catch himself back

again and then he was left in the middle of a sentence “well do they really make sacrifices?” We have all paid our taxes and so the provision is free at the point of delivery. It is the case then, is it not, that 40 per cent are making some sort of sacrifice, for some of them it is hardly a sacrifice but most of them are making some sort of sacrifice and the others are doing what? There is the problem because there is the division. It does not stack up. We know from the figures given by the Minister that whereas parallel with the steady increase in fees at the fee-paying schools over the last decade what we have had is a 1 per cent cut year on year in both sectors. So relatively - relatively - more and more money is being spent in the fee-paying sector than in the private sector. So where is the non divided society then? It is getting more and more divided. So that again is another cause for anxiety and worry and I hope all of this is in the Green Paper and I wonder if it is. Because that brings me to my next point which is the Minister tells us that funding will not be in the Green Paper, that this grant’s issue will not be in the Green Paper, and I find that extraordinary on the other side of this argument because Senator Shenton rightly puts in a little note about systems elsewhere. It is a very interesting little note and I happen to have a pamphlet about the free school system or the free scholar system in Denmark and that is really interesting because historically it has developed over time that parents have set up their own schools and they are funded by the State, not 40 per cent but 75 per cent. Well, that is interesting, is it not? But it is not going to be talked about in the Green Paper. Then you think: “Well, what about schools with that kind of level of funding that were completely independent in Jersey and is that something that we can map on to Jersey? But when you read that pamphlet you see that the Danish idea of a free school is very different from our own fee-paying schools. Not in the sense of hippies and sandals but in the sense of democracy. For instance, at the teacher training college where the teachers are trained to work in the free schools - it is bigger enough as an area of society to have their own teacher training college - the students decide in history which themes and topics they will study to learn about how you do history. No stale lessons there because the person does not even know which theme it is going to be. Because, of course, they are not studying the fact of that or the fact of that, they are studying how you do history and how you can then get children excited about that. So it is a very different model, and I am not sure you can just go: “Oh, that is what they do in Denmark, 75 per cent maybe that would apply in Jersey.” But certainly it needs to be on the table and I fear that our no sacred cows reviews from the Minister for Education, Sport and Culture are not no sacred cows reviews because he is not going to talk about grants. He is not going to talk about funding for non State schools. But perhaps he should. Perhaps he should. In contrast to the Danish, very democratic, very grass roots model if you like, you have the strange statements in this report of Senator Shenton about exclusivity. “I want fee-based education to become more inclusive.” “I want fee-based education to become more inclusive, not more elitist.” I just find that self-contradictory, it does not make sense. We can widen the catchment a little bit by having a few bursaries and we have somehow included more people to be socially selective. There is a whole issue around that, socially selective. I may be burning a few sacred cows, I am not sure whether you burn them or what you do with sacred cows but ... is that what you do in India, put on a pyre? No, that is people, is it not? Anyway, the point is there are issues around exclusivity, inclusivity and social division, which I am not sure are going to be in the Green Paper. I hope they are, they are very, very important areas. I think that is probably enough of wandering around the bush a little bit, but I think there are big issues here and it bothers me that this is relatively flimsy but on the other hand I can see the sort of issue, has it been a drastic ... how drastic is it, the increase in the fees, how does it compare to past increases in those schools? I would also be delighted if the proposer could comment on his use of statistics and muddling information. I would just like a justification of that and maybe he can put it down to his schooling. But maybe not. **[Members: Oh!]** Oops.

LUNCHEON ADJOURNMENT PROPOSED

The Deputy Bailiff:

I give notice to Members that Amendment No. 2 to P.73, the North St. Helier Masterplan has been lodged by the Connétable of St. Helier. Do Members agree the adjournment? The adjournment is proposed and we will stand adjourned until 2.15 p.m.

LUNCHEON ADJOURNMENT

[14:15]

1.2.15 Deputy R.G. Le Hérisssier:

Like a lot of Members I remember Deputy Power said that homes for the elderly in Ireland were called the homes for the confused and I am certainly beginning to feel that way. There are a lot of contradictions and maybe an element of political hypocrisy flowing through this debate and some of the issues I thought were raised very eloquently by the Deputy of St. Mary, who cannot be with us at the moment. I thought he raised some very, very interesting issues because the dilemma I think a lot of us face is that while we agree that there is excellent work being done by the faith schools we also agree that the level of accountability has to be raised, that the way public money is spent and made accountable for in those areas, the game has to be raised in that regard. Indeed similar issues arise, as we saw, with the exam result “debate”, similar issues arise with the States sector where we must not be complacent. We must not keep wheeling out this old mantra that Jersey education is wonderful, *et cetera*, because when you analyse what that means, it means often that it is wonderful for a certain group in society, or certain groups in society, but that under the surface we have to be aware that there are all sorts of areas that need closer examination and we have to be aware ultimately that we have a pretty illogical system. I do get these terrible throw-backs to government reform debates where if you look at the Jersey education system and expect to find some logic in it I am afraid you will be sorely disappointed because it is a system where bits and pieces have been brought together or historically have remained ... for example, Victoria College started when the Island was very French and Francophone in the way it operated. It started as an attempt to bring a good English education to the younger men of the Island. That is how it started and how it has ended up, as they say, in a different place in the headmaster’s conference ambit, so to speak. So all those sorts of strange things are happening but what I am finding difficult is to support this proposition because (a) it has been proposed by the House’s main cost cutter, which does seem a massive paradox, and I know that is causing some concern to Senator Shenton but no doubt he will explain it; (b) I acknowledge his point, we do need the full debate on the reform of secondary education, although the last time that was attempted it was a blood bath. Whether we have moved further, I do not know. I ought to say to Senator Shenton, he mentioned yesterday why has the Minister not moved on things he said, for example, 6th form reform. The reason is he knows he will meet, in some quarters, implacable opposition because although all the logic moves towards reforming our 6th forms because they are in several cases too small, they are massively expensive and as they are operating the number of options being offered is having to decrease, particularly in the private schools. Unless those schools can come together in a stronger ... either through a 6th form college, which seems to be impossible because of what they feel it will do to their identity or into a stronger federation of schools, which was intended to be the outcome of the last “debate” on the future of secondary education, unless they can come together we are going to be faced with system which unfortunately (a) it is going to be very expensive but (b) the parents ought to know it is not going to serve the students’ interests. It is going to be harder and harder, particularly in the private/States fee-paying sector. It is going to be harder and harder for those schools to offer the range and the results, unless there is real ... there is some co-operation, we know that, but unless there is much more systematic co-operation. So be very careful of what you wish for because ultimately if we do go along, for example, the path of really proper 6th form reform it will interfere very greatly with the role of the fee-paying sector. It has to; there is no other way out. As I said last time ... because the solution apparently was a 6th form college, it was resisted so strongly of course it had to be abandoned. I also agree with the Deputy of St. Mary - and I have told the Minister this - I do not think you can separate the Green Paper from this because

it is all to do with the future direction of education. If we continue, as I think seems to be the popular sentiment, with reform, if we continue to give a strong and prominent role to fee-paying schools, be they faith or non faith, that undoubtedly impacts on the rest of the sector and the rest of education in Jersey. That is the big issue. That is the issue that is dominating this debate. Nobody can find a way out of it, how to reform the system so that the different sectors work more in concert with each other as opposed to sort of pulling each other. It is a relatively minor point, but the other thing about the proposition, the proposer has made a great point about faith schools and the Deputy of St. Mary wondered how he had trespassed into a Japanese experience and the promotion of patriarchal societies. But of course there are 2 schools missing from this list, St. George's and St. Michael's. Whatever one thinks of their role, for completeness they should be there as well. They are not faith schools and the implication is, which is a very unfortunate one, that are not offering the same kind of moral education to people for example, which would be a pretty odd statement or odd inference to make. So why are they not there? What I would ask, I have been thinking, is it possible - and I just had a brief word - for there to be a compromise because I think most Members, other than the fact we are basically seen as cowardly in election years and we are not prepared to deal with hard issues, but I think the real issue is: is it possible to have a compromise where the Council of Ministers goes away and looks at the impositions it has placed upon the Minister for Education, Sport and Culture. There is no doubt in terms of the cuts programme, and I am not like Deputy Southern - who made, I have to say, a good robust speech - I am not one of those people who say: "I will get into bed with the devil if it means undermining the cuts programme, so I will join up with anybody" which I thought was essentially the thrust of his speech. I do not go that far because I know the public are unbelievably concerned about how we handle money. They do not believe we are competent and they are exasperated with the extra taxes, and in a way paradoxically this is behind the move of the fee-paying parents. They do not believe we handle money well, that we manage well, *et cetera, et cetera*. So what I was going to suggest, could the Council of Ministers look at the way they have imposed cuts, the indiscriminate way in which every ministry willy-nilly, whatever its social importance, whatever the historical position it is in in terms of whether its resources have been well-husbanded over the years and so forth. To take from a ministry whose vast percentage of expenditure goes to staff, to take a similar cut to other ministries who can take it from non staff areas, is that fair? Because what it has resulted in is the Minister under tremendous pressure having to make cuts. In one area he has had to over-focus his cuts with inevitable results. Is there any way that the Council of Ministers, through the Minister for Treasury and Resources who has now joined us, could look at these issues and say: "We are prepared to review the way the Education are making their cuts and we are prepared to review whether indeed" and I know this is a dangerous path to go because this is the path we have allowed Health and Social Services to go "they should be exempt from some of the process." We somehow have to rebalance it in terms of other ministries or in terms of timing, as the Minister is attempting to do. Is there any chance that that can happen because it would be much better if we can have a proper debate at the business debate, and Senator Shenton informs me because the business debate boils down to yes or no for the whole document, it is going to be very hard to do this. But my view is if the Council of Ministers can, later in the summer, come out with a report reflecting their new thinking hopefully on this area, with the independent report from the Minister, very fine whether this is the way to go forward or not. If they could do that I think it would give us a breathing space, it would acknowledge, which I think a lot of Members feel, that you just cannot crudely take an axe to the Education budget. As we have acknowledged with Health, some of us I should say ... although I know Deputy Noel and Pryke do not agree and they think Senator Shenton and myself ... some of us with great regret accept that because obviously we still think there is massive reform needed but there is an argument to be had over that as we well know. So could that not be done, rather than take a crude axe to the Education budget, acknowledge that this has led to a totally disproportionate effect on one part of the budget, acknowledge that there is still major reform to be undertaken, which may or may not be pushed forward through the Green Paper discussion and I do have my doubts about that, that we are asking maybe too much from that Green Paper, and we do

not end up in a situation where what looked to be rather narrow, inward looking grounds are allowed to dominate this particular cost cutting measure. In other words, somebody comes up with a special case - and good luck to them - they have a special interest in this area. Whereas everybody else has to bear the pain. It just does not make sense. I would ask during the afternoon, if the Minister for Education and the Minister for Treasury and Resources could think on this matter and whether we could get this. Because I would much rather the blood be spilt, if it has to be spilt - but hopefully not - that we have proper debate in the Business Plan where we do look at different priorities and we look at how we are carrying out this cut back campaign as opposed to this crude axe everybody with the same percentage, blah, blah, blah. I would much rather there was what I would call a more nuanced approach. But it would mean the Council of Ministers really having to go back and maybe having to eat humble pie. It would mean them having to say: "Maybe we got it wrong with Education, maybe we put too much pressure on it and we need to deal with it differently." I do not think we are getting very far. A lot of people support ... a lot of people feel that this sector has been poorly handled, we could have handled it differently, even despite what the Deputy of St. Mary rightly said, that ultimately it was never going to lead us to a happy place because that is in the nature of the subject. But it is dividing the House, it is setting a very bad background to the forthcoming Education debate, in fact it is going to pollute it in my view and I would much prefer to see whether the Minister could think of a way forward and put a new proposal in the Business Plan debate.

1.2.16 Deputy A.T. Dupre of St. Clement:

I have to agree with a lot of what Deputy Le Hérissier said because I too am disappointed Senator Shenton has chosen to bring this proposition now. The time for such a debate is when the Business Plan is presented, not outside the process. We have had many discussions with the Chairman and Governors and these discussions started in September with all our fee-paying schools and agreement has been reached on how savings can be delivered. The majority of schools have already contacted parents to let them know what their children's fees will be next term and many have made financial arrangements already. I agree with Deputy Le Hérissier that the Senator has chosen to completely ignore both St. Michael's and St. George's and those are schools he wishes to protect. Does he not recognise that these schools contribute to the education of children on the Island too? Senator Perchard has said that fee-paying schools are not selective, I agree that Beaulieu and De La Salle are not as selective as the States fee-paying schools. He also said that the Minister had not answered questions. I dispute this as he sent letters to parents and sent Members e-mails. The Senator has also ignored the fact that the Minister managed to convince the Council of Ministers to make the cuts from subsidies over a 5 year period instead of 3. The fact is that everyone contributes to the Island's education through general taxation, regardless of whether the school is fee-paying or not.

[14:30]

All our schools have participated in value for money reviews which I know they have found most useful. As a result support has been provided to address some of the issues identified. Support includes extra funding to help schools implement the restructuring that they need, however if the States approve this proposition that money will not be available. This could have serious implications for some of the very schools that the Senator is trying to protect. Within the existing policy the department is able to adjust the level of support it provides to the fee-paying schools, dependent on need and the resources available. As the Minister said, a number of years ago the FCJ found themselves in financial difficulty, the department took the decision to increase their grant from 25 per cent to 40 per cent to help them overcome their problems. Now the matters have been resolved it is only right that their grant is reduced in line with other primary schools. Senator Shenton's proposition would not allow this to happen. I must also, by the way, congratulate FCJ on their centenary of teaching in the Island. Although the Catholic Church in Jersey is keen to see our faith schools supported, it does not at present make any direct financial contribution which I do find

rather disappointing. However, I have been encouraged by the efforts of these schools as they consider how best to meet the needs of the Catholic community, both now and in the future, which I appreciate is going to be a challenge. If this proposition is approved I fear that all the hard work and consultation with the fee-paying schools and parents will be for nothing. This will be particularly sad as we have gained the co-operation and agreement with all schools to pay their part in delivering the necessary savings.

1.2.17 The Connétable of St. Lawrence:

Clearly this has given us all pause for thought and there are wide-ranging views which have been expressed. Something that the Deputy of St. Mary said earlier prompted me to rise, because he was, I believe, critical of the report or some areas of the report that Senator Shenton had produced. I have been pondering on one of the comments given to us by the Minister for Education, Sport and Culture and, if Members would wish to turn to page 6 of the comments, what has struck me is that we are debating what we are debating and before making reference to page 6, if we look at what the Senator is asking us to decide upon part (a) of the proposition refers quite clearly to: "Maintaining the grants to the schools listed pending publication of the forthcoming Education White Paper, ensuring that there is meaningful consultation through a Green Paper beforehand." But the Minister has made it clear today that the Green Paper which he is proposing to issue will not be making consultation to the grants given to the private schools. He is looking at me, I did ask for clarification earlier. So I wonder if not only is Senator Shenton's report slightly off track, but his proposition is as well. He is asking us to vote on something which we have been told will not be forthcoming. But I am more worried about part (b) of the proposition and I now I ask Members to look at page 6 of the comments because I cannot understand how we can vote on part (b) - and for listeners perhaps I should read it. Part (b) of the proposition states: "We would request the Minister for Education, Sport and Culture to lodge as a separate proposition both ahead of and outside of the Annual Business Plan process, any changes to the current arrangements with detailed analysis of the reason for the policy change [I repeat that, policy change] as well as the benefits and deficiencies of any proposed change and to refrain from implementing any changes until the revised policy has been approved by the States Assembly." Now, Senator Shenton is talking about policy change and I make no comment here as to whether I believe grants to the fee-paying schools should be changed in any way. But we are looking at policy change and quite clearly in the comments from the Minister for Education, Sport and Culture there is no policy change and yet that is what we are being asked to vote on. We are told that under the Education (Jersey) Law 1999 the Education, Sport and Culture Committee, now the Minister, can vary the grant payable to the schools. It seems to me that is indeed what the Minister is proposing to do. I believe, in fact I know, that I would like to ask the Solicitor General to comment on this to advise the House. I know it is difficult sometimes to pin the law officers down, we have to ask the right question to get the right answer, so I think maybe 2 questions from me to the Solicitor General. Firstly - and he may not be able to comment on this - is it a revised policy? Secondly ...

The Deputy Bailiff:

The first question is what?

The Connétable of St. Lawrence:

Is what the Minister proposing a revised policy? Senator Shenton has told us that it is and the Minister in his comments has clearly stated that it is not because under the Education Law he is able to vary the grants paid to the fee-paying schools. You are smiling so I do not know whether you will allow me to put that question.

The Deputy Bailiff:

Just happy anticipation of what the Solicitor General is going to say. [Laughter]

The Connétable of St. Lawrence:

I think we are all looking forward to his response. Perhaps if he can answer that question and I could come back with another one.

Mr. H. Sharp, H.M. Solicitor General:

To determine whether there has been a change of policy one of course must first consider what the policy was or is. As I understand it, in broad terms, the policy is to provide substantial assistance to children who are going through schools by way of grants. Though it seems to me whether or not you are providing £5,000 to the child or £4,600 to the child in any particular year, you are still within the policy of providing that significant or substantial assistance. Of course, a Minister can only operate within his budget and insofar as changes are proposed to reflect the realities of the budget today, then I think it very arguable that that is not a change in policy at all. Of course extreme steps might result in a change of policy, for example, if the grant was changed to £1 per child then plainly that is not consistent with a policy of providing significant or substantial assistance.

The Connétable of St. Lawrence:

May I thank the Solicitor General for that response. I think I understood him to say that this would not be a change in policy and that is certainly my understanding. Senator Shenton I am sure will respond when he sums up, will he not? [Laughter] I do have one other for Her Majesty's Solicitor General, and as I said earlier, we are debating what we are debating and if we look at part (b) of the proposition I wonder if that is accepted by the House whether the S.G. (Solicitor General) can advise if what the Minister is proposing to do is within the bounds of the Education Law, is he in fact bound to do what Senator Shenton is asking us in part (b) if the House approves it; or will he not have to do as Senator Shenton is requesting?

The Solicitor General:

Can I split that into legal and political? Legal, the Minister is of corporation sole so he can take any lawful decision he likes, whatever the reflected view of the House. Political, it may very well be that the Minister will want to take into account the views of the States Assembly, but that is a matter for him. It does not affect the lawfulness of any decision he takes.

The Connétable of St. Lawrence:

Thank you. I hope that response from the S.G. will have helped Members in reaching their decision as to how they will vote on the proposition. I believe that the Minister for Education is in a very difficult situation and I am certain that he has had many sleepless nights over this, and knowing him to be an honourable man he has, I am sure, been personally torn about how he should comply with the C.S.R. requests. I think the way that I look at this is that we all know if the changes that he is proposing are made they will impact very heavily in some areas on parents who, as Senator Le Main has said, do probably struggle to be able to fund their children to have the choice of going to a fee-paying school or not. Having said that, I am going to reserve my comments and I will make my decision on how I will vote on this proposition when Senator Shenton has had the opportunity to sum up. Thank you.

1.2.18 Deputy M. Tadier:

That was quicker than I thought. Clearly any debate about education and also about the way in which we fund education is always going to be emotive because even those of us who are not parents and may never be parents, still realise the fundamental importance of education to society. It is emotive because it conjures up feelings of equality, it also conjures up feelings of aspirations perhaps for younger children that we might want to have opportunities that we did not have in our own lives, but also it conjures up the problems for us as parliamentarians as how do we fund those and how do we make sure we are being equal and fair-handed while allowing for freedom of choice at the same time. So clearly this is a big issue for us and for the public and quite rightly. I just want to talk briefly about the problems of process that I see that have got us to this point today. I

think for many of us we are between a rock and a hard place because what we have on the table to be discussed here first of all has been amended, and it is not necessarily something we would ideally put through if we had a whole choice of options. I think that is the first point to make. The proposition has now been amended and it only gives us 2 options, but there is one option on the table, which is to either say that none of the funding should be cut - both for the fee-paying sector and for the State schools - or that we should go ahead with the planned cuts by the Minister for Education. The trouble is there are 4 options in reality, some of us may think that what is being proposed by the Minister partially, with regard to reviewing the fees and adjusting them for the fee-paying sectors, is quite valid. If I am honest that is my personal opinion, I think there is scope within the fee-paying sector because it cannot be viewed homogenously either, we know that there are vast differences in the schools, different needs, some of them can surely afford to make cuts or savings in certain areas. I think savings is the correct word. Others may be less able to do that. Unfortunately the States schools do not have that luxury. We have put through a programme, albeit the extent of which needs to be established, that says that pro rata cuts have to happen in education and they will happen in State schools.

[14:45]

Interestingly, I was looking at the amendment 9 to the Business Plan debate asking for an extra £5 million of cuts to go through, which was a very close debate, there were only 2 votes in that. At the time I remember making a speech saying that I was very wary about the pro rata approach to the cuts in general and that applies to education. It is very interesting to see some of those who said at that time: “No, we are afraid that the savings, the cuts, whatever we want to call them - the efficiency savings - do not go far enough. We want an extra £5 million and it is up to the Ministers to find out how they apply them and it has to be across the board.” In that we find the suspects of Senator Shenton, Senator Perchard and a few more unlikely candidates who all said: “We want the Ministers to go away and find extra savings, extra cuts, whatever you want to call them, and they must be applied because the public clamouring for the fact that we waste too much money in the states in the public sector.” Certainly they are partially right, we have seen recently we have been giving out golden handshakes to the tune of £800,000, although we will never know if that was the exact figure because it is all confidential, even though these are public sector figures. So quite rightly there is a nettle which needs to be grasped, but I do not think that was the right debate. Now we are just seeing a logical consequence of this ethos, of course that particular amendment did not go through but these are the natural consequences. If we are saying that cuts need to be made indiscriminately right across the board, each Minister has to find the savings; when our very good Minister for Education, Sport and Culture comes forward and says: “Okay, I have found the savings I can make in my schools, in the States schools, and now it is over to you guys in the fee-paying schools to also find your savings.” Surely that is what Senator Shenton and Senator Perchard, not being naïve individuals, would have entirely expected to happen. If we want things to be equal-handed and fair then surely the argument is that those who want a smaller state should be prepared to take those consequences. That is just an observation of course. Things can become more complicated in politics when there are competing pressures. So I have highlighted the problem with this amendment, the 4 options are not on the table. We do not have an option to reduce all the funding or to increase funding for States schools, to decrease it for the fee-paying sector or vice versa. We just have this one very blunt tool, which I think is being proposed to us. The other issue I think is to do with the Business Plan. We are being told: “Let us not put this through, let us just wait until the Business Plan, the magical Business Plan where everybody can decide what they want to do.” Because we know essentially we do not have control of the budget, we may like to think we do as an Assembly, we cannot pull out millions from a back pocket which we never knew we had. That is an issue. The Minister for Treasury and Resources can do that and perhaps other Ministers can vie for certain funds to be found which we never knew existed. But in a Business Plan, the reality of it is that as the Assembly works the Business Plan stands, it goes through, it gets voted through on the nod perhaps with a couple of amendments here and there, but ultimately that

will go through as is proposed and we as Back-Benchers can have very little to do in amending that in a meaningful way at a fundamental level, I would suggest. I am very grateful for the clarification that the Constable of St. Lawrence sought because it does highlight another issue and, I would say again, we cannot have it both ways. If in fact - as is being suggested by Senator Shenton - that the reduction in funding to fee-paying schools is a policy change, we are told that it is not a policy change, I think it is logical that it is an order of magnitude. Of course if it is just being moderated that should not be seen as a policy change. But if it is a policy change then surely the reduction that we have seen in funding to the States schools is also a policy change, albeit a creeping one that happens year upon year. Now, where was the resistance coming from, the Senator and others, when this policy change was being brought through, saying: "Why are we cutting funding to the States schools? Why are we doing this? Is that a policy change?" Well clearly that is not a policy change and the Senator will realise that. So there is an issue of consistency here. I think the question and the answer given was particularly helpful because many of us feel that things do need to be looked at in the round. If indeed we are engaging in a change of policy direction then I do not think any of us would be comfortable in having a policy direction change without proper consultation. That is certainly why I voted for a consultation when it came in the raise in age for the pensions, I thought it was necessary to have a proper consultation. But it seems here what is being proposed is not a policy change, it is simply we are adjusting the figures. Now what of course does need to happen in the broader debate when the Green Paper comes out, when any eventual White Paper comes out; we do need to sit down - whether it be in Scrutiny Panels, in the Assembly or in the Island in general - and look at the future of education. Here it is where we have to be careful of what we wish for. It may well be that if we reject this today and a debate ensues it is entirely possible that we might decide as a society or as an Assembly that we should not be funding private schools at all. That might lead to a debate, for example, where we then ask the public should the States be providing single-sex education, should the States be providing a religious education. If the answer comes back from the public that there is a demand for single-sex education, for example, then we can have the debate about whether or not we should be providing single sex education as the States. Of course, if you want some other form of education where you have to ... I do not know, something fantastical which is not reasonable for the States to provide, then the argument perhaps will come back that the States should have no place in funding that. But these will be looked at in the round and I think we have to be very careful about conflating issues because the matter that is before us today is quite a simple one. So just to bring this full circle, I think for those of us who have been opposing the cuts in the first place, whether that be in the fee-paying schools or the States schools, we are in a very difficult position because for my part I feel that I would certainly like to do everything I can to safeguard the funding for the Minister for the very good work that the State schools are doing and which they need, I believe. I do not think there is room for any cuts to be put in the State schools. I cannot speak with such certainty for those in the fee-paying sector across the board. So like the Constable of St. Lawrence, I will reserve my position at the moment because I do have conflicting moral pressures on me. But the last thing I will leave Members with is when I was lucky enough to address the Parents for Choice, I think it was on 4th November 2010, I emphasised that we must not let these kind of issues be divisive between the States sector and the fee-paying schools. That is absolutely imperative, because we know that education is of such importance. I emphasised really if on the one hand we are saying that fee-paying schools really cannot afford to take what will be essentially cuts if fee-paying schools will be obliged to put their fees and if it will then result in a slight exodus from the fee-paying schools to the States paying schools we have to have a united front. We have to say education is so important and the implications of cuts is so important that we should be providing a united front and then opposing these cuts to education right across the board. Certainly if that is where the Senator is coming from and if that is where proponents of this proposition are coming from I would be happy to give my support but it must not be selective. I simply ask again, where was the support when the cuts were being proposed in the States sector, which were seen on the surface to be supported by the likes of the Senator and others who would favour a smaller

society. There needs to be an even-handed approach and that is all I would leave the Assembly with that thought.

1.2.19 Deputy T.A. Vallois of St. Saviour:

I find myself in a peculiar position whereby I have had 3 months within the role of Assistant Minister for Education, Sport and Culture. I can certainly say it has not been an easy ride, it has not been anything of the sort; and previously a member and vice-chair of the Corporate Services Scrutiny Panel whereby I had a lot of involvement in scrutinising the C.S.R. process and, as Deputy Southern rightly pointed out, brought an amendment to the Business Plan in September last year. This Assembly identified that within that particular debate the Assembly were not best placed to make savings for the years 2012 and 2013 within departments as we have an Annual Business Plan process that allows us to determine year on year expenditure. The Chief Minister, therefore, withdrew paragraph (e) of that Business Plan and, due to the ability of Ministers to move monies between the budgets, this Assembly then agreed in the budget that the sum of £65 million could be removed from the expenditure of the States over a 3-year period. It does disappoint me that Senator Shenton has brought this proposition outside the Business Plan. I have worked with Senator Shenton on the Public Accounts Committee and although I think every single Member in this Assembly believes there are flaws in the processes to this Government, this is what we have at this precise moment in time. We have a Business Plan that is due to come before us in September where we are due to debate whether we want to cut whether it is grants to fee-paying schools, whether it is bringing back school milk and all the various other areas. The States have already agreed the Business Plan for 2011 whereby we have already made cuts to Education and we have 2012 and 2013 to go. But Members should not be naïve in thinking that the Minister has not worked hard with the governing bodies of the fee-paying schools. The position that was put forward originally was to cut the fee-paying schools' grants over 3 years and this was identified as not possible. It was not possible for the fee-paying schools to do that within such a short amount and, therefore, because the renegotiated position between the Minister and the governing bodies to spread that over 5 years for a proposal - bearing in mind it is a proposal within the Business Plan, not a decision, it is a proposal - that it would be taken over 5 years. Because it was identified that Education, if it is to make cuts or savings or whichever any Member wishes to call it, it has to be done over a period of time. There will be many Members sitting here today who feel extremely uncomfortable about this proposition. I have felt uncomfortable and I do feel uncomfortable that I know that when the Business Plan comes up, if I did not want cuts to education as a Member of this Assembly, I could identify where else I would like those cuts to come from. This proposition does not allow me to do that, this proposition holds my feet to the fire and says, well, I have to look at maintaining the grants, whether that is right or wrong, because this Assembly does not debate the higher areas of our policies because we wait until the Business Plan, we discuss the fundamentals of each and every little penny that we want to spend our money on. So I would say to the likes of the Deputy of St. John, who is unfortunately not here at this moment, who made an extremely clear reason why this should be debated within the Business Plan in September. He made the point of saying about the Chief Minister's Department and how he believes them flying off to China, that should not happen. Well that is his own belief and if he believes that is the case then he could put an amendment into the Business Plan to cut money from the Chief Minister's Department to cover the loss of savings for the grants and the fee-paying schools. That is each Member's right to do that within the Business Plan, to put amendments forward. I can only say that I know this has been difficult and Senator Shenton did come to the department and he did make that point last week when he opened up the debate, and I sat down with himself and Senator Perchard for over 2 hours discussing the funding formula to the schools. I did turn around to Senator Shenton and I offered him to come to the department with alternative areas where he thinks that we could make alternative savings. To come forward and I would sit down with the officers with him and myself to find a viable solution in order for us not to make cuts to the grants. However, I have not had a phone call, I have not had an e-mail, I have not had a knock on the door or even a mention in the

coffee room. So although it is difficult for Members I would ask that they reconsider or consider their position with regards to this proposition and think about the Business Plan debate that is coming up in September and if they do hold strong views that is the place to debate this. Thank you.

[15:00]

Senator J.L. Perchard:

Just a point of clarification if I may after the previous speaker. She said 2 very important things and I would like to ask her to confirm that she has not said anything that conflicts. She said that it is now a 5-year proposal for a phased reduction in subsidy to fee-paying schools and she said also that this debate should be taking place during the Business Plan debate. Can she confirm that the Business Plan is an annual debate and debates only annual budgets?

Deputy T.A. Vallois:

I believe, if the Senator was listening, I did say that we debate year on year expenditure in the Business Plan so it will be one year that we agree in the Business Plan for 2012.

1.2.20 Deputy S. Pitman of St. Helier:

Firstly I would just like to say that I think Members have forgotten that not all those children who do not go on to Hautlieu or who get into these fee-paying schools, it is not because they are not bright, it just may mean that they do not have the confidence and these fee-paying schools and Hautlieu may be missing out on these people, so please do not put these children aside and forget about them because they do go on, a lot of them as I have seen when I was working in the Youth Service, to do very well academically and have good jobs and benefit the Island. I have to say that I do not normally support propositions from a political party that is the populist party, which has only 3 policies, and that is me, myself and I. [Laughter] I say this because it goes against Senator Shenton's policies of cuts and no consultation as we saw last week with the pension debate. I also do not believe it to be the right time for this as I think it could set a precedent for everything proposed to be cut to be debated before the Business Plan debate. However, we do need service level agreements between fee-paying schools and education and the Minister does need more power through legislation, and I will give one reason why and the Minister does know about this because I have brought it to his attention. De La Salle school have adopted a new policy and what they are doing is they are withdrawing the place of a pupil who has been there through their primary school to go on to secondary school and then charging them £500 to secure a place when they find out that their son is sitting an entry exam to Victoria College. This, I believe, is not a formal written school policy but one parent finds out about it through a letter from the schoolmaster just before the sitting of the exam and during the Christmas period. Several parents have brought this to my attention and I have a letter and it says: "Boys who are at De La Salle Primary are offered a place at De La Salle Secondary without the formal interview process of an external applicant. If this offer of a place is accepted it is conditional on no application being made for entry to another Island school. I note that subsequent to your acceptance of a place for your son at De La Salle Secondary you have applied to Victoria College. As a consequence your son's place at De La Salle Secondary is withdrawn. If you would like to maintain a place for your son at De La Salle Secondary then a £500 non-refundable fee deposit will be required. This deposit should be received in November 2010." Then once the school receives the £500 they go on to say: "Thank you for your £500 deposit requested to secure your son's place at Secondary School. These funds will be credited against the first term's fees in 2011 and 2012 academic year. I can confirm that a place is now reserved for your son and I am delighted that he will be joining the secondary school in September 2011." Personally I feel this is absolutely outrageous. I understand this is a new policy set at Beaulieu too. The parents who informed me of this policy visited the Master of the De La Salle because they could not afford the £500 to buy back their son's place. Sir, I wonder if you could tell

the Constable of Trinity to stop rabbiting please. He has been doing it for 6 years now and he does not get the message, I am afraid. So please could he be quiet. **[Aside]** I am sorry, he is.

The Deputy Bailiff:

I am sure he has heard that request, Deputy.

Deputy S. Pitman:

The parents who went to see the Master said that he showed no interest in their case, so they had to pay the £500 and their son stayed at De La Salle because they could not afford to lose it. I am also told that other parents on low incomes have not sent their children to Victoria College entrance exam because of this policy. Furthermore, in 2010, Victoria College had significant withdrawals from De La Salle Boys. So much for choice, and I quote from Senator Shenton's proposition: "And the noble vocation of public service and social justice." So much for the words of the Master who has publicly espoused the inequality of opportunity for children that would be caused by Government cuts. The Minister for Education does not, at the moment, have powers to do anything about this. In light of this, I would have liked to have known why fees have gone up exponentially above inflation for the last 14 years from 4 per cent to 10 per cent, and if Members look at the proposition, this is on pages 11 to 12. I wonder if the proposer is aware of why these fees have hiked up. We should also be asking what efficiency cuts are these fee-paying schools making? Furthermore, let us not forget one of the main reasons why we have these schools is it is that there are many parents who are very wealthy enough to pay school fees and can more than afford them. I think, education in these schools need to be talking more and working towards a system which is, I feel, a means tested system.

1.2.21 Senator F. du H. Le Gresley:

Members will be pleased to hear that I tore up my speech that I had prepared for this discussion or debate because a lot of what I was going to say has already been said. What I would like to pick up on though is the Constable of St. Lawrence's comment about change in policy, and although the Solicitor General did partly answer the question I had already printed off the relevant Article from the Education (Jersey) Law, so it might be helpful for some Members if I read it. It is Article 45; Assistance for Non Provided Schools: "The Minister may, by order, make provision with respect to the advance of financial or other assistance to non provided schools and, in particular, but without prejudice to the generality of the foregoing, the nature and extent of any assistance to be given, the circumstances in which, and the conditions subject to which assistance may be given, and any procedure relating to the giving of assistance, and that is in the 1999 law. I understand, and I may stand to be corrected, that since the late 1970s no changes have been made to the percentage funding except to increase the funding to the schools, I think with the one exception of FCJ. As regard a change in policy, I do not think that the law is preventing the Minister from what he wishes to do. I do have a lot of sympathy for the Minister because he has been required to find the savings of £11 million out of his budget, and I think if any one of us had been put in his position to do so I am sure we would not have ignored the substantial sum paid out to fee-paying schools. It would be illogical to do so. Where I think I would differ from the Minister is in the percentage of his total savings target that he proposes to take from the fee-paying schools grants. I think if he had started with a 10 per cent reduction I do not think the school governors or parents could have had any argument or objection to that. The fact is that, probably under pressure from the Council of Ministers, he has had to look to a far more substantial reduction. I also think he has probably missed a trick because going back to November he did say he would come to the House with a proposition on increase in school fees. I think that if he had brought that proposition rather than the Senator bringing a proposition we would be debating what the Minister was proposing, rather than what Senator Shenton is proposing and I would have preferred to have heard the Minister and then he would have had the opportunity to sum up, also having heard the views of the Members. I think it is unfortunate that it has come about in this way. There are 2 other observations I want to make,

and again I may stand to be corrected, but looking at Senator Shenton's proposition he lists the percentage increases for Beaulieu and, as far as I can see, the proposed increased for 2011 of 5.95 per cent rising to 6.17 in 2012 is in line with increases at that school for the last 5 years. I do not see that it is a great issue as far as that particular school is concerned, albeit I appreciate that we are looking at a 5-year programme of similar increases. But one thing, and Deputy De Sousa touched on this, that has really concerned me since this proposition has been sitting on our desks or in our homes is the proposition of the Minister for Social Security, which was sent to us and lodged on 7th June. We know now, of course, that this is the proposition that does away with the 2 per cent increase in social security contributions over the upper earnings limit. This is for employees, although it will continue for employers. Did any other Member, apart from the Council of Ministers, were they aware this was going to happen? I mean this has come as a shock to me because I have been advocating and trying to convince some people that the only progressive steps that we took in last year's budget debate was to introduce 2 per cent on the higher earners, and now, at the whim of 2 Ministers, it would seem, we have done away with that. We have said: "Oh well, they are going to have to cope with 1.5 per cent soon for long-term care, so let us not impose this on the higher earners." Are not the higher earners some of the people who will be paying these higher school fees? Did the Minister not say that he wants to introduce bursaries for lower income people? I am perhaps in a quandary now. I do not know what the Council of Ministers' plan is. I mean, we are prepared to give away £8 million of income, which would have reduced supplementation at a whim, it seems, and yet the Minister is struggling to find his savings out of a budget where 80 per cent, I think it is, is on salaries, so we have a problem today. I am very much like Deputy Le Hérissier who sits on the fence. I am going to sit on the fence on this one. I cannot make up my mind and the Senator will have to make a very good closing speech to convince me.

[15:15]

1.2.22 Deputy J.A. Martin:

Just to follow on that last point about what are the Council of Ministers. We had a debate and we had an amendment on G.S.T. rising on 1st June or 1st January, and that was £8 million. We cannot do without it from 1st June because we will lose £8 million, and that is exactly what they have just given away apparently. I am supposed to be in the inner sanctum. I knew nothing about this until Deputy De Sousa read out Saturday's *Post*, I do not buy the paper on Saturday because it is printed too early. I thought we are where we would be when we started on Thursday, and Deputy Le Claire was the first one to speak after the amendment to say: "I do not really think we have to have a long debate because it has all been decided", because the amendment was upheld with so much vigour and gusto and we all think children in Jersey should be treated equally. I know half the people behind me, across to my right, over to my left, and looking straight ahead have to support the idea of let us have equality because they could not vote against Deputy De Sousa, but here we go. Turn around when we come to the actual amendment. Should I be defending people who, we are told, can afford their money, can afford to send ... many of them can afford to send anyway? How many "many" is that? We do not know. The Constable of St. Lawrence asked, is it a change in policy? Is it within the law? Again, we, and anybody could have brought this, I thought we could still ask a Minister to have a look at what they are doing. The Minister, it does not matter what we decide today, I think at the end the Constable has established that. The Minister has already said: "No, I am not doing that. I am not consulting. I have had my private talks. I am coming up with some sort of scheme to assist with bursaries for the lower income earners and the Minister for Treasury and Resources, because I pushed the Minister for Education, Sport and Culture twice, and so did someone else, and said that is in the bottom line budget for £500,000. Do we know if that covers enough people? Do we know that? The Minister for Education, Sport and Culture has not consulted so we do not know. We do not know. The very new Assistant Minister for Education, Sport and Culture said that she had spoken to Senator Shenton, who brought this, and there has been no other suggestion. Actually, she is now in a position that she has lots and lots of officers behind her; I do not say the Senator does not have that sort of backup, but I know he does not have

the expertise and nor, apparently, does the Education, Sport and Culture Department, because they have said the paper is a long time coming because they have not got the people there to produce a proper consultative Green Paper. No surprise that nobody in this House has come up with alternatives, which brings me on to ... it is not sitting on the fence, there probably are other ways to look at education and I totally agree with the chair of the Education and Home Affairs Scrutiny Panel. Too many difficult decisions for too long have been put off. We cannot, even in our own States schools, Hautlieu and Highlands, we cannot have classes of between 5 and 6 taking A levels in, say, Italian or a foreign language, and there are not enough people there. We should be, we must be, with the other schools that keep the children there until they are 18. I do not know what is in the Green Paper, again I called the Minister for Education, Sport and Culture tardy this morning. You cannot keep telling us that this is going to come. We have a few more weeks, we have a massive Island Plan debate, we need to be reading this so-called Green Paper, which is not going to consult on fee-paying schools. I am just at a loss. I said in the beginning, and I will, I think that everybody needs to be treated fairly. I am saying that, and that is why I did support Deputy De Sousa, is that I do not think ... forget for a minute the States schools, which I do think have taken their over share of cuts, but there is many, many majority in the fee-paying schools who nobody in this House knows whether this will be the straw to break the camel's back. The Minister for Education, Sport and Culture has said it is only X amount of money per week per child. Now is that one child in the family, 2 or 3? Is that a person who one of the parents are losing their job? Is that a family that are having their pay frozen for the third year in a row? That 3 to 6 to 9, depending on your children, suddenly becomes a lot more of your disposable income, and the Minister for Education, Sport and Culture can sit there smiling but it is a little bit of maths he might want to go away and do, being that he has all the experts down at his department because I do not know who these people are. Really, would Deputy Martin normally be saying: "Oh, we must protect fee-paying schools or people who can send their children to ..." I think it is a choice. In the U.K. faith schools are provided by the state, and they are in Ireland and I think in Scotland they are provided by the state. If it is a matter of faith and choice plus money and choice, have we got enough information? I do not really know where this will get Senator Shenton because unfortunately I found the Minister for Education over this whole debacle not willing to meet parents, not coming to the Town Hall, absolutely knowing the best and: "I am doing this because I know best" to have been handled very, very badly. It is not good to have a meeting and you know the person there should have been the Minister for Education, Sport and Culture. The meeting I was at was a lot more hostile just because the Minister for Education, Sport and Culture was not there. People in Jersey are quite understanding but if you are going to bring forward very hurtful, and I think someone used the word "fear", and there were people in tears and I do not think they were all selfish people. These people were the ones who were stretching theirself really to the limit and do not please just listen to the Minister for Education, Sport and Culture, listen to what he will not do. He will not consult. He tells you it is £3 a week for a child, we do not know how many children - Senator Shenton is again nodding, maybe it is more than that. It probably varies against schools. But what you are really doing, the people who have already voted for the amendment who, let us say, we all believe in equality for all our children in Jersey and then you are not going to support the final proposition, you do not believe in full equality for anybody in Jersey.

The Deputy Bailiff:

I wonder if before we go on I could draw Members' attention to Standing Order 99(3)(c), which prevents a Member of the States from reading any book or newspaper, periodical or other document in the Chamber unless its content is directly relevant to the business of the States. [Laughter]

Senator T.J. Le Main:

I knew you would speak to me once in the day, Sir.

1.2.23 Senator P.F.C. Ozouf:

This is, as a number of Members have said, a very difficult debate and there is on occasion in debates in this Assembly an interesting coalition of Members. There are some Members who have stood in support of Senator Shenton's proposition who absolutely have remained consistent and argued that we should not be delivering £65 million worth of savings. There are other Members who have risen in support of Senator Shenton who have been at the, if I may quote the chairman of the Corporate Services Scrutiny Panel, "stretch limit". Stretch targets are the targets that you set when you are wanting to be ambitious in terms of your targets. There are some Members of which I am sure he does not mind me mentioning him, both Senators Perchard and Shenton are at the vanguard of the stretch target in terms of spending. So there is an interesting coalition of Members. I think there has been some excellent speeches made on both sides of the debate and if I may first of all, because I do think the Chief Minister is not here and somebody needs to speak on behalf of the whole of the Council of Ministers, and I am called to do so, not only in that capacity but as Minister for Treasury and Resources. I do want to respond, if I may, to Senator Le Main, who is right to reveal to Members the vigorous debates that happen at the Council of Ministers on issues. He was part of them. He was in the very centre of some of them from time to time. But if I may say, he is not right in saying that this Council of Ministers is just focused on economic matters. Maybe we need to get the communication right. In my view we need to focus not only on the economic matters but on the social agenda too. It is not an either/or, if I may say to Senator Le Main, it is both. We need to secure economic growth, and that is what the Chief Minister is trying to do in China with Senator Cohen. We need to ensure that we have delivery of economic growth so that we can spend on our social priorities. You need both. I should also declare that I am an Old Victorian, I am also an Old Girl because I went to the J.C.G. to do my French A level. **[Laughter]** I was a popular member of the O.V.s or Victoria College, as I could send messages - like somebody else is receiving - in terms of that. I have spoken at the O.V. dinner speech, not a pleasant experience in some respects, and I have also ... you only have to do it once, and I also visit schools regularly in order to try and raise awareness in terms of political matters. I enjoy ... it is one of the things that I, and I know a number of Members have ... it is one of the most enjoyable things that we do, and it is not only the private schools in Victoria College, but is at other schools too. I do not have children, but I have a twin, and my twin works in the public sector state provision and I regularly debate with her and indeed my mother was a teacher too, I have been brought up in an education environment, and the importance of education. I believe that education is absolutely fundamental to political decision-making. I believe in social mobility. Deputy Southern may sarcastically get out and put a fictitious violin but I would say to him that I genuinely care about education and I genuinely agree with him about the importance of delivering social mobility. We may differ on how but that does not mean to say that we both do not share and that all Members of this Assembly do not share an absolute fundamental in one thing to deliver social mobility ensuring that future generations aspire to even greater things than their forebears. An education is vital to achieve that and putting the right budget, although it is not only about budget, it is important to achieve that. It is not only the faith schools, and it is not only the private schools that deliver social mobility, although they have been a pretty good deliverer of it, it is the States provision too. I want an environment in which every young person in Jersey has the environment, the encouragement, the motivation to reach their full potential, and that is why these debates, and that is why this debate, and debates about education are important. I believe in plurality of delivery of education, single-sex provision, faith education, the role of the private sector, the role of the State provision, the roles of schools that focus on academic matters and those that focus on vocational matters too. Politics should be about continuous improvement. Working out what is doing well and working out where we should do better, and the Minister for Education, Sport and Culture has to be commended in the work that he has done on the Green Paper. Yes, Members are right to criticise him for not delivering the Green Paper, perhaps in the timetable that he originally envisaged. He has been, like other Ministers, under pressure to work out how to deliver the C.S.R. objectives, and I also share some responsibility in ensuring that that Green Paper has had a full discussion at the Council of Ministers, which is what Members would exactly expect to do. I do not believe that it is

fair or right for some Members to punish the Minister for Education, Sport and Culture by the late delivery of the Green Paper. At the end of the day, a 3-year timeframe for an election process, with all the issues that we have had to deal with, is extremely difficult. This is an important debate on principle. I think there is an important issue about the integrity of the arrangements that we have and the annual discussion that we have about spending, and the integrity of the Business Plan.

[15:30]

The process set out in the Finance Law does give Members the opportunity to decide, and Deputy Tadier said that he does not think that he does decide, actually every single Member of this Assembly has a role in determining where public money is spent. We currently do that on an annual basis and the changes to the Public Finances Law are going to hopefully ensure that we do that on a longer term basis. Any Member of this Assembly can bring forward amendments to the Business Plan if they do not like the decisions proposed by the Council of Ministers. That is our system and to have isolated ad hoc discussions about spending on one area of spending in advance of the Business Plan, has to be, in my view, something that should be avoided. There is a time to discuss about how we allocate Education's budget and indeed the trade-offs between Education, Sport and Culture versus all the other debates, but I believe that an ad hoc decision is not the right thing. A decision in September about where we confirm budget reductions is the right place, and yes, it is clear that the Minister for Education, Sport and Culture is going to propose in the Business Plan a reduction in terms of private school fees grants, in terms of the grants for private schools. He is going to propose that, and there does need to be a full, frank, open, complete debate on that issue, and if Members do not like it they should amend the Business Plan or make a reduction to the proposals that have been made to grants. If we accept Senator Shenton's amended proposition we will, effectively now, and there is no doubt at all about this, be required to insulate the whole of the school's budget from any proposed changes to the Business Plan and delivery as part of the £65 million of the C.S.R. There is no doubt at all about that. The White Paper, which is spoken about in terms of part (a) of the proposition, cannot be delivered in terms of the Business Plan timetable. The Business Plan, as Members will know, will be ... it is being finalised at the moment and it is going to be presented and lodged before Members in July well in advance of the debate that will happen in September. A decision now today to insulate, effectively to tie the hands of the Council of Ministers, not to make any proposals in terms of State and provided and private schools is, in my view, wrong. It is not right to send one moment a majority decision for the States to require the Council of Ministers to deliver a net revenue expenditure, which requires £65 million, and then effectively just before we are effectively to set out our proposals to say that one area of States expenditure is to be completely insulated in terms of spending. I believe that savings can and indeed must be made in all areas or most areas of public expenditure. Savings can be made and they are necessary if we are to deliver a solution to the deficit, of which we have made enormous progress in delivery. We made an agreement with the public that we would be increasing taxes and that we would be looking at our spending. There has been criticism about the Minister for Social Security's proposal to not go ahead in the debate in July with the 2 per cent above the cap on social security. Sometimes I think the Council of Ministers is condemned if we do and condemned if we do not. I would say that it is the case from my point of view that that decision about 2 per cent above the cap is a deferred decision, not a cancelled decision, that work has to be done in relation to that and most importantly the *Jersey Evening Post* has reported to Islanders today that we are also going to debate in July the much awaited long-term care scheme, which is going to require an increase in social contributions, and Ministers may be criticised but in our view it was not possible to get States approval for both changes to the private schools, increased social security contributions and getting the 1.5 per cent on residential care. Politics is sometimes a difficult issue. Priorities need to be made. I repeat my commitment that the 2 per cent above the cap is not a cancelled decision. It is a deferred decision, and it will be something that the new Assembly needs to deal with. If Members do not like that decision then they are absolutely free to amend the proposition of the Minister for Social Security and do that. I can see some Members nodding in

favour, then that is the right way to approach that particular issue and we can have that debate. We can have that debate in the round. Do we really think, do the majority of the Members really believe that we can make a decision on spending today based upon Senator Shenton's amended proposition? Exempting all schools - all schools - from any consideration of efficiencies of the Council of Ministers? I believe that that is not right, and I will also, while I do not particularly want to have to and did not want to have a debate about the private schools and provided schools grants I will say that even though I am a strong supporter of the independent sector I do think that their grants need to be looked at and have had to need to be looked at. There has been a lot of scaremongering, if I may say, about the effect of looking at the grants at all. I would urge Members to look, as another Member has suggested, at that appendix 2 of the Minister for Education, Sport and Culture's comments and to see the track record of the increases in private school fees that parents have already had to deal with. There have been increases and indeed the increase that the Minister has agreed with schools is not simply a reflection of the deduction in grants. Many of the discussions which the Minister has had, which he is to be commended for, have driven perhaps, dare I say it, for the first time in terms of a dialogue with Education, Sport and Culture and some of those independent schools, a drive to deliver some efficiency and some co-operation with those schools. I would not want to lose that. I would not want to lose the agreement that has been struck with those independent schools to use some of the restructuring money that has been put forward in order to help some of those independent schools deal with some real challenges, which have come to light as a result of the discussions with Education, Sport and Culture. If this proposition succeeds all of that work will be put on hold, I suspect, for 12 months, but who is the Minister for Education, Sport and Culture that is going to come back and tackle this issue and ask the difficult questions about grants to private schools? Our grants to private schools, while I am a huge supporter of the independent sector, we have to accept, in this Assembly, that our grant structure to some private schools is extremely generous compared to the independent sector in other places. That has delivered great things; long may it continue. We make changes in the full knowledge of the consequences of that, but they are generous. Senator Shenton will put on hold any consideration of looking at the grants for the independent sector and we will not achieve some of the efficiencies that the Minister for Education, Sport and Culture has sought and delivered in terms of his discussions. We will not deliver a solution to the unfairness that does exist in terms of one of the primary schools getting a higher level of grant to others. I was interested to note that Senator Shenton has airbrushed, removed any suggestion of the reduction not taking place for St. Michael's and St. George's, which I do not know whether other Members have mentioned this, I am sorry if I have not picked up on the fact that other Members have mentioned it, but that grant is going ahead, according to what Senator Shenton says, and if he wants to have equality we will build an even greater divide between the private schools of Victoria College and St. Michael's because their grant is being eliminated completely. By the way, Members should be aware that indeed one of the private schools is being given some assistance in terms of restructuring to make that change. Another thing that has been worked on, I think, co-operatively between Education, Sport and Culture and the schools. The Minister for Education, Sport and Culture's proposals will be abandoned if this proposition is accepted. The Council of Ministers' hands will be tied and we will not be able to deliver the £65 million savings either in the next stage in 2012 or 2013, and I would ask Members to look at the Council of Ministers' page 2 comments, and to look at the schedule - I realise that Members have a lot of reading to do and there is a lot of information to look at - but there are proposals to deliver savings in the independent sector and in the States sector in terms of efficiencies in 2013. Those too will be off limits in terms of a discussion in the Business Plan this year. I do not think that is wise. I do not think that is sensible and as much as I defend and support the Minister for Education, Sport and Culture in this debate today, which he does need support and he has a difficult job. We have not always seen eye to eye but he deserves the support of his colleagues on the Council of Ministers and has it in abundance. But I also need to support other Ministers because what message does it send out today that we send out a message that we insulate one Minister's budget from the C.S.R. having made a decision and a commitment to deliver £65

million and then other Ministers have to continue to deliver their own savings. I do not believe that that is fair. I do not think that is fair to other Ministers who have been working hard with their departments to deliver genuine efficiencies and efficiency savings. No other department has been given this preferential treatment and I believe that we do need to have a proper discussion at the Business Plan debate. I do not like being the prophet of doom but if Members do accept this proposition and Ministers are still expected, which I believe they will be, to deliver the net revenue expenditure limit that we have, then we are going to have to look at some pretty unpalatable additional items at a very late stage in the Business Plan. We are going to have to look at the Minister for Education, Sport and Culture's growth. We are going to have to look at the skills training package. We are going to have to look at other issues within Education, Sport and Culture and I do not believe that that is fair. I do not think that is reasonable. I think the Council of Ministers should be allowed to go ahead, lodge the Business Plan and argue the Business Plan reductions in the proper way with full information. The Minister for Education, Sport and Culture has given one important concession in the last 24 hours in relation to this whole debate. Frankly, he was probably going to do it anyway but he has introduced the word "independent", which is important. He has committed to publish ... to first of all procure and ensure that there is an independent audit or independent review of the impact of the reductions in private schools. That is something which will inform Members about exactly what the implications are if they are persuaded to have that grant reduction later on in the Business Plan debate. I have been confused about some Members desire as to what to do with this debate because a number of Members clearly do not want to have to make a decision in relation to this matter today because they believe that it should be the Business Plan that should be the time when we have the proper trade-off in terms of spending. On rare occasions, and I do not often support this, sometimes the best decision is not to make a decision today, and I think that we are at that point in relation to this debate. There are a number of mechanisms to achieve that. I suggested in an earlier debate that we could have an abstention to the debate. The other way is to use the Standing Order, which indicates that we move on to the next item and that we do not make a decision. That we do not say that we are not going to make a decision on this, I stand in this Assembly frequently and say we must make a decision. This is not putting a decision off for ever, this is putting a decision off for the Annual Business Plan debate when we can have a proper debate on spending reductions and we can properly have a discussion about alternatives if a mechanism is possible to have a different trajectory of spending reductions or grant reductions. Members may well want to have a discussion that the grant reduction is reduced and we just target the efficiency savings and then we leave that for a longer period of time or whatever. But today we have not got that option, so I am going to test the mood of the Assembly, Sir. It is, of course, your call as to whether or not it is an infringement of Members, but I am going to test the mood of the Assembly, and mindful of the fact that there is a certain possibility of making a decision in relation to this at the Business Plan I am going to propose that we move on to the next item of business in order that this can be deferred to the Business Plan.

[15:45]

I am in the hands of Members. This is an unusual step, but it is a step which has a certain certainty in terms of when we will make a decision.

The Deputy Bailiff:

Standing Order 85 reads as follows: "A Member of the States may propose without notice during debate on a proposition that States move to consideration of the next item on the Order Paper. The Presiding Officer shall not allow the proposal if it appears to him or her that it is an abuse of the procedure of the States or an infringement of the rights of a minority." I do not have the exact figure but at least 20 Members have spoken so I do not regard that it is an infringement of the rights of a minority. I think it is not an abuse of the procedure of the States. Therefore, in principle, I

allow the proposition. Is it seconded? **[Seconded]** The appel is called for. I invite Members to return to their seats. The vote is on whether or not to move on to the next item of business.

POUR: 15		CONTRE: 26		ABSTAIN: 1
Senator P.F.C. Ozouf		Senator B.E. Shenton		Connétable of St. Mary
Senator T.J. Le Main		Senator J.L. Perchard		
Senator S.C. Ferguson		Senator F.du H. Le Gresley		
Senator A.J.H. Maclean		Connétable of St. Helier		
Connétable of St. Ouen		Connétable of Trinity		
Connétable of St. Saviour		Connétable of St. Lawrence		
Connétable of St. Peter		Deputy R.C. Duhamel (S)		
Deputy R.G. Le Hérisssier (S)		Deputy of St. Martin		
Deputy J.A. Hilton (H)		Deputy J.B. Fox (H)		
Deputy S.S.P.A. Power (B)		Deputy J.A. Martin (H)		
Deputy I.J. Gorst (C)		Deputy G.P. Southern (H)		
Deputy of St. John		Deputy of St. Ouen		
Deputy A.E. Jeune (B)		Deputy of Grouville		
Deputy A.T. Dupré (C)		Deputy of St. Peter		
Deputy E.J. Noel (L)		Deputy P.V.F. Le Claire (H)		
		Deputy J.A.N. Le Fondré (L)		
		Deputy of Trinity		
		Deputy S. Pitman (H)		
		Deputy K.C. Lewis (S)		
		Deputy M. Tadier (B)		
		Deputy of St. Mary		
		Deputy T.M. Pitman (H)		
		Deputy T.A. Vallois (S)		
		Deputy M.R. Higgins (H)		
		Deputy D.J. De Sousa (H)		
		Deputy J.M. Maçon (S)		

Senator P.F.C. Ozouf:

May I conclude my remarks on the main proposition?

The Deputy Bailiff:

Yes, you may.

Senator P.F.C. Ozouf:

I am pleased I tested the mood of the Assembly on that, somebody needed to do that so I will be arguing and urging Members to vote against it. This is not a divisive issue about independent schools versus private schools. We cannot, at this stage, make an insulation of a vast area of public expending in advance of the Business Plan, and I urge Members to not be seduced into the argument of Senator Shenton that this is anything but a delay and a removal of any consideration of school fees budget reduction, and I urge Members ... there is possibility of part (c) of the proposition, which is possible to be accepted because it is service level agreements but part (a) and (b) are not possible, and I urge Members to reject it.

The Deputy Bailiff:

Deputy Shona Pitman, during the course of the last debate Deputy De Sousa was ready to make an admission on your behalf that your telephone went off. **[Laughter]** That seems to be agreed. The Greffier no doubt will add the £10 to your charity.

Senator F. du H. Le Gresley:

Can I raise a matter of clarification in the Senator's last speech? Did I understand the Senator correctly that there is a direct link between the holding back of the increase in social security over the ceiling for higher earners in relation to reduction in fee-paying schools for grants?

Senator P.F.C. Ozouf:

No, there is not a direct link but the point and observations that I was making is that there are a number of issues, which are going to affect people of certain levels of income and it is a consideration. It is not a direct link but certainly the Assembly needs a decision and the Council of Ministers needs to decide what is possible to achieve in terms of political decision-making.

Deputy R.G. Le Hérissier:

On a point of clarification, the Deputy Chief Minister talked a lot about bringing it forward to the Business Plan but I had raised the point, and I am not sure he fully dealt with it, as to whether the Council of Ministers would revisit how the cuts were being imposed, apparently indiscriminately upon the department. Is he prepared to revisit that and to put different approaches or an approach to this House or to the Members before it appears in the Business Plan?

Senator P.F.C. Ozouf:

That is a fair question and the answer has to be that in the light of this debate and in the light of clearly a view of Members on education, the Business Plan is not finalised until the Council of Ministers meet in 2 weeks' time and it is lodged in the middle of July. If it is a strong signal that we need to look at the timing of grant reductions and the overall imposition of cuts on education then of course we will take that on board. These things are worked up to the wire and so if he wants a commitment to look at it again then he has one.

1.2.24 Deputy T.M. Pitman of St. Helier:

I wish I had nipped out for a comfort break now. Senator Ozouf, he said he did not like to be the prophet of doom, well I have never thought of him as a prophet of doom. I mean, Prince of Darkness, yes, regularly. We are hearing these strange little descriptions about things not being cancelled, they are deferred decisions, well if we support this would that not be a deferred decision? I am not sure. But I do find that this debate is almost like question time for the Council of

Ministers because the more you listen the more you come to realise that there are far more questions than answers. At least answers that have anything to do with the questions at hand. I do not want to go over what has been said already because I think there have been some good speeches, some good points made, and to take on from Deputy Le Hérissier, the point he has just raised, one of my most stark concerns is simply if we do support this, because I have not made my mind up yet, where exactly does that leave us? Where exactly does that mean the cuts will fall because I have not heard any answers about that? It does seem to me that this Council of Ministers has absolutely no coherent thought on that. I do say that, as someone who was a professional educator, my natural inclination is always to say no to anything that risks undermining the education of young people, whether they are in fee-paying or our States system, because our States system is excellent generally and I would not hear anyone else say other. It leads me to ask, I am afraid, what has led the proposer, Senator Shenton, taking this stance, because like his colleague beside him, Senator Perchard, in my time in the House he has always been a fully paid up member of the cut, cut, cut party, forever urging the Minister for Treasury to get his chopper out and take a few more hacks. A few more hacks, but it seems as long as it does not hurt us. That is the impression people get. It is okay if you are a manual worker who cannot even afford to pay your rent let alone send your child to the school of your choice, but suddenly it does matter to the Senator, and he can explain in his summing up, I am sure he will, what his reasons are. What has changed? To me nothing has changed in the information we have been given, apart from us now only being a few months away from an election. You have got to be quite honest here, that is all that has changed from this strident cut, cut, cut cries we were hearing, not from all of us. Some of us had some sort of retention of common sense and sanity but that has been the prevailing mood of the House. The key to all of this, I believe, is how did we get here, and where do we have to go to get out of this mess. I think there are 3 reasons why we are here today, not while we are still having a debate week after week after week. There are 3 main reasons. I think the first one is that the Minister, and it is probably to his credit, the Minister for Education, Sport and Culture, does not want to make any cut. That is to his credit. Whatever my differences with him I think he is fully committed to the idea that he needs every penny he has got. But the second reason, it is really down to past States Members and past Presidents and Ministers, in particular, of Education, Sport and Culture, who I am afraid, in my view, have not had the backbone to confront the many competing, and it has to be said, vested interests that are there and tackle the real issues that brought us here in education. That is an absolute refusal to face up to our selective education system, not wanting to look at 6th form education, not wanting to look at the creaming off of apparently academically better students at 14. All of this I am afraid, and you hear it all the time, people do not want to do because it is described as a political bloodbath last time. That is, I am afraid, political cowardice and that it is one of the reasons why we are here. The third reason, I am afraid, is related and it cannot be avoided. It is because the majority of those who have shouted for cuts, foolish cuts across the board, have done so due to political ideology. I am afraid it is allowed to distract from what is common sense and best for a small jurisdiction like Jersey. That is why we are here now, because some people cannot compromise, they cannot bend and they cannot admit they are wrong, and that is not a quality any politician should have whether they are right, left or centre. We are here now to put all those things together because this Council of Ministers and their followers, they have continued that stroll towards the abyss, in my view, and it is not something where we can afford to go because this is children's education, this is our future. That should override absolutely everything. So many of our self-proclaimed elder Statesmen in the past have had their priorities wrong. We have been looking at profit rather than people. What is the saying? Knowing the cost of everything but the value of nothing, and how sad that that is what we are doing today, is putting our children's futures at risk, because it is our children's futures and that result is that young people and their education, through no fault of their own, have seen their future become a political football. Like a number of speakers, I feel uncomfortable supporting this proposition now rather than at the Business Plan because that is where really it should logically sit, but I am not going to dwell on that. Deputy De Sousa has done so, and I think Senator Le Gresley as well, but it

has to be said what kind of joined up thinking is there, and one of my constituents referred to - I will not name the individuals - as Bill and Ben, but 2 Ministers can decide that suddenly we do not need £8 million relating to the social security contributions, without any kind of interaction with the other 51 Members in this House. They see that on the one hand and yet they see this strange circus going on again and again, with the troops disappearing from the Minister for Education, Sport and Culture very rapidly. He is in an impossible position, to be fair to him, now. It is probably true that he has made some of the situation himself by not consulting as well as he should, but what does this send out to the public? If I support this now, then I have to tell Senator Shenton it will not be because I really want to support him, because I am afraid I do have doubts about why he has brought this now. I will support it, if I do, because I believe that the future of our children's education should be dealt with and decided by a Council of Ministers that is vaguely competent, and I am afraid this Council of Ministers is not anywhere near vaguely competent. Frankly, we have heard in the last few weeks that a vote of no confidence was merited. Well, it certainly is because how on earth can we be in this situation today where a Minister is having to defend himself from something which all his colleagues allegedly supported in this great joined up thinking approach of the Council of Ministers. It is pretty appalling that it has come down to the risk of State school being played off against fee-paying school. It is just as damaging as we saw last year when we had private sector played against public sector. It does no one any good. It certainly does not bring a society and the community together. A final point, is that as these cuts have to be said to be the cornerstone of the Council of Ministers' policy then should any of them support the proposals, and it succeeds, and I do have to say I hope they will do the decent thing and fall on their sword because, to be quite frank, if we are seeing this disarray only 4 months before an election I do not care how late in the day it is, we need to remove them and replace them with someone, some people who can work together and come up with something, an awful lot more coherent than this.

[16:00]

I think I will leave that where it is, and just say to Senator Shenton, I think I am leaning one way, I will listen to his summing up with interest and I do hope he can at least tell me if we support him now where will those cuts end up falling, because we are hearing that the Minister for Education, Sport and Culture will never come back with them. In fact I think the Minister for Treasury and Resources said: "What Minister for Education, Sport and Culture would ever come back and be prepared to look at these issues again?" Well, if I am still here in November I will certainly be prepared to look at them and we should have someone who has a background in education and someone who has the backbone to do it. Let us hear what the Senator has to say.

1.2.25 Deputy J.A.N. Le Fondré:

It has been a longish day, I think. I do feel exceptionally sorry for the Deputy of St. Ouen. As I said to him earlier on at lunchtime, I do like the Deputy of St. Ouen very much. Unfortunately, as he also knows, I cannot support the proposals being put forward by his department. For whatever reason, how we got there, I just really feel he has been seriously, I would say, misadvised. However we have got to where we are, I do not like the route that we have taken. I think one of the things that has made me uneasy about how some departments are approaching the required savings is that ... and no one will call this an easy decision because of the political position we are in, but it feels like some departments have gone for so-called easy decisions and have put off the harder ones for just that bit longer. I have to say this has not arisen just before implementation of savings. This has been going on for at least 6 months, if not longer ... 8 months. I have to say probably out of the last 5 and a half years this has been the issue that I have received more concerns expressed to me than anything else. We have been told we have a fair degree of capacity relatively in the non fee-paying schools. In fact, I think, Deputy Southern identified some of the glaring issues that are out there. We know we have something like 30 primary schools on an Island 9 by 5. From a former property perspective we have an education estate which represents something like a third to a half of the entire States portfolio and yet those are longer term decisions, but there are issues in there

that we need to look at. But certainly I do not think one should underestimate the level of concern, and indeed anger, and I was another Member who went to the Town Hall in the pre-Christmas meeting, among a whole range of parents on the issue and, in particular, parents of children obviously attending the fee-paying schools. But this issue has created a sort of, I would say, divisive atmosphere in the educational sphere among many of these sectors of the individuals affected. Some of the comments made have been the politics of divisiveness and envy, I do not mean necessarily today, but comments you pick up in the round on this. But we really need to be considering this very calmly and considerately and I am going to try and avoid getting dragged into the educational politics, but I do want to talk about money a little bit, that is where I try to come from generally. But from my perspective, firstly, there is a lot of merit in the statement the taxpayer has already paid for education and those who choose to send their children to a fee-paying school are paying again. There is an issue there; who is subsidising who? I am not going to try and answer that, that is my perspective, there may be other ways of looking at it. But basically I have no problem in the grants being given. It is a system that has worked very well for very many years and, in my view, allows far more inclusiveness in the system than might be the case if the proposed changes are put through, compared to where we could be. I know some Members have commented on the fee increases by schools over the last few years. All I will comment on that is obviously the biggest element in the course of any school is going to be teacher salaries, and those generally are not under the control of the individual schools. Equally, one issue that came up within the last 8 years I would say, maybe 10 years, was the teachers' pension scheme, which is horrendously under-funded and, loosely speaking, that is a States responsibility in terms of the management of the scheme and obviously that has had to be put right. In addition, some schools are recognising the cost of their buildings, including depreciation in their accounts and things like that. So a lot of the increases that have been put through in the last few years are not because of nice to haves and gilding the lily, it is because of the uncontrollable costs that they have had to recognise and take steps to address. I have to say I am not convinced either by sudden offers of increasing bursaries or spreading the time over 5 years rather than 3. It is all the kind of usual offers we do get to sort of soften the impact, shall we say. All it means, we will be in the same position as originally proposed but it will take us slightly longer to get there. As we have heard, offers of bursaries are coupled with a time limit, so they will eventually wither on the vine and again one will end up in the position of an elite fee-paying sector open only to those who can afford those paying far higher fees. But I think the real fundamental to me, and as far as I am concerned this is a tax increase, it is not an efficiency saving, as far as I look at it. As far as I can see, it should be defined in the categories as a user pays. That is obviously assuming that these things have been passed on directly to the parents. There is an argument being promoted that the fee-paying schools deserve to have their grant cut because they have been able to put their fees up previously. All I can comment is that surely it is the impact upon the parents and the children that is of relevance here. If costs are imposed upon a school either they cut their budget or they charge more. Therefore, one either has less of a service for the same cost or one has to pay more money for the same service. They are just different sides of the same coin. One way or another parents are getting less of a service for the same £1 being spent on it and the principle is the same. So just because one group of parents have agreed to suffer increased costs does that mean we should go back to them again and charge them yet more without understanding the consequences. Funnily enough, it is a bit like the old nursery rhyme, which was the cow kicked Fred in the head in the barn, the doctor said it would do no harm so we all kicked Fred in the head in the barn. If Members remember how it goes on, it gets progressively worse and worse and then Fred is eventually dead. Do we know the consequences of what is being proposed by the Education, Sport and Culture Department? Let us go back to my argument on tax. Let us say, and this is I think at a highish level, but let us think about it. Let us say the average tax bills of parents at these schools are between £8,000 and £12,000 per year, and that is a guess, but that is with a mortgage and 2 children. That, if you work it backwards in my maths, back of a fag packet, it could be wrong, comes to an income of around £75,000 to £90,000. That is quite high. But even on those figures I suspect those figures are higher than for quite a lot

of parents that go to these schools, even on those figures the drop in grant, assuming it goes straight back to the parents as increased fees, will represent an increase in what I will call their tax bill of between 25 and 35 per cent. People earning less, families earning less will see a far higher proportional increase, and these are the same people who have been hit by almost every other tax increase and, as with everyone else, have had pay freezes and have seen potential drops in their disposable income, and I have to say I do not recall signing up to a tax increase of 25 to 35 per cent as part of an efficiency saving. Where I come from, I may be completely wrong, is that when I was first in Treasury about 5 and a half years ago, that was when I first heard the expression of shroud-waving. I had never heard that one before. In essence, I think that is probably why we may be here. A department has put up some deliberately controversial savings proposals. It knows in all likelihood they will be blocked by the States and then it can wave its hand round in despair saying: "Well, we tried our best but the States decided otherwise. It is the fault of those politicians." That is why I think the Minister has been led in a direction, although he is not normally a person to be led. Just to comment briefly on the proposition, a number of Members have done so, part (a) has talked about the current levels pending publication of the fourth Education White Paper. So far as I am concerned that means the current percentages. It is not an absolute figure. I think Deputy Le Hérisier was spot on in relation to his comments on the Green Paper. You cannot disassociate that Green Paper from the impact on the fee-paying schools and their grants. In terms of part (b), and there is obviously an argument, it is about substance over form and magnitude, is this a change in policy or not? My interpretation, from what the Solicitor General said to us, it depends on the magnitude of the cut. He used the example of a reduction from £5,000 to £4,600. That is not a big reduction relatively. But, I think if you are talking a 50 per cent reduction from 50 per cent to 25 per cent, in the grants being paid to schools, that is of a different order. Therefore, to me, this is in substance of a form, this is a change in, at the very least, direction of policy. My view on this, Senator Shenton is saying: "Let us see the whole picture. What is the vision for Education? What is the direction?" We know we have got fluctuations in school roles. We know we presently have some spare capacity in certain areas. Let us stick to the undertakings that have been made, and let us understand the overall position before we embark down a path that could drastically drag us down to what I would consider to be a far worse position than we have at present just for the sake potentially of political expediency. To me leaving it to the States Business Plan is a seductive argument, but it is too late. Realistically, again, can I look at individuals who have raised these queries to us and say: "Yes, I want to tax you by a further 35 per cent because I do not know where we are going at the moment. It seems like a good idea." Is that really the reasoned decision-making that I as a voter and a taxpayer am expecting from my elected representatives? As far as I am concerned, no, that is not the case and that is not what we should be doing. On that basis I think we should be supporting this proposition.

The Deputy of St. Mary:

Can I have a point of clarification from the speaker? The speaker said that this amounted to an increase in 25 per cent and I am struggling with that because clearly it is not an increase of 25 per cent on the previous years, so what is it an increase of?

Deputy J.A.N. Le Fondré:

What I am saying is if somebody has a tax bill of let us say, if it is 25 per cent of £12,000 ... if somebody has a tax bill of £12,000 the impact of this reduction in grant by the end of it, if you have 2 children, which was the assumption that runs through those figures I was quoting, means that you will be paying additional costs of about £3,000. It is going to be a cost that you are incurring for, what you could argue is a States obligation and therefore I was regarding it as a loose increase, £3,000, £12,000 is a 25 per cent increase. If you are earning less tax the increase is proportionately more.

1.2.26 Deputy I.J. Gorst of St. Clement:

I think that this, on the whole, has been a very good debate. In fact I would go so far as to say we have had 2 very good debates at this States sitting, although it does not feel like this States sitting. We, in this Assembly, unfortunately do not often get to debate the big important issues which affect our community. In this sitting we have had that opportunity. I have got to say that even at the Council of Ministers we do not often get opportunity to think outside of the box and consider what service and how that service might be best provided for all Members of our community, and we know that education falls into one of those provisions. I have been impressed with the way many Members have spoken and the issues that they, and I believe that we probably, as an Assembly as a whole, believe need to be addressed. One thing I have been reminded of is that there is a lot of work which still needs to be undertaken and we do need to engage our community in helping us to make those decisions. I think it has been a good debate. I just want to remind Members of the speech of Deputy Southern because I think it hit the nail on the head. He, I will be careful to paraphrase him, I think was saying that he was supporting this proposition because he had been right all along and the quantum of the cuts that this Assembly had approved was incorrect and we must now backtrack and not make those cuts. The reason I do that is because I think we do need to be careful what it is that we might be asking (a) the Minister for Education to do by accepting this and, by transfer of that point, the Council of Ministers itself. I think Senator Perchard quite clearly said that he, if this were accepted, would not expect the Council of Ministers to be able to meet the £65 million savings target by 2013, and therefore I think that perhaps if we do accept this today we must recognise that that is a consequence of accepting this proposition.

[16:15]

I would go on to say that is it more acceptable to expect me to cut my budget by an extra amount or Health or the Housing Department? I suspect that we could have wide-ranging debates about each of those departments as well, and we probably should. Unfortunately often at the Business Plan we get drilled down into very small areas rather than talking about the provision that we are providing for the millions of pounds that we are spending of taxpayers' money. Therefore I can do nothing but support the Minister for Education, Sport and Culture. He has done a lot of work. He is not always able to talk publicly about that work because it is detailed work done behind in private meetings with Boards of Governors, with head teachers, and I would prefer that we have those large debates and that we discussed and debated the service that we are providing and I recognise that that means we are going to go on for days around that service and any cuts that we might wish to make or transfer of budgets that we would wish to make, and that that rightly should be done during the Business Plan debate. Education is vitally important and it is going to be even more important because of the economic difficulties that we faced as a community and the economic difficulties that I believe European economies will continue to face, and it is absolutely critical that we get it right, that we do not decide that we are not going to cut budgets to one area of that provision at the expense of the other area of that provision. As one other Member I think quite eloquently said, which area of Education's budget is more appropriate to cut? Is it more appropriate to cut the Youth Service? I do not believe it is. That is a fundamental piece of work which leads to improved social cohesion. I see that we find ourselves in this very difficult position. I would ask Members to consider that and perhaps take some comfort in the confirmation of the Minister for Education, Sport and Culture that he will instruct an independent report so that we can be satisfied that he has undertaken the work, as I know he has. That the Council of Ministers will consider in the window that remains open to them whether there are not other ways that this particular saving, which we are only talking about for one year, could be cut up, but that is not going to be an easy process either. But it does mean that we all will need to put our heads together and make constructive suggestions rather than just suggesting that we cannot do (a), (b) or (c), and I think it is a little bit disingenuous for some Members to suggest that Education, Sport and Culture have not done the work, and that they have, and that they are putting this forward because it is an easy option. It certainly is not an easy option. I think we find it would be much more difficult if

the Minister for Education, Sport and Culture was coming forward and saying: “We are just going to have a 6th form college or we are going to shut 3 primary schools, or we are going to merge 2 secondary schools.” Let us not deceive ourselves. Cutting expenditure is not easy but we, as an Assembly, are committed, we have told our community that we are going to cut first and then look for tax increases. I believe that we should maintain that promise. I know that not every Member believes that that is an appropriate way to go forward, but we have decided that that is what we are going to do, and we will not, I believe, find these cuts any easier or any more palatable elsewhere. I ask that Members will, in actual fact, support the Minister for Education, Sport and Culture today, as I will be doing.

1.2.27 The Deputy of Trinity:

As has been said, it has been a good debate and we have been nearly all day discussing this very important issue because, as has been said, education is important. I just really want to pick up a couple of points that it seems to me that the impression by some Members here that the Council of Ministers just sit around just picking up what we think would be appropriate in our C.S.R. savings. The public and this Assembly asked us to make that savings. They were crying out that the savings were increased from £50 to £65 million. It has been an awful amount of work that every single department has undertaken. We just have not sat down and said: “We will do this and we will do that”, especially with Education, Sport and Culture and with Health and Social Services as well, but it has been in every single department and we just did not pick them up at random. It has been a long process. We have gone back to every single area, as the Minister for Education, Sport and Culture has. He has said many times that he has been in discussions with the Governors of every school and the Governors have been in discussions with the parents. That is good because the discussions should always continue, but they are springing also into the process of the importance of C.S.R. cuts. Also I think the Governors should be congratulated for taking the responsibility and coming up with some thoughts and wanting to be in the process, perhaps they have been pulled into it, but they have all fronted up to that. I just wanted to take a comment really from Deputy Le Fondré about shroud-waving. If the Council of Ministers were shroud-waving I think that would be easy because all of us, I am sure, have had sleepless nights over the last year. I know I have, and I am sure the Minister for Education, Sport and Culture has had too about where we are going to get our cuts, how we are going to achieve it. How do we discuss the importance of including the public, especially with Health and Social Services, with all the voluntary and chargeable sectors as well. If that is shroud-saving, I think Deputy Le Fondré needs to come into Health and Social Services and we will have some discussions with him. It is a difficult process but the most important thing, this should be discussed, have an open discussion here, in the Business Plan in the round of every single other department, and their cuts. That is the correct place for this to happen and I urge Members to reject Senator Shenton’s proposition.

The Deputy of St. Mary:

I would like to raise a point of order, which is that in the speech before last Deputy Le Fondré, I believe, misled the House seriously and so I would want it on the record what the correct figures are. It is not £30 a week, it is £6 a week and you can get those figures from the documents we have, and that is a 2.5 per cent increase and not a 25 per cent increase, and that needs to be on the record.

Deputy J.A.N. Le Fondré:

Can I say I am looking at the total when we get to the end of the proposals; that is a reduction in the grant from 50 per cent to 25 per cent.

1.2.28 Senator A.J.H. Maclean:

This is not surprisingly a highly emotive topic and, I think, as many Members have already commented, there have been some excellent speeches. There have been some interesting speeches

as well amongst them. I thought that Senator Le Main was interesting having turned from his previous life on the ministerial benches, if you will, to where he sits now. Clearly he feels his guiding hand on the Council of Ministers has some way **[Interruption]** ... Only since has he left, that his guiding hand is no longer there and we have gone somewhat off the rails. I miss Senator Le Main's interjections at the Council of Ministers and I think that he brought certainly a sense of purpose and balance to many of the discussions that we had. But there are many here who perhaps feel that if it is not broken do not fix it, and that we do have a somewhat unique education system, a very good education system in many respects, and I think the Education Department, the Minister and his team should be congratulated for the successes that they have achieved not just recently but over many years. But just because it is good does not mean that it cannot get better and indeed we have to also bear in mind, and it is probably the most important and relevant point, that in recent years there has been a significant change. The world has changed and consequently Jersey is having to make changes as well. The global financial crisis has obviously driven the need for change. We, like most other jurisdictions, are having to make difficult decisions in terms of spending and in terms of cuts to services, evaluation of services and so on. I probably appreciate as much as any Member how difficult it is to deal with matters relating to education and the education of our children. I, after all, have 3 young boys in education. I perhaps should have declared, which I have not, that they are in fee-paying schools. I did not declare it for the simple reason that neither Deputy De Sousa whose proposition I supported, nor the current proposition, sought to protect the school in question that my sons are at. So I did not think that was a level playing field particularly, but we will overlook that particular point. Education is critically important regardless and I think we need to bear in mind that it is not just the fact that in isolation the education of our children is important, it is the need to have balanced public finances because if we cannot balance our finances we cannot protect the future for our children and the future, importantly, for the Island. The whole picture is what we need to consider and key to the debate that we are having today, what I consider to be a very good debate, a very illuminating debate, some very good speeches, as I have already said, but the key to it is the effect and the impact of C.S.R. ultimately. Today's debate identifies some of the difficulties, quite a few, in fact. It also identifies perhaps some of the anomalies that exist. It is curious to me that Senator Shenton and his running partner in some respects, Senator Perchard, have been shouting from the rooftops, and others have mentioned this: "Leave Education alone, do not touch Education." Yet it was the same Senators who only a few short months ago were shouting almost as loudly, if not more loudly: "We must make more cuts. We must cut States expenditure and we must cut deep and we must cut now." It is extraordinary ... and I did hear that interjection from the Senator behind and it is not. In fact, it is absolutely true. Both Senators have maintained for some time that we must cut, and they are right. There is a need to drive greater efficiencies within the expenditure of the States of Jersey. I would like to just briefly turn to Deputy Southern. It is always a joy to listen to the Deputy and the comments he makes, but I thought it was particularly illuminating today. He made it very clear during the course of his speech that in fact by supporting Senator Shenton's proposition it was going to have the effect of destroying the C.S.R. process. I think that is a little strong but it will certainly have and make a significant impact on the C.S.R. process if Senator Shenton's proposition goes ahead. Deputy Southern's view is that there are other alternatives. He has said it many times in this Assembly. But what they boil down to, quite simply, is a tax and spend policy. A tax and spend policy that would, without doubt, render us uncompetitive and it would destroy jobs and be extremely damaging to the economy. Now I accept the points made by many Members today that the process associated with the proposals that have come forward for the cuts within Education have not been perfect, and I think that is a fair criticism. I accept that there is perhaps information missing and Members feel uncomfortable that we have not had a Green Paper. The Minister has made it plain the reason why a Green Paper has not yet been possible to be brought forward, but it is coming. We will have a Green Paper and we will have the details of that before we get to the Business Plan debate later in the year. But what we did all do, as an Assembly, is we did as a majority sign up to the C.S.R. We signed up to the principle of the C.S.R. and it was not just the Council of Ministers,

it was the Assembly that made that particular decision and, as such, I believe that if we vote in favour of Senator Shenton's albeit very compelling proposition to put this off we will be creating a significant issue and a significant problem for the Treasury and for the States public finances by removing £7.9 million or 12.5 per cent of the C.S.R. savings at this stage. It is without any shadow of doubt in my opinion, a right move for the Council of Ministers to look fundamentally at how the cuts falling on Education, Sport and Culture and, in particular, on the Education service have been arrived at.

[16:30]

I think we do need to have a fundamental look between now and the Business Plan as to how these cuts are going to be made. I think we need to have the Green Paper launched, as it will be shortly. I think we need to have the benefit of the independent report that the Minister for Education, Sport and Culture has undertaken to carry out to look at the processes that have been put in place to date. It is effectively an audit of the process where Members are concerned that the process has not been effective, an independent audit of what has happened to date will give some piece of mind, all of which we would have the benefit of before we reach the Business Plan debate. For those who feel that there is not enough information now and that it is compelling to support Senator Shenton on the basis of that, I would simply say that what we should be doing is rejecting Senator Shenton's proposition giving the Minister for Education, Sport and Culture and the Council of Ministers the opportunity to look further at this particular issue to make sure that we do have all the details available to make a good decision based on the facts and do that at the time of the Business Plan, and I accept the reservations of some Members in this regard that it is too late. I do not believe it is too late. I think we need to put in place a mechanism to ensure that when we get to that particular point Members can have a meaningful debate on this particular issue and make a decision at that particular point. I would urge Members to reject Senator Shenton's proposition. I believe the motives behind it are fundamentally flawed. I believe the motives are wrong, and I think we need to make the right decision at the right time and that quite simply is at the Business Plan debate.

The Deputy Bailiff:

Senator Perchard, was there some point of clarification who wanted to ask.

Senator J.L. Perchard:

No, I think the Minister has confirmed my concerns as he went on with his speech, the trail of slime left behind it was evident.

The Deputy Bailiff:

You were doing so well up to then. Is there any other Member wishing to speak?

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

Just briefly, I think that Senator Shenton's proposition has been driven probably by frustration over the lack of appearance of a long anticipated Green Paper from Education. I am similarly concerned by the potentially unintended consequences of accepting the proposition today. What are the alternatives? Deputy Maçon earlier eloquently alluded to some of them and others could be all sorts of things. What should the Council of Ministers do? Should we be reducing teachers' pay? Should we be reducing standards at States non fee-paying schools? Should we reduce standards of playing fields, *et cetera*, the list goes on. That is without going to other departments, which will no doubt be affected by the lack of Education, Sport and Culture's ability to attack the necessity to reduce costs. I feel it is incumbent on the fee-paying schools to sharpen their axe and to look hard at their business models as a result of the present world economic crisis. Some of those fee-paying schools, some of those private businesses, can be benchmarked with Guernsey and the U.K. and the differential is significant. I can understand parents being extremely concerned and that they do not appear to have been given certainty as to exactly what they will need to pay to keep their children at the school of their choice, and that is really the question I suggest that most parents will be asking

themselves. The risk of accepting this proposition or the risk of delay caused by accepting the proposition and delaying the Minister's ability to deal with the matter in the way he proposes is significant in that term times are defined, and parents must be given a reasonable time and a reasonable amount of notice should there be any changes in the requirements for funding. I suggest that the alleged increase in pressure on States schools is over-egged. There is provision for parents who find themselves in difficulties, not only centrally but within the fee-paying schools themselves. There is absolutely no doubt that many parents are deeply concerned and worried about threatened fee increases but I would suggest that fear and worry is stimulated by the absence of fact, and emphasises the point made by previous speakers that the P.R. with regard to the proposals has been somewhat lacking. Forgive me for being cynical, but I am having difficulty in deciding whether or not this is a populist proposition and whether or not the proximity of the elections is colouring Members' thoughts. I honestly believe that we must stick to our previous decisions to make significant savings and resist being deflected away from this. I would urge Members to look at the bigger picture and have the courage, as the Deputy of St. Martin put it earlier, to reject the proposition.

The Deputy of St. Martin:

I never said we should reject the proposition. I do not know where the Constable of St. Brelade has been.

The Connétable of St. Brelade:

I clearly heard the Deputy suggest that Members should have courage in their decisions. [Laughter]

The Deputy of St. Martin:

Quite right, but it was not to reject the proposition. [Laughter]

The Deputy Bailiff:

I call on Senator Shenton to reply.

1.2.30 Senator B.E. Shenton:

I was going to say thank goodness for that. A number of Ministers in this debate have said, time and time again, that the States Assembly signed up to the £65 million in savings. The first I knew about the £65 million in savings was when I read a press release from the Minister for Treasury and Resources to say that the Council of Ministers had decided to increase it from £50 million to £65 million. Furthermore, the Annual Business Plan process, last year, where they put no spending in, or no detailed spending, by departments for 2012 and 2013, was such a sham that I did not even vote for the Business Plan either, because I did not have enough information to vote for it. That is, unfortunately, the type of Government we have. You are forced to vote for a Business Plan although they say: "We will discuss it at the Business Plan." The Business Plan is not lodged by the Minister for Education, Sport and Culture, it is one proposition lodged by the Minister for Treasury and Resources.

Senator P.F.C. Ozouf:

Two points of correction. First of all the detailed breakdown of 2013 and 2012 expenditure was set out and it was lodged by the Council of Ministers in the name of the Chief Minister.

Senator B.E. Shenton:

It is lodged by one entity and it is one vote, you either accept it or you do not accept it. You can bring amendments but those amendments, to be honest with you, do not have a great deal of chance of getting through. Even if you do get through, if the Minister does not like them he may not act on it anyway because the Minister has a great deal of power, as we have seen, and it is something that the P.A.C. has been talking about, checks and balances, because this Assembly does not really have

much say in spending. It is only through bringing propositions like this that we can instruct the Minister to do something and even then we cannot instruct him, we can only ask him because my original wording was to instruct but it was rejected. I stood for election for a better health service and a better education service. This proposition started off, primarily, to do with faith schools, which is why it is written in such a way. But then as I went through it I realised that that applies also to the other grant-based schools. Sometimes when you are very close to something, when you are working away on something, you do not see the big picture. I would like to thank Deputy De Sousa for, perhaps, taking the blinkers off and realising that what applies to the faith-based schools and what applies to the grant-based schools probably also applies to all the schools on the Island, because if they have not done the proper body of work to come to the cuts in the grant-based schools they probably have not done the proper body of work to come to the cuts in the other schools. As someone said to me the other day, how many language assistants can you employ for a £500,000 golden handshake? Deputy Le Claire spoke of these contradictions, the contradictions of the Council of Ministers, triumphantly announcing £21 million underspends; triumphantly announcing £8 million no longer needed meanwhile looking to make C.S.R. cuts: "We must make these cuts. We must make these cuts." They set the figure. It was not the States Assembly that set the figure for the C.S.R. requirements. As far as I am aware I have never voted on the C.S.R. requirement, not directly, not with proper debate, not with proper analysis. What we do is we tend to vote on something and then something has consequences and then they turn around to you and say afterwards: "Oh, yes, but you voted for that." Senator Ferguson said we must make these savings otherwise we will end up taxing people more and if we tax people more we will take money out of the economy at a fragile time. So much better than that it is: "We will put up school fees £400 a term over 5 years so it will not be so noticeable and we will take the money out of the economy that way." There is a perverse logic there of economics, which I could not quite grasp. Evidentially, it is all right to take the money off people if it is through school fees but it is not all right to take it off them if it is through taxation. If you do it through school fees you are hitting the middle income earners with children that are probably one of the ones hardest hit by all the other increases. If you do it through taxation, maybe you are going to hit the wealthy people that have seen all their offspring through children and they are now taking 2 or 3 holidays a year in Barbados or something. But: "Oh no, it is much better to ... let us hit the parents, let us hit the people with children at school because that is a better way of handling the economy", according to Senator Ferguson. Taking increases in school fees and all this rubbish about: "It is only £3." Over 4, 5 years it is £400 a term; that is £1,200 a year. I defy anyone in this room to be able to divide £1,200 by 52 and end up with £3. We are reducing the grant on secondary schools from 50 per cent to 25 per cent. I would not be bringing this proposition if it worked out at £3 a week. I mean, get real. Unfortunately, the Minister seems to think he can fool all of the people all of the time. Also Senator Ferguson decided that from looking at a few graphs that the fee-paying schools are badly run. I am not saying that. For all I know the fee-paying schools may be badly run and the non fee-paying schools maybe, compared to the U.K., the best in the British Isles but we have not done that body of work. We have not done the consultation. Consultation is not going around telling parents what you are going to do. Consultation is not going around telling head teachers what you are going to do and what you expect from them. As Senator Le Main pointed out, all we are asking here is to maintain the status quo while we bring out the Green Paper and we bring out this Green Paper before any cuts are made. In answer to a question from Senator Perchard, in 2010 it said what the scope of the consultation of the Green Paper would be. Primary and secondary curriculum. The organisation of primary and secondary schools. The organisation of primary and secondary schools; surely that includes the grant-based schools? Organisation, organisation through grants, how they are managed, how they are run, where they get their funding from. Secondary education; a review of options including opportunities at 6th form. Are you going to look at 6th form without looking at the fee-paying schools? So for the Minister to turn around and say: "The Green Paper does not cover the fee-paying schools", is quite ludicrous. He goes on to say, and this is his words: "The issues are interrelated and the Green Paper will adopt a strategic

approach aimed at setting the overall shape of Jersey's education system for the future. This major consultation will be launched early next year [i.e. early this year] allowing all stakeholders including the grant-based schools to actively participate in determining the future shape of education on our Island." So it looks at secondary education, it looks at 6th form; it looks at the organisation of the schools. The Green Paper does cover the issues that we are looking at today. Of course, the Minister does have the power to expand the Green Paper if he so wishes. When the Minister spoke he said about this £3 a week or £6 a week or so on and so forth, and unfortunately this is the type of tactic he has been using all the way through.

[16:45]

When he went to Beaulieu he was very obtuse with his answers. He has only been to one of the grant-based schools and I think he got such a rough time he decided not to go to any of the others. But this is obtuseness and the sort of steering it through. When asked how much it cost to educate a child, he said he did not know. Fortunately, I had the figures with me and I was in the audience. But there has not been an open dialogue and I know this has been forced on the Minister because he was willing to accept the millions of pounds in savings but you do need the consultation. We are not making cuts to Health next year because we have decided to do a proper consultation process on health.

The Deputy of Trinity:

I think we got £3.2 million worth of ...

Senator B.E. Shenton:

How much?

The Deputy of Trinity:

£3.2 million.

Senator B.E. Shenton:

Out of 180 ...

The Deputy of Trinity:

Plus we need to fund our growth too.

Senator B.E. Shenton:

Well you saved over £200,000 by getting rid of someone, but anyway. What we need is proper consultation and proper consideration of the issues not a press release saying the Minister has decided. Deputy Lewis, when he spoke, he spoke about the fear of parents and parents were, when I met them, in tears and they do fear, people do not want, not only to pull their children out of the school that they are at half way through their education because they cannot afford the extra money. Now, the 6 per cent a year that I used in my table; that is 6 per cent a year that is to cover the loss of the grants.

The Deputy of St. Ouen:

The Senator is misinforming this Assembly. The 6 per cent that has been identified by all schools, including Beaulieu, cover all costs including the fifth reduction in grant that will be taken in 2012.

Senator B.E. Shenton:

There are, obviously, extra variables that mainly come across in the next few years. Places like Beaulieu do not have Property Holdings behind them to do the maintenance and they have to, also, fund the infrastructure themselves. You cannot sit here with your hands on your heart and say that the increases will be at that level. The increases could be much higher. One of the reasons for increases in previous years is because of the investment in the school, investment in I.T.

(Information Technology), investment in infrastructure, investment in buildings and also the changes to pension legislation. Senator Ferguson is shaking her head. I mean I went up to Beaulieu and I sat with the headmaster and we went through these figures. Senator Ferguson, I know she knows better than me on this, because she has not spoken to anyone but ... Senator Perchard spoke about the dangers of changing a system that works well. We do have fabulous institutions and we have fabulous institutions not only in the fee-paying sector but we also have fabulous institutions providing education to the Islands. In fact, this morning on the radio we had the headmaster of Le Rocquier School announcing the receipt of an award for running a school, which I have not been down there and spoken to them but, by all accounts, is a marvellously run school. But what we are saying to him, and perhaps he is running his school at an optimum level, perhaps he is running it perfectly, but perhaps at the moment that school is perfect, it has got the right level of funding, and it is doing everything right. But what the Council of Ministers is probably going to be saying over the next few years: "You still have to cut your budget, even if it is to the detriment of the school and to the detriment of the pupils within that school." The Deputy of St. John reiterated on the fact that the education system has worked well and then went on to say: "How one minute we are looking to find money from frontline services", and the next: "We are increasingly going on more and more foreign trips and employing more and more people to push forward Jersey Finance and other matters." Deputy Maçon said: "Well, where is the money going to come from?" Well, what I am saying is we have a proper consultation. Now, I do not know the result at the end of the consultation and Green Paper. The result may be, for example, you cannot do good education any cheaper than this and this is the optimum level of funding for education. It may come back and say: "The Minister was right all along, this is where you should get the money." But these are the sort of discussions that we have to have. He mentioned the fact that we are here to make tough decisions but when you are making tough decisions they have got to be the right decisions; just because a decision is tough, does not mean it is right. I mean some tough decisions that this Assembly makes are just plain stupid so we need to do the research and we need to go out there and we need to make sure that we get education right. We, as a States Assembly, have not told the Minister to cut anything. We, as a States Assembly, have not said to the Minister: "You must cut your budget." Yet we were trying to be fobbed off towards this Business Plan process, which will take an enormous amount of time, which is one proposition with loads of amendments where nothing really gets discussed. There is no real debate. We discuss a Business Plan; we are still doing a one-year Business Plan. This is a 5-year policy decided on a one-year Business Plan. It just does not make sense. The Deputy of St. Martin said he had sympathy with the Deputy of St. Ouen and so do I because it is almost like he has been sent out into the battlefield by the generals and then as soon as he has come under fire they have all run off, some of them to China. **[Laughter]** What we are saying to the parents of fee-paying schools: "We want you to pay more and get less", because a lot of the schools have had to go through this comprehensive review and they are going to deliver less in the way of services going forward. So it is not even ... we cannot even use the argument to them: "Well if you pay more you will get more." In fact, Deputy Southern was quite pertinent when he said: "How did we get in the position we are today with £11 million cuts in education?" because I was sitting listening to his speech and I did not know either. It was decided by the Council of Ministers. I was told, and maybe the Senator Ozouf could correct me, that the decision to appoint a Foreign Minister was not even made at the Council at Ministers, it was made in one of the sort of backrooms; it did not even go to the Council of Ministers, Senator Cohen's appointment. You know this is a quite ridiculous way of running a Government. We need to try, as a States Assembly, to perhaps make sure our voice is heard a little bit more and make sure that we have a little bit more say in what is going on. Like Deputy Southern, I did not vote for the Business Plan either. Where I do disagree with Deputy Southern is he said: "This is nothing to do with the Green Paper." It has everything to do with the Green Paper, 42 per cent of our students at secondary level are at fee-paying schools. How can you have a Green Paper on the future of education if you exclude 42 per cent of the students? It is just an absolute mockery. Deputy Fox is not going to support it, he made the old speech: "That if it is a difficult decision it must be the right

decision” and accused me of electioneering. I would not have brought this proposition if the Minister had stuck to his promise. I knew, sitting next to Senator Perchard, that he had promised, Senator Perchard, that he would bring a proposition to discuss the future of fee-based education in Jersey. That proposition never arrived and yet the calendar was counting down and we were running out of time. I could not wait any longer because of the recess for the summer and the fact that we would have to debate it before the Business Plan. Deputy Higgins said: “The problem is the C.S.R.”, and I would tend to agree with him. I do not think this Assembly has been listened to in respect of the C.S.R. I do not think this Assembly has had a great deal of in-depth debate about the C.S.R. We are wrapped up in the cut syndrome and, yes, I am as guilty as that, or even more guilty than many other people in this House. It is very difficult to be chairman of the P.A.C. and not be slightly wrapped up in the cut syndrome. But at the end of the day my philosophy with regard politics is that we look after Education, we look after Health and we look after other issues. But I am not so bothered about many of the areas covered by my colleague, Senator Maclean, in his E.D.D. (Economic Development Department) or various other departments within the States. Perhaps these are where we should be focusing if we are looking to make cuts, not on Education and not so much on Health. The Deputy of St. Mary said: “Do not cut without ...” Well, the Deputy of St. Mary started off by saying: “I am very worried by this proposition” or “this proposition causes me a great deal of concern.” If we were to have catchphrases that would probably be the Deputy of St. Mary’s catchphrase because he tends to say that about every proposition that comes to the House. So I think it probably says more about the Deputy than it does about the proposition. But, I mean, he raised some valid points. I do not want to go into nursery education and the benefits of the nursery education. I have read a body of research that nursery education does benefit those from poorer backgrounds and the lower quintile families. I have read through research that there is very little benefit to middle and higher income earners and I have been an advocate in the past of means tested nursery care, so that is probably where I am coming from on that one. He took the comments of ... I was a little bit upset ... well I was a little bit upset by the jibe about my education but I was a little bit upset, as well, by the fact that he seemed to take the comments of the Minister as gospel while questioning my own propositions. So I will just give him an example from the comments. This is the comment of the Minister: “The Senator failed to remove any allocation for specialist funding for children with social and emotional behaviour disorders. Again, both Beaulieu and De La Salle do not provide support for children with these disorders.” So I got in touch with the headmaster at Beaulieu and said: “I know this is not true, can you give me some facts on what support you give children with emotional behavioural disorders?” He came back to say that they supply support for 30 children, tested support for public examination access, 2 diagnosed with Aspergers syndrome, 2 A.D.H.D., one look after child in care system, 20 to 30 children with social and emotional support. All told they have 80 children who were receiving emotional, behavioural and social support which represents 15 per cent of the school cohort. So, 15 per cent of the students at Beaulieu come under this. So comments of the Minister: “Beaulieu do not provide support for children with these disorders.” Again, it is this lack of transparency that we have come across all the way through this whole saga which has annoyed the Parents for Choice people, it has annoyed the schools, it has annoyed the Governors, it has annoyed the parent teachers associations, and it has annoyed the politicians because there is a lack of transparency. I am sure Deputy Le Hérisier who, funnily enough, spoke after the Deputy of St. Mary will agree that it is not the easiest department to get information out of and it is not the most open and transparent department. Deputy Le Hérisier spoke about accountability for the fee-based schools, which is why I brought in the S.L.A. (Service Level Agreement) because whenever you are giving a grant away you should have an agreement back to say what you expect for that money because, as the Deputy said: “It is taxpayers’ money.” So the S.L.A. agreement is there in the proposition to make sure that we do have accountability going forward for the provision of the grant. So we are going to get a Green Paper, we are going to consult, we are going to decide what the best level of the grant is and we are going to have a S.L.A. to make sure that when we do give

the grant out, if we give a grant out, that we get the value for money and the grant is used for the purposes intended.

[17:00]

This is a problem we had back in the House where on occasions that we would give grants out and then people would go off on a whim and use the money for something they were not meant to use the money for. So there will be accountability through the proposition. Rather than compromise, as the Deputy suggested, I think we should probably send a clear message today that we want the C.S.R. process and we want education and we want the policies on education backed up with proper consultation, proper facts and figures, and I would like the States Assembly to become more important in the government of this Island because at the moment ... or since ministerial government came in, I do not think the States Assembly is running this Island.

The Deputy of St. Ouen:

Could the Senator confirm that the consultation on this particular matter started in September 2010?

Senator B.E. Shenton:

It did, and you issued a press release in October 2010 to say you were cutting the grants.

The Deputy Bailiff:

Through the Chair, Senator, please.

The Deputy of St. Ouen:

No, the consultation started when a headmaster chose to speak to the media after a private meeting with the chairs of Governors of all fee-paying schools.

Senator B.E. Shenton:

It is a good job the headmaster did talk to the media because the press release would have probably come out in October 2010 and, at least, by speaking in September he had a month's consultation whereas, in fact, we probably would not have had any. Like everything else, Members of this Assembly would have learnt about it through a press release. I get one of the girls in the office to pop out as soon as the *J.E.P.* comes out so I can find out what is going on. The Constable of St. Lawrence asked whether this was a policy change. Well I think a reduction from a 50 per cent grant to a 25 per cent grant is a policy change. I think a 50 per cent reduction in the grant is a policy change. I think a policy change of this nature does need proper consultation and I think if you are going to do a policy change like this, get the parents on board with you. Do not just announce it in a draconian manner and do not just announce it because your hand has been forced because a headmaster was brave enough to come out and say that this was what was being planned. On the Green Paper terms of reference, as I mentioned before, the Green Paper terms of reference does cover primary and secondary, the organisation of schools, primary and secondary, the curriculum, secondary education, and a review of options including opportunities at 6th form level. You know, it covers everything that we need to look at and I know the colleges are working more closely together. I mean my own daughters, who are now finishing off, I mean they did their A levels, although they went to Beaulieu they did their A levels at Victoria College and J.C.G. and Beaulieu and there was the option, if they had done other subjects, of using De La Salle as well at the time. Deputy Tadier spoke, he spoke about the C.S.R. implementation as well because C.S.R. is being done through a creep-in policy; it is not a policy that has been rubber stamped. If we do get this wrong, I would say to Deputy Tadier it is not the children in the fee-paying schools that will suffer, it is the children in the non fee-paying schools because the Education budget will stay the same and if you have a large transfer of students from the fee-paying sector to the non fee-paying sector you will have increased class sizes. Not only that but this short term saving could turn out to be a long term cost because if you have even more people moving across we will be picking up 100 per cent of the cost of their education instead of the 50 per cent that we are picking up at the

moment . So this does affect the non fee-paying schools and, perhaps, with a little bit of hindsight, I should have worded the proposition so that would not require an amendment from Deputy De Sousa. Deputy Vallois spoke about the Annual Business Plan process. There is a little key there in this thing, it is called “annual”; it is an Annual Business Plan process. We look at one year’s spending, one year ahead. This is a 5-year policy. How can you discuss a 5-year policy in a one-year Business Plan? How can you implement a 5-year policy in a one-year Business Plan? We are probably going to have a completely different Council of Ministers, fingers crossed, next year and they may have different priorities so the policy is going to go all over the place for certainly one year, 3 years another Council of Ministers, if they last 3 years and then another Council of Ministers for the last year. It is, you know, you cannot ... the Annual Business Plan process is the right way to discuss, or the right place to discuss next year’s spending, it is not the right place to discuss a 5-year policy. When I saw Deputy Vallois up at Education she did say: “Well, where would you take the £11 million from?” Well I would find out, first of all, what the true cost of Education is to see whether there is £11 million available to take from anywhere because there is an optimum cost of everything. There is an optimum cost of Health, there is an optimum cost of Education, there is an optimum cost of the J.C.R.A. (Jersey Competition Regulatory Authority), which is nothing, but find out what the optimum ... if it costs £80 million to run a good education service in Jersey, then we have got to find the £80 million, full stop. If it costs £80 million and then some bright spark says: “Oh, we are going to cut £11 million off it”, who is going to benefit from that? We have got around about 1,500 people unemployed at the moment. I spent the last 5 years listening to people say: “Oh, there was no one locally qualified, can I bring someone in?” and then we are going to cut Education. Just to make matters worse we are probably going to change the immigration policy to make it easier to bring people in so we are going to lower the education standards of the locals and make it easier to bring people in on the Island. Senator Le Gresley spoke and he is on the fence with Deputy Le Hérissier, and I hope they both fall off the right way. **[Laughter]** Now, we on P.A.C. are well aware that Ministers can vary policy because Ministers’ powers are far greater than I think the public tend to realise. Once you give the Minister the budget, he is off to the races basically and there is nothing you or I or anyone else can do about it. I think the point we are trying to get across here is because there was a policy change, because a 50 per cent cut in policy is substantial it should have come back to the House and we should have come back and Senator Perchard tried to get it back to the House, and in response to withdrawing his proposition we got a statement from the Minister saying: “Do not worry, I will bring it back, you can all discuss it when I bring it back.” It never came back. It is a very, very important issue. Deputy Judy Martin said that everyone needs to be treated fairly and I totally agree with those sentiments. “It is about money and choice”, as she said: “Faith and choice, single-sex schools and choice.” Perhaps in an education system we should have these options for people, for parents to decide if they want a single-sex school or a faith school or whatever. Senator Ozouf has to realise that, longer term, this policy could cost the taxpayer more. If one of these schools becomes unviable the cost to the taxpayer will be absolutely enormous. That is not just in monetary terms but also the cost to the education. I am not saying that they would get a worse education by not going to a grant-based school but what I am saying is, perhaps, where the parental choice is in favour of a faith based education or single sex education that will be lost. The Senator said that we should bring this in the Business Plan, but I find the Annual Business Plan process so totally flawed that it is the Business Plan of the Council of Ministers and we have to be very, very careful when we vote for it that we are not signing up to something unintentionally. Who decided that education should find £11 million? Who decided that that was the figure and how did they come to the figure of £11 million? It was not the States Assembly. It was not the public of Jersey. It was the Council of Ministers that came up with that figure. Senator Ozouf mentioned the fact that we are bringing in a long term care scheme so, again, we are going to be raising money from the public, from the parents of the children that are going to see their school fees go up. They are also going to say: “Oh, by the way we need a few bob for this long term care scheme that we are going to bring in as well.” I would just mention that the long term care scheme in Guernsey was much easier to bring

in because in Guernsey there is about 70-odd per cent of people over there are householders, in Jersey it is around 50 per cent, there is not a lot for non-householders in this long-term fixed care scheme other than just simply a tax. We need proper consultation and proper informed decision on every cut we make. The House has not been asked to cut by the same amount of Education, but at least they are going down the consultation route, at least they are asking what we want from our health service going forward. The costs of delaying this, because there might just be a delay, because the actual result of the Green Paper, as I said before, I do not know what the result of the Green Paper is going to be, but it is not going to be as much as the underspends from last year. It is not going to be as much as Deputy De Sousa pointed out, the change in policy that we ... well, apart from most of us, I would say, read about in the *Evening Post* for the first time. When I was bringing one of the G.S.T. food amendments, at the last minute Senator Routier and Senator Le Sueur came up with this G.S.T. bonus. I brought an amendment for exempting food and they were going to lose the vote so they came up with this G.S.T. bonus, so something good came out of it but now they have come up with this independent review as the little rabbit out of the hat on proposition day. It has not really got anything to do with this. I mean, what is an independent review going to achieve? An independent review with proper consultation over a period of time but not something rushed through before the Business Plan debate. I did not like Senator Ozouf's move to the next item tactic. I do not think tactics like that do this House, or the reputation of this House, any good whatsoever. I certainly do not think it is very fair, not only on myself who has brought the proposition but also on the rest of the Assembly to have sat through and researched the debate. Deputy Pitman asked where the cuts will fall and he is right to be concerned because we have had the phrase "shroud-waving" and we have had the phrases about "be careful" and that is the problem with the Business Plan, you can vote for cuts but you do not have any say on where they are going to fall. That is, perhaps, something we need to look at. Perhaps we need to be more specific about where we can find savings. I did not bring this, as I mentioned before, I did not bring this out of electioneering or something like that. I brought it because the Minister did not live up to his promise.

[17:15]

Deputy Le Fondré talked about the anger of parents and how, for a taxpayer, the cost will go up significantly. Again, you have had the curve ball thrown at you with this sort of £3 figure. This is a 50 per cent reduction in the grant. The cost over 5 years, at the end of the 5-year period, is going to be substantial, plus all the other things that we will probably pile on to the parents during that time. They have already paid, as he mentioned, that when you are a taxpayer you are already entitled to education anyway, so these are payments on top of what you are already entitled to. This is, as the Deputy said: "It is more like user pays or a tax increase." Then Deputy Gorst and Deputy of Trinity and Senator Maclean spoke, a sort of unified voice, of: "We are the people that came up with £65 million figure. We have got to endure this £65 million, you know you are going back on what us, you know, we in the Council of Ministers decide and so on." Senator Maclean said: "Since Senator Le Main has left the Council of Ministers there is no purpose and balance there", which was quite an admission, Senator. I think what most people are looking for here is an Island where we stick to the core values, where we stick to looking after Education, we stick to looking after Health and so on and so forth and we get that right, but where savings can be made we also make those savings. I would ask Members, today, to support this proposition because I think it sends out a clear message that this States Assembly will do things properly. If we have to make cuts we will consult. If we have to make cuts, we will issue a Green Paper and then we will issue a White Paper. It sends out a clear signal that the ultimate decision lies with this States Assembly and not just with the Council of Ministers and for the sake of all the parents out there, not only the parents of fee-paying school children but also those of the non fee-paying school children who may, ultimately, end up with significantly higher class sizes if we get this wrong - plus a cut in their budget - I would ask you all to support this proposition today and I would ask for the appel. Thank you.

Senator P.F.C. Ozouf:

I did not want to interrupt the Senator but I do not think that he intentionally misinformed Members, but he said that the Assembly had not made a decision about the £65 million, he was absolutely clear about that. Can I just remind him of part (a) of the proposition that was considered by this Assembly, he was not here for the vote, but I am sure he read it, which was this Assembly signing up to £65 million. He also said, and I do not believe again he wished to mislead the Assembly, that the private schools did not have any States support. They have had £6.5 million in capital funding since 2001; £600,000 for Beaulieu in fiscal stimulus and other amounts were allocated in the restructuring. So I do not believe he intentionally misled but I think that that point needs to be corrected.

Senator B.E. Shenton:

I apologise if I misled the House. I think the Minister forgot to mention that when the grant was given to Beaulieu they had to sign a document to say that if ever they ceased to be a school that the money would be paid back with interest, so it was more of a loan than a grant. He is saying that is absolute rubbish, I would invite him to meet with myself and the headmaster, perhaps, later in the week and then he can come back to the House and issue an apology.

The Deputy Bailiff:

Very well, the appel is called for. I invite Members to return to their seats. The vote is on ... Senator Shenton, do you wish to take the proposition as one or do you wish to take separate votes on (a), (b) and (c).

Senator B.E. Shenton:

If any Member wants it taken separately ... I am willing to take it all as one but if there is any voice.

The Deputy Bailiff:

Very well, the proposition is to take paragraphs (a), (b) and (c) together. Paragraph (a) as amended by the amendment of Deputy De Sousa. I have invited Members to return to their seats and I ask the Greffier to open the voting.

POUR: 25		CONTRE: 18		ABSTAIN: 1
Senator T.J. Le Main		Senator P.F.C. Ozouf		Connétable of St. Saviour
Senator B.E. Shenton		Senator S.C. Ferguson		
Senator J.L. Perchard		Senator A.J.H. Maclean		
Senator F.du H. Le Gresley		Connétable of St. Ouen		
Connétable of St. Helier		Connétable of Trinity		
Connétable of Grouville		Connétable of St. Brelade		
Connétable of St. Lawrence		Connétable of St. Peter		
Deputy R.C. Duhamel (S)		Connétable of St. Mary		
Deputy of St. Martin		Deputy J.B. Fox (H)		
Deputy R.G. Le Hérissier (S)		Deputy of St. Ouen		
Deputy J.A. Martin (H)		Deputy of St. Peter		

Deputy G.P. Southern (H)		Deputy of Trinity		
Deputy of Grouville		Deputy I.J. Gorst (C)		
Deputy J.A. Hilton (H)		Deputy A.E. Jeune (B)		
Deputy P.V.F. Le Claire (H)		Deputy A.T. Dupré (C)		
Deputy J.A.N. Le Fondré (L)		Deputy E.J. Noel (L)		
Deputy S.S.P.A. Power (B)		Deputy T.A. Vallois (S)		
Deputy S. Pitman (H)		Deputy J.M. Maçon (S)		
Deputy K.C. Lewis (S)				
Deputy of St. John				
Deputy M. Tadier (B)				
Deputy of St. Mary				
Deputy T.M. Pitman (H)				
Deputy M.R. Higgins (H)				
Deputy D.J. De Sousa (H)				

2. Statement by the Minister for Economic Development regarding the regulation of Channel Island ferry services.

The Deputy Bailiff:

Now I call on the Minister for Economic Development. Minister, you have a statement to make and there is also your proposition, which is P.47. It does appear to me that the statement and questions could very conveniently be dealt with today but I am not sure where that leaves you with P.47. Is it a matter that you are prepared to leave over to another meeting?

Senator A.J.H. Maclean:

Shall I perhaps make the statement, Sir, and then we will deal with it.

The Deputy Bailiff:

Very well.

2.1 Senator A.J.H. Maclean:

Car and passenger ferry services operated by Condor Ferries provide a vital component of Jersey's transport infrastructure. These services are critical to residents, visitors and the Island's economy. In recent weeks mechanical problems with 2 high-speed craft run by Condor Ferries have resulted in disruption to ferry services to France and the U.K. These ongoing delays are clearly unacceptable to residents and visitors. In February 2011, following schedule disruption during 2010, I provided an update for Members in which I detailed actions taken by Condor Ferries to improve operational performance. In my statement I made clear to the Assembly that as Minister for Economic Development I expected the company to improve and maintain operational performance. I also stated that as the current permit granted to Condor Ferries expires at the end of

2013 operational performance would be a major factor taken into consideration before making any final decision on the process through which a permit to operate car and passenger ferry services to the Island beyond 2013 is awarded. Condor Ferries operate a network of routes between Jersey, the U.K., France, Jersey and Guernsey. As a consequence efficient car and passenger ferry services are a Channel Islands issue. To facilitate effective monitoring of performance across the ferry route network I announced that in future we would hold a minimum of 2 formal meetings each year with Guernsey Ministers and Condor Ferries to review performance and, if appropriate, put in place any actions to ensure safe and efficient operations. The first of these meetings was held today in Guernsey and it was unfortunate that due to this States sitting I was unable to attend personally. However, Senator Routier did attend the meeting. I accept that Condor Ferries have taken action to improve performance but it is clear that matters are not resolved and performance of the fast ferry fleet remains well below acceptable standards. I want the Assembly to know that I have conveyed in the strongest terms the message that I am not satisfied with Condor's current performance or the time it is taking to effect repairs to the fast ferries that have suffered engine failure. I also accept that Condor Ferries have, through a recent media release, apologised for delays and made all efforts to minimise disruption and kept their customers informed. In accepting the efforts the company has made Members should be aware that I share the public's evident frustration and I have told the board and management of the company that their clear and unambiguous focus must be on prevention of further disruption and that they must provide solutions to the current problems without delay. If, despite their efforts, sustainable solutions are not forthcoming it brings into question the viability of the current fast ferry fleet. If Condor Ferries wishes to continue to provide car and passenger services to the Islands the company must consider whether the time has come to invest in a fleet of vessels that can deliver acceptable levels of operational performance. I consider the issue of securing long-term reliable passenger ferry services to be of the highest priority. Members can be assured that my department, including Jersey Harbours, are working with Condor and our colleagues in Guernsey to deliver a sustainable solution without delay. Following the outcome of the meeting in Guernsey today and as progress is made I will make further statements to keep Members fully informed.

The Deputy Bailiff:

Very well, questions. The Deputy of St. John.

2.1.1 The Deputy of St. John:

Given the S.L.A. was extended several years ago by Guernsey, and Jersey followed, were any break clauses added to the S.L.A. and if so will he be acting on this and putting in place a full tender process? If not what action will he be taking to see what proper services can be supplied by Condor and will it include the leasing of new fast ferries or conventional ferries, and what happened at the meeting this morning?

The Deputy Bailiff:

Deputy, I am going to give you an extra 30 seconds. Would you like to start again and ask only 3 of those questions?

The Deputy of St. John:

Given that this cuts right through the question I put in writing to the Minister, which was put in the proper manner and in the proper time last week, I did ask you this morning if this was a correct way for the Minister to cut to the chase ...

The Deputy Bailiff:

I told you it was perfectly acceptable in accordance with Standing Orders. You can put 3 questions to the Minister.

The Deputy of St. John:

I put the question, Sir. It is probably easier for the Minister to answer it in its entirety than to try and break it down, because that will be wasting more Members' time.

The Deputy Bailiff:

Minister, you may answer any 3 of those questions.

Senator A.J.H. Maclean:

I will try and cover the points raised by the Deputy. With regard to the Service Level Agreement that the Deputy refers to, terms of Service Level Agreements are contained in the Harbour Regulations 1962, which are issued by permit and the permit is issued by the Harbourmaster and the terms of the permit is guided by the Sea Transport Policy, which is the Joint Channel Islands Sea Transport Policy. It contains the terms and the requirements that the company has to meet, most specifically in terms of a reliable, year-round service. With regard to a full tender process, I have stated before that it was the intention to see Condor produce during 2011 an efficient and effective service and that we would make decisions at the end of this particular season in discussions with Guernsey. We have had the first meeting today with Guernsey. Because I was not there I have not had the detail but I will be reporting back to Members when that information is available.

2.1.2 Deputy K.C. Lewis:

Regarding the agreement for 2013 onwards, contrary to a previous agreement, will the Minister assure Members that it will be a pan-Island agreement and will be signed simultaneously by both Governments in both Islands as opposed to one following the other?

Senator A.J.H. Maclean:

I hope I have made it clear that it is important in my view that the Islands do work together on this matter. It is a network of routes. However, we do have separate laws and that of course does provide a complication. We issue access to the harbour, we issue a permit for operation through the harbour, but as far as I am concerned, as far as the Sea Transport Policy is concerned it is a Channel Islands policy and we will continue to work with Guernsey in ensuring that we have a joined-up approach to the future operation of the sea routes. It is important and it is a very relevant question.

2.1.3 Deputy G.P. Southern:

Given 2 years now of lamentable performance is it not time that he negotiated a Service Level Agreement with teeth which will enable him or the J.C.R.A. to impose fines when standards fall below a certain level?

Senator A.J.H. Maclean:

The Deputy raises an interesting point and indeed it is on the agenda for discussion that at the current time the permit that exists does not have the necessary ability to issue sanctions and, as such, it is my belief that in the future, and certainly from 2013, that is an option that needs to be seriously considered. You cannot have an effective management of a monopoly position, although it is not a monopoly, if you do not have appropriate ability to sanction an operator.

2.1.4 Deputy D.J. De Sousa:

Along similar lines, is the Minister going to see that the ferry company makes some sort of compensatory payment to travellers that have had all this upheaval for around 2 seasons now?

Senator A.J.H. Maclean:

First of all under the law that is not a power that I have currently. That runs into the question that was just asked by Deputy Southern. In future we do need to consider the ability for sanctions but I would add that Condor Ferries have in fact made payments to passengers who were

inconvenienced. They have their own terms and conditions and a certain level of delays and so on will get repayment, and that has been happening I believe.

[17:30]

2.1.5 Deputy S. Power:

The Minister will be aware that I wrote to him last week. Is the Minister aware that a senior executive of Condor was quoted in a U.K. newspaper last week saying that many of the issues were caused by stress-related wear and tear and we know that the youngest ship is 16 years old? Does the Minister feel that Condor should address the issue of the age of the ships and replace the ships, given that they are at least 16 years old?

Senator A.J.H. Maclean:

Yes, I am aware of the issues. I think we are in an interesting position because of course the current permit arrangements run until December 2013. A major investment by an operator with uncertainty for the future is difficult and I can accept that. What I do expect though, is that the current fleet is properly maintained. We are assured it is. In fact Condor spend, they tell us, in the region of £1 million per vessel per year in terms of maintenance, that is a requirement. But they are an ageing fleet and fast ferries do take a lot of wear and tear and as such we are seeing the results of that. But this is a matter the company needs to address and I expect them to do so to ensure that we do have an uninterrupted season and rest of the year.

2.1.6 Deputy P.V.F. Le Claire:

Many of the questions that have been asked today I asked in a roundabout way the last time this was mentioned. To cover what seems to be coming forwards, it seems obvious from the statement that the contract and the fleet are going to hang in balance with vessels changing now their form of fuel in their construction, they are looking away from oil. Will the Minister be looking to undertake studies as to what the new vessels are going to be able to do in terms of fuel, because I am certain that is a factor in the speed these vessels are travelling, and helping us to come to an understanding of the situation on an ongoing basis will he specifically please supply Members monthly with the statistics as to the delays that are occurring on these services?

Senator A.J.H. Maclean:

Taking it in reverse order. With regard to performance both customer surveys and the performance of the vessels in terms of punctuality and so on, this is a matter that I have recently raised with the company. I believe it is in the public interest that this information is in fact published and we are progressing discussions along those lines. In the future I think, not necessarily monthly but perhaps quarterly, information of that nature would be useful. With regard to different fuel types and so on, I think the solution that we are looking for is one for a long-term, sustainable ferry service at acceptable prices. We need to make the decision after this summer in discussions with Guernsey how we are going to progress the process of ensuring that we have a ferry service that meets those standards. We have to realise that matters such as fast ferries are highly susceptible to maintenance charges and costs, the running costs are expensive, the fuel costs are expensive, it is no surprise that Dover no longer has a fast ferry service at all and a number of other companies are taking fast ferries out of service. I think the whole structure of the service that we currently enjoy needs to be considered by whoever the future operator is going to be and that, in discussions with Guernsey, is an important debate to have.

2.1.7 Deputy A.E. Jeune:

I think the Minister was quite right when he mentioned ferry service, because right now “fast” is not in there. But I do not believe this can be good for Condor’s business, for them themselves, and it certainly cannot be good for what tourism we have left if people are going to be subjected to these delays. If they know it is going to take them ages to get here then they accept that, but when

they expect to get here at a reasonable hour and do not it makes us look bad. I also find having to wait to 2013 to do something about it ...

The Deputy Bailiff:

Is this a question?

Deputy A.E. Jeune:

Yes, Sir. So, coming to the point, are we having to wait until 2013 and why is the Minister not able, with the technology available today, to give us an idea of what went on at the meeting in Guernsey?

Senator A.J.H. Maclean:

First of all I do not share the Deputy's view on our tourism industry. Members will not find that a surprise. She described it as "what is left of the tourism industry". I think we have a very strong and vibrant tourism industry with figures outperforming last year compared to the previous one. I might add also that ferry arrivals have been very strong, both from the Continent and the U.K. What I do not find acceptable is the delays to which she referred and we are working hard to ensure that the operator realises the obligations of providing a reliable service and that is absolutely key. As far as ensuring the period up to 2013 and beyond, there are mechanisms and we are having discussions with Guernsey about redefining the terms of the permit. That could be done prior to 2013 and indeed there may well be additions included into the permit before the 2013 deadline. However, one final point, I think it is important that we deliver certainty on this route and certainty in this matter both for Condor and, indeed, for the Island as a whole and that is what I believe needs to be clarified at the end of this particular season.

Deputy A.E. Jeune:

And today's meeting?

Senator A.J.H. Maclean:

I missed that point.

The Deputy Bailiff:

Today's meeting, you were asked why you were not able to report to the States what happened at today's meeting.

Senator A.J.H. Maclean:

Quite simply, Sir, that I have been here and I have not heard the full details. I have had some feedback on the meeting but it would be thoroughly inappropriate to give half the story. I will of course, as I have said, report back to Members in due course.

The Deputy Bailiff:

Very well, that brings an end to the 10 minutes questions. There are 5 Members who had questions yet to ask and because of the length of some of the questions and the speeches made by some of the questioners we have not been able to get to them. Chairman, it is past 5.30 p.m., I do not know whether or not you have had an opportunity for any notes passed between you and the Minister for Economic Development as to P.47?

The Connétable of St. Mary:

No, Sir, I have not, I am in the hands of the Assembly. We have that one piece of business and I have no feeling from Members how contentious it is likely to be.

Deputy P.V.F. Le Claire:

Can I propose that unless it is extremely urgent that the Minister considers putting this behind the business ahead of us and not take it sooner?

Senator A.J.H. Maclean:

On the basis that this was largely driven by Deputy Le Claire I am more than happy to take that suggestion if he finds that acceptable and move it to the Order Paper for the next sitting.

Deputy P.V.F. Le Claire:

I do not want to rush this, Sir. I have something to say on it and I do not want to be rushed through it, although I do support the Minister, and I think we just need to take our time on it and make sure we approve it in the right way.

The Connétable of St. Mary:

It seems to me we have a huge agenda for the next meeting, so if Members want to take this piece of business they should take it at this sitting and reconvene tomorrow.

The Deputy of St. John:

I suggest we sit until 6.30 p.m. to deliver this work, Sir.

The Deputy Bailiff:

Well, there are a plethora of suggestions there. We will take them in order.

Deputy P.V.F. Le Claire:

There is no need for speeches really, Sir. I will just make a proposition that we adjourn today and take the item as the next business.

The Deputy Bailiff:

The first proposition therefore is Deputy Le Claire's proposition that we take the matter at the next meeting. The Minister says he agrees with that. The appel is called for.

POUR: 27		CONTRE: 12		ABSTAIN: 1
Senator P.F.C. Ozouf		Senator S.C. Ferguson		Connétable of St. Mary
Senator T.J. Le Main		Connétable of St. Brelade		
Senator B.E. Shenton		Connétable of St. Saviour		
Senator A.J.H. Maclean		Deputy R.G. Le Hérisssier (S)		
Senator F.du H. Le Gresley		Deputy J.A. Martin (H)		
Connétable of St. Ouen		Deputy J.A. Hilton (H)		
Connétable of St. Helier		Deputy of Trinity		
Connétable of Trinity		Deputy S. Pitman (H)		
Connétable of Grouville		Deputy of St. John		
Connétable of St. Peter		Deputy A.E. Jeune (B)		
Connétable of St. Lawrence		Deputy A.T. Dupré (C)		

Deputy R.C. Duhamel (S)		Deputy D.J. De Sousa (H)		
Deputy of St. Martin				
Deputy J.B. Fox (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy of St. Peter				
Deputy P.V.F. Le Claire (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy S.S.P.A. Power (B)				
Deputy K.C. Lewis (S)				
Deputy I.J. Gorst (C)				
Deputy M. Tadier (B)				
Deputy of St. Mary				
Deputy T.M. Pitman (H)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				

The Deputy Bailiff:

I give notice to Members that a second amendment to the North St. Helier Masterplan has been lodged by the Connétable of St. Helier. That is a second amendment to P.73. Chairman.

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

3. The Connétable of St. Mary (Chairman, Privileges and Procedures Committee):

The Greffier has kindly circulated what I will refer to as “the tangerine sheet”.

The Deputy Bailiff:

Sorry to interrupt you, Chairman. The Greffier is telling me that there is a third amendment. I think I have announced the second one already, so sorry about that. There is a third amendment to the North St. Helier Masterplan lodged by the Deputy of St. Mary.

The Connétable of St. Mary:

Thank you, Sir. I was not aware of that so I am grateful for your advice. The tangerine sheet circulated therefore will be amended as follows: by the addition of amendments 2 and 3 to the North St. Helier Masterplan that is to be taken on 21st June. That is amendments 2 and 3 in the names of the Constable of St. Helier and the Deputy of St. Mary respectively.

The Deputy Bailiff:

They cannot be debated until 28th June.

The Connétable of St. Mary:

Correct, Sir. Having said that, I am in the hands of the Assembly again. I would like to propose ... it seems quite clear that even starting on Monday afternoon for questions, as we are going to do, we are very unlikely to finish the business listed for 21st June sitting in the continuation days that are allocated so far. I would like to propose that as a first step we book in an extra continuation day on the Friday next week and then bear in mind the possible necessity to sit again the following week, which of course is not a scheduled week, on the Tuesday, the Wednesday and Thursday allowing of course an interval of time for the ceremony for the departure of the Lieutenant Governor. I think it is only prudent to advise Members that we may well need all of those days in order to complete the business. I make a formal proposition for that, Sir, and apart from that the rest of the business is as per the tangerine.

Deputy D.J. De Sousa:

I just need to remind Members that there is a school assembly on 20th June, which is the Monday.

3.1 Deputy I.J. Gorst:

I wonder if I could take the understanding of the Assembly during the course of this sitting, I wonder if I could ask for the Draft Food Cost Bonus to be taken in advance of the Island Plan. It should be straightforward. It will mean that then we can get on and start preparing to administer that benefit. It might be possible that we could take from the ... The Greffier is saying that it would not, so I will not ask that.

The Deputy Bailiff:

It is still going to be lodged for 2 weeks, Deputy, that is the problem.

3.2 The Deputy of St. Mary:

If we go with that then on the week beginning 20th June we would be here every single day, no time to do anything else at all, and I would prefer the Friday to still be free and then move on to the next week as we usually do.

The Deputy Bailiff:

Does any Member wish to speak? Are you making that as a proposition, Deputy?

The Deputy of St. Mary:

Yes, Sir, that we keep that Friday clear.

The Deputy Bailiff:

That we do not sit on the Friday and we would have the continuation days of the 21st, 22nd, 23rd and then 28th, 29th and if necessarily the 30th. **[Secinded]**

Deputy I.J. Gorst:

Could I just say that that will not be possible for 3 States Members away the following week on overseas aid business and we would prefer to sit on the Friday and not go through to the following week.

The Deputy Bailiff:

Very well, all Members in favour of adopting the proposition of the Deputy of St. Mary. The appel is called for. The vote is on whether to adopt the proposition of the Deputy of St. Mary which is not to sit on 24th June but instead to continue on 28th, 29th and 30th June.

The Deputy of St. Peter:

Sir, just a point of order. Should you not be taking the proposition of the Constable of St. Mary first as she made that first proposition?

The Deputy Bailiff:

I take this as an amendment to the Constable's proposition. There may be other ideas. I invite the Greffier to open the voting.

POUR: 13		CONTRE: 26		ABSTAIN: 0
Senator B.E. Shenton		Senator P.F.C. Ozouf		
Connétable of St. Helier		Senator T.J. Le Main		
Connétable of Grouville		Senator S.C. Ferguson		
Deputy R.G. Le Hérisssier (S)		Senator F.du H. Le Gresley		
Deputy J.A. Martin (H)		Connétable of St. Ouen		
Deputy G.P. Southern (H)		Connétable of Trinity		
Deputy J.A. Hilton (H)		Connétable of St. Brelade		
Deputy P.V.F. Le Claire (H)		Connétable of St. Saviour		
Deputy of Trinity		Connétable of St. Peter		
Deputy of St. John		Connétable of St. Lawrence		
Deputy M. Tadier (B)		Connétable of St. Mary		
Deputy of St. Mary		Deputy R.C. Duhamel (S)		
Deputy M.R. Higgins (H)		Deputy of St. Martin		
		Deputy J.B. Fox (H)		
		Deputy of St. Ouen		
		Deputy of Grouville		
		Deputy of St. Peter		
		Deputy S.S.P.A. Power (B)		
		Deputy S. Pitman (H)		
		Deputy K.C. Lewis (S)		
		Deputy I.J. Gorst (C)		
		Deputy A.E. Jeune (B)		
		Deputy T.M. Pitman (H)		
		Deputy A.T. Dupré (C)		

		Deputy D.J. De Sousa (H)		
		Deputy J.M. Maçon (S)		

The Deputy Bailiff:

Can I therefore take it Members are happy to go with the proposition of the Connétable of St. Mary? Very well, that is what we will do and the States will sit on 20th to 24th June with further continuation days on the 28th, 29th and if necessary 30th June.

The Deputy of St. Peter:

Sir, this is a point of information that it may be worth the Assembly knowing. The Minister for Planning and the Environment, myself, the 2 Assistant Ministers, will be discussing on Friday to see if there are any further amendments that we can accept before the debate.

The Deputy Bailiff:

Very well, the States now stand adjourned until 2.30 p.m. on Monday, 20th June.

ADJOURNMENT

[17:45]