

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 20th SEPTEMBER 2022

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[9:31]

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

COMMUNICATIONS BY THE PRESIDING OFFICER

The Greffier of the States (in the Chair):

1.1 Apologies from the Bailiff

The Bailiff has asked me to apologise to Members for not presiding over the Assembly today. He had hoped and expected to do so but is presently travelling back from London where he attended the funeral of Her Majesty the Queen yesterday. Just for those particularly in the public gallery, the tributes which were due to be made today to former Connétable Iris Le Feuvre and the late Senator Ferguson will be made tomorrow by the Bailiff in the Assembly.

APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

2. Nomination of a member of the Scrutiny Liaison Committee as a member of the Privileges and Procedures Committee

The Greffier of the States (in the Chair):

We now move on to item F, Appointment of Ministers, Committees and Panels. The first item is the appointment of the members of the Privileges and Procedures Committee. In accordance with Standing Order 122(9) the Assembly is due to appoint a member from the Scrutiny Liaison Committee to the Privileges and Procedures Committee and I invite the chair to make her nomination.

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

The Scrutiny Liaison Committee has nominated Deputy Feltham as a member of P.P.C. (Privileges and Procedures Committee). I therefore would like to nominate Deputy Feltham as a member of the P.P.C.

The Greffier of the States (in the Chair):

Is the nomination seconded? [**Seconded**] Are there any other nominations?

Female Speaker:

I'd like to nominate Deputy Scott.

The Greffier of the States (in the Chair):

Is that nomination seconded? [**Seconded**] In accordance with Standing Order 122(12) we will go to a secret ballot. I will invite the usher to distribute ballot papers. Members should write the name of the Member ... sorry, I did not ask if there were any other nominations. No other nominations? Okay. So I will ask the usher to distribute the ballot papers. Members should write the name of the Member whom they wish to appoint to P.P.C., so that is either Deputy Feltham or Deputy Scott. Once the ballots have been collected ... Members are reminded that this is a secret ballot so you do not need to write your name on the top, just the name of the person who you wish to vote for. Yes, Deputy Scott.

Deputy M.R. Scott of St. Brelade:

Is there no opportunity for the candidates to speak?

The Greffier of the States (in the Chair):

No. There is no provision within Standing Orders for that. It is just straight to a secret vote.

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

It is Deputy Ward, can you confirm that you have got my vote in the chat, thank you?

The Greffier of the States (in the Chair):

We have indeed, Deputy Ward. Thank you for that. So if all Members have cast their votes I will ask the usher and the Assistant Greffier to collect the voting.

Connétable D. Johnson of St. Mary:

May I take the opportunity to ask if I could be excused later on to attend a funeral please?

The Greffier of the States (in the Chair):

Yes, we will make a note of that, Connétable.

The Connétable of St. Martin:

If I could be excused at 10 o'clock because I have a doctor's appointment.

The Greffier of the States (in the Chair):

Noted also. The votes have been collected. The Assistant Greffier and usher will now retire to count the vote.

3. Nomination of the Connétable of St. Ouen as a member of the Public Accounts Committee

The Greffier of the States (in the Chair):

I think it is only proper we move on to the next item, which is the appointment of members of the Public Accounts Committee. There is a nomination by the chair of the Public Accounts Committee for the appointment of the Connétable of St. Ouen as an elected member to that committee. Is the nomination seconded? [**Seconded**] Are there any other nominations?

[9:45]

Very well, if there are no other nominations I declare the Connétable of St. Ouen appointed as a member of the Public Accounts Committee. [**Approbation**]

4. Nomination of 3 members of the Public Accounts Committee who are not members of the States

The Greffier of the States (in the Chair):

There is also a nomination by the chair of the Public Accounts Committee for the appointment of unelected members to that committee. It is a requirement under Standing Order 124(1) that at least 14 days before the meeting during which the unelected Members are to be appointed notice be given to the Greffier of the intended nominees. The nominations must be distributed to Members. Those requirements have been met. In accordance with Standing Order 124(4), I invite the chair, Deputy Feltham, of the P.A.C. (Public Accounts Committee) to make her nominations.

4.1 Deputy L.V. Feltham of St. Helier Central (Chair, Public Accounts Committee):

I would like to nominate Mr. Graeme Phipps, Mr. Philip Taylor and Mr. Matthew Woodhams to sit as lay members on the Public Accounts Committee. They bring experience, expertise, knowledge and continuity to the committee. I would like to thank them for giving what will be considerable time and commitment over the committee's term of office. I would also like to say that the recruitment process attracted a highly competitive field of candidates and I would like to thank all of those people that put their names forward as well as the officers for administering the process so well and also the Greffier and the practice director of the Law Officers' Department for giving their time to sit on the appointment panel with me. I make the nomination, thank you.

The Greffier of the States (in the Chair):

Just for Members' information, under Standing Order 124(2), nominations from other Members may be considered but notice of such nominations must be given to the Greffier at least 2 clear working days before the meeting and no other nominations were received. So as there were no other nominations, I declare Mr. Graeme Phipps, Mr Philip Taylor and Mr Matthew Woodhams appointed as members of the P.A.C. [Approbation]

5. Nomination of the Connétable of Grouville as a member of the Children, Education and Home Affairs Scrutiny Panel

The Greffier of the States (in the Chair):

The next item of business we have on the Order Paper is the appointment of the members of the Children, Education and Home Affairs Scrutiny Panel. In accordance with Standing Order 125(1), I invite the chair, Madam Curtis, to indicate the numbers of members she is seeking for the panel.

5.1 Deputy C.D. Curtis of St. Helier Central (Chair, Children, Education and Home Affairs Scrutiny Panel)

I would like to nominate Deputy Labey and that will make 3 on our panel.

The Greffier of the States (in the Chair):

Is the nomination seconded? [Seconded] Are there any other nominations?

Deputy C. Labey of Grouville and St. Martin:

Ma'am, I think she is referring to the Constable of Grouville.

Deputy C.D. Curtis:

My apologies.

The Greffier of the States (in the Chair):

So the nomination is for the Connétable of Grouville. Is the nomination seconded? [Seconded] Are there any other nominations? If there are no other nominations I declare the Connétable of Grouville as a member of the Children, Education and Home Affairs Scrutiny Panel. [Approbation]

6. Appointment of 2 Members of the Jersey Police Authority

The Greffier of the States (in the Chair):

The final item we have under this section is the appointment of the Jersey Police Authority, for which there is an explanatory note on the Consolidated Order Paper. There are 2 vacancies on the Authority to be filled. The process is that nominations are made on the floor of the Chamber and each nomination must be seconded. If more than 2 Members are nominated there will be a secret ballot. The 2 Members who receive the largest numbers of votes will be elected to the panel. In the ballot each Member will be able to cast up to 2 votes. So I therefore invite nominations for the membership of the Jersey Police Authority from the floor of the Assembly.

6.1 Deputy H. Miles of St. Brelade (The Minister for Home Affairs):

I would like to nominate Deputy Lyndon Farnham and Deputy Rob Ward.

The Greffier of the States (in the Chair):

Thank you, Deputy Miles. Deputies Farnham and Ward have been nominated. Are those nominations seconded? [Seconded] Are there any other nominations.

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

I just note having read it that it says: “In addition, it was recognised in 2014 that serving on the Children, Education and Home Affairs Scrutiny Panel could potentially constitute a conflict of interest.” Is that only for the current chair or for the previous chair?

The Greffier of the States (in the Chair):

I think it would only apply to the current chair, Deputy.

Deputy M.R. Le Hegarat:

Thank you for the clarification.

The Greffier of the States (in the Chair):

Are there any other nominations? If there are no other nominations then I can declare that Deputies Farnham and Ward have been elected as members of the Jersey Police Authority. **[Approbation]**

PETITIONS

7. Introduce an immediate reduction in road fuel duty (e-petition)

The Greffier of the States (in the Chair):

Under H, Petitions, I can advise the Assembly that one e-petition recently reached 5,000 signatures, namely the e-petition entitled “Introduce an immediate reduction in road fuel duty”. In due course, under the arrangement of public business for future meetings, the chair of P.P.C. will invite Members whether they wish to consider this e-petition in-committee at a future meeting.

The results are in for the representative of the Scrutiny Liaison Committee on P.P.C. Deputy Scott received 16 votes, Deputy Feltham received 29. I can duly then announce that Deputy Feltham has been elected as a member of the Privileges and Procedures Committee. **[Approbation]**

QUESTIONS

8. Written Questions

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

Would it be appropriate if I sought leave of the Assembly to consider the matter that was raised because of the holiday period, and I had signalled that we were going to seek to have an in-committee debate on the common external relations policy at the end of the order of business? This has been consulted with the Bailiff and the Greffier. Members have been advised and I would seek leave, at this moment, to seek permission to insert that in the Order Paper as the relevant notice was given.

The Greffier of the States (in the Chair):

The matter is listed on the Order Paper.

Deputy P.F.C. Ozouf:

It has already been done? It does not need any clarification then?

The Greffier of the States (in the Chair):

I do not think so. We will actually cover that, but just before we get on to public business when we discuss, there are a few items for which the lodging period needs to be reduced and I think we will deal with that matter at that point there later this morning.

Deputy P.F.C. Ozouf:

Thank you very much, Ma'am.

8.1 Deputy C.D Curtis of St. Helier to the Minister for Children and Education regarding extending funded nursery provision (WQ. 150/2022).

Question

Will the Minister explain what plans, if any, she has to extend funded nursery provision to include two-year old children?

Answer

The Early Years Policy Development Board (EYPDB) report and subsequent recommendations that were accepted by the previous Council of Ministers included the creation of Government funded, targeted support for children aged 2-3 years.

The intention is to deliver this ambition through offering part-time hours of nursery care and education for 52 weeks of the year. We would be looking to offer this initially to those children identified at their 2-year child development check with Health Visitors, where the indicators were showing a risk of delay or vulnerability and where the support of early childhood education and care would have a significant positive impact on their cognitive, social, and linguistic development. We are currently in the process of writing a business case for this.

We know that closing the gap for those children at risk of under achievement is crucial at the earliest opportunity in order for children to have the best possible chance to thrive at school.

Funded nursery provision for 2-3 year old children is already extending to provide an additional 20 places for families, through covid recovery funding. These families access the Best Start Partnership 'Nursery Plus Scheme' which is delivered with the support of the Jersey Child Care Trust (JCCT) and private nursery providers. The 'Nursery Plus Scheme' also provides support to other families from charitable funding. It is our vision to deliver this targeted support through the Government's commitment to investing in early childhood education and care for younger children.

In the longer term, our ambition is for every family to be able to access affordable or funded, high-quality early childhood education for their children from two years of age. This would require sufficient resources in the early Years sector and funding where appropriate. We intend to lay the groundwork for this during this term of office, in partnership with the childcare sector, families and experts, with the aim of giving all our children what they need to thrive.

8.2 Deputy A. Howell of St. John, St. Lawrence and Trinity to the Minister for Health and Social Services regarding the provision of a rehabilitation Ward. (WQ.151/2022)

Question

In relation to the provision of a rehabilitation ward, will the Minister advise –

- (a) the date on which Samarès Ward is scheduled to reopen;
- (b) the number of beds that will be available in Samarès Ward, and if not the full complement of 28, why not;
- (c) the costs incurred by the move from Plémont Ward to Samarès Ward; and
- (d) a breakdown of all costs incurred in refurbishing Plémont ward?

Answer

(a) the date on which Samarès Ward is scheduled to reopen;

As announced on Tuesday 19 July, Samares Ward is due to reopen on Wednesday 10 August.

(b) the number of beds that will be available in Samarès Ward, and if not the full complement of 28, why not;

Note: the response to this question has been updated to further clarify the number of beds on Samares Ward historically and the number of beds which will be available on 10 August 2022.

Firstly, it should be clarified that there are 27 beds on Samares Ward, not 28 as identified in the question.

On reopening of Samares Ward, there will be 14 rehabilitation beds available to allow for peaks of activity. The full complement of 27 beds is not required for rehabilitation capacity as they were not utilised to this extent for rehabilitation historically.

(c) the costs incurred by the move from Plémont Ward to Samarès Ward; and

Cost of relocating the Unit to Overdale Hospital	
Relocation and equipment	100,000
Building works	12,000
Electrical works	12,300
Total	124,300
Cost of running the Unit at Overdale Hospital for 6 months (14 beds)	
Staff costs (establishment) current nursing, therapy, administrative & medical cover into Plemont which will provide baseline resource transferred to Overdale site (excluding therapy)	1,089,666
Therapies staff costs (rehab to home)	264,649
Additional staff – medical	369,900
Additional staff – nursing	168,062
Additional staff – non-clinical (catering/portering)	45,093
Non-staff costs budget (current non pay KNR100)	25,400
Total	1,962,700

The additional resources have in the main provided out of hours capacity that were being met by resource on the Jersey General Hospital site. Some dedicated existing staff i.e., Plemont ward staff, will transfer up to Overdale. This is predominantly nursing staff.

(d) a breakdown of all costs incurred in refurbishing Plemont ward?

Please see breakdown of budgeted and incurred costs:

Cost type	Budget £	Incurred £
Plemont Ward refurbishment	Works for Samares and Plemont Wards could cost up to £1,961,197 (Please see MD-TR-2022-344). <i>*The final figure for the Plemont Ward refurbishment is commercially sensitive until the final contracts have been signed.</i>	Professional fees £39,000
Enabling works	50,000	10,000 (Building)
		5,000 (Mechanical)
		6,500 (Electrical)
Total	50,000*	60,500

8.3 Deputy M.B. Andrews of St. Helier North of the Minister for Treasury and Resources regarding revenue from personal income taxation (WQ. 152/2022)

Question

Will the Minister state the revenue from personal income taxation as a percentage of overall revenue for each respective year since 2012?

Answer

Data for personal tax has been taken from “Annual income, expenditure and reserves” available on opendata.gov.je¹.

Overall revenue has been interpreted to mean total income of the States in the Consolidated Accounts, before gains/losses on financial assets, as reported in the Annual Report and Accounts.

Year	Personal tax	Overall Revenue	Personal income tax as % of Overall Revenue
	£ million	£ million	
2012	351	957	36.68%
2013	353	1010	34.95%
2014	361	1025	35.22%
2015	368	1075	34.23%
2016	397	1131	35.10%

¹ Annual income, expenditure and reserves on [opendata.gov.je](https://opendata.gov.je/dataset/0527ca82-5227-4de3-bfdb-31e8053df0de/resource/b9bc6bb3-a74a-4c6e-bd20-b5e6a9464b1f/download/annual-income-expenditure-and-reserves.csv): <https://opendata.gov.je/dataset/0527ca82-5227-4de3-bfdb-31e8053df0de/resource/b9bc6bb3-a74a-4c6e-bd20-b5e6a9464b1f/download/annual-income-expenditure-and-reserves.csv>

2017	428	1189	36.00%
2018	453	1244	36.41%
2019	475	1305	36.40%
2020	463	1290	35.89%
2021	558	1435	38.89%

8.4 Deputy R.S Kovacs of St Saviour of the Minister for Treasury and Resources of regarding G.S.T. (WQ.153/2022)

Question

Will the Minister state whether it is possible to distinguish by area or sector in which G.S.T is levied (for example food, fuel, electricity, gas, telephone) the income that is received; and if this is possible, provide the annual breakdown of tax collected for each sector since G.S.T was introduced; and will he further advise how much revenue it is estimated would be lost if G.S.T were removed from food products in line with U.K practice for the application of V.A.T?

Answer

The information provided relates to goods supplied in Jersey after importation and excludes any further amounts where GST is accounted for – and paid – at the border. It does not include International Services Entities Fees.

The migration to the new Revenue Management System (RMS) computer system during 2019, together with the new corporate tax return, provides improved Standard Industry Classification (SIC) data. Data for the years prior to 2018 has been extracted from the legacy ITAX system; data for 2018 onwards has been extracted from the new RMS system. There is therefore a structural break in the GST data during 2018/2019 where classifications have been adjusted, and taxpayers who were not migrated into RMS may not be fully represented in the 2018 data.

GST was introduced with effect from 6 May 2008 at a rate of 3 per cent. The rate increased to 5 per cent with effect from 1 June 2011.

It is not possible without extensive research to calculate (to any great level of accuracy) how much revenue would be foregone if GST were removed from food products in line with UK practice for the application of VAT. This level of information is not captured by the GST return.

The cost of zero-rating *all* food was recently (and very roughly) estimated for a number of Election candidates at something over £10 million. A more reliable estimate would depend upon the exact nature of any scheme: for example, the extent to which zero-rating might be limited to basic foodstuffs or catered meals.

It is worth noting that the extra household costs associated with applying GST to food were built into the personal income tax allowances when GST was introduced and that the Community Cost Bonus and additional Income Support are provided to support those who either do not pay income tax or are relatively low-income.

The table of information provided with the answer to this written question is available at the following link:

[Written Question 153/2022](#)

8.5 Deputy B. Ward of St. Clement of the Minister for Treasury and Resources regarding the double taxation of the Jersey pension (WQ.154/2022)

Question

Further to the response of his predecessor to the e-petition entitled ‘Stop the double taxation of the Jersey pension’ will the Minister advise whether he will revisit the issue of the double taxation of States old age pensions; and if not, why not?

Answer

It is incorrect to characterise the taxation of the old-age pension as “double taxation” because of the nature of the contributions scheme underpinning it; and the wide range of benefits of which the pension is just one element. That said, I will review the issues around the taxability of old-age-pension income during my term of office.

8.6 Deputy G.P. Southern of St. Helier Central of the Minister for Treasury and Resources regarding a breakdown of income tax in 2021 (WQ. 155/2022)

Question

Will the Minister provide a breakdown of the £85.5 million received in income tax in 2021 from companies by business type (sole trader, small business etc.) and by sector?

Answer

Sole traders and other unincorporated businesses pay personal income tax rather than corporate income tax and therefore are not included in the corporate-income-tax receipts cited (£85.5 million).

The figures provided are for the year ending 31/12/2021 and include estimated accruals and adjustments to earlier years of assessment.

The table of information provided with the answer to this written question is available at the following link:

[Written Question 155/2022](#)

8.7 Deputy M.R. Scott of St. Brelade of the Chair of the Privileges and Procedures Committee regarding changes to the Standing Orders of the States of Jersey (WQ.156/2022)

Question

Will the Chair commit to seeking amendments to the Standing Orders of the States of Jersey to require the Chief Minister to disclose the identities of both Ministers and Assistant Ministers before nominations for the Chairs of Scrutiny Panels are made; and, if so, will she raise this matter as part of the work programme of the Committee to be implemented before the next election?

Answer

As the Privileges and Procedures Committee was only established on 19th July, I will raise this matter with the Committee during one of its first meetings.

My initial thoughts are that opportunities may indeed be lost at present with some Members refraining from putting their names forward for Panel membership (including as Chair) in case they are chosen as Assistant Ministers. Therefore, I do believe this requires further consideration, and, should the Committee agree, it will be added to the work programme. I anticipate that any work on this matter would require consultation with Members, particularly the Chief Minister, and might

involve changes to the States of Jersey Law 2005 (which governs the appointment of Assistant Ministers) as well as, or instead of, changes to Standing Orders.

8.8 Deputy R.J Ward of St. Helier Central of the Minister for Home Affairs regarding zero-hour contracts and Immigrant workers data (WQ.157/2022)

Question

Will the Minister –

- (a) state whether there are any records of staff, in any sector, who are working on a visa being employed on a zero-hour contract and, if so, how many such staff there are; and
- (b) advise how data regarding the employment of immigrant workers are collected and how the work arrangements for such workers are monitored?

Answer

- (a) The Jersey Customs & Immigration Service (JCIS) administer the issuance of work permits in the Island. The Work Permit Policy is in place to offer a level of protection to employers, migrant employees and the Island. It is a stipulation of the Work Permit Policy that employers cannot employ migrant workers on zero hours contracts and must be employed for a minimum of 40 hours a week for the period of the work permit.

In May 2022 JCIS were made aware of an employer in the hospitality sector that was employing approximately 15 migrant workers on zero hours contracts. JCIS approached the establishment and made them aware they were operating outside the conditions of the work permit policy. The employer immediately adjusted all the zero hour contracts to full-time contracts. The employer explained this was an oversight as it was their standard employment model to use zero hour contracts.

JCIS is unaware of any other migrant worker currently employed on a zero hour contracts.

- (b) The application process for a work permit requires the employer to declare that the employer has the necessary capacity on the business licence to employ their prospective employee and that the contract of employment is compliant with both the Work Permit Policy and the Employment (Jersey) Law 2003. Employers must also provide any supporting documentation to show this level of compliance. Since May 2022 it is compulsory for employers to provide a copy of the contract of employment along with the application.
- (c) Employers declare on their application that they will be compliant with the below conditions of the Work Permit Policy –

- *Robust and tested recruitment processes are followed to ensure, as reasonably practicable, only genuine migrant workers are recruited with appropriate vetting taking place.*

- *A genuine vacancy exists meeting the skills for the role. Roles must not be created to solely facilitate immigration of a specific migrant to Jersey*

- *Migrant workers must possess the necessary experience/qualifications to be employed within the relevant industry*

- *Overseas criminal record certificates are obtained from every country where the employee has been resident for more than 1 year in the last 10 years. Any prospective employee who has an adverse criminal history must be referred to JCIS*

- *All migrant workers must be aged 18 or over on the date of application.*
- *Employer must pay no less than the 'going rate' for the full-time role based on an employee working 40-hours per week and must do so for the validity of the work permit. Evidence of this must be provided in the form of a contract*
- *Employer to ensure that the migrant worker is adequately accommodated meeting the minimum standards required which supports their health and wellbeing*
- *JCIS to be notified if the migrant worker does not arrive or depart as planned or if employment is terminated early*

JCIS will investigate any circumstances where an employer is found to be non-compliant with the above conditions. Employers who have been found to be non-compliant risk having existing and future work permit applications either refused or being subject to an enhanced level of scrutiny.

Due to the huge increase in the use of work permits, JCIS are now exploring options to introduce further checks during the period of work permits to ensure compliance.

8.9 Deputy S.Y. Mezec of St Helier South of the Minister for Housing and Communities regarding the Reform Jersey 'Housing Crisis Action Plan' (WQ.158/2022)

Question

Will the Minister state whether he has read the Reform Jersey 'Housing Crisis Action Plan', which was included as the final appendix to the States Assembly Order Paper for the meeting on 5th July 2022; and, if so, will he –

- provide a breakdown of his assessment of each of the proposals listed on page 2 of that document (page 42 of the Order Paper);
- state whether he will implement them or not; and
- if he does intend to implement any of them, advise by when such implementation will occur?

Answer

I can confirm that I have read the Reform Jersey 'Housing Crisis Action Plan'.

During my first few weeks in office, my priority is to understand the range and complexity of the housing challenges we face, whilst supporting the good work on housing that is already underway. I am reading many reports on housing issues and meeting a wide range of people who have an interest in housing – charities, developers, social housing providers, private landlords and many others. I am also discussing issues with my ministerial colleagues as we must consider the impact of housing initiatives on the environment, on the provision of other public amenities and as an important part of the overall economy.

This will be a rapid review and, when it is completed, I will be setting out my own vision for the work that I will lead to improve the housing situation for Islanders.

It would be inappropriate for me to comment on the proposals, or the implementation of the proposals contained in the Reform Jersey plan at this early stage, while I am still gathering evidence and understanding the many complex connections between different policy areas.

8.10 Deputy L.V. Feltham of St. Helier Central of the Chair of the States Employment Board regarding States of Jersey employees leaving the organisation (WQ.159/2022)

Question

Will the Chair how many States of Jersey employees have left the organisation, and the reasons they provided for leaving, categorised by department and directorate, in –

- (a) 2018;
- (b) 2019;
- (c) 2020;
- (d) 2021 Quarter 1;
- (e) 2021 Quarter 2;
- (f) 2021 Quarter 3;
- (g) 2021 Quarter 4;
- (h) 2022 Quarter 1; and
- (i) 2022 Quarter 2?

Answer

A detailed leavers analysis is attached at Appendix A.

This answer has been updated from the answer original submitted, to minimise the risk of disclosure of sensitive personal information, whilst maximising the utility of that data. The more detailed the breakdowns within a table, the greater the disclosure risk. Accordingly:

- *The answer shows values of 1, 2, and 3 as < 3*
- *Reasons for leaving with a total below a threshold of 20 in any period have been aggregated into a column entitled “other” (while showing for each other category the total across government)*

This presentation better accounts for the protection of personal data by minimising the ability to impute an individuals identity, and the requirements of the Code of Practice for Statistics [Code of Practice for Statistics 2019.pdf \(gov.je\)](#) which includes “T6.4 Organisations should be transparent and accountable about the procedures used to protect personal data when preparing the statistics and data, including the choices made in balancing competing interests. Appropriate disclosure control methods should be applied before releasing statistics and data.”

The Chief Statistician has reviewed the tables considering these factors and provided advice accordingly.

Please note that this data may differ with other leaver reporting provided in previous information requests as a result of ongoing data cleanse work being carried out by the organisation.

The table of information referred to as Appendix A within the answer to this written question is available at the following link: [WQ.159/2022](#)

8.11 Deputy M.B. Andrews of St. Helier North of the Minister for Treasury and Resources regarding revenue generated by High-Net-Worth individuals (WQ.160/2022)

Question

Will the Minister provide the total revenue generated by the income tax scheme for High-Net-Worth Individuals since the inception of this scheme?

Answer

A High Value Resident statutory scheme was first introduced in 2005, since then there have been four versions of the tax regime that forms part of the wider scheme.

Personal income tax from High Value Residents by year:

Year	Amount
2005	7m
2006	8m
2007	9m
2008	£7m
2009	£11m
2010	£10m
2011	£10m
2012	£9m
2013	£11m
2014	£12m
2015	£10m
2016	£13m
2017	£15m
2018	£17m
2019	£21m
2020	£22m
Total	£192m

Figures are rounded to the nearest £m, so the total shown is the sum of the rounded values 2005 to 2020.

Some of the data has been provided previously:

[WQ.1240/5\(5138\) Written Question to the Minister for Treasury and Resources by Deputy T.M. Pitman of St. Helier](#)

[WQ.79/2021 79 Written Question to the Minister for Treasury and Resources by Deputy M.R. Higgins of St. Helier](#)

[Tax data relating to high-value residents \(“HVRs”\) – prepared 4 March 2015](#)

[R.130/2016 Post-Implementation Review of Jersey’s High Value Residents Regime Applicable since July 2011](#)

[Oral Question asked by Deputy Southern 8 September 2008](#)

[History of the 1\(1\)K Policy - Colin Powell](#)

8.12 Deputy M.R Scott of St. Brelade of the Minister for the Environment regarding the West of Island Planning Framework and the Local Improvement Plan for St. Brelade’s Bay (WQ.161/2022)

Question

With respect to the West of Island Planning Framework and the Local Improvement Plan for St Brelade's Bay proposed in the Bridging Island Plan, will the Minister advise –

- (a) the date by which work on both the Framework and the Improvement Plan is expected to commence;
- (b) whether the work will include a needs analysis or a gap analysis in each case, and if not, why not; and
- (c) whether he or his department intend to engage with local planning consultants to assist in developing the Framework, the Improvement Plan and the related gap and need analyses, and if not, why not?

Answer

- (a) Definitive dates for the commencement of these workstreams have yet to be determined.
- (b) Proposal 18 of the bridging Island Plan requires the St Brelade's Bay improvement plan to have been developed by December 2023, so this workstream will need to commence and be completed next year.

Strategic proposal 4 of the bridging Island Plan envisages that the west of island planning framework will be brought forward during the bridging plan period.

The progression of both workstreams is dependent upon the availability of resources.

- (c) Specific terms of reference for each workstream have yet to be defined. Higher level objectives relative to the purposes of each project are indicated in the bridging Island Plan.

The west of island planning framework seeks to explore and identify future development needs and opportunities in this part of the island, which might suggest that some form of needs analysis is required: the focus and form of this remains to be determined.

The St Brelade's Bay improvement plan is likely to be more focused on identifying potential proactive interventions and guidance to enhance the bay, as informed by and set out in public engagement, baseline reporting and recommendations already undertaken².

- (d) The need to engage consultant support to assist with the delivery of this work has yet to be determined and will be dependent upon the nature of the briefs; the capacity of existing in-house local professional resources; the availability of financial resources; and, in the event that professional external support is required, a procurement process.

8.13 Deputy A. Howell of St. John, St. Lawrence and Trinity of the Minister for Health and Social Services regarding bed shortages (WQ.162/2022)

Question

In light of recent reports in the Bailiwick Express regarding bed shortages, will the Minister inform the Assembly of the following –

- (a) the number of overnight beds in the Jersey General Hospital (excluding Obstetric, Paediatric and Mental Health beds) that are available for use and fully staffed, together with the occupancy rates;

² [St Brelade Character Appraisal \(gov.je\)](https://www.gov.je/St-Brelade-Character-Appraisal)

- (b) if the number of beds has reduced from the figure of 172 reported in a Freedom of Information request in September 2020, who made the decision to reduce the number of beds;
- (c) how many of the 13 beds on Samarès Ward, that are not currently being used for rehabilitation and allocated to patients principally needing packages of care in the community whilst their transfer of care is delayed, are now operational and being used for patient care; and
- (d) how many, and what type of, operations and procedures have been cancelled or postponed as a result of staff or bed shortages per month in 2021 and 2022?

Answer

- (a) Firstly, it should be noted that the number of beds and staffing and occupancy rates are subject to minor fluctuations on a daily basis. For the purposes of responding to the question, Monday 12 September 2022 (the day on which the question was received) has been used.

Excluding Obstetric, Paediatric and Mental Health beds as requested in the question, at the midnight bed count on 12 September 2022, there were 146 beds available for use and fully staffed with an occupancy rate of 96%.

- (b) The response to the referenced Freedom of Information request provided the average daily number of available beds for the period 1 January 2020 to 30 April 2020. As described, this was 172.

As a direct comparison, if utilising the same criteria as question (a) the equivalent figure of average beds available would be 165 as of 30 September 2020. The FOI 2020 request did not ask to exclude specialties. There was no decision to reduce this figure as it is a metric of bed availability & occupancy.

- (c) 14 beds have been available and operational since the re-opening of Samarès ward on the 10 August 2022.

As of 16 September 2022, there were 9 patients meeting rehab criteria as assessed by the Multidisciplinary Team (MDT) and 5 patients were Delayed Transfers of Care (DTC). Patients who meet the criteria for rehabilitation are prioritised for placement to Samarès Ward with any remaining capacity being utilised for DTC.

- (d) The table below shows cancelled/rescheduled public theatre procedures by specialty from 1 January 2021 to 31 August 2022 populated by data available from the patient administration system with the reason for doing so being one of the following:
 - Cancelled by TCI cancellation
 - Day of surgery - Anaesthetist unavailable
 - Day of surgery - Emergency case needing theatre
 - Day of surgery - Hospital Beds unavailable
 - Day of surgery - Surgeon unavailable
 - Day of surgery - Theatre Unavailable
 - Day of surgery - Theatre list over -ran
 - Day of surgery - Theatre staff unavailable and critical care Hospital Bed unavailable
 - Not Day of surgery - Anaesthetist unavailable
 - Not Day of surgery - Emergency case needing theatre
 - Not Day of surgery - Hospital Beds unavailable

- Not Day of surgery - Surgeon unavailable

8.14 Deputy C.A. Alves of St. Helier Central of the Minister for Home Affairs regarding sexual offences in Jersey (WQ.163/2022)

Question

Will the Minister –

- (a) provide the most recent statistics relating to sexual offences against both men and women in Jersey;
- (b) advise the status of the Violence Against Women Group and its Terms of Reference;
- (c) advise, with reference to Written Question 122/2021, the status of the review of the contract between the Sexual Assault Referral Centre (SARC) and Jersey Action Against Rape (JAAR);
- (d) state the number of counsellors which the SARC now employ; and,
- (e) state whether she will commit to regularly publishing the statistics on sexual offences in Jersey and to assessing the impact of the Sexual Offences (Jersey) Law 2018 since its introduction?

Answer

- (a) Please see table provided below.

Sex of victim	Offence	2019	2020	2021	2022	Total
Male	Causing or inciting a sexual act with a male child 12 or younger		1	5		6
	Causing or inciting a sexual act with an older male child			1		1
	Causing sexual act without consent		2	1	1	4
	Gross indecency	1			1	2
	Gross indecency with child			1		1
	Incite to commit a sexual act			2		2
	Indecent assault on a female			1		1
	Indecent assault on male	6	6	3	2	17
	Indecent exposure	1	1	2		4
	Possess/distribute indecent images of child	1	1		1	3
	Rape of a female			1		1
	Rape of a male	1	2		3	6
	Rape of a male child aged 12 or younger	1	2			3
	Sexual penetration of a male child aged 12 or younger			3		3
	Sexual Penetration of a male without consent			2		2
	Sexual touching of a male child aged 12 or younger	3		3		6
	Sexual touching of a male without consent	3	2	1	2	8
	Unlawful sexual act between children	1				1
	Unlawful sexual penetration of an older male child		1			1
	Unlawful sexual touching of an older male child			1		1
Voyeurism	1			1	2	
Male Total		19	18	27	11	75
Female	Abuse of trust by a sexual act against a female child				2	2
	Administering a substance for sexual purposes				1	1
	Article 35 Sexual Offences (Jersey) law 2018 - Voyeurism				4	4
	Causing a child to be present during a sexual act				1	1
	Causing or inciting a sexual act with a female child 12 or younger	2		2	1	5
	Causing or inciting a sexual act with an older female child	2		1		3
	Causing sexual act without consent			3		3
	Commit with intent to commit a sexual offence	1				1
	Gross indecency with child	1				1
	Indecent assault on a female	10	6	9	7	32
	Indecent exposure	5	4	12	5	26
	Other sexual offences	1	1	4	1	7
	Possess/distribute indecent images of child	7	8	2	1	18
	Rape of a female	45	31	42	27	145
	Rape of a female child aged 12 or younger	4	1	1	1	7
	Sexual grooming of a female child	5	2	3	2	12
	Sexual penetration of a female child aged 12 or younger	2				2
	Sexual Penetration of a female without consent	1	8	7	5	21
	Sexual touching of a female child aged 12 or younger	10	2	7	1	20
	Sexual touching of female without consent	38	29	31	26	124
	Unlawful sexual act between children	2	2	2	6	12
	Unlawful sexual intercourse with an older female child	2	2			4
	Unlawful sexual touching of an older female child	3	1	4	3	11
Unlawful sexual touching of an older male child			1		1	
USI girl under 13 yrs.		1			1	
USI girl under 16 yrs.			1		1	
Voyeurism	1	1	1	2	5	
Female Total		142	99	133	96	470
Grand Total		161	117	160	107	545
*Female-to-male transgender victim						

(b) The Taskforce on Gender-Based Violence has now been established.

The objectives of the Taskforce as outlined in the Terms of Reference are:

- i. To undertake research to better understand the nature, extent, attitudes to, and experiences of gender-based violence in Jersey.

- ii. To examine the existing legal framework, service, and support provision in relation to gender-based violence in Jersey.
- iii. To make recommendations on how legislation, services and support could be improved and made more effective in order to reduce and prevent gender-based violence in Jersey.

The Taskforce will launch its public call for evidence on 27th September which will run until 10th December. Islanders will be able to share their views with the Taskforce in a range of ways.

The public call for evidence will be complemented by some targeted research with victims-survivors, children and young people, professionals and service providers who work in this field.

- (c) A meeting is planned for the end of September with the newly appointed CEO of JAAR to review the contract.
- (d) The SARC do not employ any counsellors. Attempts were made by Mental Health Services to recruit 2 x counsellors who specialised in domestic and sexual abuse for the SARC, but this was unsuccessful.
- (e) The Minister would be content to publish these statistics every six months. It is acknowledged that there would be value in reviewing the Sexual Offences (Jersey) Law 2018, however the Minister is unable to commit to doing so at this point, due to other competing priorities. These priorities will be outlined in the upcoming Ministerial Plan. That said, and without wishing to prejudge the findings of the Taskforce on Gender Based Violence, this may be a matter which the Taskforce wish to consider as part of their work.

8.15 The Connétable of St Martin of the Minister for Infrastructure regarding improvements in Road Safety (WQ.164/2022)

Question

Will the Minister outline the Government of Jersey's work programme to improve road safety during this Assembly's term, with reference to the actions outlined in 'Island Road Safety Review - December 2021' (R.185/2021)?

Answer

The Island Road Safety Review had 23 recommendations. The Department is working in partnership with other Departments, to where possible deliver individual recommendations. However as outlined in the Review, the next critical step in meeting all recommendations is the development of an agreed Road Safety Strategy and the securing of necessary specialist road safety resources. I can confirm that work on the strategy is well advanced (though further key stakeholder consultation is required) and that a business case has been submitted for inclusion in the forthcoming Government Plan, approval of this will allow wider practical work towards the casualty reduction target to start during 2023.

8.16 Deputy R.S Kovacs of St. Saviour of the Minister for Treasury and Resources regarding Island-wide rates (WQ.165/2022)

Question

Will the Minister provide a breakdown for the last 10 years of how much revenue was collected for the Treasury through Island-wide rates each year, by Parish and in total; and will the Minister state in which areas the revenue collected through Island-wide rates is used?

Answer

The table in **Appendix 1** provides the breakdown requested by the Deputy. The total Island Wide Rate revenue recognised in each year compared to the budget established in the Government Plan (previously Medium Term Financial Plan and Budget) is also published annually in the States of Jersey Annual Report and Accounts. For example, page 284 of the [2021 Annual Report and Accounts](#).

Island Wide Rate revenue forms part of the General Revenue Income received into the Consolidated Fund alongside Income Tax, GST, Impôts, Stamp Duty and Other Income. The estimates to be received in each year are set out in the Government Plan and approved by the States Assembly.

With the exception of the specific elements of Fuel Duty and Vehicle Emissions Duty ring-fenced to fund the Climate Emergency Fund as agreed by the States Assembly in previous Government Plans, no other General Revenue Income is hypothecated for a specific area of expenditure. Therefore, Island Wide Rate revenue contributes towards the overall funding available in the Consolidated Fund to be appropriated for each head of expenditure as part of the Government Plan.

Appendix 1 – Breakdown of Total Island Wide Rates Revenue Recognised Between 2012 – 2021 By Parish

Parish	2012 £	2013 £	2014 £	2015 £	2016 £	2017 £	2018 £	2019 £	2020 £	2021 £
Grouville	522,514	519,347	531,421	533,101	547,673	553,889	568,842	664,314	667,034	621,869
St. Brelade	1,060,555	1,066,433	1,095,421	1,103,861	1,121,550	1,143,445	1,210,279	1,234,316	1,240,572	1,301,739
St. Clement	629,513	635,991	650,183	659,343	661,835	664,593	719,495	742,252	753,393	801,519
St. Helier	5,435,826	5,531,468	5,616,577	5,622,785	5,693,463	5,841,102	6,050,466	6,228,140	6,228,628	6,411,495
St. John	309,253	311,954	318,426	319,320	331,392	337,367	340,880	343,720	344,659	358,177
St. Lawrence	513,681	516,112	526,095	528,727	533,937	540,745	548,918	553,653	557,382	581,663
St. Martin	370,768	374,303	383,640	391,055	399,288	404,101	414,217	421,468	424,499	443,040
St. Mary	170,861	177,405	182,654	182,724	184,264	186,804	189,012	190,503	190,470	198,110
St. Ouen	384,301	387,350	395,359	393,328	399,605	405,637	426,067	434,373	434,174	451,105
St. Peter	611,491	622,075	635,921	638,431	647,163	778,068	730,920	747,656	752,959	787,226
St. Saviour	1,166,484	1,177,538	1,201,381	1,216,166	1,236,027	1,257,947	1,428,106	1,443,519	1,434,295	1,471,927
Trinity	336,314	334,895	342,181	351,636	358,439	361,210	366,922	375,446	377,835	388,878
Accounting Adjustments*	(31,562)	(13,873)	16,740	(12,477)	26,366	(47,908)	(169,126)	515,641	(119,900)	(62,751)
Total IWR Recognised	11,480,000	11,641,000	11,896,000	11,928,000	12,141,000	12,427,000	12,825,000	13,895,000	13,286,000	13,754,000

*Accounting Adjustments – amounts relating to prior years in respect of those written off by Parishes as unrecoverable, amounts subsequently recovered previously written off and income from late payment surcharges not previously recognised.

8.17 Deputy R.J. Ward of St. Helier Central of the Minister for Housing and Communities regarding rent increases for Andium tenants who have moved in the last two years (WQ.166/2022)

Question

Will the Minister advise how many Andium Homes tenants have moved to a refurbished home with Andium in the last two years and faced an increase in rent due to this change; and, within this data set, will he state –

- the mean and median rent increase faced by these tenants; and
- how many tenants were compulsorily moved due to large scale refurbishment?

Answer

It is understood that the question relates specifically to Le Marais, Andium's major refurbishment project which has been running over the past two years.

A total of 80 existing tenants have been moved to a refurbished home over the past two years, where the home they were moving to had a higher rent compared to their existing home. However, 51 of those tenants were already in receipt of Income Support and, therefore, felt no financial impact because the housing component of Income Support fully covers the rent charged. A total of 29 tenants were not on Income Support and so may have seen an increase in their rent if they did not claim Income Support as a result of their move or, if having applied, they were assessed as not being eligible for support on the basis that their income was too high.

- a) The mean rent increase experienced is £236.82 per month and the median is £226.92 per month.
- b) A total of 92 tenants have been required to move to facilitate large-scale refurbishments during that period.

8.18 Deputy L.V Feltham of St. Helier Central of the Minister for Health and Social Services regarding a reduction of hours for the infant feeding specialist (WQ.167/2022)

Question

Will the Minister state whether the hours for the infant feeding specialist have been reduced since the service was initiated, and if so what is the difference in hours and what is the rationale for the reduction in service; and will she further advise whether all new parents can access the specialist feeding advice they need, both within the maternity unit and after they return home with their child, so that they have the best opportunity to breastfeed successfully?

Answer

The Infant Feeding Midwife post in Health and Community Services department (HCS) was initiated in October 2021 and had funding for 6 months until April 2022 as part of the Baby Friendly Initiative (BFI). This was funded via the Preventable Disease Budget.

When the funding ceased, Maternity continued to support the post from within existing resource full time until the 19 June 2022, when, due to staffing pressures the hours of the post reduced to 2 days per week to enable the midwife to support clinical care delivery.

The Infant Feeding Midwife works both in the community and the Maternity Unit and works alongside the BFI Health Visitor.

Every midwife is trained to provide feeding advice, not all new parents need specialist advice, for those that do, they can access it within the maternity unit and in the community.

At time of writing, a business case to fund this post substantively in HCS has been submitted during 2022 and is currently being considered as part of growth bids.

9. Oral Questions

The Greffier of the States (in the Chair):

The first question on the Order Paper is from Deputy Southern to the Minister for Treasury and Resources. Deputy Southern if of course marked excuse this morning, so we move on to question 2.

9.1 Deputy R.S. Kovacs of St. Saviour of the Minister for Social Security regarding the Community Cost Bonus (OQ.84/2022)

Given the report accompanying the mini-Budget highlights that approximately 1,000 households claim the community cost bonus out of the 7,000 that are eligible, will the Minister explain what actions, if any, will be undertaken to encourage eligible households to apply for the bonus and what confidence she has that all those eligible for that bonus will apply to receive it?

Deputy E. Millar of St. John, St. Lawrence and Trinity (The Minister for Social Security):

I thank the Deputy for her question. In a section of the report accompanying the mini-Budget that the Deputy refers to it also states that Government will undertake a communication campaign, which will aim to highlight the community cost bonus and encourage applications from the estimated, as well as 7,000 eligible households that do not currently apply for it. The communication campaign will run throughout the autumn and I am pleased to advise that the first phase has already been lodged with full page adverts being included in all Parish magazines, which have already begun distribution recently and over the next couple of weeks. The Deputy may also be aware of the amendment lodged to the mini-Budget, which will further extend eligibility for the bonus to households with a tax liability. At present, households with a tax liability are not eligible for the bonus so that will increase eligibility and our campaign will need some further amendment to factor the additional households into the communications campaign, if the Assembly agree to it. I am confident that the campaign, which is extensive, will raise awareness and uptake of the bonus among eligible Islanders. We have already received over 600 applications for the bonus this year. We cannot however control whether someone chooses to apply for the bonus or indeed understand why they may choose not to do so. I would encourage all Islanders to watch for the upcoming marketing campaign and to check the eligibility which is on gov.je. There is a section under Benefits and Financial Support, where the information about all our benefits appears. I would also encourage all States Members to raise awareness of the bonus in their own districts and with their own parishioners and constituents.

9.1.1 Deputy R.S. Kovacs:

When did the application period start, what are the steps to apply, what documents are required and what are the waiting times to receive it, if approved?

Deputy E. Millar:

I believe that the bonus can be applied for either online or over the telephone. There is an application process. I have to confess I am not aware how long it takes to process the application. I am afraid I have forgotten the first part of your question, sorry.

Deputy R.S. Kovacs:

What documents are required?

Deputy E. Millar:

Again, I am not sure. I believe they will have to confirm to the department that they do not receive income support, they will have to confirm that one member has been ordinarily resident in Jersey for at least 5 years, at present the applicants should not pay income tax and that is normally something that is checked by the department with Revenue Jersey. Clearly going forward, if the amendment is accepted, there will be a tax liability and that again will be checked with Revenue Jersey as people make applications. If we did have 14,000 extra households applying that may take a little bit more time to process but my department will work as fast as possible to make sure that the bonus is issued as quickly as it can be to qualifying households.

9.1.2 Deputy S.Y. Mézec of St. Helier South:

Does the Minister regard it as a failure somewhere along the line that something like this exists and there are thousands of people who are eligible for it who are not claiming it? If she does regard it as a failure of administration up until this point, in what way has that influenced her thinking on how they put forward this communications plan to get more people to apply for it?

Deputy E. Millar:

I do not think it is necessarily the fault of Government that people have not applied for the bonus. The bonus is there to support families. It has a long history. It was originally the food cost bonus, which was introduced in 2008 to help people with the cost of G.S.T. (goods and services tax) on food. Over the years, since then, it has been expanded. It is not concealed by any means. It is available, as I say details are on the website. I am sure it is prophesised both by Members and by the department. There is no element of concealing it. It is a surprise that there may be so many families who do not apply for it. Some people do not like to claim benefits and people may have felt they did not need it. As the cost-of-living increases, have more impact on more families, we would ordinarily see an increase. But the communications campaign, as I say, is very thorough and we are aiming to make sure that as many people who qualify for the benefit claim it. I cannot control whether people do apply for any benefit but I hope that those who are eligible and who would benefit from receiving the increased sum, if the mini-Budget is increased, that people will apply for it this year.

9.1.3 Deputy S.Y. Mézec:

If it is not a failure that so many thousands of people are not claiming it now then presumably it will not be considered a failure if nobody applies for it as well after this communications package. I guess, can I ask the Minister, once again, what has been done to look into the reasons why people are not claiming this right now and what tangible action will she be taking to proactively approach those who are eligible but are not claiming it now to ensure that they do get that help that they are perfectly well entitled to?

Deputy E. Millar:

The issue with this benefit is it has to be applied for because we cannot necessarily identify specific households who are eligible. The households do not receive income support so they may not be on our records. They are not liable to pay income tax so we cannot identify them through Revenue Jersey households and, as I say, we have the 5-year period of residence. So we do not necessarily have the data to go and target people directly. The communications plan will be thorough. As I say, it covers adverts in the *J.E.P. (Jersey Evening Post)*, *Bailiwick Express*, Parish magazines. We will be working with stakeholders in Parish Halls. We will do everything we can to raise awareness of the bonus but if people do not apply then I am not quite sure what we do. I am not quite sure why action has not been taken in years past to further promote the bonus but we are certainly doing that now this year.

9.1.4 Deputy C.S. Alves of St. Helier Central:

The Minister partially answered my question which was going to be: if the department are aware of the number of people that should be applying for this, why are they not contacting individuals directly?

[10:00]

She mentioned they do not have the data. Can the Minister elaborate on why the department do not have this data or cannot get access to this data?

Deputy E. Millar:

I think we do not have the data, as I said, because we do not have them on our income support system. They are not receiving income support. I cannot explain why that may be, probably because of their earnings. But they are not liable to pay income tax. So government, it would appear, do not have direct records of people who do not pay tax and do not receive income support. I think government cannot necessarily keep records on every member of the population because there are quite serious and far-reaching implications if government tried to collect data on people simply because it wants the data. All we can do is raise awareness of the bonus and we are seeking to do that in a very concerted way this year.

9.1.5 Deputy C.S. Alves:

Can the Minister elaborate on how she will be measuring whether this communications campaign will be a success then?

Deputy E. Millar:

The success of the campaign will be determined by the number of people who apply for the bonus. I would say that the estimates that we have of 7,000 possibly going up to 14,000 are estimates. I am not sure where those estimates come from, I have to confess. But hopefully, as I say, we will see more people applying for the bonus this winter and the campaign and working with stakeholders and, indeed States Members hopefully will produce the benefits that we would all like to see.

9.1.6 Deputy R.J. Ward:

Does the Minister feel that there may be a stigma attached to applying for benefits and if so, what is being done to try and reduce the stigma in the application?

Deputy E. Millar:

I think you may be right. I have been told by one of the third sector groups that there are certain sections of the community who do not like coming to government, who do not like applying for benefits, who simply do not like liaising with government. There are other people who feel that applying for benefits is equivalent to taking money from charity. They do not like having to ask for help. There are all sorts of reasons why people may not claim benefits. As I say, we will work with stakeholders to try to promote the availability of the benefit and make sure that people do come forward to take it. There should be no stigma, we have a vast range of benefits to help a wide range of people, and the benefits are there to help the low-income sections of our community. I can only encourage them and hope that States Members also encourage parishioners who may need support from government to apply for any benefits that are available to them.

9.1.7 Deputy R.J. Ward:

Does the Minister feel that the process of application can be intrusive, for example, asking for months and months of bank statements, and that may be one of the reasons why people are not applying for these much-needed benefits?

Deputy E. Millar:

I think, Deputy Ward, your question is wider than just the community cost bonus. The community cost bonus I think is a relatively straightforward application process. We do not ask for lots of bank statements. As I say, the requirements are that you are not receiving income support and you are not liable to pay income tax at the moment, and that you have been resident in Jersey for 5 years, which I presume we can establish from our own records. There is an application process and it is appropriate that we do, on occasion, check. We have to means test benefits and we have to check that we are paying benefits to people who are truly entitled to receive them and to minimise cases where benefits are paid in error or to people who do not need them. We have to make sure that taxpayer money goes

to people who truly need it and not to people who may be ... it is rare, but making fraudulent applications. So there does have to be some rigour around the application process, I would suggest.

The Greffier of the States (in the Chair):

Deputy Kovacs, the opportunity of a final question comes to you. No.

9.2 Deputy M.B. Andrews of St. Helier North of the Minister for Treasury and Resources regarding stamp duty rates (OQ.79/2022)

I would be interested to know: is the Minister looking into reviewing stamp duty rates and if they are going to be implemented in terms of reforms, when will it be?

The Greffier of the States (in the Chair):

Deputy Andrews, just as a formality, it is usual to read out the question as printed on the Order Paper but you did not go too far away from the original.

Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter (The Minister for Treasury and Resources):

I can confirm the stamp duty rates of residential and commercial property transactions are being examined as part of the overall stamp duty review being conducted by my department. That review will conclude in 2023, in time for next year's Budget.

9.2.1 Deputy S.Y. Mézec:

The current limit for first time buyer stamp duty relief is £500,000. Is that adequate?

Deputy I.J. Gorst:

The Deputy knows that it would be inappropriate for me to draw conclusions when the review is not yet completed.

9.2.2 Deputy S.Y. Mézec:

So I take it from the Minister's answer then that there is some possibility that he may consider in the current housing crisis, where everybody out there absolutely knows how terrible the situation is, that it is theoretically possible that £500,000 could be an appropriate limit for first-time buyer's stamp duty relief. Is that really the impression he wants to leave out there with members of the public?

Deputy I.J. Gorst:

The Deputy knows well that during the course of a review, which is being undertaken by the department, it would be inappropriate to draw conclusions one way or the other. So he can ask me a question from the right or the left, I am not going to be drawn into reaching a conclusion outwith the evidence that is being produced.

The Greffier of the States (in the Chair):

Deputy Andrews, did you want to have a final ...?

9.3. Deputy S.Y. Mézec of the Chief Minister regarding trends of growing inequality (OQ. 82/2022)

Will the Chief Minister advise what measurable actions, if any, the new Government will take to reverse the trend of growing inequality which Jersey has witnessed over the last decade?

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

The Government will focus on improving the quality of people's lives. Under our 100-day plan we are taking action by lifting the minimum wage to £10.50 per hour from November. We will also be providing school lunches across all schools and free period products in schools and across the

community. Our mini-Budget will put money back into people's pockets at a time when they are under pressure from rising prices. Further measurable actions to improve the quality of life will be included in the Government Plan, which will be lodged in 2 weeks' time. This will include support for families to buy their own home and higher stamp duty for buy-to-let purchases. We are delivering rapid help and will continue to respond to the needs of Islanders throughout our term in office.

9.3.1 Deputy S.Y. Mézec:

It was noticeable in that answer that the phrase "quality of life" rather than "inequality", which is what my question was getting at, was not how she put forward her answer to that. Can I ask the Chief Minister then if we can anticipate that the question of whether we become a more or less equal society over the coming years, having become a more unequal society over the last 10 years, is not one which will be a priority for her Government to answer?

Deputy K.L. Moore:

It is absolutely of vital importance that Islanders experience a greater quality of life as we progress through the work of this Government. There are many different measures for measuring income inequality and I think it would be unwise to get into that debate right here and right now. There will be, as I said in my previous response, a number of measures that will be used, and they will be identified within the Government Plan. Whether that be the percentage of people who are satisfied with the environment within which they live, the percentage of people who have access ... particularly children who have access to open space in the environment in which they live. Or whether that might be a relative low income after housing costs. There are many measures that we, as a Government, take very seriously.

9.3.2 Deputy L.V. Feltham:

The Chief Minister just outlined some of the types of measures that may well be in the Government Plan. Can she take this opportunity to confirm that the reduction of income inequality will remain a priority for this Government?

Deputy K.L. Moore:

As the Deputy is I am sure aware through her Scrutiny work, the Government is currently in the process of finalising its common strategic priorities, which will be published in the beginning of next month. Therefore it would be not the right moment to explain that one way or another. But we very much look forward to sharing our common strategic priorities with Members at the beginning of next month.

9.3.3 Deputy R.J. Ward:

Given rental levels and the cost of rents is one of the biggest drivers to creating inequality, does the Chief Minister believe that inequality can genuinely be addressed without addressing rental levels and legislating for that?

Deputy K.L. Moore:

Legislating to change rental levels is a difficult and complex political mechanism. Just at the weekend there was significant criticism of the Scottish Government who have recently tried to impose restrictions on rental levels in that country. A great outcry I think could be expressed from many quarters who were concerned about the other impacts that that would have. However, what we are very aware of is the impact of housing costs and we will be bringing forward measures that will assist members of our community with those.

9.3.4 Deputy R.J. Ward:

What level of income spent on rent does the Minister believe is acceptable, i.e. what is her definition of rental stress?

Deputy K.L. Moore:

Just recently the income distribution survey identified relative low income after housing costs. Relative low income is calculated at below 60 per cent of the median, which has greatly increased over recent years. We can see that after housing costs children in Jersey ... 23 per cent of children are in that bracket as opposed to 27 per cent in the United Kingdom, which is the alternative measure that is provided. This is an area where we will drive our policies to ensure that we do see improvements and of course it is a matter of balance for every household and we want to see people have the biggest number of pounds in their pockets and a greater spending power for their household and their incomes.

9.3.5 Deputy S.Y. Mézec:

I ask this question after 10 years of build up of statistics and evidence from the Government's own departments itself, which show that over that last 10 years there has been a real earnings freeze in the Island. Poverty has increased and the rich have got richer while the poor have got poorer. So can we take it from the Minister's answers to these questions thus far, that in her Strategic Plan and Government Plan that there will be no stated aim of reversing this trend over these 4 years?

Deputy K.L. Moore:

As I said in my answers, we are still working on defining exactly what those common strategic priorities are and we look forward to sharing them with Members of the Assembly and the wider community as soon as they are ready. We are sadly not alone in the world in terms of seeing incomes flatlining to a great extent, and that is a cause of a number of factors in the western world and it is one that I think we will not be alone as a Government in trying our very best to address.

9.4 Deputy C.S. Alves of the Minister for Social Security regarding the Health Access Scheme (OQ.91/2022)

Will the Minister commit to extending the Health Access Scheme to include people with long-term illnesses?

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

The Health Access Scheme was introduced at the end of 2020 to help people with low incomes access general practice medical services. Under the scheme, people in receipt of income support or Pension Plus can attend a surgery consultation with a G.P. (general practitioner) for a fee of £12, with a nurse for £9, and there is no surgery consultation fee for children in these households.

[10:15]

This group of 11,000 low-income people will include many who also have long-term illnesses not carved out of the scheme. I will commit to reviewing this scheme, among other benefits. in my Ministerial plan but it is too soon to make a commitment as to the outcome of that review.

9.4.1 Deputy C.S. Alves:

Does the Minister recognise that those with long-term illnesses will often affect their income or their dispensable income quite significantly when they are regularly visiting the G.P.? If the Minister will not necessarily commit to looking at them having access to the Health Access Scheme, will she commit to looking into having some kind of support for these individuals in the long term?

Deputy E. Millar:

The Health Access Scheme was specifically designed to help people with low-income access general practice services by reducing the cost. There may be people with long-term illnesses who are not low income and their needs may very well be different. The support needed for people with long-term conditions needs to be understood and may need a different approach. I think it would be a

mistake to narrow our consideration of the support for people with long-term illness purely to the Health Access Scheme and it needs a more thorough review.

9.4.2 Deputy S.Y. Mézec:

Would the Minister accept that it would be a relatively easy change to make to the Health Access Scheme to simply add a new criterion into it that those who are receiving a disability benefit such as long-term incapacity allowance could simply be added to the scheme and benefit from it as well?

Deputy E. Millar:

I do not think those people are necessarily included from the scheme. I have to confess, I do not understand how the Health Access Scheme works with all our other long-term benefits. We have long-term incapacity allowance, long-term care, there are numerous benefits that may be available to people with long-term conditions. I think the Health Access Scheme will be subject to review and it is, as I say, too early. I do not think we can necessarily have a one-size-fits-all expansion of the Health Access Scheme. We need to look more widely as to how we support people who have long-term illness, whether or not they are on low incomes.

9.4.3 Deputy S.Y. Mézec:

We have heard in answers to multiple questions this morning so far a lack of an ability to give any sort of commitment because of ongoing reviews. Will the Minister accept that that is an extremely frustrating thing to hear for Members of this Assembly who want to get things done on behalf of our constituents? Will she not, at this point at least, commit to looking to extending the Health Access Scheme to those who are in receipt of some form of disability benefit on the basis that it will not cost very much at all to the Government, but will make a huge difference to those who are struggling to get access to the healthcare that they need on the basis of cost?

Deputy E. Millar:

I think the Deputy will understand that it is impossible to say yes to increasing a scheme without knowing what the implications in terms of numbers of claimants and the cost of that may be. It is very easy to say it will not cost very much, it may in fact cost a great deal. People with disabilities and long-term conditions are supported in a number of ways through the income support scheme and through other benefits. I think without reviewing the operation of all those schemes together, it is impossible to make a commitment at this stage, but a review will be undertaken next year.

9.5 Deputy L.V. Feltham of the Minister for Housing and Communities regarding social rented housing (O.Q.86/2022)

Will the Minister outline what analysis he has undertaken to ensure that homes currently in construction, or planned for construction, by Andium Homes and other social housing providers will meet the needs of families requiring social rented housing?

Deputy D. Warr of St. Helier South (The Minister for Housing and Communities):

I thank the Deputy for her question and apologise, for it is not a simple answer. Different assessments take place for this. In terms of demand, Affordable Housing Gateway statistics are published monthly. These set out how many and what types of homes are needed by those waiting for social rented homes. This is the analysis of our current unmet demand relative to the Gateway. In considering future requirements beyond the current list, we consider the anticipated effects of changes we expect to impact demand. This includes the effects of future changes in the Gateway criteria that I hope to make. In terms of supply, the availability of land to meet social housing requirements was considered in the development of the bridging Island Plan. The planning inspectors agreed that the identified supply of more than 1,400 affordable homes, which includes social rent and assisted purchases, was adequate to meet anticipated demand. The bridging Island Plan provides the framework for homes to be built but it is not until planning applications are approved and homes are

built that the actual number and type of new social rented homes becomes known. This data is captured and monitored in the planning process. In the case of Andium Homes, I play a role in influencing and approving their developments. My role is, in a large part, to ensure that the homes coming forward by Andium represent the homes that we need. In the case of other rental social housing providers, I sadly have less ability to know what their plans are as they are not States-owned. I do, however, hope to build an open and constructive relationship with these providers with greater visibility and collaboration going forward.

9.5.1 Deputy L.V. Feltham:

Has the Minister considered what effect the sale of family homes in estates such as Clos du Roncier and Les Cinq Chenes will have on the availability of homes suitable for families requiring social rented housing?

Deputy D. Warr:

As the Deputy knows, we are currently building more homes to replace those that are sold with better quality and better builds. So, in terms of what the consequences are, I suggest there is very little consequence as there are so many more new homes currently under construction.

9.5.2 Deputy S.Y. Mézec:

The Minister referred to the number of new homes which are under construction. Could he remind the Assembly how many applications there currently are for affordable housing on the Gateway and which of those 2 numbers is the higher one?

Deputy D. Warr:

I am going to have to come back to the Deputy on that matter. I will let him know when I have that information available.

9.5.3 Deputy S.Y. Mézec:

I can help him out at least to the extent that the amount of homes that are currently in construction is significantly less than the number of applications there are on the Gateway, which means there is an inadequate amount of supply being planned. On that basis then, would the Minister confirm to having some form of discussion with Andium, with the S.o.J.D.C. (States of Jersey Development Company) and whatever other relevant government agencies there are to see what can be done to increase the amount of affordable housing provided on government-owned sites rather than the appalling legacy that was left behind from the previous Government of allowing government-owned land to be used for homes that are unaffordable?

Deputy D. Warr:

Thank you, Deputy, for that point. We are currently working with the S.o.J.D.C. and Andium in identifying sites that they can construct more homes on. That land has to become available from the States-owned land bank and we are currently in discussion with them as to how best to release that land.

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

Would the Minister tell Members what criteria Andium use to establish whether their housing should be sold to the general market or not?

Deputy D. Warr:

Thank you, Connétable, for the question. The simple answer is I do not know, so I think I am going to have to refer back to Andium and ask that question, and then come back to you at a later date.

9.5.5 Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter:

Given the Minister has quite rightly identified the urgent need for housing, and especially affordable homes, do you therefore support the cessation or the pause in the housing development in Kensington Place?

Deputy D. Warr:

Thank you, Deputy, for that question. It saddens me that we have to suspend that application and that build. I would prefer it to be carried on; however, I am confident in the knowledge that we are currently constructing a suitable number of houses to meet the demand that is coming up. Now, obviously one thing which we have released are the 169 homes in the northern quarter, so that has been an addition since that suspension.

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

Will the Minister confirm whether a review has been taking place on the properties of South Hill and the Waterfront to reassess the number of affordable homes that will be provided in these developments?

Deputy D. Warr:

Thank you, Deputy, for your question. I am trying to understand exactly what you mean by that. There is obviously a percentage of homes which have been allocated under those developments as affordable or social housing. I am aware that the S.O.J.D.C. are currently adjusting that accordingly, depending on the viability of the scheme. But unless the Deputy has more to his question, I will happily take a further question.

9.5.7 Deputy T.A. Coles:

Can the Minister confirm if this is an upward percentage increase or whether it is looking to maintain the status quo?

Deputy D. Warr:

It may maintain the status quo but it may well be an increase; it will certainly not be a decrease.

9.5.8 Deputy L.V. Feltham:

During the Minister's answers, he referred to building houses and my question was around homes for families. So, specifically I would like to ask the Minister what he considers to be the type of basic standard of accommodation that he would like to be providing for families, maybe a family with 2 adults and 2 children, who require social rented housing.

Deputy D. Warr:

Obviously I would prefer to use the language of "homes" as opposed to "houses". One thing which is quite interesting was that in the bridging Island Plan, I noticed that her party voted extensively against, on the bridging Island Plan, many of the sites which were suggested for building family homes. I would like to be reassured that they did not do that but from what I understand from the voting record, it appears to be that that consideration was not one of the thoughts of the Reform Party. But in terms of the mix of homes, obviously that comes from the Gateway and obviously Andium are developing homes as well as flats ... well, homes in all sorts of varieties that they need which are appropriate to the current demand.

9.6 Deputy R.J. Ward of the Minister for Children and Education regarding cover staff for Secondary Schools (OQ. 88/2022)

Given reports of expenditure of nearly £1 million over the last 2 years on cover staff in secondary schools, will the Minister state the projected spend for the autumn term in this area and will she also advise how many teaching vacancies are currently unfilled in all schools?

Deputy I. Gardiner of St. Helier North (The Minister for Children and Education):

The projected spend in this area for the autumn term is in the range of £230,000 to £270,000. It is not possible to be more accurate with the forecast as cover costs vary significantly due to the various factors such as sickness, parental leave, meetings, P.P.A. (planning, preparation and assessment) for teachers, leadership release, courses, and so on. Schools will have some control over this but especially around sickness is something unknown, and also COVID impact is obviously a factor too. Teacher vacancies in all schools total 37, not including parental leave. These roles have been covered by schools until recruitment is completed. The additional 10 teacher positions are being covered due to the parental leave.

9.6.1 Deputy R.J. Ward:

Can the Minister confirm whether U.K. (United Kingdom) agencies are being used to fill vacancies, both with cover staff and with staff in a temporary basis? If so, how much more expensive is it to do that?

Deputy I. Gardiner:

From my understanding and data that I have in front of me, we do not use U.K. agencies but I am happy to go back to the Deputy. From what I know, all cover is internal and used for all of our supply teachers.

Please note that the Minister for Children and Education subsequently provided the information below -

There is currently one secondary school teacher employed via an agency contract until the end of this year, when a substantive permanent recruit starts in January. The rate of pay is less than Government rates, but due to accommodation costs the overall cost is circa 50% more expensive than sourcing local cover.

9.6.2 Deputy T.A. Coles:

Does the Minister know the number of cover staff available in Jersey at any given time?

Deputy I. Gardiner:

It is really very, very dependent because some people are available only for limited amounts of times; some people are available for a year. It is really very difficult to give exact numbers because on Friday, I received a letter and there were lots of unexpected things happening. But what is important to emphasise is that we do have a solution, and we do have flexibility, and we are working hard so there will be a teacher in front of each class and lessons will proceed as planned.

Please note that the Minister for Children and Education subsequently provided the information below -

Primary teachers	67
Secondary teachers	39
Both primary & secondary	18
Teaching Assistants	37

[10:30]

9.6.3 Deputy R.J. Ward:

The Minister just stated that there will be a teacher in front of a class and lessons will proceed as planned; can she guarantee that that teacher will be a specialist teacher, for example, in subjects such

as maths, English and science for exam groups, or will lessons proceed but not really as planned, but just to have a body in front of the class?

Deputy I. Gardiner:

Thank you to the Deputy for his question. I will need to look into this to make sure that it is exactly. Another thing which is really important to raise for the Deputy's question, we recognise a shortage in teachers in science, for example, and this is the reason that this year we have graduate teacher training which added a £25,000 bursary especially for the subject where we have shortages, so we ensure that during the year we would train teachers for the subject that we do have shortages. These shortages are around the U.K. as well.

9.7 Deputy L.J. Farnham of the Minister for Infrastructure regarding the housing development in Kensington Place (OQ.87/2022)

Following the announcement by the Government that the housing development in Kensington Place has been paused, will the Minister inform the Assembly exactly what financial arrangements, if any, have been made with the developer?

Deputy T. Binet of St. Saviour (The Minister for Infrastructure):

The contractual arrangements for this site rest between Andium Homes and their chosen developer. As such, any financial arrangements will have to be agreed between these 2 parties and will not involve the Government of Jersey directly, certainly not at this stage.

9.7.1 Deputy L.J. Farnham:

I think to simplify the question: how much is it costing the taxpayer, does the Minister know?

Deputy T. Binet:

At this stage, I am afraid I have to tell the Deputy that I do not know; those discussions are still taking place.

9.7.2 Deputy S.Y. Mézec:

If it is a case that this is a matter between the developer and Andium Homes, if there is at some point to be any cost to Andium Homes for this delay, can the Minister give us his assurance that Andium Homes will be compensated for that?

Deputy T. Binet:

That is highly likely, yes.

9.7.3 Deputy S.Y. Mézec:

“Highly likely” is good. Can we do even better than that and say “a certainty”, after all, the Government can give that guarantee?

Deputy T. Binet:

Yes, why not? Yes, a firm yes. [Laughter] [Approbation]

9.7.4 Deputy L.J. Farnham:

Remembering back to my days as a Minister, I would have been severely chastised for making decisions without knowing the financial consequences, so I will ask another question. Does the Minister know roughly how long the delay will be to this vitally important development of affordable homes?

Deputy T. Binet:

As the Deputy knows, there is a review taking place which I think is due to be issued on the 20th and I cannot say very much more than that until that review comes out.

9.8 Deputy T.A. Coles of the Minister for Infrastructure regarding materials mixed with green waste (OQ.89/2022)

Will the Minister advise what guidelines, if any, there are in relation to the materials that can be mixed with green waste to make soil improver; and what measures are in place to ensure that toxic materials do not get included?

Deputy T. Binet (The Minister for Infrastructure):

Composting at La Collette is carried out under a licence issued by the Minister for the Environment and regulated through the Waste Management (Jersey) Law 2005. I can confirm that all wastes are inspected for contamination and any contamination found is removed from the composting process. Only 2 materials are ever accepted: that is green waste and clean plasterboard, which has to be delivered separately. It should be stated that not all compost produced contains plasterboard. Compost is made and tested in accordance with the British Standards Institution, which is publicly available, and specifications for composted materials, it does not mean a great deal to me, but it is PAS 100:2018, if that helps. Thank you.

The Greffier of the States (in the Chair):

If there are no other questions in relation to that one, we move on to question 10. The Connétable of St. Martin will ask the following question of the Minister for Home Affairs. She is not here, sorry. Then we move on to question 11, Deputy Mézec will ask a question of the Minister for Housing and Communities.

9.9 Deputy S.Y. Mézec of the Minister for Housing and Communities regarding inflation(OQ.83/2022)

Will the Minister bring forward legislation to ban inflationary rent increases and to introduce open-ended tenancies, and if so, when?

Deputy D. Warr (The Minister for Housing and Communities):

Thank you for your question, Deputy. In the short time I have been Minister, I hope I have made it clear that I have no intention to impose authoritarian powers to ban normal market activity. That said, I am fully aware of the difficulties faced by some private sector tenants at present, and I have acted quickly to re-establish the Rent Control Tribunal under existing legislation. The tribunal will have the power to intervene in respect of unreasonable rent levels in respect of tenancies that fall under its remit. The new tribunal members will also work with my officers to review their powers and establish a more modern framework for regulating rental levels. This is likely to result in new legislation from 2024. I would hope, therefore, that the Deputy will support the appointment of the new panel members at the next States sitting. I have also already taken steps to update the laws relating to the duration of tenancies. This will include the right to an open-ended tenancy. This is covered under the updated Residential Tenancy Law. A law drafting brief has already been prepared and detailed work is due to commence early next year. I hope to publish a new legal framework during 2023 for a full public consultation.

9.9.1 Deputy S.Y. Mézec:

The start of that answer sounded like the answer was no and towards the end it sounded like we were getting slightly closer to a yes, so I guess I could ask him if he could give a comprehensible version of that answer. But could I instead ask him whether the position that was outlined in the answer to Written Question 56/2022 by his predecessor, which did confirm that in the new Residential Tenancy

Law there would be provisions put in place to have open-ended tenancies with security of tenure for tenants and to limit rent increases by some sort of matrix such as R.P.I. (retail price index) remains the plan and that tenants who are suffering in this housing crisis can look forward to a time, hopefully soon, where the law will protect them from excessive rent increases as a matter of law and not just hopefully the market will sort it all out?

Deputy D. Warr:

I do not know that the Deputy was listening to my answer here. We are trying to build a new law which is based on a 1946 original law. Obviously there is an amendment to the mini-Budget which is due for debate later in this session, so there is going to be much more information on that. I do not want to be drawn into debates about the rights and wrongs of where the market is at the moment. I think the most important thing is we get this Rent Control Tribunal, we get the panel set up. That will enable us to update the rules and laws and establish a far better protection for both landlord and tenant.

9.9.2 Deputy S.Y. Mézec:

My question referred to the new Residential Tenancy Law for which work is already going on to establish; I was not referring to the 1946 Rent Control Tribunal Law. So I am wondering if it is possible that the Deputy could give an answer that was relevant to my question on the Residential Tenancy Law and not the law that I did not mention.

Deputy D. Warr:

As the Deputy knows, the new Residential Tenancy Law is updating the 1946 law and in the process of being done, and it is obviously under discussion and it is under development right now. I do not quite understand ... I cannot say anything because until we have the policy fully developed, then there will be a full consultation, and then the Deputy is entitled to ask more deep and meaningful questions.

9.9.3 Deputy R.J. Ward:

May I ask the Minister, if his rent tribunal is successful and a tenant brings a rent increase and the tribunal says: "No, that cannot happen", what reassurance can he give to tenants that they will not just simply be told: "You are leaving in 3 months because we can get another tenant"?

Deputy D. Warr:

Thank you, Deputy Ward, for your question. I do not know how I am able to pre-empt what tribunal panel members are going to suggest in terms of rent freeze or what is appropriate. I do not have a crystal ball, unfortunately.

The Greffier of the States (in the Chair):

Do you have a supplementary, Deputy Ward?

9.9.4 Deputy R.J. Ward:

Well, the first question was not answered, Ma'am. It was about what will happen if the rent tribunal ... I gave him the outcome of the rent tribunal, they would say: "You cannot put the rent up." What is the next stage to stop landlords simply asking tenants to leave, which is the reason why rent tribunals are not used because tenants are fearful of just simply being asked to leave their homes?

Deputy D. Warr:

Surely, Deputy, that is the idea of setting up a new rent tribunal and updating the law and getting the regulations updated. We want to establish protection for both landlord and tenants; that is really, really important. But until we have this updated law in place, what he is asking cannot be achieved.

9.9.5 Deputy S.Y. Mézec:

I guess the question has to be based on that very last sentence. Has he just admitted that the setting up of the Rent Control Tribunal under the 1946 law is a complete waste of time, since it sounds like he has just admitted that tenants do not currently have security of tenure until the changes to the Residential Tenancy Law come through. Is he therefore admitting to tenants out there that if they go and avail themselves of the service of this Rent Control Tribunal he is supposed to be due to re-establish shortly, that they come home after their hearing and find their notice to vacate their properties on their doorsteps and there is nothing they can do about it?

Deputy D. Warr:

Once again, I am not quite sure where we are drawing all these conclusions from until we update the law. I mean, let us have the law updated, let us have it debated, let us get it out there in the open, and then we can draw some conclusions after that.

9.10 Deputy R.S. Kovacs of the Minister for Social Security regarding the Jersey Dental Fitness Scheme (OQ.85/2022)

Will the Minister advise what proposals, if any, she has to replace the Jersey Dental Fitness Scheme to ensure good dental health for our young people; and will she state what funding allocation she is seeking in order to deliver high-quality dental care for young people during her term of office?

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

Thank you, Deputy, for the question. As I have already indicated, I will be committing to review all benefits in my Ministerial plan. Access to dental care for children is, I believe, very important and I have already held preliminary discussions with the Minister for Health and Social Services on this issue. I do wish to improve access to dental services and funding for that will have to work in conjunction with the reviews and in parallel with the reviews being undertaken in Health and Community Services and Public Health.

9.10.1 Deputy R.S. Kovacs:

Can the Minister answer when is it most likely we would see the start of a new dental scheme?

Deputy E. Millar:

I cannot confirm a timetable on that. I know the review is already underway that the Minister for Health and Social Services is working on. I am not sure of the timing for those but clearly it is something that we all want to prioritise as soon as we can.

9.10.2 Deputy A. Howell of St. John, St. Lawrence and Trinity:

Can I bring to the attention, please, of the Minister for Social Security that the Dental Fitness Scheme has not received any increase for 28 years? Can I also ask the Minister that she engages with the dental profession on all these matters, and the Minister for Health and Social Services, because they need to be included?

Deputy E. Millar:

I think, as I have just indicated, we are working with the Minister for Health and Social Services to ensure that funding is available and that there are revised schemes for dental health for children. I cannot speak for what has happened in the past in terms of the level of government subsidy, but that is certainly something that will be considered going further and I am sure that the dental profession will be closely involved in all developments. We would not create a scheme without seeking the views of our main stakeholder.

The Greffier of the States (in the Chair):

Do you have a supplementary, Deputy Howell?

Deputy A. Howell:

No, I would just like to thank her very much and say the dental profession really wants to work with you. I think over the last few years they have been largely ignored on these matters.

9.10.3 Deputy L.V. Feltham:

We heard from the Chief Minister earlier that the Government Plan is in its final stages of preparation. Can the Minister confirm that you have sought to increase funding for the Jersey Dental Fitness Scheme in your discussions among the Council of Ministers in relation to the Government Plan for next year?

Deputy E. Millar:

I do not have a specific funding request for the Dental Health Scheme. As I said, again, it is difficult to allocate funding until you have devised a scheme that will have to work over the course of this year with the Minister for Health and Social Services. Once we have a scheme approved that also works for the dental profession, we will also review the funding. I would also just mention that the previous Minister for Social Security lodged a scheme in 2021 which aimed to fully fund children from low-income households for check-ups and necessary treatment.

[10:45]

That was a one-off scheme designed to help children access care that they may have missed during the COVID lockdown. That scheme will close this year and the outcomes of that scheme, we will look at how it performed and any lessons learned, and that will also feed into the work that is done going forward on new Dental Fitness Schemes or amended and improved, hopefully, dental schemes for children.

The Greffier of the States (in the Chair):

Question 13 was Deputy Southern who, as we know, is excused. So we move on to question 14.

9.11 Deputy T.A. Coles of the Minister for the Environment regarding the carbon neutral road map (OQ. 90/2022)

When will the Minister bring forward a scheme to support households to convert to low-carbon heating systems, as per policy HT1 in the carbon neutral road map?

Deputy J. Renouf of St. Brelade (The Minister for the Environment):

The short answer to the Deputy is by the end of the year at the latest. But to put a little more flesh on the bones, the carbon neutral road map policy HT1 supporting low-carbon heating systems at home insulation says that an incentive scheme to subsidise the replacement of fossil fuel heating systems with non-fossil fuel heating systems will be established and commenced by the end of 2022. This policy was agreed by the last Government and the next step is for this new Government to define the details of this policy. I have delegated responsibility for the energy and climate portfolio to Deputy Jeune and together we are working closely with officers on the detailed design of the policy. The intention is to announce final details of the scheme by the end of 2022 and open it for applications as soon as possible thereafter.

9.11.1 Deputy T.A. Coles:

Will the Minister be able to confirm that though the responsibility has been designated to his Assistant that the main Minister will not be putting any budgetary roadblocks in their way?

Deputy J. Renouf:

I am not sure I recognise the distinction he is drawing there. Deputy Jeune does have delegated responsibility for this area. We work together as a team and I shall certainly not be putting any

roadblocks in the way. I do not think you could find 2 more diligent and determined Ministers in terms of pursuing the carbon neutral road map in this Assembly.

The Greffier of the States (in the Chair):

If there are no further questions. The Connétable is still not with us in the Chamber, so we move to the final question, which is Deputy Alves of the Chair of the States Employment board.

9.12 Deputy C.S. Alves of the Chair, States Employment Board regarding the living wage (OQ.92/2022)

Will the chair update the Assembly on any contracts issued to companies that undertake work for the Government where the company is not paying their employees the living wage?

Deputy K.L. Moore (The Chief Minister):

With Deputy Alves's agreement, the Constable of St. John will answer this question.

Connétable A.N. Jehan of St. John (Member, States Employment Board - rapporteur):

Since 2019, the Government of Jersey requires its suppliers to pay the living wage and our standard suite of contract terms require this. We are also launching a new supplier code of conduct which sets out our minimum requirements for all our suppliers in order to do business with the Government of Jersey.

9.12.1 Deputy C.S. Alves:

During the last term, there were questions asked about this and we were told that some contractors were still on old contracts that did not require them to pay their employees the living wage. Can the Constable please give us details whether these contracts are still in place and, if so, when will they be up for renewal and what work is being done to ensure that all employees are paid the living wage?

The Connétable of St. John:

The agreement that was signed in 2019 stated that existing contracts were being updated as they were renewed, with the final target date of August 2024. The Government is now looking at bringing that date forward and also looking at changing the criteria. The current criteria was for services carried out on government premises for more than 2 hours a day or more than 8 hours a week for 8 consecutive weeks. Both that criteria and the end date are being reviewed.

9.12.2 Deputy S.Y. Mézec:

Can the Constable confirm that there are people who are doing work on behalf of the Government of Jersey through contractors who are still currently being paid less than the living wage?

The Connétable of St. John:

I do not know if that is accurate or not. If the Deputy or any other Member has concerns over a specific contract, I would invite them to contact me with the details. Clearly, the previous Government put in place a review of existing contracts as they were renewed and so I cannot answer that this morning.

9.12.3 Deputy C.S. Alves:

What checks, if any, are done with the contractors who claim to be paying the living wage to ensure that they are?

The Connétable of St. John:

It is very clear in the contract that the contractors and any subcontractors that they employ are to be paid the living wage. I would need to get back to the Deputy in terms of what checks are put in place.

The Greffier of the States (in the Chair):

Very well, that brings to an end oral questions. We now move on to questions to Ministers without notice. The first question period is for the Minister for Health and Social Services.

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

10.1 Deputy S.Y. Mézec:

The Minister will have heard the questions that were asked of the Minister for Social Security earlier about expanding the Health Access Scheme to those with long-term illnesses. Obviously, that is to be paid for through Social Security but there is a health impact as a result of that policy. Could I therefore ask the Minister for Health and Social Services whether she would support a move to make cheaper access to primary care a priority for those Islanders who have long-term illnesses?

Deputy K. Wilson of St. Clement (The Minister for Health and Social Services):

Thank you, Deputy. Just to confirm that work is underway to develop a primary care strategy which will take into account those particular issues and I will be happy to bring that back to the Assembly in due course.

10.1.1 Deputy S.Y. Mézec:

Is the Minister prepared to confirm whether, in that work that is being done on primary care, the issue of cost as part of access to that care is being considered? Is there a Ministerial direction as part of that work being done to ensure that the cost is brought down so that primary care can become more accessible?

Deputy K. Wilson:

I can confirm that we will consider all aspects, both funding and organisation of primary care. At this stage I do not want to be drawn into any detail but can give a guarantee to the Deputy that those issues will be considered as part of the work.

10.2 Deputy A Howell:

Please can the Minister provide terms of reference for the review of the Jersey Care Model and give details of what the 40-plus managers employed to plan the care model have been doing since the model was paused in July?

Deputy K. Wilson:

Thank you, Deputy, for your statement. Yes, I will be happy to provide details. I obviously have not got those available today but I will be able to provide those in due course.

10.2.1 Deputy A Howell:

Will they be provided before the 100 days?

Deputy K. Wilson:

Yes, I can arrange for those to be available at the end of the week.

10.3 Deputy L.V. Feltham:

During the Ministerial appointments process, the Minister committed to undertaking a review of bullying within her department and reporting to the Assembly on the outcomes. Please can she provide some details about the progress she has made in relation to this?

Deputy K. Wilson:

Thank you, Deputy. Yes, since the original discussion took place, we have had the publication of the Hugo Mascie-Taylor report which has confirmed a lot of the issues that were raised previously. Since that report has been produced, we have undertaken a programme of work called a turnaround plan, again, the details of which will be brought to the Assembly. But one of the key components of that turnaround plan is to specifically address the culture within H.C.S. (Health and Community Services). So there are 3 things that we are doing. The first thing we are doing is to appoint a freedom to speak up champion, and that has the involvement of all of the staff involved in the service. The second thing is we are going to appoint or establish a healthcare board who will have oversight of the H.R. (Human Resources) strategy and policies that will be applied within H.C.S. In that regard, some of the issues around bullying and harassment will be considered as part of their performance management of the system.

10.3.1 Deputy L.V. Feltham:

Thank you for your answer. You did talk a lot about reviews there. Can you give some assurance that we will go beyond reviews and see some action so that staff currently working within Health and Community Services feel that this bullying will be tackled?

Deputy K. Wilson:

I think it is absolutely irrefutable that we need to have a zero-tolerance approach to bullying and harassment in H.C.S. What I can assure the Deputy is that every effort will be made to make sure that we have a comprehensive plan of action in place. This just will not be words, it will be action. What I am hoping is that by the end of October, we will have the first plan available which will be made public. From therein there will be an implementation plan which will address the very actions that the Deputy has alluded to.

10.4 Deputy M.R. Le Hegarat:

Now that the financial viability of the existing project for the hospital has been suspended, can the Minister please advise what is happening to the Assisted Reproduction Unit moving forward?

Deputy K. Wilson:

Thank you, Deputy, for your question. I think whatever happens to the development of the hospital, all service developments will be kept under review as part of that review process. I would not want to pre-empt the outcome of the review but I will commit to ensuring that whatever the outcome, we will champion the continued presence of an Assisted Reproduction Unit, that there will always be support and assistance to Islanders seeking fertility care.

10.4.1 Deputy M.R. Le Hegarat:

Can the Minister assure us that, whatever the Assisted Reproduction Unit moving forward, it is at least as sufficient as it is now and, in fact, moving forward will be better?

Deputy K. Wilson:

What I will be able to do is to continue to champion the continued presence of the A.R.U. (Assisted Reproduction Unit). I think obviously whatever shape or design of that service looks like going forward will be part of the work that we are doing to make sure that within our new provision within our hospital that we have got the right services in the right place in the right time for the people who need them.

10.5 Deputy A. Howell:

My question follows on from the question from Deputy Feltham. Morale among the front line staff in the Health and Community Services, and especially in the hospital, is extremely low at present.

Please can the Minister explain what action she has taken since being elected to improve this and what she intends to do rather than just setting up a board going forward?

Deputy K. Wilson:

Thank you, Deputy. Well I think what I would like to do is to be able to assure the Deputy that the actions will be outlined in the forthcoming turnaround plan for which I will be able to give more detail.

Deputy A. Howell:

Can I just say that the staff at the hospital wish to have their voices heard, and I do not think they are, and they are waiting for answers.

The Greffier of the States (in the Chair):

It needs to be a question, Deputy.

10.5.1 Deputy A. Howell:

Sorry. Please can the Deputy take some action to speak with the staff, the front line staff, and understand their problems and what is happening in relation to management at the moment?

Deputy K. Wilson:

I would like to just acknowledge the passion and the commitment that the Deputy communicates around meeting the needs of staff in the hospital, and I am on board totally with her concerns around that. What I would like to assure her is that I have been visible in and around the service since being appointed. At the moment we are doing the work to engage staff and to bring them together to be part of the turnaround plan. As I said, I would like to reflect that in the detail that comes forward in due course.

10.6 Deputy R.J. Ward:

May I ask the Minister, one way to improve morale in a simple way is to ensure that staff are paid adequately. Will the Minister be supporting a cost-of-living pay rise for health service workers this year?

Deputy K. Wilson:

Thank you, Deputy. I have no plans to consider that at this moment in time.

10.6.1 Deputy R.J. Ward:

Can I ask when that will be considered because the reality of what you are paid to do your job is just as important when we have a cost-of-living crisis?

[11:00]

Deputy K. Wilson:

I think any developments around the living wage or the minimum wage will be considered in the round and not particularly to single out any particular group of staff. But what I would say is that at this moment in time the Minister for Social Security, the Minister for Treasury and Resources and indeed the Council of Ministers have put in a whole series of packages to address the issues associated with cost of living at the moment. As I see it at this moment in time, there is no need to go further than this.

10.7 Deputy A. Howell:

There is just one further question; I thank you very much, Minister for Health and Social Services. What is she doing to address the number of locum appointments that are currently going ahead at the hospital and trying to make permanent staff?

Deputy K. Wilson:

Thank you, Deputy. This is, as she will know, an ongoing issue. I think we are in a climate where it is extremely difficult to get employed staff fully right across our health system and that is for a whole host of reasons. That is to do with some of the issues around how healthcare workers like to work. It is also to do with some of the other socioeconomic conditions. But what I can tell you is that we are looking in detail at the areas where we need to target some of the recruitment for some of the posts that have been vacant for so long. As part of our workforce strategy, we are trying to reduce down and create the conditions necessary for people to come here and work in Jersey on a more permanent basis. That, in particular, addresses some of the constraints associated with housing which we have talked to the Minister for Housing and Communities about. A very pleased and very helpful response from him has identified the number of properties that will allow people to come and live here more permanently. But in terms of a wider issue about how we can address the longer-term plan, again, that will form part of our workforce strategy which will not only be the responsibility of myself, it will involve a whole host of Ministers involved in trying to recruit people to the Island on a more permanent basis.

10.7.1 Deputy A. Howell:

Can I also ask that the consultants themselves who work in the hospital will be involved in the recruitment of colleagues with whom they are to work, that things are going to change and that they will have a say in future?

Deputy K. Wilson:

I think conversations have gone on over the last couple of weeks that one of my commitments is to involve people, front line staff, in the decisions that affect their work and their well-being. I can give an assurance that clinicians will be involved more fully in the appointment of their colleagues. Clearly, you are not in a position to recruit the same person at the same level as you but we would want greater representation of clinicians in all of the appointments, as well as people who use services, to make sure that we have got a much more eclectic perspective in terms of the qualities of the people that we would like to occupy those posts.

10.8 Deputy M.R. Le Hegarat:

What consultation has the Minister had with staff at the hospital following the review of the Our Hospital project?

Deputy K. Wilson:

I am not leading the review per se, but we have had a number of consultations with people about various aspects of healthcare delivery, and I have a number of planned meetings before the review process is complete with consultants and with front line staff over the next 2 or 3 weeks.

The Greffier of the States (in the Chair):

One final question from Deputy Ward.

10.9 Deputy R.J. Ward:

Can I ask the Minister, should it be concluded by the Council of Ministers, or the Minister for Treasury and Resources, or S.E.B. (States Employment Board) that health service staff will be offered a below cost-of-living pay rise, will she be supporting that?

Deputy K. Wilson:

I am not going to be drawn on any issues in relation to pay increases or cost-of-living issues which are further to the comment that I made earlier.

The Greffier of the States (in the Chair):

That brings to an end the question period for the Minister for Health and Social Services. We then move on to the second question period which is for Minister for Home Affairs.

11. Questions to Ministers without notice - The Minister for Home Affairs

11.1 Deputy S.Y. Mézec:

I was aware of work that was being done under her predecessor to look into reclassifying the offence of possession of cannabis so that it could be dealt with at Parish Hall level and therefore preventing those who are prosecuted, bizarrely in the 21st century, for that offence to avoid them having a publicly-known criminal record. Could I ask the Minister if this is something that is likely to still be considered?

Deputy H. Miles (The Minister for Home Affairs):

Thank you for your question. I have been clear in my nomination speech that any considerations about changes to the legality of cannabis must be considered within a broader strategic approach to drug and alcohol use. I will therefore be including this as part of the revised Building a Safer Community strategy to ensure that we fully consider all the possible implications in terms of community safety and public health. My approach, which will always be supported by best evidence, will be one of harm reduction and it will not be punitive.

11.1.1 Deputy S.Y. Mézec:

When I had heard about this being looked into previously, it sounded like it was on the verge of being imminent that we would stop people, as part of harm reduction, from receiving publicly-known criminal convictions for simply smoking cannabis every now and then in the same way that many of us might enjoy a drink of alcohol from time to time. Could the Minister confirm whether that change in status is still imminent or will it be something more long term based on the other work which she said she wishes to be done?

Deputy H. Miles:

The issue will be dealt with as part of the Substance Use strategy, so I cannot say that any changes will be imminent but they will be considered within the broader considerations of that strategy.

11.2 Deputy R.J. Ward:

Does the Minister support Rouge Bouillon as the site for a combined ambulance and fire station?

Deputy H. Miles:

Thank you for that question. As Members will know, there is quite a complex discussion going on about the role of the Rouge Bouillon site: will it be used for a primary school or will it be used for emergency services headquarters? Currently we are working with the Minister for Infrastructure to look for the most appropriate site. What I would say is, as Minister for Home Affairs, I am concerned that the response times of wherever the new ambulance/fire headquarters are put, remain on a par with the response times that are there on the Rouge Bouillon ring road.

11.2.1 Deputy R.J. Ward:

Difficult to know from that answer, but can I ask the Minister when does she see a final decision being made and announced to us in the Assembly?

Deputy H. Miles:

A final decision would need to be made by the Minister for Infrastructure but we are well aware that this is an important decision which is required to kind of start the dominoes falling for many other developments in St. Helier. I am assured that it is being given the greatest level of urgency.

Deputy R.J. Ward:

Sorry, I just wonder whether there is a time span; I did ask. I might be out of place there, sorry, Ma'am.

Deputy H. Miles:

I cannot answer whether there is a timeframe but I am led to believe that we are treating this matter as urgent and a decision should be imminent.

11.3 Deputy M.R. Le Hegarat:

What update can the Minister provide on the taskforce on women's safety, please?

Deputy H. Miles:

Thank you for the question. The taskforce on gender-based violence has now been established. Kate Wright, who is co-founder of the Diversity Network and vice-chair of the Jersey Community Relations Trust, has agreed to chair the taskforce for me. Membership of the taskforce includes the States of Jersey Police, the Health Department, C.Y.P.E.S. (Children, Young People, Education and Skills), Sexual Assault Referral Centre, Victims First, the Jersey Domestic Abuse Service, the Women's Refuge, Jersey Action Against Rape, Brook and Liberate.

11.4 Deputy M.R. Scott:

Could the Minister please advise on what she has done to build on the work regarding building on the Parish Hall Inquiry system to manage juvenile antisocial behaviour, please?

Deputy H. Miles:

Thank you for the question. As the Deputy will know, the Parish Hall Inquiry system and its origins and its effectiveness are something close to my heart. It is a very effective system to deal with not only young people, but also adults in order to act as a gatekeeper for the criminal justice system. I am aware that there is ongoing work with the Parish Hall Inquiry to ensure that the majority of young people are kept out of the justice system and for alternatives to be found.

11.5 Connétable R. Honeycombe of St. Ouen:

Could the Minister inform the Assembly whether there are any moves forward on the decriminalisation of parking fines?

Deputy H. Miles:

I am rather afraid the Connétable has me on the hop there. I am not aware of anything within the Home Affairs Department that would contribute to the decriminalisation of parking fines but I undertake to find that out and feed that back to the Connétable.

The Deputy Bailiff:

If there are no more questions for this ... yes, Deputy Mézec.

Deputy S.Y. Mézec:

Sorry, I was pre-empting for the next session of questions without notice. [Laughter]

The Deputy Bailiff:

All right. Well, you will be first in the next round then. If there are no more questions for the Minister for Home Affairs, we move on to questions for the Chief Minister.

12. Questions to Ministers without notice - The Chief Minister

12.1 Deputy S.Y. Mézec:

I absolutely promise you that there is nothing personal in this question against you, but the Chief Minister has in the past been on record as supporting the separation of powers. I would like to know if that is still the position of this Chief Minister, that this Assembly should be established as the supreme decision-making body of the Island with our own president elected from among our number, as most sovereign parliaments in the world do?

Deputy K.L. Moore (The Chief Minister):

Thank you for the question, Deputy. My position on this matter has not changed.

12.1.1 Deputy S.Y. Mézec:

I am very pleased to hear that. Could I ask the Minister if this subject will feature at all in her work programme at any point in the coming 4 years, accepting of course that issues to do with cost of living must be a much greater priority, but this constitutional matter being settled could come at some point in those 4 years if she gets time?

Deputy K.L. Moore:

Well, I think it has usually been a matter for Back-Benchers to bring a proposition. Of course, if anyone has time in their busy agendas to consider that matter, they would be most welcome and would receive my support when it came to the Assembly as a matter for the Council for Ministers. If nothing else was forthcoming, perhaps that is something that we would consider once we have completed the important agenda of business that we have in regards to our 100-day plan, the Government Plan and the common strategic priorities.

12.2 Deputy B. Porée of St. Helier South:

In recent months, I have been made aware of issues related to the welfare of migrant workers, in particular those employed in tourism and the hospitality sector, on a work permit who rely on their employers to meet certain criteria. However, it appears that a lack of direction with regards to disputes between permit holders and employers is creating a big issue for the workers. Minister, to what extent do the migrant workers employed on a work permit have access to redress where they feel they have been treated unfairly by their employers?

Deputy K.L. Moore:

Thank you, Deputy Porée, for the question. This is a matter that has been brought to my attention following meetings with both Friends of Africa and the Jersey Advisory and Conciliation Service, and it is a matter of great concern to me for migrant workers, on whom we rely and welcome to our Island for their skills and their commitment to working so that we can deliver services across the Island.

[11:15]

In order to see that some resolution is provided to those workers who are concerned about standards, they can have recourse to the Immigration Department who are here to oversee the work permits that are granted to such workers.

12.2.1 Deputy B. Porée:

May I just ask the Minister, does the Government undertake any checks to ensure that employers are meeting their obligations to look after the welfare of the employees who have a work permit?

Deputy K.L. Moore:

So, as I mentioned in the tail end of my last answer, it is a job for the Immigration Service. They have the ability to check that work permits and contracts are meeting the standard requirements that they set out to when those contracts were agreed with the individual worker. I have requested the Minister for Home Affairs to ensure that her department is exercising that authority, and they have my full backing to do so.

12.3 Deputy R.S. Kovacs:

The head midwife has informed that the only fully qualified breastfeeding specialist in the maternity ward funded through the baby friendly initiative's presence in the ward has to be reduced more than half due to a budget cut. Can the Chief Minister, who was previously indirectly involved in this steering group as well, confirm if there was a budget cut to the baby friendly initiative and, if so, why? What is the budget looking like now and does that still include sufficient funds for a full-time breastfeeding specialist in the ward?

Deputy K.L. Moore:

The loss of the breastfeeding specialist was a matter of great regret to me. My understanding is that that was for personal reasons and not due to any budget cuts. But I will check that. My understanding is, as I think the Deputy's is, that breastfeeding is an important matter for new parents and it was one of the things that ensures that babies thrive in their very early years and has important benefits to their general development. Therefore, I would wholly support the continuation of this vital service.

12.3.1 Deputy R.S. Kovacs:

Can you confirm the budget still remains the same and does the current budget include any plan for training an additional breastfeeding full-time specialist for the maternity ward to be able to provide the best ongoing support from the beginning to the mum's that choose to start breastfeeding their new-borns?

Deputy K.L. Moore:

As I said, my level of understanding of this particular budget area does not go into that level of detail, but I will find out and I will confirm to the Deputy as soon as I possibly can.

12.4 Deputy L.V. Feltham:

In 2019 when the Chief Minister was chair of the Corporate Services Scrutiny Panel she raised several risks and issues in relation to public sector recruitment and retention. Now that she is chair of the States Employment Board what changes has she put in place to rectify the issues and mitigate the risks?

Deputy K.L. Moore:

Sadly the recruitment and retention of our staff remains an ongoing concern and it is something that the States Employment Board is committed to seeing improvements. At the moment we have been very mindful of that as we look at the Government Plan in recent weeks and finalise the figures, because it is very clear in that process that a considerable expense is being put on the public purse in costs of finding short-term staffing fixes because of our recruitment and retention issues. Therefore, culture is one area where we will be providing a great level of focus, but also the other aspects of quality of life that people seek when they come to the Island to bring their skills.

12.4.1 Deputy L.V. Feltham:

I was glad to hear the Chief Minister refer to quality of life and today we have heard about the increased cost of living and how that impacts quality of life and also recruitment and retention. So in those discussions that the States Employment Board has had in relation to the Government Plan,

have you ensured that there is sufficient budget going to be available to ensure decent cost-of-living pay increases to the public sector workforce?

Deputy K.L. Moore:

There is a figure in the Government Plan for inflation for staff wages. That of course will be affected but of course our members of the public sector also will benefit from the measures that we are about to debate in the mini-Budget. That will help to put money back into people's pockets and I hope that all public sector workers will feel the benefit of those measures if the Assembly supports them today.

12.5 Deputy A. Howell:

This is a question to the Chief Minister. It has been brought to my attention that quite a few interim appointments have been made permanent, especially within H.C.S. without advertising. I just wondered if I could have your view on this and how we might be able to prevent it happening in the future.

Deputy K.L. Moore:

Part of the remit of the States Employment Board is to ensure strategic workforce planning and that is going to be a particular focus of the States Employment Board going forward. Thank you for raising this matter, Deputy, and we shall endeavour to include this in our considerations, as this is an important matter and I am grateful to you for reminding us of it.

12.6 Deputy R.J. Ward:

Does the Chief Minister still believe the prediction that income is forecast to exceed forecasts in the current Government Plan 2022-2025 will happen?

Deputy K.L. Moore:

Well, according to the latest reports of the Income Forecasting Group it is anticipated that revenue will continue to increase over the coming years. One of the interesting benefits of our economy is that as interest rates rise so too will revenue through the profitability of banks who form a strong part of our local economy.

12.6.1 Deputy R.J. Ward:

Does the Chief Minister see any contradiction in that answer with the statement regards incomes dropping, therefore, the cost of the hospital being unmanageable now?

Deputy K.L. Moore:

I thank the Deputy for the question. With regards to the hospital and the financial envelope that the previous Assembly agreed, that financial envelope has been broken. The findings that have been brought to us with regards to the cost of the hospital project is that the costs now exceed those that were agreed by the previous Assembly so no matter the findings of the review that is being conducted by the Minister for Infrastructure there will be a necessity to return to this Assembly to ask for them to agree a new financial spending envelope. To return to the reason behind the Deputy's question, I think that all members of the public will expect their Government to take a best value-for-money approach to all of our decision-making and I think most Members of the Assembly will be quite aware of the views that they heard on the doorsteps during the election period that for the majority of members of the public they did not feel that the hospital project as it was, and is currently, was delivering either affordability or appropriateness for the public.

12.7 Deputy L.J. Farnham:

Would the Chief Minister inform the Assembly which Ministers or Assistant Ministers asked senior officers to instruct a senior hospital consultant not to express his views publicly on his feelings at the proposed cessation of the hospital project?

Deputy K.L. Moore:

No Ministers or Assistant Ministers have been given such instructions.

12.7.1 Deputy L.J. Farnham:

Is she aware that the consultant in question was spoken to by a senior officer and, if so, would that officer be likely to have done that without a Ministerial prompt?

Deputy K.L. Moore:

I am aware that a senior official has spoken to the consultant in question and we are assured that no such direction was given.

12.8 Deputy M.R. Scott:

Will the Chief Minister acknowledge that the States Employees Law currently contains restrictions on public employees being involved in political activity or making political statements, and that can constrain their ability to comment on political matters; and whether she thinks it is appropriate for this to be reviewed so that these restrictions do not operate as gagging or are not perceived as gagging.

Deputy K.L. Moore:

The Deputy is correct in her interpretation of the code of conduct for public sector employees, absolutely. It has not been described as a gagging mechanism to me in the past but if employees do have concerns about the way that the code of conduct is emphasised then I would be very happy to listen to those concerns and to see whether we might be able to address it in a different form of words. But what the code of conduct does not prevent is people providing their professional opinions.

12.9 Deputy L.J. Farnham:

Given the Chief Minister's previous answer could she for the record - to be clear and provide some guidance especially for the very many hospital staff who have been involved in the development of the plan for the hospital - clarify that she is perfectly happy for clinicians to share their strongly held views publicly.

Deputy K.L. Moore:

I am happy for people to provide their clinical opinions and I think that is absolutely appropriate. I am very well aware that many clinicians have different views just as many people in this Assembly and beyond have differing views, particularly with regard to this major project. One of the difficulties that as an Island we have with major projects is that the level of interest from the wider public can often cause delays with major projects and we have seen that with the Police Headquarters and many others. So we will do our very best to acknowledge and appreciate the various views that are held but at the end of the day we have to deliver an affordable and an appropriate hospital for our public to benefit from.

12.9.1 Deputy L.J. Farnham:

I do understand that there have to be some rules on public comment that apply to the public sector but really consider the health service and this particular project to be outside of those rules simply because we have asked from the beginning, since the conception of the project, for our clinical and health professionals to be involved in the project. Given her previous answer then, does she think the officer who did speak to the consultant did not do so appropriately and that perhaps the consultant should not have been silenced?

Deputy K.L. Moore:

I do not think that this is the appropriate place for us to get into a discussion about he said or she said. What I do think is important is that all clinicians are able to engage but equally all members of the public are able to engage with this important project and to have confidence in it moving forward.

We have all just undergone an election period where the hospital project was a key point of interest on many doorsteps and in many hustings and so I think, as States Members, we now are very well attuned to the thoughts and views across the public whom we are here to represent. Together as an Assembly we are going to deliver the most appropriate and affordable way forward to deliver this hospital project so that we can meet the promises that we have made to our whole community.

[11:30]

12.10 Deputy M.R. Le Hegarat:

What consultation was made with the hospital staff that had been involved in the previous project prior to any public announcements by the current Government in relation to the Future Hospital?

Deputy K.L. Moore:

I think I just refer to my previous answer. The election period and the great number of opinions that were shared with these successful Members of the Assembly who have been through that election period and are very well aware of the various views. As the Deputy well knows, the previous Government, as part of their work on the hospital project, did some level of engagement with clinicians throughout that process, however, I myself have received contrary views from clinicians who found the process to be somewhat uncomfortable and one-sided in its approach. Therefore, I think that as a whole and having received the views of the public through the election process, we are well placed now to advance and to review the project. Notwithstanding the fact that simply the financial envelope has now broken the barrier that the previous Assembly agreed upon and, therefore, we will have to return to this Assembly for a reconsideration of that financial envelope following the findings of the review.

12.11 The Connétable of St. Brelade:

Given that the financial envelope just mentioned is changing rapidly, almost on a day-by-day basis, will the Chief Minister assure Members that she will give the absolute priority to getting this hospital built?

Deputy K.L. Moore:

This is one of my great priorities because I know that it is a very important matter for the public. But that is one of the reasons why I asked Deputy Binet to step forward as our Minister for Infrastructure because I believe that he has the ability and the focus to ensure that that job is done to the very best standards.

12.11.1 The Connétable of St. Brelade:

If I may ask the Chief Minister, have we a timeline for getting a contract signed?

Deputy K.L. Moore:

I think that will very much depend on the findings of the review. The timings are of course at the very forefront of our minds but let us get this review completed and present its findings and then the next steps will hopefully follow very quickly.

12.12 Deputy L.J. Farnham:

During the election process for Chief Minister I asked the Chief Minister whether she would ensure that any committee established to review the hospital politically would be impartial and she assured the Assembly that it would be. Yet she has appointed Deputy Tom Binet who is probably the most public and vociferous critic of the project to lead the process. How can she assure Members that the process can remain impartial, given already the fact that Deputy Binet has gone on record and said the project is a non-starter? Can she assure Members that we will get an impartial review?

Deputy K.L. Moore:

I think I have referred to the reasons why the project is a non-starter on many occasions today. It simply is a matter of the financial envelope. However, I have great confidence in Deputy Binet to chair this process. It is not a one man band though, it is made up of a number of people and particularly an adviser who has the great ability to assist those Members who are taking part in the review and they will do so in an impartial and balanced way to provide the public with the best possible review they can achieve.

12.13 Deputy S.Y. Mézec:

I am pleased to provide a question on a connected subject to that raised by the leader of the opposition here. Many of us found out that the pause to the building of homes on Kensington Place was occurring when we read the front page of the *J.E.P.* that day. That, of course, is not ideal so could I ask the Chief Minister if she would endeavour in future that when such important matters like this are to become publicly known that Members have some advance notice of that because, as constituency representatives, we get asked about this kind of thing all the time and that is important.

Deputy K.L. Moore:

Well, they say that timing is key and of course that matter was deeply regretted. Myself and Deputy Binet were due to attend upon the Scrutiny Liaison Committee in those days and that meeting should have taken place in advance of the media coverage. That was the intention but unfortunately of course sometimes when a project cuts across many groups and organisations then that information is not always able to be contained. It certainly was made public at an earlier stage than we had anticipated.

The Deputy Bailiff:

Thank you, Chief Minister. That concludes the period of questions for the Chief Minister.

PUBLIC BUSINESS

13. Reduction of Lodging Periods

The Deputy Bailiff:

Before we begin Public Business a decision needs to be taken about whether to reduce the minimum lodging periods in respect of 3 matters listed on the Order Paper. Firstly there are 2 amendments to the mini-Budget, P.80, lodged by Deputy Southern. Deputy Alves and Deputy Tadier, I am advised in accordance with Standing Order 68A, that you will be taking amendments 9 and 10 on behalf of Deputy Southern. Do you, therefore, wish to make the proposition under Standing Order 26(7) that the lodging period be reduced to allow these matters to be debated at this sitting?

Deputy C.S. Alves:

Yes please, Sir.

The Deputy Bailiff:

Thank you. Do you wish to say anything in support of the proposition?

13.1 Deputy C.S. Alves:

I think the amendments are fairly self-explanatory. I am sure if Deputy Southern was here he would have apologised for the lateness in them. It has been quite a quick turnaround, as I am sure Members can appreciate that even as a member of the Corporate Services Scrutiny Panel it was a very quick review that we had to undertake. So I hope that Members will be understanding to that.

The Deputy Bailiff:

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

13.1.1 Deputy K.L. Moore:

While we do regret the timing and delay of this debate which of course was due to the sad death of her late Majesty, Queen Elizabeth II, the amendments by Deputy Southern were lodged at the point that the Assembly should have been debating the mini-Budget. Therefore, we do not consider that it is appropriate that we carry on and debate those particular amendments today. If they were to be debated, in any event, they are not workable.

13.1.2 Deputy E. Millar:

I would just like to agree with the Chief Minister's comments. The amendments should have been lodged on 30th August in line with the 8 amendments which were all lodged in time. I do not support the reduction of the minimum lodging time for this amendment for the same reasons that the Chief Minister has already set out. The mini-Budget was lodged on 2nd August; Deputy Southern had 4 weeks to develop and lodge his amendment and it was only lodged on 13th September which means he has taken 6 weeks to lodge it and given the States Assembly only one week to consider its merits. We were unaware of it until 14th September. Deputy Southern did also not discuss either of these amendments with me. My officers and I have had helpful and positive discussions with all the other Members who submitted amendments and it is unfortunate that Deputy Southern chose not to take that opportunity. So I would also oppose the lodging of these 2 amendments.

13.1.3 Deputy R.J. Ward:

I find it very disappointing that the Government should take this approach to these late submissions. We have not had a mini-Budget before; it is not the process of the Government Plan. It was during the time of the summer break which I know my colleagues took a lot of time to go through and look at amendments. Deputy Southern also worked on other amendments before that. This is a ... I cannot think of the word, a process really as you go through this mini-Budget and see the knock-on effects. The second of the amendments, or perhaps the first, one of the 2 amendments in particular is a particularly important point to be made about the impact of the reduction in social security or one of the 2 measures. It took me a long time to go through it and understand what Deputy Southern was going through. I think it is very sad that for a Government that has elected itself on the notion of transparency, openness, communication and debate that the first action it is taking is to stop debate on 2 amendments simply because of time. Now, I am sure we all regret that sort of time but you have got to remember that Back-Benchers do not have the support that Government Ministers do have as well, and many who are now in Government who raised that issue before to now be saying perhaps: "Well, okay, we will forget that now and we will stop this sort of debate" I think is ... I think you need to look at that very, very carefully. I hope that the Chief Minister and the Minister will change their mind on that and support the debating of these amendments so that we have a full, open and frank and transparent discussion of the effect of this mini-Budget on this Assembly and on the people of Jersey. So I really urge Members to support the reduction in this lodging period.

Deputy M. Tadier of St. Brelade:

Sir, may I ask a point of order please?

The Deputy Bailiff:

Yes.

Deputy M. Tadier:

What is the lodging period for amendments to the mini-Budget?

The Deputy Bailiff:

It is 2 weeks.

Deputy M. Tadier:

Deputy Southern's was lodged on 6th September; it is now 20th September, that is 2 weeks. Is that not the case that this is in order?

The Deputy Bailiff:

It was lodged late because the debate was due to be heard last week. That is the point.

Deputy M. Tadier:

I know it was to be due last week but it has been lodged 2 weeks now. We moved an Assembly in unforeseen circumstances and Deputy Southern's proposition has been lodged for 2 weeks. The usual reason we have lodging periods is so that Members can have a sufficiently long time to read the amendment. Members have had the requisite 2 weeks to read the amendment. Deputy Southern is not here to speak to that; he has asked me to do that. I am quite happy in one sense if we agree not to take it; it means I do not have to move the amendment. It is easier for me, but I think that given it has been lodged for 2 weeks what is the problem here?

The Deputy Bailiff:

I need to correct you, Deputy Tadier. They were both lodged on 13th September. That is what both amendments say.

Deputy M. Tadier:

It says the 6th on the one I am looking at but if that is wrong I apologise.

The Deputy Bailiff:

Well the documents I have got in front of me both say the 13th.

Deputy M. Tadier:

Okay, well that has nullified what I said. Strike that from the record, Sir.

13.1.4 Deputy L.J. Farnham:

I rise also to hope to be able to persuade the Chief Minister and her colleagues to accept these amendments. We are facing extraordinary economic challenges and this mini-Budget is welcome and I applaud the Government for bringing it in such a timely fashion and I think it is only right that every Member is given the chance to present amendments. I know we have Standing Orders which police and control the timescales in which they are lodged but in these extraordinary circumstances, notwithstanding the sad events of the last week, I think it would be an error of judgment for the Government not to support these amendments and I urge the Assembly to do so.

13.1.5 Deputy S.Y. Mézec:

I guess just to throw in one other reason into the mix for why I think it should be allowable on this occasion - and there have been many occasions in the past where the States has for quite tenuous reasons agreed to reduce lodging periods, and some Members have given some just now - but it does have to be said that with a mini-Budget like this where there is short notice and where we are exploring ideas that may otherwise have not occurred to us it is surely helpful to explore ideas that are coming from Back-Bench Members to add into the pot here and to think about. We see this in the Assembly all the time, we debate something one day and decide not to go ahead with it then but it provides very valuable food for thought and an idea of where Members sit on a particular subject so it can come back in the future once it has been considered at an even greater level. Surely there is no down side to simply having a debate when ideas are being thrown into the mix.

[11:45]

13.1.6 Deputy I. Gardiner:

I, just 3 or 4 months ago, was a Back-Bencher. I have requested not once to reduce the lodging period. When I asked to reduce lodging period it was on 2 occasions. Once when we have emergency propositions that came in front of us and we needed to react immediately. Second, when it was an amendment on amendment, when Government amended my amendment and I asked to reduce because I wanted to put an amendment on the Government amendment. The 2 amendments in front of us, it is not an amendment to amendment and it is not an emergency. The proposition was lodged on 2nd August and these amendments have enough time to be lodged. If we would like to consider seriously the remit of these amendments we need more than 2 days to work numbers out. From 2nd August it was enough time to lodge these 2 amendments. It is not an emergency and it is not amendment for amendment. This is the reason I would be rejecting, not because of the trespass, not because of the remit. I believe there is a remit we can debate, but it is not an emergency; the Deputy had enough time to lodge this amendment.

13.1.7 Deputy P.F.C. Ozouf:

If I may advance a view, this is effectively the first sitting of the new Assembly and we are debating an issue of breaking lodging periods. The arguments have already been made about the timing. The other important thing I have heard is the Minister was not consulted by the Deputy in drafting the amendments we may or may not be debating if we limit the time limit. But most importantly, it cannot be done. There are circumstances where a reduced lodging period may be permitted but I am hearing that an amendment has been brought forward late, has not been consulted on and cannot be done. That is the reason why for my part, as a Member of this Assembly, I will not be voting for reduced lodging period.

13.1.8 Deputy M.R. Scott:

My concern is that while I sympathise and believe that help should be given to those who are struggling as soon as possible, if this proposition is accepted and then rejected, Deputy Southern will not have the opportunity to reintroduce it for another 3 months. My preference would be for him, were he here, to have withdrawn it, as I have done with 2 propositions myself, and to resubmit it, having had the discussions with the Council of Ministers and perhaps having amended it so if there are objections to be raised, they can be addressed. I am sorry he is not in the Chamber to explain a bit more about his reasoning.

Deputy M. Tadier:

Sir, can I speak?

The Deputy Bailiff:

You have spoken in the debate.

Deputy M. Tadier:

I spoke on a point of order. I will let Deputy Gorst speak. I do not know whether to stand these days or sit down.

The Deputy Bailiff:

It is best if you stand and then sit down when you have finished.

13.1.9 Deputy I.J. Gorst:

As you know, a point of order requires a ruling from the Chair, not a speech by a Member. I understand why some Members may wish to foreshorten the lodging period in this way, but I seek to remind Members of the timescale. On 9th September we had a special States Assembly to pay our

appropriate respects to Her Late Majesty the Queen. You will recall that at the end of that sitting it was rightly proposed to defer the mini-Budget, which should have taken place the following week on 13th September. That was the day the proposer of these amendments lodged those amendments, but you will also recall that at that sitting on 9th September, the mover of these amendments spoke strongly against the change in the time of the sitting of the States until 20th September. I am not sure for my part that it is appropriate that we reduce the lodging period and we have in mind the timescales of how we have arrived at where we are today.

The Deputy Bailiff:

Does any other Member wish to speak on this proposition?

13.1.10 Deputy K.F. Morel of St. John, St. Lawrence and Trinity:

I thank everyone who has spoken, including Deputy Mézec, who rightly said the appropriate exchange of ideas is what the States Assembly is for. I would argue in this case there has not been an appropriate exchange of ideas. Deputy Southern, were he wanted to ensure his proposition is seen and thought of and consulted upon correctly, would have at least spoken to the Minister involved in advance of this. He would have lodged it in time for the original debate, but as a result this comes a week late and smacks of a certain sense of opportunism going on. This proposition is complex. It has wide-ranging implications of budgets and the Government and its work. Yet Deputy Southern chooses not to have an appropriate exchange of ideas, as Deputy Mézec says should take place. He just throws it straight in for debate. As we know, when debate takes place in an ill-informed manner because neither Government nor anybody else who has a differing view has had a chance to properly assess the implications of the proposition, then the debate that takes place is not properly informed and therefore becomes a dangerous debate. I say there has been no exchange of ideas. Deputy Southern has not shown his willingness to try to encourage the Government and engage with them properly on this matter and try to encourage the Government to incorporate this, either into the mini-Budget or a future Budget. Instead, by just throwing it into debate at the last possible time, it means the States will have an ill-informed debate and that I think should never happen, so I will be voting against this.

The Deputy Bailiff:

Deputy, you have spoken in this debate.

Deputy M. Tadier:

It was a point of order that you ruled against, so may I speak? I would like to try to be helpful.

The Deputy Bailiff:

It was raised as a point of order so I will let you speak.

13.1.11 Deputy M. Tadier:

Thank you, Sir. I know that often points of order do not end up being points of order, but it was genuinely raised as a point of order and was not meant as a speech. Otherwise, I would have said something else. I am the first, Members know, who will stand up and object if I think there is not a valid reason for reducing a lodging period. Apologies for the confusion about when this was lodged. I thought it was lodged on 6th September but it was not. Deputy Southern is not here to talk to his own amendment and say why he lodged it late. That is nobody's fault. We were meant to meet last week and we could not. He has made other arrangements. Some arguments that have been put forward are spurious. It is irrelevant whether somebody has or has not spoken to the Minister. A Member has the right to lodge an amendment as they see fit. He has done that on the back of the Scrutiny work he has done and the hearings he has had. He has cited the Minister in that from the hearing so he has consulted through the right processes. Some Members might have a way of making phone calls, having coffee and biscuits with the Minister, saying: "Do you mind if I do that? Would

you consider withdrawing your amendment?" This has not happened in this case. Deputy Southern has his own reasons and we stand by him as a party in what he is doing. This has our full blessing. I do not know if he could have lodged it any earlier. I think he has done this because he wants to have a debate on an issue that is important, not just to him but to his constituents and many people throughout the Island in all constituencies who have been feeling the pinch for the last 8 years. It is irrelevant whether the Ministers say it is not workable. Those are political arguments for the debate as and when we have those debates. To be helpful, I think Deputy Scott is right on one of these amendments. It probably could be relodged in a different form at a different time, so therefore, as the eventual mover of amendment 9, I would be happy, having briefly consulted with the party, to withdraw that amendment. I think we could lodge that at another time and have a standalone. But when it comes to amendment 10, that is completely dependent on being lodged at this time and we can decide whether or not the political arguments that are put forward at the time, on the day. It certainly has an inherent logic to it and it may well be Deputy Southern only thought about that fairly late, after considering the various evidence he had gathered from the Scrutiny hearings and reading through the volumes that were going on. I ask for a practical, pragmatic approach to be taken here. I think whatever decision we make here today sets the tone for the rest of the 4 years, and in the last Assembly we overused the reduction in lodging times. Often it was led by the Government of the day and we need to apply the same criteria to Back-Benchers or Ministers. We should not lodge late ideally, and we should not reduce lodging times willy-nilly, if that is a parliamentary expression, but we also need to give a little bit. If we have learnt anything in the last few weeks, it is that we need to have a bit of give and take and try to look after each other and hopefully learn a few lessons along the way.

The Deputy Bailiff:

Does any Member who has not spoken wish to speak in the debate? I call upon Deputy Alves to reply.

13.1.12 Deputy C.S. Alves:

I thank all the Members who chose to contribute to that debate. I will not go over the things that have already been said because everything has been addressed appropriately by other Members. Ultimately it is a decision of this Assembly. I agree with Deputy Tadier regarding withdrawing amendment 9. Can that be done now or does it have to be a separate proposition?

The Deputy Bailiff:

The position is you are simply making the amendment to reduce the lodging period in relation to the 10th amendment only.

Deputy C.S. Alves:

That is great. So I would like to maintain that please and ask for the *appel*.

Deputy L.J. Farnham:

I may have a question of clarification. I am not sure who might know this. Is this the only mini or interim Budget this Assembly has ever held?

The Deputy Bailiff:

I am not sure that is a point of order.

Deputy L.J. Farnham:

It is a point of clarification to demonstrate the exceptional circumstances.

The Deputy Bailiff:

Someone will let you know in due course. The *appel* has been called for.

Deputy K.F. Morel:

May I ask a point of clarification effectively, not a speech? Are voting on just the 9th amendment or both the 9th and 10th amendments?

The Deputy Bailiff:

You are voting on the 10th amendment only, on the reduced lodging period, and to remind, Deputy Tadier and Deputy Alves have indicated they are not seeking the consent of the Assembly to reduce the lodging period in relation to the 9th amendment, but only the 10th amendment.

Deputy K.F. Morel:

I was not sure if we set out on that debate with both amendments as the subject of the debate.

The Deputy Bailiff:

We did the 9th and only the 10th.

Deputy M.R. Scott:

A point of order or clarification, please. The 9th amendment I understand has been withdrawn. The 10th amendment, that raises an interesting point, is it possible to have that debate delayed so the Council of Ministers can consider the financial aspects of it and have a bit more time before we debate it?

The Deputy Bailiff:

That is a matter you will need to take into account when you decide how to cast your vote on whether or not to reduce the lodging period. To remind Members, Standing Order 26(7) says: “The States may reduce a minimum lodging period for a proposition if they are of the opinion that it is in the public interest to do so.” That is the test under Standing Orders. I ask the Greffier to open the voting.

[12:00]

Deputy R.J. Ward:

Can I confirm it is pour for reducing it and contre for not reducing it?

The Deputy Bailiff:

Yes, Deputy Ward, that is correct. If all Members have had the opportunity to cast their votes, I ask the Greffier to close the voting. I can announce that the proposition has been rejected.

POUR: 11		CONTRE: 32		ABSTAIN: 1
Connétable of St. Saviour		Connétable of St. Helier		Deputy M.R. Scott
Deputy M. Tadier		Connétable of St. Brelade		
Deputy R.J. Ward		Connétable of Trinity		
Deputy C.S. Alves		Connétable of St. Peter		
Deputy L.J Farnham		Connétable of St. John		
Deputy S.Y. Mézec		Connétable of St. Clement		
Deputy T.A. Coles		Connétable of Grouville		
Deputy B.B.S.V.M. Porée		Connétable of St. Ouen		
Deputy C.D. Curtis		Connétable of St. Mary		
Deputy L.V. Feltham		Deputy C.F. Labey		
Deputy R.S. Kovacs		Deputy K.F. Morel		
		Deputy M.R. Le Hegarat		
		Deputy S.M. Ahier		

	Deputy I. Gardiner		
	Deputy I.J. Gorst		
	Deputy K.L. Moore		
	Deputy P.F.C. Ozouf		
	Deputy P.M. Bailhache		
	Deputy D.J. Warr		
	Deputy H.M. Miles		
	Deputy J. Renouf		
	Deputy R.E. Binet		
	Deputy H.L. Jeune		
	Deputy M.E. Millar		
	Deputy A. Howell		
	Deputy T.J.A. Binet		
	Deputy M.R. Ferey		
	Deputy A.F. Curtis		
	Deputy B. Ward		
	Deputy K.M. Wilson		
	Deputy L.K.F Stephenson		
	Deputy M.B. Andrews		

The Greffier of the States:

The next item is the amendment to the Social Security (Amendment of Law Temporary Reduction of Contribution Rates) (Jersey) Regulations, P. 82/2022, lodged by Deputy Southern. Deputy Alves will make a proposition on Deputy Southern’s behalf to reduce the lodging period in relation to this matter that was lodged for debate on 13th September.

Deputy C.S. Alves:

I believe it falls away because we have rejected to take amendment 10.

The Deputy Bailiff:

It falls away, does it? All right. Thank you very much. There is a further matter before we begin Public Business. The Minister for External Relations has given notice that he wishes to make a proposition that the States sit in-committee at the end of Public Business in order to consider the common external relations of the Council of Ministers. Deputy Ozouf, do you wish to make a proposition to that effect?

13.2 Deputy P.F.C. Ozouf:

Yes, Sir. Under normal circumstances this would be a matter that would have been consulted with P.P.C. and been put on Public Business. However, due to the fact that the last sitting of the States was in the third week of July, that was not possible. Out of courtesy, I consulted the chair of P.P.C. and also informed all States Members in an email on 12th August of the intention to do this. It has been well-received by Members and I would like to formally make the proposition for an in-committee debate following the Health or Scrutiny Panel’s suggestion for an in-committee debate on the common external relations policy at the end of public business.

The Deputy Bailiff:

Is he proposition seconded? [**Seconded**]. Does anyone wish to speak on the proposition?

13.2.1 Deputy M.R. Scott:

There is some difficulty in terms of debating the common policy because my understanding as chair of the Economics and International Affairs Panel is that much of the aim of the Minister for External Relations, his policy is to facilitate the policy of other Ministers. The question is how we can approve and agree the common policy if we have not had sight of the Ministerial plans. Is this just a discussion or is it to approve? It is just discussion. Thank you for the clarification.

13.2.2 Deputy R. J. Ward:

It is interesting that we have an external relations common policy report that was presented to the States on 8th September. We are about to enter into a debate that I do not know what the outcome will be because we are not voting on anything. We have just rejected 3 important amendments that would have made significant changes and required debate and openness and transparency, because there was such a short time to consider the information. Whereas this again is a short time to consider the information but they are quite happy to bring this debate forward to today's sitting. That smacks of hypocrisy to me. That is unfortunate because this is the first sitting of the States and I hope this is not a habit the Government will get into, where it will use the Assembly and its overwhelming majority of support in the Assembly to deal with what it wants and reject what it does not quite fancy. That is very disappointing. That is not open government. That is not about debate, and if you want to be consistent in the decision we have just made, this needs to come back much later to give people time to look at this, so there is a genuine debate. It would also be nice to have a paper that looks at what possible outcomes there could be rather than a number of bullet-pointed factual statements, and I am not sure how factual they are, that list things that are already there and are designed to overwhelm Members with information so the debate can be somewhat hinged in favour of whatever the Council of Ministers and the particular Minister wants. I do not think I can accept this going forward today. I think we need more time, just as we have said about the other things. I urge Members to be consistent in your approach because we are certainly not being consistent at the moment.

The Deputy Bailiff:

Does anyone else wish to speak on this proposition? I call upon Deputy Ozouf to reply.

13.2.3 Deputy P.F.C. Ozouf:

I am sorry Deputy Ward has characterised this in the same way as the discussion on the reduced lodging period. In my email to Members on 12th August I explained the importance of the common external relations policy, the fact that it is a matter for the Executive, and that for the first time, having listened and taken onboard the conclusions of the previous Scrutiny Panel, that there was a call for an in-committee debate. I am also sorry that Deputy Scott's observations appear to be different from the helpful discussion we had with her panel. We are, in circulating the notes we have, genuinely seeking Members' opinions on what should be the issues and elements that will be included in the final, and then approved by the Council of Ministers, external relations policy. Members will be aware that there is a Common Strategic Policy debate that requires a decision by the States. In contrast, the setting up of the Ministry for External Relations, there is a very high-level approach needed. That has not been the subject of an in-committee debate before. It was not amended previously by the last Government and this is a genuine attempt to listen and hear Members' views, as has been the case on a one-to-one basis in the drop-in sessions and others, and importantly to be open and transparent about it and hear what Members have to say about the important elements of external relations policy. I thought this would be well-received. It had been well-received by all the Members I had spoken to and I do not hear anything that has changed from the view that we should listen to the Scrutiny Panel, get on with an external relations policy confirmation by the Executive, but beforehand, listen to Members' views that I hope the notes that have been circulated in good time, together with all the one-to-ones and drop-ins I have had with Members, is helpful. I move the

proposition and look forward to a constructive, open and listening debate on an important matter for the Executive.

The Deputy Bailiff:

Are Members content to adopt the proposition on a standing vote? All those in favour please show. Thank you very much. Those against. The proposition is adopted and there will be an in-committee debate at the end of Public Business.

14. Minimum Wage: Alignment with the Living Wage (P.78/2022) - as amended (P.78/2022 Amd.)

The Deputy Bailiff:

We move back to the Order Paper and the first item for debate is the Minimum Wage: Alignment with the Living Wage, P.78/2022, lodged by Deputy Mézec. The main responder is the Minister for Social Security. I ask the Greffier to read the proposition.

Deputy S.Y. Mézec:

There is an amendment to this proposition that I am happy to accept and have it read as amended if that is possible.

The Deputy Bailiff:

Does any Member object to the proposition being read as amended? The proposition will be read as amended.

The Greffier of the States:

The States are asked to decide whether they are of opinion (a) to agree in principle that, following any adoption by the States Assembly of a statutory basis for a living wage in Jersey, the minimum wage should align with the living wage, (b) to endorse the instructions given by the Minister for Social Security to the Employment Forum to consider whether by October 2022, the level of the minimum wage should be lifted to the hourly rate of £10; and (c) to request that the Minister for Social Security, further to the Act of the States dated 26th November 2021 (in which P.98/2021 (as amended) was adopted), ensures that all investigations including consultation and engagement with the Employment Forum in relation to the feasibility of devising a scheme to be brought to the States to convert the minimum wage over time to a living wage, including any legislative changes that may be necessary, be completed and presented to the States Assembly by end of December 2023.

14.1 Deputy S.Y. Mézec:

As we know, the subject of the minimum wage is a fast-changing area in terms of what is going on, so I hope everything I say will be as up-to-date as possible on this. I start by thanking the Minister for Social Security for her dialogue in advance of this. I was pleased to see the amendment before it was lodged and offer my thoughts on that and I am pleased with where we have arrived as a result of that, so I was happy to accept the amendment. Subsequent to that, we know the Minister has signed off a Ministerial Order changing the plans for raising the minimum wage. We were notified about that last week and it was embargoed until today that the order stipulates it will be raised to £10.50 from November rather than what we had initially talked about since July, as far as the Government's contribution is concerned on that. Having a look at the wording for part (b) on this, it is superfluous now because the moment has moved on. Part (b) was asking the Assembly to endorse what the Minister for Social Security had already done in asking the Employment Forum to consider raising the minimum wage to £10 from October. The Minister did that but that moment in time has moved on now, so I do not think it is unsafe to still have part (b) and vote for it. It is just a retrospective thing we are doing now and it does not harm the move to £10.50, so we do not need to worry about that. We are not causing any problems with that. The proposition itself was lodged literally as I

walked down the stairs out of the Royal Court after we were sworn in as Members. I took my phone from my pocket and I sent an email I had saved in my drafts to the Greffier of the States, asking for this proposition to be lodged. It was an election commitment to do so to lodge a proposition on the day we were sworn in as Members to increase the minimum wage to £10 from October and to set the pathway for Jersey's minimum wage and living wage to be permanently aligned after that. I was very pleased to fulfil that election commitment literally as soon as I practically could. I was then pleased to see in the Government's 100-day plan that they had put a commitment forward to raise the minimum wage in line with what I suggested in this proposition and then a subsequent rise. Beyond that, I should say to the Chief Minister that if she has any plans for a 200-day plan, she is more than welcome to loom through our manifesto for other ideas to include as well. I would be pleased to support that. Part (a) of this proposition gives this Assembly, with its new and renewed membership, a first opportunity to say here and now that we commit to the principle of the living wage, to say that the minimum wage in Jersey should no longer be a poverty wage and should be enough for somebody to sustain a basic and enjoyable existence on our wealthy Island and send that signal out to the public that is the direction of travel. I hope that will not be controversial on that basis. I hope Members will support that. It is a basic point of principle. Perhaps there are some people out there who, for reasons I will never understand, think that the calculation system for the minimum wage should not be based on what is enough to live on, but I will leave it to anyone who thinks that to make the argument for it. I think it is incomprehensible.

[12:15]

The most important part of this proposition then becomes part (c), that, having been amended by the Minister for Social Security, asks us to endorse setting a deadline for when we will be talking about the legislation that will make this a reality and set in stone how we move towards the living wage. It is not something you can do overnight and click your fingers and have it done. You have to have a pathway towards it. I initially suggested that work could be done by December of this year. I was being ambitious with that timeline and we have had good conversations with the Minister for Social Security, being updated on what some of the options for that look like and how that can be proceeded with. I am happy to say that deadline could be set for December next year instead and it is okay to do that because there is a significant rise in the minimum wage in the meantime, so I do not think it is delaying that date in the future when the minimum wage and living wage are aligned. If I did think there was a chance of that happening with this amendment, I would not have accepted it in the first place, but I think it is safe to do so. That is, by my standards anyway, a relatively short opening speech to a debate. Do not get used to that, but I think that these arguments are well-rehearsed. Members will, I am sure, have been challenged on this principle during the election and I am happy to make the proposition on that basis.

The Deputy Bailiff:

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

14.1.1 Deputy E. Millar:

I would just like to start by thanking Deputy Mézec for the open and constructive discussion that we had on my proposed amendment to his proposition. I hope that we can continue that harmonious and constructive method of working going forward but it is very pleasing to start on a harmonious footing. I think in this case at least we are very much all following the same direction of travel as regards the living wage. I do not have anything to add to Deputy Mézec's comments in respect of part (a) of the proposition. I feel I should, in the circumstances, make a comment about part (b) and the minimum wage. Part (b) is correct in that I did ask the Employment Forum to consider an interim increase to the minimum wage to £10 in October. That was an exceptional thing to do. We do not normally have interim increases in the minimum wage and although the Employment Forum did not support it

I decided I was going to make an interim increase to £10 in October, pending a further increase in January, which was intended to be £10.50. However, we have seen an opportunity and we have heard the concerns of businesses of having 2 increases in short order and we have now withdrawn the £10 increase and replaced it instead with an accelerated increase in November rather than January. This is all quite unusual. It is driven by the cost-of-living issues that we are all hearing from our constituencies and that we all heard during the election and the mini-Budget is very much aimed at dealing with those cost-of-living issues, but we also think it is a good thing to bring the minimum wage forward and it is a significant increase. The increase is 14 per cent to help those on the lowest of incomes in the run-up to Christmas. I certainly commend that to the Assembly. Part (c) I would simply add, as Deputy Mézec has alluded to, the most technically challenging aspect of the move to a living wage is simply how we calculate it. The living wage means different things to different people. There is a very complex calculation in England and what I would like to see, which I am sure the Assembly would also like to see, is an approach that works for Jersey, which is based on Jersey evidence and Jersey statistics. There will be a number of solutions. We will be looking at all of those solutions and I can confirm to Deputy Mézec that I am as determined as he is that this work shall not drift and that we will be bringing forward legislation by the end of 2023 so that we can move to a living wage.

14.1.2 Deputy L.J. Farnham:

I am pleased to follow the Minister. I do not think there is a single Member of this Assembly who will not support this. Well, there could be but I hope there is not. At last, we are making solid steps towards the living wage. I would like to congratulate Deputy Mézec and the Reform Party for bringing this. This is a temporary truce, I should say, between myself and the Reform Party, but would he accept that an important part of the process, and this is something that Deputy Morel and I were grappling with in the last Government, as we move to that important living wage there are small businesses and business sectors that will need help. They will need financial assistance to bridge that gap in the short term, to help them maintain the level of jobs that we have and meet the significantly increased cost of their payroll. The previous Government had committed to providing some support to bridge the gap for some of these very small businesses who the Island's economy relies on, and of course the agricultural sector is another area that is going to need our assistance, as Deputy Morel has highlighted. Does Deputy Mézec agree that the Government must include some bridging mechanisms to help our small businesses get there?

The Deputy Bailiff:

Thank you. Does any other Member wish to speak on this proposition? In that case I call upon Deputy Mézec to reply.

14.1.3 Deputy S.Y. Mézec:

Can I thank the 2 Members who have spoken on this? The Minister for Social Security referred to the harmonious approach that we have taken here and wanting that to continue, and of course I absolutely agree with it, as long as it is the approach I wanted from the start anyway. The only real point I think that was made for me to respond to was from Deputy Farnham, about small businesses and bridging mechanisms and if I would accept the necessity of that. Of course, the answer is I do support that. It is vitally important that every sector of our economy is enabled to thrive and that whatever Government impose on them in terms of terms and conditions and pay and all the rest of it, that businesses are able to cope with it. But there is the other side of it as well, which is that people ought to be paid enough to make a living. That is a basic point of principle, and in some instances you have to question business arrangements if they cannot make their business viable while paying their employees enough to live, but then we do have to consider that there are wider economic circumstances as well and that perhaps the greater good involves Government taking a more active approach to support them. I know there have been questions about agriculture in particular. We have

to remember, though, that if people are being paid a poverty wage and having to have their living topped up by benefits that is essentially an indirect subsidy of that business and perhaps a more transparent subsidy system would be better. It would be better for the worker, because there would be dignity in the fact that they would be earning their living and not getting caught up in the government benefit bureaucracy just to pay their bills and there would be, I presume, smarter ways of targeting that subsidy otherwise to get what you want out of it. I guess some connected points that can be made to that, when we are looking at calculating what the living wage exactly is that will be dependent on things such as how much you have to pay to keep a roof above your head. If we can do something to tackle the cost of housing in the Island, that itself will lead to pressure being taken off those businesses from their employees or prospective employees who are saying: “I cannot get by on this salary. I need to be paid more in order to pay those bills.” Those external pressures will have an effect on it there, and if we can take greater action in those areas too that will take the heat off other areas of the economy where they are struggling to recruit and retain people because any time they find anyone with talent who can do the job often they do not last very long, because they just cannot afford the cost of living. That basic point of principle must be that what you receive in your pay packet every month should say to you as an employee: “You are worth a living. You are getting a living. You have earned this” and not force people through sometimes what is considered the indignity of working full-time but still being in poverty at the end of it. That is all I have got to say in response to Deputy Farnham on that, and I call for the *appel*.

The Deputy Bailiff:

The *appel* has been called for, and I invite Members to return to their seats and I invite the Greffier to open the voting. If all Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. I can announce that the proposition has been adopted unanimously.

[Approbation]

POUR: 43	CONTRE: 0	ABSTAIN: 0
Connétable of St. Helier		
Connétable of St. Brelade		
Connétable of Trinity		
Connétable of St. Peter		
Connétable of St. John		
Connétable of St. Clement		
Connétable of Grouville		
Connétable of St. Ouen		
Connétable of St. Saviour		
Deputy C.F. Labey		
Deputy M. Tadier		
Deputy K.F. Morel		
Deputy M.R. Le Hegarat		
Deputy S.M. Ahier		
Deputy R.J. Ward		
Deputy C.S. Alves		
Deputy I. Gardiner		
Deputy I.J. Gorst		
Deputy L.J. Farnham		
Deputy K.L. Moore		

Deputy S.Y. Mézec				
Deputy P.F.C. Ozouf				
Deputy P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B.S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F Stephenson				
Deputy M.B. Andrews				

15. Mini-Budget 2022 (P.80/2022)

The Deputy Bailiff:

The next item is the mini-Budget, P.80, lodged by the Council of Ministers and the main respondent is the chair of the Corporate Services Scrutiny Panel and I ask the Greffier to read the proposition.

The Assistant Greffier of the States:

The States are asked to decide whether they are of opinion – to agree that the following actions should be taken to address cost of living concerns – (a) increasing the personal income tax thresholds and allowances by 12 per cent above the 2022 thresholds and allowances, in accordance with the table in Appendix 2 of the report accompanying the proposition, to take effect for the year of assessment 2023; (b) temporarily reducing by 2 percentage points class 1 and 2 social security contributions for the period 1st October 2022 to 31st December 2022, comprising a reduction, in respect of earnings below the standard earnings limit (S.E.L.), from 6 per cent to 4 per cent for the class 1 employee contribution rate, and from 12.5 per cent to 10.5 per cent for the class 2 contribution rate; (c) doubling the value of the community cost bonus for 2022 by increasing the value of the bonus from £258.25 to £516.50; (d) setting a fixed value at £70 per month for the cold weather bonus and cold weather payments, regardless of temperature, for the winter months (October 2022 to March 2023 inclusive); and (e) postponing the commencement of the obligation for offshore retailers to register under the Goods and Services Tax (Jersey) Law 2007 from 1st January 2023 to 1st July 2023.

15.1 Deputy K.L. Moore (The Chief Minister):

Islanders are facing the greatest cost of living challenge in over 30 years, putting ongoing pressure on the pound in our pockets and stretching family budgets to breaking point. Governments across the globe are helping their citizens to weather this storm and we in Jersey are no different if we are to support Islanders through this crisis. The Organisation for Economic Co-operation and Development has analysed the response of member jurisdictions and strongly recommends support measures which keep money in people's pockets, in other words, gives support to boost income, rather than measures which try to keep prices low. Leaving money in people's pockets allows individual households to prioritise their spending according to their needs with minimal government interference. As the Corporate Services Scrutiny Panel has acknowledged, the Council of Ministers has worked at speed to produce this immediate package of relief measures in this mini-Budget, and I am grateful to both Corporate Services and the Economic Affairs Scrutiny Panel for their consideration of it. We will continue to monitor the situation and if need arises will take further actions in our first Government Plan, which the Assembly will debate in December. This package of measures is designed to help lower income households the most. Some measures are targeted across the community, with the majority being aimed at specific groups with particular needs. This increase in tax exemption thresholds and allowances will help all Islanders who pay tax, including, most importantly, those lower income families. Further to that step that will be felt across the community, the Minister for Treasury and Resources and the Minister for Social Security have taken the lead in devising a package of measures to help low and middle-income taxpayers and those who do not pay income tax. We are very aware that families across income brackets are feeling the pinch. The Council of Ministers is proposing significant above inflation increases in the personal income tax thresholds, which will help everyone other than the top 10 per cent of high-earning taxpayers. This encompasses the income tax exemption threshold, as well as increases in the tax allowances available for each child in those households. There will also be similar measures in the tax relief available for childcare and allowances to support unmarried parents. This will put £520 back in the pocket of a single person for 2023 and £832 for a married couple or civil partnership. There will at least be an extra £101 in parents' pockets for every child that they support.

[12:30]

It is complicated in general terms to say how different kinds of household will benefit from this package, as the makeup of every household is different. The package helps lower income households the most and, as an example, a married couple both earning a household income of £41,600, so each earning £10 an hour, would see £619 more in their pockets in 2023, and would no longer be paying income tax. If they were earning £12 an hour then they would be better off by £1,243 and I think that example shows how quickly the Minister for Social Security and others have worked in the last few days to move on the minimum wage. These tax changes will take effect from 1st January 2023 to enable Revenue Jersey and employers to take account of them in salary deductions as early as possible in that year. I am asking States Members to give the Draft Finance (Budget - Cost of Living) (Jersey) Law immediate effect. Self-employed people and pensioners should file their 2022 tax returns as quickly as they can in 2023 to benefit from these changes and I would encourage them to file online so they receive the benefit as quickly as possible. We know that Islanders cannot wait until January for financial help. Prices are rising now, and higher utility bills will be hitting letterboxes in the autumn. The Council of Ministers is therefore proposing a temporary reduction in the social security contributions rate as a stopgap measure. The Minister for Social Security is proposing to ask States Members to support a temporary 2 per cent cut in class 1 employee and class 2 contributions for the last quarter of 2022. This is a cut in the rate below the standard earnings limit of £4,764 a month, which is equivalent to £57,168 a year, effectively benefiting people by 2 per cent of their earnings in October, November and December. We estimate that this will benefit around 54,000 workers and will deliver over £200 into the households of those couples I mentioned earlier who are earning between £10 or £12 an hour. The old-age pension will rise by 7.7 per cent from

October under the existing automatic formula, which helps to ensure that we protect our pensioners from inflationary pressures. This will give a single pensioner with a full social security pension an extra £940 a year. We also propose to continue with the cost-of-living temporary scheme, which was launched in April this year, and it is available to those who will receive income support and those who have recently claimed the cold weather bonus or a community cost bonus, or who are covered by the Pension Plus scheme. Around 11,000 individuals have so far received £20 a month extra on top of normal benefits. As States Members will know, this payment has been doubled to £40 since August. Touching on the community cost bonus, this benefit has its genesis in the introduction of G.S.T. in 2007. It was intended to support lower income families who are not eligible for income support to compensate them for the increases in food arising from the imposition of G.S.T. Everyone who pays income tax was similarly compensated through increases in the personal tax thresholds at that time. The Council of Ministers has proposed that the community cost bonus should double to just over £516. Around 1,000 households currently claim the bonus on application each year and we believe that more people are eligible to claim, possibly up to 7,000 households, and even more if the third amendment to this mini-Budget as amended by the Council of Ministers is adopted. The Government will be working with third sector bodies to encourage further take-up of the community cost bonus as the Minister for Social Security highlighted during question time. This is a further £258 or £516 depending on whether the household already claims the bonus. Additionally, work is undertaken to review this scheme and to put forward proposals for its future. Taking account of the timing of the last general election, the last Government took steps in 2021 to uprate income support components by 2.6 per cent from October of this year, in line with the Fiscal Policy Panel's forecasts, which were available at that time. The Minister for Social Security has lodged regulations taking account of recent developments. We will also be looking at the support provided to private sector tenants through income support. In the meantime, Islanders eligible for income support will receive their C.O.L.T.S. (Cost of Living Temporary Scheme) payments until the end of the year. Lower income pensioners who are not eligible for income support are entitled to receive a cold weather bonus. Cold weather payments provide similar assistance to some income support households. From October of this year to March of next the Council of Ministers is proposing to set aside the normal rules affecting these schemes. Instead, and regardless of temperature, households would receive £70 for each of those months, more than double the average payment in recent times. Although anyone paying tax and making social security contributions will benefit from our proposals in the mini-Budget, we are mindful that means-tested benefits in Jersey are only available to people who have lived here for at least 5 years. Our goal is to provide more help to families in this situation and we will provide more details on that shortly. Moving on to free period products, the Council of Ministers is also proposing to provide those period products to those who cannot afford them. In addition to existing schemes to provide products free in school, a scheme will be devised to make them freely available in public buildings and elsewhere. In light of this, I have instructed Treasury officials to halt their work to give effect to the last Assembly's decision to zero-rate such products for G.S.T. While not directly touching on the cost-of-living measures we are debating today, I have agreed to ask the Assembly to defer the commencement date for the G.S.T. registration of large offshore retailers. The Draft Finance (2022 Budget) (Jersey) Law would, if passed, see the commencement date moved from 1st January of next year to 1st July. This would allow offshore retailers more time to prepare for the change, which will see them charging G.S.T. on sales of goods to Islanders, and remitting it direct to the Treasury. Consequently, the proposed reduction in G.S.T. *de minimis* level from £135 to £60 will now also be deferred until 1st July of next year. The *de minimis* level is a value for money easement that Customs officers do not spend disproportionate time and money seeking to charge G.S.T. on lower value parcels which are imported by private individuals. This mini-Budget is the start of our work to help Islanders with the cost of living, but it will not be the end. The Minister for Social Security has taken steps to increase the level of the minimum wage as part of our 100-day plan and increase it to £10.50 an hour, which will come into effect in November. We are actively engaging with landlords in discussions about avoiding and curtailing rent increases.

I hope we can work collaboratively and effectively and thereby avoid the need for statutory interventions in the private rental market. We recognise that awareness building of these measures to encourage the widest possible take-up is essential. Additional funding is to be provided to that end. Over the coming months we will be piloting further support channels including, for example, officers from government visiting Parishes to help parishioners with their tax affairs and to help address the cost-of-living concerns. As I have said, this mini-Budget was developed at pace and to ensure that we could address the cost-of-living crisis and put money into the pockets of Islanders ahead of winter. I am grateful to the Corporate Services Scrutiny Panel for raising the issue of children's rights' impact assessments. There was not time to undertake a very detailed children's rights' impact assessment, but we did take into account the impact of those measures on children and young people, who are very much at the forefront of our minds in devising this package of measures. While there are no measures designed specifically to provide a direct impact for children and young people, I am confident that this package of measures is balanced and has a particular focus on those who need it most, including families with children. The increase to net income for Islanders will indirectly impact children and young people as they are cared for by those who will benefit from the measures. The package of measures will provide additional, targeted support to families on low and middle incomes, which includes children and young people, and the impacts will be positive. I am grateful to the Council of Ministers and to the Corporate Services and Economic and International Affairs Scrutiny Panels for the speed with which they have worked in this important task of helping Islanders to manage the impact of the rising cost of living. This is an extraordinary measure to meet the needs of Islanders at this difficult time. I pledge on behalf of the whole Council to keep these measures under review and to act again if more is needed. For now, Sir, I commend these measures to the Assembly.

The Deputy Bailiff:

Thank you, Chief Minister. Is the proposition seconded? **[Seconded]**. Thank you. There are a number of amendments, for which a running order has been produced. The first amendment under consideration is amendment number 4, lodged by Deputy Mézec. I see the time.

LUNCHEON ADJOURNMENT PROPOSED

The Deputy Bailiff:

Does anyone want to speak on the adjournment? No. The States stands adjourned until 2.15 p.m.

[12:41]

LUNCHEON ADJOURNMENT

[14:15]

15.2 Mini-Budget 2022 (P.80/2022): fourth amendment (P.80/2022 Amd.(4)) - Personal Income Tax Rate

The Deputy Bailiff:

The first amendment under consideration is the fourth lodged by Deputy Mézec, and I ask the Greffier to read the amendment.

The Greffier of the States:

Page 2, paragraph (b) – Insert a new paragraph (b) as follows and redesignate the remaining paragraphs accordingly – (b) that, in principle, from the year of assessment 2023 the 20 per cent personal income tax rate should no longer be available (except for high-value residents, for whom no change is proposed), and personal income tax should instead be charged at a rate of 25 per cent (with all personal income taxpayers being entitled to the allowances and reliefs which are available to marginal rate taxpayers when calculating the amount of income taxable at the rate of 25 per cent),

with the Minister for Treasury and Resources directed to bring forward the necessary legislative changes for debate by the Assembly during 2022;

15.2.1 Deputy S.Y. Mézec:

If I could start this by just making some introductory remarks generally about the Budget and where we find ourselves, to put it in the context of why of bringing this amendment. The mini-Budget proposition itself is an exceptional proposition, in that it is not normally the process by which these kinds of proposals are decided by this Assembly. It is being done as a political choice, and it is the right choice to have brought a mini-Budget in these circumstances. Whatever criticism we may level at the contents of the proposition, and there are some legitimate points to be made there - see our Scrutiny report to find out more on that - the fact is that these proposals will leave many Islanders better off than they would otherwise have been and with the rising cost of living this is something to be commended and supported, but there are other things that could be done to this Budget to improve it, and to make a positive impact. We have lodged a series of amendments to enhance this Budget, to deliver more support to those who need it, and to try to target things a little bit better than they are targeted in the original proposition. The first of those amendments is to use this as an opportunity to implement what is Reform Jersey's longstanding income tax policy. Some Members who have served in the previous Assembly will, I am sorry, probably experience some déjà vu now as I explain the details of that policy and how it works, because what we are proposing is identical to what was in our manifesto, what was in our manifesto previously and in other amendments I brought to Budgets before. In a nutshell, the proposition is to abolish Jersey's 2-tier income tax structure where we have marginal relief and we have 20 means 20, which essentially acts as a 20 per cent cap on income tax liability. Instead, the system will be to only charge marginal relief to taxpayers and to do so with a new rate of 25 per cent charged on taxable income, rather than the current 26 per cent, and that also involves extending eligibility for tax allowances to those who currently are not eligible because they are on the 20 per cent rate. The proposal in this amendment is put forward because by doing all of that we will help put more money in the pockets of thousands of Islanders. We will be supplementing the benefit that they will be receiving from the increased tax allowances proposed in this Budget and it makes our tax system simpler and fairer by treating all taxpayers the same under one system. It will make us equal, and unlike every other proposal in this Budget this change raises more revenue than it costs. It creates a surplus which we can then use to contribute to the cost of the other changes in this Budget, leading to something which will hopefully be closer to resembling a sustainable long-term footing for those changes to income tax that are proposed. It raises more than enough revenue to cover the cost of the reduction in the rate by 1 per cent, and it does so by applying it as well to those who currently benefit from what does have to be said is an extremely generous tax rate for those at the very top of our income scale. If you are somebody earning millions of pounds in Jersey, you benefit from one of the lowest income tax rates in the world. You also benefit from the fact that on your income above £250,000 you pay not a penny of social security contributions, like the rest of us have to, and if you are somebody earning over £1 million a year in Jersey you are part of a class of people whose numbers have multiplied several times over in recent years. While the rest of us have been subjected to a real-term freeze in our earnings and while poverty has been going up in Jersey, in a 10-year period the number of people in Jersey earning above £1 million a year has quadrupled. We are becoming a more unequal society. The rich are getting richer and the poor are getting poorer, yet we are not adjusting our tax system to account for this, to try to ask those who are doing the best in Jersey to contribute just a little more so that we can help those who have suffered during that time, who are suffering now because of the increase in cost of living, and for whom we can and should do more. I say that in doing so we are not punishing these people for being successful and for earning lots of money. I will challenge anyone who will attempt to characterise it that way to ask people to pay a slightly larger amount of tax than what they currently pay as punishment, when it is put in the context here where they are not being asked to pay a rate higher than anybody else; they are being asked to pay under the same system as the rest of us. It cannot be punishment to ask

people who earn a lot to pay under the same regime as the rest of us. Playing by the same rules is fairness and that is what this amendment seeks to do. There is one line in the comments from the Council of Ministers that were lodged on this that contains an absolute whopper, which must be corrected. It is in the fourth paragraph of those comments. It says: “The 5 per cent point increase proposed in the amendment would result in a 25 per cent increase in the rate of income tax for those taxpayers who pay at the standard rate.” Sorry, I do not buy that.

The Deputy Bailiff:

On that front, Deputy Mézec, you did use the word “whopper” that suggests a deliberate dishonesty, perhaps.

Deputy S.Y. Mézec:

I would say it is a mistake, which could be unintentional. I did not infer that it was intentional or certainly did not intend to infer that it was intentional. If there is an alternative word that would be less ambiguous I am happy to use that instead.

The Deputy Bailiff:

Perhaps the turn of language you just used is more appropriate than “whopper”.

Deputy S.Y. Mézec:

Okay. Sir, it was clearly an accidental use of words or lack of use of words in that line in those comments, which I think would unintentionally of course leave a false impression and the word that is missing from it is the word “effective” before “income tax” here. It suggests under the wording of it: “The 5 per cent point increase proposed in the amendment would result in a 25 per cent increase in the rate of income tax for those taxpayers who pay at the standard rate.” I am prepared to say that that sentence is false, because standard rate payers who would see a 25 per cent increase in their rate of income tax is only a tiny minority within a minority. The increase for top earners would be progressive, because for many standard rate payers the access to tax allowances that they will receive under this proposition will see their taxable income reduce. So even though the tax rate that is applied to their taxable income will increase, their taxable income will reduce because they are now able to claim allowances that they were not before. For standard rate payers who are at the lower end of the spectrum their tax will go down. For many of those whose tax would go up, it would not go up by the full 5 per cent. It might go up by 1 per cent, 2 per cent. It depends how much they are earning. The ones who would come closest to seeing a 5 per cent point increase in their tax rate and effective tax rate really will be those who are earning millions and millions of pounds a year, and I for one am prepared to say that if those people are doing so well that it really will not be that much of a burden for them at this time to pay a slightly larger amount of income tax so that we can use that funding to divert to support other people. The whole point of an income tax structure is that it is meant to have a redistributive impact so that we provide services that people otherwise would not be able to afford if it were all done as user pays, rather than through tax. Some standard rate payers will see their tax liability reduce and it is only the very best off who will see their tax liability increase and only the multimillionaires really who will see it increase by the amount that is suggested in that one line in the comments. If you are somebody who is paying zero per cent income tax, an effective rate of zero per cent, at this point you will continue to pay zero per cent. You will not be any worse off. If you are one of the around 37,000 to 38,000 taxpayers who pays marginal relief now you will see your liability reduce. If you are a standard rate payer, it depends how close to the border between marginal and standard rate that will determine whether you pay more or whether you pay less and how much more you end up paying. This change would see our tax system become more progressive than it currently is. It would raise revenue beyond that which the mini-Budget’s proposals without this amendment would do. It therefore makes the rest of the mini-Budget more sustainable, and it provides a break to those thousands and thousands of Islanders out there who could do with a little

bit extra right now. I see this as a timely opportunity to make that change to our income tax system by treating all taxpayers as equal, paying under the same system, asking those with broader shoulders to carry more of the burden and helping those who need it. I am proud to propose these changes now and I make the amendment.

The Deputy Bailiff:

Thank you, Deputy. Is the amendment seconded? [**Seconded**]

15.2.2 Deputy I.J. Gorst:

Perhaps I will start by thanking Deputy Mézec for making it clear at the start of his moving of this amendment that this is a manifesto commitment, and not only in the current Reform Jersey's manifesto, not that I have read them fully, but in the preceding one to that as well, and not brought on the back of a recommendation from what I think was the good work of the Scrutiny Panel that he chairs, nor in his role as the chair of the S.L.C. (Scrutiny Liaison Committee) but as a manifesto commitment to do so. I do thank him for the work that he and his committee did in regard to scrutinising the mini-Budget, but I wish to go back to the point that the Chief Minister made in her opening statements. That we are here today to debate a tailored package of support measures to help Islanders through a particularly difficult period, as they face a higher cost of living. We are proposing in this mini-Budget and in this package of measures to increase tax thresholds to provide financial support to lower income families, and we also made the announcement about the increase in the pension rate. This package of measures fits together.

[14:30]

It is exceptional and it responds to the cost-of-living crisis that Islanders are facing, but we were very clear around the Council of Ministers' table and in front of the Scrutiny Liaison Committee that we have brought forward measures using the existing tools that are available to us as Ministers and to us as an Assembly. We are not, and I do not think that Members or the public would wish us to, proposing to tear up the very foundation of our tax system, nor are we proposing to create a new way of taxing Islanders without sight of the possible effect on revenues and on the wider economy, on the behaviour of current residents and those who might be considering Jersey in the future. The Deputy, and I am not sure whether you corrected him or not, said that the comment in the comments paper was a "whopper". I do not think he meant a fast food. I think he was using that term in its perhaps common understanding.

The Deputy Bailiff:

I think he withdrew any suggestion of dishonesty on his part. Yes, he did.

Deputy I.J. Gorst.

I am very grateful to him for doing that. But then he did go on to say that he felt that it was an inappropriate phraseology because it was perhaps only going to be experienced by a very small number of taxpayers. I will leave that to Members to draw their own conclusions in that regard. Is the standard 20 per cent rate of income tax sacrosanct? No, I do not believe it is sacrosanct, but what it does is provide great certainty for taxpayers and it is a fundamental pillar of our successful and stable income tax system and our wider economy. This stability at a time of global economic instability, uncertainty and volatility is not something that I believe Members should, in this exceptional Budget, without appropriate consultation and the Deputy himself makes comments on the time that Ministers were able to consult and how a number of stakeholders wrote to his panel and bemoaned the fact that we were not able in the 21 days available to us from the Chief Minister's commitment to the lodging of this mini-Budget, able to follow the normal processes for consultation. This proposal that I come back during the remaining 3 and a bit months with legislation to do exactly that, tear up one of the pillars of our economic stability. I caution Members to think very carefully before they would consider supporting this amendment to our tax system. We could have a detailed

and technical conversation about taxation, about the broad nature of a tax system, about the 25 per cent roughly of earners and Islanders who do not pay any tax, the 90 per cent of taxpayers that pay at the marginal rate so we will see real and evident benefit from the proposals that we are proposing and the need in all tax systems to think not only about the quantum of income that one generates to be able to spend on public services but also about the breadth of the base upon which one calculates taxation. Those things have got to be considered carefully and considered in the round. We have very generous thresholds and I believe it is right to increase those thresholds and change the policy upon which we would normally increase thresholds, as we are proposing here, in a timely, targeted and temporary way. That is the right way to put money back into Islanders' pockets, not ripping up the very basis of the stability of our tax system. If Members wish me and Ministers to do a review and to think about changes to the income tax system into the future, then let us do that carefully, let us do it proportionately and let us do it in consultation with all the stakeholders in our community, understanding the unintended consequences, understanding the potential benefits, but not on the back of a mini-Budget, which is using the existing mechanisms to deliver much needed financial benefit to Islanders. I ask Members to reject this amendment.

15.2.3 Deputy B. Ward:

The Deputy in his opening statement was saying that except for high-value residents that is when it would go to 20 per cent. What does the Deputy regard as a high-value resident and what is the level of earnings that a member of the public has to pay starting at 20 per cent?

The Deputy Bailiff:

Deputy Millar, your light was on briefly. Was that to speak or just something else? Thank you.

15.2.4 Deputy M. Tadier:

The Minister for Treasury and Resources to my left is very plausible, is he not? He sounds very plausible when he speaks and he is also very emotive when he uses phrases such as “to tear up” and, “to rip up” and he says that our 20 per cent tax rate is not sacrosanct. Interesting. Previous Governments in which he worked said it was sacrosanct. I remember Senator Le Sueur, I think even Senator Ozouf at the time, said it was sacrosanct. I am pretty sure he has used those terms. Not sacrosanct anymore. Maybe we are moving into more of a secular period in our Government where there are not so many holy cows. We even know that the holy cows in our fields have changed colour in recent years, so things can change in Jersey, and they are still Jersey cows, and it will still be the Jersey tax system, even if it is a different tax rate. The issue I have got here is that I am concerned that some Members might vote against this because they do not understand it, and it might be because they are looking for additional complications, but this is a very basic and uncomplicated proposal that is being put forward. I would not want any Members to vote against it simply because they did not understand it or they have misunderstood it. The bottom line here is that we have 2 tax systems in Jersey. We have got a 20 per cent tax rate for those whom it suits, and it is not 20 per cent anymore, it is 21 per cent and rising all the time, with the new long-term care charge which is a tax. So we have got a 21.5 per cent tax rate. That is why the 20 per cent rate cannot be sacrosanct anymore. We have been told by previous Attorneys General that that is tax, okay. The reality is that if you are a working person in Jersey and you pay tax, you are much more likely to be on the 26 per cent tax rate, the marginal rate. So any income that is taxable gets charged at 26 per cent. If you are wealthier and on the standard rate any income you get is charged at that 20 per cent for tax purposes, not including the long-term care charge. What does that mean in reality? First of all, it means that if you go out to do some overtime in whatever job, it could be a blue-collar job, you could be a nurse, you could be working in whichever sector of the Island, and you go out and earn another £100 and you are on the marginal rate, the taxman will take 26 per cent of that, take £260 for every £1,000 you earn or £26 for every £100 you earn. If you are doing a different type of work and you get another, let us say, £10,000 windfall, and you are on the 20 per cent marginal rate because you have maybe been

investing or doing whatever it is that you are doing, working hard, you only pay 20 per cent on that, so for every £1,000 you earn you pay £200 additional tax. Who does it pay the most to go out and do that extra bit of work? It pays the person who is already richer, who has got the higher income, so your ordinary person who we have all been knocking on the doors hopefully during the last election saying: "We want to look after you" and they have been saying: "You know, it has been increasingly difficult in this Island to make ends meet and it seems that previous Governments have only been interested in looking after the rich, the wealthy, the landlords, potentially. My rent has gone up, my mortgage has gone up, I cannot afford to live in the Island, my children are maybe thinking of leaving, we are thinking of selling up. We own our own home but it can go further. Will you represent me in this new Assembly?" and you say: "Yes, of course. Vote for me, I am an independent, potentially, and I will listen to all of the debates that we have and vote accordingly." Now, the reality of this is, if this was being proposed by the Council of Ministers nobody would have a problem with it because it is entirely sensible. The reason it is sensible is because it puts money back into the pockets of ordinary people. It also simplifies our tax system. If the marginal rate of tax is good enough for the majority of taxpayers, why is it not good enough for those who can afford to pay more tax? That is the question I ask. If it is good enough for most of our constituents who are taxpayers why do we not apply it to the wealthy in the Island, those on high incomes? It is because we want to protect them, because we want to do them a favour. So what this is in fact doing is not making progressive taxation in Jersey. It is making proportional taxation. It is saying that everybody pays the same rate. Of course, they will have the same allowances that everybody else gets. The idea of allowances, of course, which are going up, which we support, is that that is what it costs you to live, and it is a blunt instrument, of course, because that allowance is applied to somebody who may be in the rental sector, and that allowance will already be eaten up fully by what they pay in rent, probably. So all of the other living costs they have they are having to pay out of money which then gets taxed before they spend it on their bills and other living costs. If you own or you own outright then you also get that allowance. It is a blunt tool; we accept that. So the reality here is that we will be making a fairer system, and it is possible to reduce the income tax rate for people. Senator Ozouf did it, some would say not long before an election. I think it was not that long before an election but that is coincidence. That sometimes is how it works in politics, and he was able to say to people: "I am going to reduce your income tax rate from 27 per cent to 26 per cent." He has told us that he also wants to reduce it again from 26 per cent to 25 per cent. The difference is when you get a Reform policy it is costed, so we do not just have giveaway budgets. We are not the party that raises taxes on people unnecessarily. Here we are a party that is reducing taxes for the majority of working people in the Island and we do it in a responsible way to make sure that it gets income in. It is not a giveaway budget because that is not sustainable. This gets £12 million. When Deputy Gorst talks about the unintended consequences that we need to know more about and consult on, well, so much for consultation. We have this Government making announcements about the hospital saying: "Oh, by the way, the hospital project is not going ahead anymore. I have decided it. I am the Minister for Transport" for want of the new nomenclature. Oh, hang on a minute, but it has got consequences for housing as well. It has also got consequences for, believe it or not, the Minister for Health and Social Services, who is completely silent on the issue. I am digressing slightly, but you get the idea that it is possible to make decisions like this in Government, and it is also possible to make decisions in a mini-Budget about things that are going to affect people's lives. Yes, this will put money in people's pockets, those on marginal income tax rates, who are perhaps having marginal existences at the moment. It will put £100 here or there back into their pockets that they can spend along with the other tax measures that we are taking. I make those points. I hope Members will listen carefully, because I think at the beginning of a term it is important that we have a few fundamental policy debates about where one's politics lie, and this is about the way in which the Island is run, who is the Island run for and who is the Assembly here to represent. I think it is here to represent the majority of hardworking people in the Island and we need to be a can-do Government, and a can-do Assembly. I will leave the comments there and I know that my party colleague will be able to also sum up with

anyone else who has got queries to do with this, but please do not be taken in by what I would say are comments of scaremongering. This is entirely feasible, it is modest, it is paid for and it is proportionate.

[14:45]

15.2.5 Deputy M.R. Scott:

At one point Deputy Tadier suggested that had the Council of Ministers proposed this proposition that I would have supported it and I think I ought to say that I would have had difficulty with it for a number of reasons. Perhaps the description of marginal relief and the way that the tax system works by Deputy Tadier does not quite align with mine, in which we really find that people have a choice between 20 means 20 or using what are reasonably generous tax thresholds to reduce their income tax burden and to the extent that 20/20 produces a lower tax result than that is applied otherwise, marginal relief and the tax thresholds apply instead. I share Deputy Ward's bemusement that high value residents are excluded. I have this difficulty because we were talking on one hand about the loss of labour where we find that we have a lot of staffing shortages worldwide and across Europe and that somehow this is meant to be a panacea for our problems as an Island. But I see that if you have got a consultant, a lawyer or anyone who is paying tax at a certain rate that this not going to perhaps affect their perception of whether they want to continue to work in the Island or not. So I sympathise with the Council of Ministers decision that a lot more needs to be thought about in terms of going down this route. It kind of surprises me because this is about supporting, as we say, the people who are being really impacted by the increase in the cost of living. I think there are so many things that Reform might have dwelt upon, and to some extent they already have with the community cost bonus, but one element that I am just going to raise right now is the fact that the retail price index ... when you look at your basket of goods, some of those prices are being inflated by tax itself. I think that the Reform Party, when they have questioned things like G.S.T. on food, they have got a point. There are things that need to be looked at. I applaud Deputy Kovacs who is beginning to look at this area with a bit of research. I do not feel I can support this proposition because I do not feel the research is there.

15.2.6 Deputy M.B. Andrews:

Importantly, I think this proposition that Deputy Mézec has brought forward makes a very good point. There will be the possibility to see fiscal policy change and I think that has probably been something that has not been discussed enough, especially in previous States Assemblies. The Deputy is making a very good point. I think when we are looking at supply side economics we are looking at low taxation and also what we are looking at is mainly minimal regulation within our economy. Essentially that is supposedly going to see the stipulation that we are going to increase the aggregation of supply in terms of business and also wage labour, and we have an undersupply of labour. Again, this is going against the economic theory of supply side economics and we are seeing this legitimately become a very big and significant problem because people cannot afford to live. Even when we are looking at the marginal tax rates, having to go down to 25 per cent I think is a reasonable step to assist Islanders in terms of increasing their net income, but it just goes to show that the extent of demand within the economy has really escalated, because I think that has not been really a desired level of intervention in the economy and that has proven to become a significant issue once again. So I will be supporting Deputy Mézec. I am a social democrat and I do believe we need to have a fairer society and I do not see us having a fair society as it currently stands. I have been very concerned in terms of how fiscal policy has been deployed. I have to commend Deputy Gorst and the likes of Deputy Ozouf, they are very much conservative, and it is very good to see politicians with an ideology. I am a man who has got an ideology and I think we need to see this more. We need to see people being more open in this Chamber about where they stand politically and where they will be supporting propositions.

15.2.7 Connétable R.P. Vibert of St. Peter:

We have seen this proposal before, or something very similar. The States have rejected it and for good reasons. I personally believe the 20 per cent standard rate of income tax is a fundamental pillar of our successful income tax system and economy. This stability plays a crucial role when people in businesses are looking at Jersey and deciding whether to invest here. This is important if we want to continue to attract investment and talent into the Island. Outside of Jersey in the wider world this change will be seen as a 25 per cent increase in our tax rate and would attract considerable negative publicity for the Island in the financial publications. There are a number of other financial centres in direct competition with the Island who would interpret this move to their advantage and deter business from moving to the Island. This measure, if adopted, could have considerable negative impact on our Island and ultimately result in the loss of jobs. The mini-Budget represents a tailored package of support measures to help Islanders through a particularly difficult period as they face a higher cost of living. We are proposing to increase tax thresholds to provide financial support to pensioners and lower income families. This proposal opposes our tax policy principle of breadth. One third of Islanders already fall outside of the income tax net. Unlike the mini-Budget, this proposal is not targeted. It would benefit all marginal ratepayers, which is around 90 per cent of our population, but the greatest benefit would be felt by those on medium to high incomes. It would serve to narrow the tax base further. We must focus on the priorities resulting from a sudden increase in the cost of living due to external factors and, therefore, I ask the Assembly to reject the amendment.

15.2.8 Deputy A. Curtis of St. Clement:

I was not going to speak on this one. I felt that this was not a proposition that fell in the remit of a mini-Budget, much like the Chief Minister and the Minister for Treasury and Resources highlighted, but I could not help but think about what Deputy Mézec said when he described it. He described playing by the same rule is fairness and we heard from Deputy Tadier that we only have 2 tax systems but actually, as Deputy Scott said, we know that is not the case. So what surprises me in this, as it is part of the Reform manifesto, is why there is not anything around high-value residency and an increasing threshold at least on new applications. I am sure that would have gained broad support. I am not going to debate whether or not 20 means 20 or a marginal rate is fairness or not fairness here, but I think if we are having an overall look at the tax structure I would like think that it would be outside the mini-Budget and I would like to think it would involve the amount of contribution high-value residents make without looking at just those on the standard 2 tariffs.

15.2.9 Deputy C.D. Curtis:

I would just like to respond to a couple of comments made by Deputy Gorst. One was in times of global economic uncertainty we should not change. I think that is the time when we really need to consider change. This is when everything is changing and it is imperative that we stay ahead and make changes. Also he referred to our current tax system as a pillar of our economic stability but we have been facing declining productivity for the last 20 years. We definitely need to make changes.

15.2.10 Deputy P.F.C. Ozouf:

It would be easy in this first debate of the new Assembly to be drawn into some of the arguments, may I say bait, that the likes of Deputy Tadier and others may wish to describe how people are going to be voting. It would be easy to rise to even some of the maybe thoughtful arguments of Deputy Andrews that this is a debate about whether or not you are a conservative or whether or not you are a social democrat. May I say that this is a debate about a mini-Budget? This is not a debate about the long-term philosophical arguments that this Assembly needs to address in its 4-year term about how we deliver an Island that is fit for the future. I encourage Members to read the conclusions of the Economic Council, to read the observations that were made about how much Jersey is going to have to change, adapt, and we as policymakers are going to have to adapt our thinking to a new and rapidly changing world. We do need a new vision for Jersey. We do need, as the Minister for

Economic Development, Tourism, Sport and Culture and the Minister for Treasury and Resources clearly articulated under the direction of our Chief Minister, a new economic framework, which is very clearly sighted in what we can do as a small Island state. We do need to be a faster enabler; we do need to be playing to our strengths. If I may say to Deputy Andrews, it is not simply a case of a big nation solution of being high tax or low spend that you can translate these arguments into a small Island. A small Island needs to play to its strengths. There are some things that we can do and one of them is tax and one of them is an attractiveness of making our Island attractive to people who want to come here. Those arguments are important, they are massively important, and they are long term. What is the future of Jersey going to be in terms of the economic model? What is the right balance of tax and spending? What are the scales of issues that we need to deal with from the last 4 years of spending with the magic money tree and the opportunity of debt perhaps under this Administration and with this Assembly's support no longer there? So this proposal is a wide-ranging one. It is a long-term change to our tax system. It is a massive change because effectively it moves us all to a 25 per cent rate. One does not make these kind of massive changes with ... it is easy for Deputy Mézec to advance arguments of how much it will collect. It is easy to make these decisions in the short term without having any real thinking of the long-term implications, of the competitiveness, of the attractiveness, of the message it is sending out about that. This mini-Budget is a series of a short-term measures designed to deal with the short-term realities of a cost-of-living crisis, energy prices and other prices that are being put forward. Today is not the time to have a debate, a yah-boo debate about whether or not it is left or right, whether or not it is principled or otherwise. This proposition is very long term in its outlook, it is very significant in its implications and it is not the kind of debate that can be sensibly had with the timescales that we have had to either lodge, consider amendments or otherwise. This is all part of a long-term tax strategy, a long-term economic policy, a long-term vision. It would be more appropriate to articulate and debate the for and against, the understanding of what the implications of such a decision could be, maybe in the C.S.B. (Corporate Strategy Board) or in the long term when we consider a proper budget. I say it is really not the time to make a massive change to our taxation system on the back of a short-term issue of short term needing to deal with the cost-of-living crisis and putting money into people's pockets. So I respectfully ask Members and encourage Members not to engage in these big long-term issues today. This is about a short-term issue. This is not a short-term decision and it should be rejected.

15.2.11 Deputy L.V. Feltham:

I want to start this speech by referencing what we in the Assembly just heard a matter of weeks ago and perhaps Assembly Members can guess who it was that said it. The quote goes: "I want to see the marginal rate reduced by at least 1 per cent for all Islanders as a permanent measure putting money back into the hands of taxpayers." Reformanomics maybe? No. Gorstanomics.

[15:00]

Back to Deputy Ozouf's comments about this not being the time, this absolutely is the time. This mini-Budget is supposed to be about putting money back into Islanders' hands. Now, I see the Deputy shaking his head. However, I would like to remind him that the Government are proposing as part of their mini-Budget a long-term increase in tax thresholds. This amendment being proposed by Deputy Mézec is a prudent amendment. It is putting more money into the pockets of those that need it most and it responds, importantly, to the calls of middle Jersey who currently feel unsupported by Government and who are not being adequately targeted by other measures within this mini-Budget. I ask all Members, if you have said that middle Jersey is important to you during the election campaign, to think very carefully about supporting this amendment. Importantly, by levelling the tax percentage between lower and higher earnings, we increase tax revenue in a fair way and I encourage Members to support this amendment.

15.2.12 Deputy T.A. Coles:

We are hearing a lot today about this being a mini-Budget and how this is not the time for big policy changes and big dramatic changes, but unfortunately, as many of you may know when you are at home making your own budget, your own small mini personal budget, you need to worry about where your money is coming from and that we cannot be looking to spend out more money than we are bringing in. With the proposals that Deputy Mézec has brought forward, we will generate more revenue, so surely we should be looking to make sure that we are bringing in the revenue. These generous contributions the Treasury are going to make are going to cost us money. Deputy Mézec's money helps balance that out so we do not spend more money, which then does not impact on our direct financial layout for our public services. As it stands, we are robbing Peter to pay Paul, which is fine, Paul is always happy when we do this but then Peter is the one who loses out. So we need to consider widely where we are going to draw our funds from and this way it is sensible, it is long term and it is the solution that this Island needs.

15.2.13 Deputy K.L. Moore:

I did simply want to respond to the comments of Deputy Feltham in regard to middle Jersey and the impact that middle Jersey will feel as a result of this mini-Budget. I think the description of the mini-Budget has been well-rehearsed in previous speeches but I just wanted to reassure Members that this is very much focused on middle Jersey. It has already been said in this debate that 90 per cent of taxpayers pay tax under the marginal rate and the marginal rate is defined by those who are better off through paying it as a result of our tax allowance system. Each and every taxpayer receives a calculation and those who are better off with tax allowances paying the marginal rate therefore pay the marginal rate and those who tip over the edge and are better off paying 20 per cent without tax allowances pay their 20 per cent. It is, of course, perhaps a difficult description to fully comprehend and it would, of course, always, especially when our tax system prides itself on being low, broad, simple and fair, to be ever simpler. As a Government, we are in fact quite focused on achieving that, a simpler tax system. We did in fact, as part of this mini-Budget, consider reducing the marginal rate to 25 per cent because, as Deputy Feltham quite rightly pointed out, the Minister for Treasury and Resources and others have previously stated that they would very much like to move towards a marginal rate of 25 per cent. Of course we would. In fact, we would like to be able to move the marginal rate yet further down to ensure that middle Jersey is paying an appropriate amount in taxation and is having their pockets protected by the Government that is here to represent them. It was concluded, after some very careful consideration, that for the purposes of the mini-Budget it was simpler and also fairer to approach this via increasing tax allowances rather than reducing the marginal rate. Very simply, and I know that Scrutiny members will be well aware of this because the slides have also been shared with them, if we were to reduce the marginal rate to 25 per cent, a family of 4 taxpayers up to a household income of £270,000 would have fallen into the marginal rate. It was felt by the Council of Ministers that that is a very considerable sum as a household income and fell beyond that that we would describe as middle Jersey. Despite acknowledging that many families of many different income brackets are experiencing the pinch as a result of the cost of living, that was for the purposes of a mini-Budget just a step too far. However, of course we are only 70 days into the life of this Government. We are preparing currently a Government Plan and we really look forward to the forthcoming years and the opportunities that we have as an Assembly to consider different ways to share the cake, as it were, within our society and to ensure that our low, broad, simple and fair system serves every member of our community to the very best that we can as an Assembly, mindful always of our need to balance the books. That, as Deputy Alex Curtis perhaps suggested, may start with a view on resetting the criteria for 2(1)(e), for new incoming residents that fit that description, and of course it was quite interesting to see that in bringing this amendment Reform decided that that was not to fall into their lens of consideration. We find that quite interesting because that is in fact probably the very place that we, as the Government, will look next. So there

is a lot more work to do over the next 4 years and I am grateful to Members for their engagement in this really important topic for debate, but I urge Members to reject this amendment.

15.2.14 Deputy R.J. Ward:

Can I just say that I missed the speeches at the beginning. I am very sad to have missed Deputy Gorst's speech because the sound was not working. So if I do say something that he may have covered, forgive me. It is very interesting to listen to the rest of this and where we are coming from in the first sitting of the new Assembly. I am both reassured and slightly disappointed. The reassurance is that some Members are considering the political aspect of what is being a politician and talking about the underlying principles that they are going to work on as they have been elected. That is nice to see. We have heard so many of these arguments before and that is the disappointing point. It is as if we are having more of the same arguments, an overall look needs to be had, we need evidence, but yet at the same time ... and I have to say the Constable of St. Peter seems to have made up his own evidence and made up his own conclusions without any real evidence coming to the Assembly about what will happen because of other jurisdictions. That is not evidence, that is hearsay. That is political theory and in a changing economic world it is not necessarily ... in fact I would say it is not the case at all. Jersey has other things to offer, including its stability in terms of where it is in its proximity to Europe and the U.K., et cetera. So there are aspects of that that make Jersey an attractive place to be for investment. We talked about targeting, this is not targeted. Well, it is a strange juxtaposition between the argument that says that everything has to be targeted towards those groups that need it most and then when you do introduce something that will benefit the majority, which is what this taxation change will do and it will make it a fairer taxation system, and that is really key, with only those who are earning the very most having to pay more. That is our relationship with society in the way that we do tax and that is political. But I have got to say I think when we look really closely at the mini-Budget ... and we will come to this again, I am sure and talk about how targeted it actually is. For example, I will mention when Members talk about being targeted towards pensioners, there are many pensioners who will not benefit in the way that the comments paper and the proposition say because they are not on the full pension, and that is a really, really key point. I think what we are seeing here are the same sorts of arguments that we have seen so many times. It is never the time to make a change that is fundamentally needed because we are never going to have the evidence, we are never going to look for the evidence, but we will introduce some smokescreens. I think the argument with regard to the 2(1)(e) situation is a strange one. It is very interesting that the Government are looking at that. There is a socialist tinge to the Government it is nice to see and hear, but that is a completely separate tax system. The first thing that would have happened if Deputy Mézec would have included that is this argument: this is all too complex because you are addressing a completely separate tax system. So let us look at what this proposition actually offers us. It offers us a simpler form of taxation system, it is the same for everybody, much more manageable by the Tax Office, it increases revenue from some who can afford it and decreases the burden on the majority. That is what Government should be doing if they are going to address the cost of living, is taking the burden away where they can. A responsible economic government, responsible economics would then say where that money is coming from. The ideological theory of let us just cut taxes, and what we are seeing in the U.K. from the Conservative Government - there seems to be a real parallel there - without the actual understanding of the impact of that on public finances I think is totally irresponsible as an idea. What we are doing in Reform and what Deputy Mézec has brought forward is exactly not that. It is accounting for where that money is going to come from and saying where it is going to go and into whose pockets, which is the majority of our population, and that is very important. It is a "don't rock the boat" argument, let us not rock the boat at the moment because the mini-Budget is not about long-term change. The mini-Budget has long-term changes. It was mentioned very well by Deputy Feltham about the impact of changing the tax thresholds because they are for everybody who is paying that tax. So when that tax threshold increases, if you earn more you are paying a bit less on that larger proportion, so it does have an

impact and it is not as targeted as we think. I really would ask Members to consider this carefully and not just automatically vote en masse against something because it has come from Reform or not automatically vote against something because of this argument that: “Well, it might be a really good change in the long term, it might be fairer, it might be better, it might have a controlled tax revenue, it might mean that we can control our income much effectively because we have one taxation system, and all those real positives are good but this is just a mini-Budget and we have got to look short term.” Now, the biggest problem with the last Government was short-termism, the biggest problem with the Government before that was short-termism, the biggest problem with the Government before that was short-termism, and we seem to have started off on that foot again, short-termism in the name of reacting to a cost-of-living crisis. We need long-term theory, we need long-term plans and we need long-term structure for our tax system that will be fair, be useful and be controllable in the long term. This tax proposal does exactly that. I would not have stood on a platform with this tax proposal if I did not understand it and can see the positives from it. So I ask Members to look really closely at this proposition, look at the positives and if they outweigh those fearmonger ... that is too strong a word. I do not want to say that. Those uncertainties that are being created, those somewhat strawman arguments, then please vote for what is right and let us make changes from day one. If there is one thing that I know from the last election, people voted for change and that change is not about having more of the same principles of short-termism and let us not rock the boat. We have to make these changes and this is the first opportunity we have to do that, so I ask Members to grasp that opportunity. Please support this amendment.

[15:15]

15.2.15 Deputy K.F. Morel:

I would like to thank all the speakers. It has been a very interesting debate. I will start by just referencing the most recent speeches, obviously by Deputy Ward. Deputy Ward asked or complained that he is hearing the same arguments and he really wishes he did not. Well, I would say if you keep bringing forward the same proposition in the way you are going to hear the same arguments against it because nothing has changed. The same proposition is being brought forward in exactly the same way. Perhaps listening to some of the arguments that are being continuously brought up in the same way against this proposition and adapting accordingly might bring a greater level of success. I will also refer to Deputy Feltham who said that this is a prudent move. Well, prudent it may be from the perspective of a household budget. I believe that was the argument that Deputy Feltham was putting forward, but I would say is it prudent from the perspective of a responsible States Member to fundamentally change Jersey’s tax system without anyone really knowing about it? Today’s headline in the *J.E.P.* quite rightly references the passing of Her Majesty. It does not reference this tax proposition and it has not referenced this tax proposition. There has been no Island-wide debate about this proposition and given the Island’s reputation for stability over the last 7 decades in terms of tax, I do not believe it is prudent in any way to quietly change the Island’s entire tax ...

Deputy M. Tadier:

Sir, point of order. I am not sure if this, if I am remembering the ... I invite the Deputy to sit down.

Deputy K.F. Morel:

Thank you.

Deputy M. Tadier:

There is a standing order that says that one should not reference a member of the Royal Family to try and influence the Assembly during a political debate, Sir, and I fear that Deputy Morel may have stepped over the line by saying that the *J.E.P.* has gone with a particular headline and then tied that into trying to influence Members. I am not sure if that applies.

The Deputy Bailiff:

I am alive to Standing Order 104 and looked at it again this morning. Thank you for drawing it to my attention. I do not think that the line was crossed on this occasion but thank you for drawing it to my attention.

Deputy M. Tadier:

Would you do us the courtesy of reading it, Sir?

The Deputy Bailiff:

Yes. "A Member of the States must not (e) use the name of Her Majesty the Queen or the Lieutenant-Governor in order to influence the States or (f) refer to the conduct of Her Majesty the Queen, any other member of the Royal Family, any Member of the States or any Jurat or other person performing judicial functions, unless the debate is upon a proposition the purpose of which is to discuss such conduct." So you correctly say that generally references to the Queen or the Royal Family are inappropriate. I do not think the line was crossed on this occasion.

Deputy K.F. Morel:

Thank you, Sir. Deputy Tadier sees arguments that I do not even know I am making, which is fantastic [**Laughter**] but I believe his real aim, which was to disrupt the flow of a good speech has been ...

Deputy M. Tadier:

Sir, can I raise another point of order? My aim was ... he is imputing false motives, which is again breaking another Standing Order. That was not my motive to disrupt the speech. My motive was to test whether the reference, which the Bailiff did say is a correct ... he did mention the Royal Family when one should not but it did not cross the line, so would he retract that, Sir, and would you rule on that?

The Deputy Bailiff:

I do not think that is a point of order upon which I need to rule. You can continue your speech.

Deputy K.F. Morel:

Thank you, Sir. Again, arguments that I do not even know I am making. So, anyway, as I was saying, I do not believe it is prudent to change a tax system in an Island ... sorry, I do not think it is prudent in an Island that has a reputation for stability of its tax system and has built an entirely strong economy over the last 70 years on that stability ... I do not believe prudence is found in changing that in a debate that no one is expecting to hear. We saw how the public reacted to the changes in the electoral reform system last year, or the changes that were made last year, because they did not know about them. The public were not happy. They felt that the changes to the electoral system happened - and they were quite right - in a debate that was not highlighted, that was not signalled, that was not in the *J.E.P.* Sorry, was not in the media, I should say. People did not know about it. They knew a debate had taken place the year earlier and been defeated and then it came back and slipped through. The public were not happy because of the way it slipped through and this is a very similar situation. If we do this, if we accept this proposition as it stands, the public will be incredibly surprised. They will not have expected it because there has been no Island-wide debate, no consultation and no sense of this is a question we are trying to answer right now. I agree with people such as Deputy Andrews who say there is nothing wrong with looking at your tax system. Absolutely, there is nothing wrong with looking at your tax system but you have to do it in a way that engages the public, which ensures that the confidence of business, the confidence of external investors, the confidence of the clients who use Jersey's business services industry is gained as you go through that process. So if we were to suddenly change Jersey's tax system today, I think we will all, all 49 of us, have a great deal to

answer for in the minds of Islanders and in the minds of businesses in this Island. So do I think this is a prudent move? I think it could not be a less prudent move if we tried. Deputy Tadier himself, he said if the Council of Ministers had brought this forward then it would be accepted. I completely agree with him in the sense that if the Council of Ministers brought this forward, the Council of Ministers would have consulted on it, would have spoken to the industries that are affected by it, would have engaged with Islanders on it, would have spoken to other parliamentarians about this and would have a very good base of evidence and understanding of people's views before bringing it forward. Therefore, once the Council of Ministers, whichever person is the Chief Minister, whether that is somebody to do with the party or somebody who is independent ... if any Chief Minister were to bring this forward via the Council of Ministers I believe they would have done so after the appropriate work had been done to make sure the Island was satisfied that this is the right way forward. Therefore, if the Council of Ministers were to bring it forward, yes, it probably would be accepted. I completely agree with Deputy Tadier on that one and it would be quite right that that would be the way forward. I could not help but think something may be a good idea but the way you do it is what matters and so I began to think there are 2 ways you make a proposal of marriage. You can take the person you want to ask to be your husband or wife to a restaurant, a romantic restaurant, and you can lay everything on thick and you can have music playing, you can get down on one knee and place the ring on their finger and ask them to marry you. That is a really good way to do it. Alternatively, you can take them to a fast-food restaurant. Among the polystyrene packaging you can pull out a ring and ask someone to marry you. You have done exactly the same thing but you would probably get a very different answer as a result of choosing a different way of doing it. So there is a right way and there is a wrong way, and this is the wrong way to do this. There is a right way to do it. I would invite Deputy Mézec and his party, who have brought this forward time and time again, to do it the right way, which would be engaging with the Minister for Treasury and Resources and convince him of the arguments first. Once you have convinced him of the arguments he can go to the Council of Ministers and convince them of the arguments. He can then go to the industry and to Islanders and get their views while also convincing them, but if you do not do it in that way then you are doing it the wrong way. As a result, you get the same answer time and again, which is no, this is not the way to do it. This is not the right move at this moment. I think the road map is clear. If Deputy Mézec wants this to succeed he needs to try to do this in a very different way.

The Deputy Bailiff:

Does any other Member wish to speak on this amendment? If not, I call upon Deputy Mézec to reply.

15.2.16 Deputy S.Y. Mézec:

I am tempted to invite Deputy Morel out for dinner at some point to discuss this. We will come back to that point later. After my faux pas in my opening speech wrongly using the word "whopper", I decided to go on urbandictionary.com to find a definition for it and I find that it is apparently a Glaswegian term used to describe a piece of information as "terminologically inexact". Of course that is not the way I meant to use it, but there is apparently an alternative definition that refers to a person who makes a fool out of themselves without being aware that others are laughing at them. Again, I hope that is not the application it could have had as well. There is one red herring that unfortunately raised itself at several points in this debate that I want to deal with. It was first raised by Deputy Barbara Ward, although she did not raise it as a red herring. She was asking a perfectly valid question, which was what the term "high-value resident" meant in the wording to this. I can give a very specific answer to that; it means somebody who has status under section 2(1)(e) of the Control of Housing and Work (Jersey) Law. Those are the people who were probably more commonly known as 1(1)(k)s, so it is those very specific people. I can tell you why they are excluded from this, and it is disappointing that this point was raised several times afterwards. They are excluded because it is a totally different system that applies to them. They do not have the same tax rates and bands applied to them. It is a totally different law that governs where they sit. They have

essentially a tax cap and all sorts of weird and wonderful ways to get around paying for it. If a Deputy like Deputy Alex Curtis wants to bring a proposition to the Assembly specifically targeting those looking for their abolition, or at the very least a suspension while a bit more work is done to that, I promise him I will second such a proposition. I used to serve on the committee that looked at 2(1)(e) applications and I think it is a dreadful system with all sorts of problems in it that need to be addressed and, frankly, I am underplaying it in using that kind of terminology. But I guess the kind of big point that has been made in this debate in opposition to what we are proposing is the one that I think that really gets down to where you see Jersey going in its future. It is this question about whether this 20 per cent top rate of income tax is sacrosanct or not and whether it is a fundamental part of our tax system that has provided a successful pillar and stability from which we can claim all of our success as a direct response from. Of course I do not believe it and I do not believe it for 2 reasons. The first of those is we actually do not have a 20 per cent tax rate because there are supplementary taxes that have come along before, some of which have been introduced by Members who have just stood up in this debate and talked about how important that 20 per cent rate is. We have the long-term care tax. In previous years gone by we had an attempt to introduce another tax called the health charge, which would have been exactly the same as the long-term care tax in how it was applied to people, all to get around this idea that we have a 20 per cent tax rate. The very existence of those extra taxes I think is evidence that the 20 per cent rate clearly does not work. If our 20 per cent tax rate works so well, why do we keep having to introduce health charges and taxes and user pays and G.S.T. on basic human necessities? That is surely evidence that something somewhere along the line is broken. I think Deputy Catherine Curtis made the point very well when she pointed out the decline in productivity that there has been for so long in Jersey. I guess the other reason I really do not like the argument that if we meddle about with the top income tax rates in Jersey then it will have all these unintended consequences and people will just flock to leave the Island is the fact that I regard that as quite an unpatriotic argument. I think Jersey is much better than its headline income tax rates and if it were the case that tinkering with the top income tax rate in Jersey was something that will have such terrible consequences and it will persuade people that Jersey is such a terrible place to live that they will packing their bags the next day, you have to question why anyone is here in the first place. Not only does Jersey not have the lowest tax rates in Europe, we do not even have the lowest rates in the Channel Islands. You can go to Guernsey and pay less tax, if you like. You can go to Sark and you will pay virtually no tax at all. There are other questions that determine why people want to locate themselves in a particular jurisdiction and it is not all based on the top headline figure of income tax. I think that Jersey is resilient enough and there is so much else good happening here, that asking those people who really are earning a huge amount of money in a system that is otherwise extremely generous to them to just pay a little bit more because we are going through a tough time at this point, I think that people would be pretty fine with that. In terms of our finance industry and the business activity that goes on here, I will make the point that I believe that corporation tax is much more significant to the activity that goes on here rather than personal tax. It is not an industry matter what amounts people pay as personal income tax when they go home and receive their income at the end of the month. What will count for that business activity is the corporation tax regime and other infrastructure that is in place there to support those businesses. Our personal income tax is a matter for ourselves. So I think that we just go back to the old scaremongering tactics that happen when somebody comes up with an idea to change our tax system like this and they say: "It has not been consulted on, this, this or that" and you get these scaremongering arguments.

[15:30]

I have to say I thought the Constable of St. Peter's speech was the greatest example of that, although he did at one point - and I made a note of this as he said it - point out that this change would benefit 90 per cent of taxpayers. So, thank you for reiterating that point because that certainly works in our favour on this. So coming to Deputy Morel's point about doing this the wrong way versus doing this the right way, well, call me old fashioned but I think that ultimately these big points of principle and

these policy proposals as far as is possible ... I think the place to determine whether they are right or wrong is at the ballot box. I have no difficulty in standing alongside 9 other people in this Assembly who were elected on the basis of a document that said this is exactly what we would try to do. I think that is the right way of going about it, engaging with voters and the public and saying: "If you vote for us, this is what you can expect to get." Voters may not like every point that is made in that document; they will vote on balance for who they think offers them the best opportunities. I think that is the right way. I think the wrong way is to put government packages together that really have not been tested at the ballot box and do not have that kind of credibility. I can say that to Deputy Morel because I know that he stood for election saying I think he wanted the tax allowances increased and he got his way on that. That is the right way of doing it. I am just trying to replicate how he did it in that instance. The phrase was used that now is not the time to do this and I guess I am going to use this as an opportunity to warn new Members of the Assembly to get used to hearing that. It is something I have experienced time and time again in my 8 years in this Assembly that we get told: "Nice idea, that is worth thinking about, perhaps it ought to go out to consultation but now is not the time." Boy, we waste so much time and money in this Assembly outsourcing decision-making rather than having the courage of our convictions to make those decisions ourselves in the first place. We would be able to take our Island forward much more quickly if we had that kind of political culture that enabled us to do this rather than simply putting every difficult question out to a review. Deputy Ozouf, I think I heard him use the phrase "magic money tree" at some point. It is one of those phrases that came about because of events in U.K. politics. It now gets raised quite often in debates here and elsewhere and I just have to reiterate the point that this proposition does reduce the total cost of the income tax measures that are being proposed to be in force by next year. The cost of those income tax proposals is £34 million. If we adopt this amendment, it reduces the cost to £22 million. That means there is less pressure on public finances to find potential cuts elsewhere, there is less pressure to look at other aggressive measures that could come in the future and it provides a more sustainable footing for those good measures on increasing tax allowances that many of us want to see anyway. If I have missed any questions or comments that other Members have made I am happy to take interventions as I sit down at the end. I think I have covered most of what people have raised. I thought in particular that Deputy Andrews' speech was particularly good and I think him encouraging Members to think about principle here ... you want to call it ideology or philosophy or whatever but principle is an important thing. I would encourage Members as we move forward in this term of office to try to vote according to principle as much as possible and try to do what some of us have attempted to do in these years, which is to ignore those who come up with practical reasons for not adopting something: "We will come back to it next year, we cannot fit it in this timetable here." It really will limit our ability to serve our constituents and get stuff done if we constantly fall for that argument every time. I have brought this amendment with the support of my colleagues because we have a manifesto commitment to do so and because it is timely in providing extra financial support to those who need it and makes the overall impact of this Budget more fiscally responsible, which will take the pressure off in future years to come. I call for the *appel*.

The Deputy Bailiff:

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

Deputy R.J. Ward:

Sir, it is Deputy Ward, just to confirm I voted in the chat. Thank you, Sir.

The Deputy Bailiff:

Yes, I have seen your vote. It will be recorded. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I announce that the amendment has been rejected: 11 votes pour and 34 votes contre.

POUR: 11		CONTRE: 34		ABSTAIN: 0
Deputy M. Tadier		Connétable of St. Helier		
Deputy L.M.C. Doublet		Connétable of St. Brelade		
Deputy R.J. Ward		Connétable of Trinity		
Deputy C.S. Alves		Connétable of St. Peter		
Deputy S.Y. Mézec		Connétable of St. John		
Deputy T.A. Coles		Connétable of St. Clement		
Deputy B.B.S.V.M. Porée		Connétable of Grouville		
Deputy C.D. Curtis		Connétable of St. Ouen		
Deputy L.V. Feltham		Connétable of St. Mary		
Deputy R.S. Kovacs		Connétable of St. Saviour		
Deputy M.B. Andrews		Deputy C.F. Labey		
		Deputy K.F. Morel		
		Deputy M.R. Le Hegarat		
		Deputy S.M. Ahier		
		Deputy I. Gardiner		
		Deputy I.J. Gorst		
		Deputy L.J Farnham		
		Deputy K.L. Moore		
		Deputy P.F.C. Ozouf		
		Deputy P.M. Bailhache		
		Deputy D.J. Warr		
		Deputy H.M. Miles		
		Deputy M.R. Scott		
		Deputy J. Renouf		
		Deputy R.E. Binet		
		Deputy H.L. Jeune		
		Deputy M.E. Millar		
		Deputy A. Howell		
		Deputy T.J.A. Binet		
		Deputy M.R. Ferey		
		Deputy A.F. Curtis		
		Deputy B. Ward		
		Deputy K.M. Wilson		
		Deputy L.K.F Stephenson		

15.3 Mini-Budget 2022 (P.80/2022): sixth amendment (P.80/2022 Amd.(6)) - New Tax Allowance

The Deputy Bailiff:

The next amendment is amendment 6 lodged by Deputy Coles. I invite the Greffier to read the amendment.

The Greffier of the States:

Page 2, paragraph (b) – Insert a new paragraph (b) as follows and redesignate the remaining paragraphs accordingly – “(b) introducing a new personal tax allowance, the effect of which would be to offset any taxation obligations for taxpayers receiving a wage of less than 60 per cent of the annual median weekly wage for the preceding year, with the Minister for Treasury and Resources to bring forward the necessary legislative changes within the 2023 Government Plan for debate by the Assembly during 2022;”.

15.3.1 Deputy T.A. Coles:

It is probably the worst way to start a political career as part of your first speech to admit that you made a mistake, which is probably not something that happens fairly frequently in the world of politics. Unfortunately with the speed at which this mini-Budget was proposed, lodging periods, which are very important in this Assembly today, I misused a word. So in the first point where I use the term “wage” in the change I did refer to income and I only picked up on this upon the Council of Ministers’ response afterwards. Unfortunately it was too late by the time I recognised this to amend it in the amendment itself. However, I still believe that the reason for my amendment is still sound in the sense that we need to have more targeted approaches to certain of our allowances to help those who earn what is deemed a relative low income get through this time of this cost-of-living crisis. So first I want to look at the term of what is considered a relative low income, and that is somebody who earns 60 per cent or less of the median income. Now, the median income is considered when they take every income that is available on the Island, find the middle ground and there is your point. So straightaway 50 per cent of people are lower ... sorry, it is not 50 per cent of that are lower because it does not quite work that way with the median income. It is very sporadic over a graph. However, Statistics Jersey relate that the median income in Jersey is £750 per week, which makes a relative low income £450 a week or an annual income of £23,400. With the proposed increase in thresholds in tax to £18,550, this would still leave an individual liable for tax on £4,850 of their annual income, which would be payable at a rate of £1,309 in tax for that calendar year. The purpose of this amendment and this additional allowance would bring these individuals out from paying tax altogether without having to increase the tax threshold further and costing our Treasury even more money. The simple principle ... sorry, I will start again. What I am asking this Assembly to do is to consider their principles and the principle around whether it is right that somebody who is earning a relative low income should still be expected to pay tax. The £450 per week we would be considering would be of somebody ... the majority of these people would be working 40 hours a week. If we refer to an hourly rate of this, it would be £11.25 an hour, which is 2 pence less than the living wage recommended by Caritas in January of this year, which was £11.27 an hour. Of course January seems so long ago in the cost-of-living crisis as we still see our cost of living spiralling out of control that I would assess that this rate, if presented now, would be higher still. We must consider who might be receiving this relative low income and these are people who have served our Island, working in grocery shops during the pandemic, the people who are carrying out low-paid work that many people would not even know took place until it disappeared. We must not forget that there is another section of our population that might have an income that is less than or fixed to the relative low income and these people are pensioners. Some have a very low income that has no means of gaining or finding additional work to supplement this income. The aim of the mini-Budget is to help relieve the pressures many are facing by the rising cost of living. These costs are felt more by those that earn the least. Although the increase in the tax threshold will certainly help, it does not target those who need it the most. Bringing people out of tax completely will help more directly with them paying living costs. An individual who is earning the upper end of the £23,400 would directly benefit from £109 a month back into their pocket. As the purpose of the mini-Budget is to help those struggling with the cost of living, surely this should be the clear and right decision. It is also interesting that with this being related to the living wage this allowance would become superfluous if this Assembly adopts a strategy to achieve a living wage as our minimum wage, so it would be no longer required

post December 2023 if comments by the Minister for Social Security are achieved. We also need to consider the outgoings that many individuals will be paying. We talk about rental stress and the rental stress that people face is considered one-third of their outgoings going to rent. So a single person, doing a quick scan by the same method that Statistics Jersey use by looking at the local classifieds for rent, would only be able to rent a single room with a shared bathroom to maintain themselves out of rental stress. If a single person wished to have their own bathroom, they would be paying up to £9,600 a year in rent. Should they wish to have a simple apartment, no parking, nothing special, they are still looking at £14,400 a year in their rent taken directly out of their wage. I would ask this Assembly to please consider this amendment and this additional allowance as it would certainly benefit those who need it the most while it also would provide ... the Treasury describes it as a cliff edge of tax. I personally like to consider it a safety net, that if someone fails to earn a liveable income they will not be harmed even further by the Government taking more money out of their pocket for tax. Fortunately, following the likes of Deputy Mézec, my speeches will be considerably shorter, so I will leave it here and allow other Members to have their input.

The Deputy Bailiff:

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

Deputy I.J. Gorst:

Firstly, I wonder if in light of the proposer's opening comments, that the proposition is not what he had intended, that he is continuing to ask Members to vote on a different meaning of the word "wages", so if Members did approve this proposal any changes will be limited to wages rather than earnings, which is how tax is normally calculated.

[15:45]

Sir, I am not sure whether that is a position on which you would wish to rule or it is just what the wording is of the proposition and we leave it at that.

The Deputy Bailiff:

Thank you for raising that, Deputy Gorst. I think that what the proposer meant ... Deputy Coles, it is clear from what you have said that you intended to use the word "income"; is that right?

Deputy T.A. Coles:

Yes, Sir.

The Deputy Bailiff:

The amendment cannot be amended now, as we know, but it is clear from the report, which uses the phrase "income" repeatedly, and indeed the first part of the response that what was understood by the word "wage" was "income". That is what you meant to say?

Deputy T.A. Coles:

Yes, Sir.

The Deputy Bailiff:

So my ruling is that for the word "wage" the Assembly can proceed on the footing that it is considering income, as that is what the proposer fully intended, as is clear from his report. Does that assist you, Deputy Gorst?

Deputy I.J. Gorst:

Only to a certain extent, in that you are trying to be helpful and I appreciate a precedent ...

The Deputy Bailiff:

I am trying to be helpful, but it is plain that is what the proposer intended in his report. Yes, Deputy, do you want to continue your speech?

Deputy I.J. Gorst:

Well, I am still confused because of course the Deputy does refer to a calculation based on median income, which of course that is the only way of dealing with calculations around income inequality, but that does not mean just because you are using a calculation based on income that the common reading of the word “wages” ... and we have to be very careful in Revenue Jersey and the tax law. Different sources of income rightly are treated differently, so the fact that a calculation is based on median income, I am not sure how one then reaches the conclusion that we can mean the word “wages” to mean something other than wages, which would be income arising out of employment.

The Deputy Bailiff:

Well, that is the ruling that I have given in relation to this matter. The proposer intended to use the word “income”. We do not have a dictionary in front of us, but I am sure that “wage” has a number of synonyms and in the context of this debate, I am content ...

Deputy P.M. Bailhache of St. Clement:

Sorry, Sir, I am finding it very difficult to hear you.

The Deputy Bailiff:

Sorry, Deputy Bailhache. The position is that the proposer intended to use the word “income” and not “wage” and his report refers to that. The point is picked up in the response and I have ruled that for the purposes of this debate, the word “wage” shall be read as if it encompasses or is the word “income”, as that is the intention of the proposer, as is clear from the report.

Deputy K.F. Morel:

I do apologise, and with the greatest respect, could you help me understand how we can change the wording of a proposition on the floor of the Assembly, especially when the word ...

The Deputy Bailiff:

The word has not ...

Deputy K.F. Morel:

... especially when the word “income” can be dividends from stocks, it can be income from rent, it can be income from pensions, none of which are wages?

The Deputy Bailiff:

No, I follow that, but it is clear from what the proposer said that he intended when he referred to “wage” to refer to the word “income”.

Deputy K.F. Morel:

We have to be precise in our propositions for a reason.

The Deputy Bailiff:

I follow that. Anyway, that is the ruling that I have given, that for “wage”, for these purposes, the Assembly can read “income”.

Deputy I.J. Gorst:

While the Assembly might be able to do so, I am not sure how my officials, who are bound by the tax law, can simply on a ruling of this Assembly that the word “wage” can, in the circumstances that

you have just described, mean “income”, which is a totally different word when it comes to the tax law, but ...

The Deputy Bailiff:

Do you have any comments, Mr. Attorney, to make in relation to this issue on which I have just given a ruling?

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

The meaning of propositions is traditionally a matter for the Presiding Officer. In terms of the point that the Minister makes in relation to the effect of construing the word “wage” as “income”, the proposition, as I read it, looks to be an in-principle one, in that the Minister for Treasury and Resources needs to bring forward necessary legislative changes during 2022, so by the end of the year. Sir, on the basis of your ruling, that legislation would have to be brought forward on the basis that it is income rather than a wage. I am not sure how far I can assist, but ...

The Deputy Bailiff:

That is of assistance, because as you correctly remind the Assembly, we are not dealing with a law here, merely a proposition. The States are asked to express an opinion in accordance with the proposition and this is an amendment to a proposition. To answer the question that Deputy Gorst just raised, his officers, when considering the effect of this amendment - if it were to be adopted by the Assembly - would know that the Assembly was considering the question of income, not wages, if adopting this particular amendment.

Deputy I.J. Gorst:

I do not wish to impose upon you further than is necessary, but it would seem to me that it would be reasonable for you to ... you are in effect ruling that an amendment lodged by a Member and approved by the Greffier and your office with one word in it, which is defined in tax legislation, can be construed to mean something other than that one word, which is also defined by tax legislation. While I accept your ruling, it would seem that we are in danger of setting a precedent with regard to the meaning of words which are defined by other pieces of legislation within the Assembly, but if that is your ruling, then I will sit for a second while I gather my thoughts and then give my speech. Thank you.

The Deputy Bailiff:

Yes, because this is not a statute. The Assembly is not making law, it is expressing opinions and this is an amendment to a proposition. It is plain from what the proposer said that he meant to speak of income and he is maintaining the proposition. I have ruled that for those purposes “wage” means “income” in this amendment. Yes, Deputy Scott, do you have anything you wanted to add?

Deputy M.R. Scott:

I just wondered if technically the debate has started or not because I was just going to raise also the matter, because if the debate has not started, Deputy Coles still has the opportunity to withdraw this proposition.

The Deputy Bailiff:

No, the debate has started.

Deputy M.R. Scott:

Okay, then I have a lot of sympathy with this proposition insofar as the ...

The Deputy Bailiff:

Is this your speech now?

Deputy M.R. Scott:

Yes.

The Deputy Bailiff:

Oh, good. Thank you. Not a point of order.

Deputy R.J. Ward:

Can I make a point of order, please? Sorry to interrupt. It is just Deputy Gorst started a speech and now seems to have the option to sit down and start again at some time. Are we all going to be given that option, because that would be quite nice? But I really think he had started his speech, so can we assume he has finished his speech now? It is just a strange one, listening to it. Sorry about that, thank you.

The Deputy Bailiff:

I think Deputy Gorst was making a point of order effectively, as I understood it. It was not badged as such, but that is what it was and now there is a speech from Deputy Scott.

15.3.2 Deputy M.R. Scott:

I think part of the problem was that we were not clear what we were talking about, although that might not be the first time in the States Assembly. I have sympathy with Deputy Coles' proposition because I had originally put in a proposition that referenced the idea that if the States Assembly accepted that generally we think it is desirable that people should have, as a minimum wage, the living wage then why would you be taxing that amount of wage? So the concept of increasing the tax allowance to take into account the level of the living wage is something that I could very much approve of in the long term. I am aware though that there still are these kind of discussions going on by what exactly should we mean by the living wage. My problem with this proposition - and I think it is a shame that it was not withdrawn and just perhaps worked on a little bit more - is I have difficulty in the section that talks about the financial and manpower implications. I find it difficult to work out the entire cost of increasing tax allowances in this way, so I would welcome some further information from the Ministry for Treasury and Resources on this point.

15.3.3 Deputy M.B. Andrews:

First, I think it is a very important proposition that has been raised because I do believe there is too much of a reliance on personal income taxation in the Island, and I do believe that we have a rather narrow tax base and I think it is often described as being broad and truly it is not. I do feel that increasing the minimum wage - and hopefully we do see the minimum wage become a living wage at some point across this Assembly - that will also provide us with more personal income tax in terms of revenue being generated. However, I do probably have an issue in terms of how much this is overall going to cost in terms of the aggregation of income earners who are below that threshold and also the loss of personal income taxation as well.

The Deputy Bailiff:

Yes, Chief Minister, your light was on briefly.

15.3.4 Deputy K.L. Moore:

It was, yes, and I am happy to speak. Thank you for calling me. Like Deputy Scott, I have a little sympathy with Deputy Coles' proposition and his amendment here. In terms of the philosophical argument that he is suggesting, it is essentially that we should not charge tax upon people who earn less than 60 per cent of the median wage. I think as a philosophical argument, that is an absolutely correct one to have, no matter the ins and outs of the terminology and how the amendment is expressed and how we should therefore interpret it as an Assembly. If we look at the simple

philosophical argument, it is a very good one for debate. There are some issues with it, that being that it creates a cliff edge for taxpayers, so they pay zero tax up to that point, which is at the moment £23,400 a year, and then they automatically leap into the 26 per cent on the rest of their income over and above the £23,400. That, I believe, according to the comments that have been provided by Treasury, would for a single person cost the Treasury £1.309 million, which is, while a considerable sum, not in the great scheme of things a huge sum. The point that becomes debatable with regards the terminology is then the other calculations that the Treasury have dutifully worked out and provided us with, which are their assumptions in relation to various household categories and whether different households would benefit from this change of allowance or not.

[16:00]

That bit, I have to say, due to the terminological debate that we are having alongside this amendment debate, I am unclear as to whether those would stand or not, and so I can assume that the cost to the Treasury would be at least £2 million, but perhaps a little more, but I think for the purposes of the debate, and as Deputy Coles has expressed ... apologies, I think it was the Attorney General has expressed that it is a matter for the Minister for Treasury and Resources to take away following the direction of the Assembly if they were to vote in favour of Deputy Coles' amendment and then we would have to bring back a proposal to the Assembly at a later date, perhaps in the Government Plan. I think there is a timeframe in your amendment, is there not, Deputy Coles? No. Okay, so perhaps if not in this Government Plan then perhaps in the next one and that is perhaps something that we could do, but my understanding of the mini-Budget is that we are debating things that we could introduce as an Assembly with almost immediate effect in order to benefit households across the Island this winter to meet the cost-of-living crisis, therefore I have perhaps come full circle and identified to Members - and forgive me for being perhaps a little slow - one of the difficulties in accepting the amendment, that it would not be, however philosophically we may agree with the Deputy, easy for us to implement it within the timeframe of this mini-Budget. I hope that helps the Assembly.

15.3.5 Deputy A. Howell:

Can I also say that I think it is going to be very complicated to bring this about, to work out who is on 60 per cent of the median wage? I just do not think we have the timescale to put this into practice. This is just a mini-Budget that the Government have very quickly brought to our attention. We are trying to help people and it is going to be so difficult. I am just a simple person and I think we just need to keep simplicity. Thank you very much.

15.3.6 Deputy I.J. Gorst:

If we are fully ruling, as we are to do as Members of this Assembly, then we are to make the amendment to the amendment in our minds, as Deputy Coles asked us to, to treat this amendment in effect as raising the tax thresholds, because that is what we would be doing now that we have changed the meaning of the word "wages" to mean "income", we would be increasing the threshold to, in effect, £23,000 so that no Islander would pay any tax if they earned under that threshold. What the mini-Budget currently does is increase the tax threshold by £2,000 already and Members have seen the calculated cost there. This amendment, as we say, would in effect increase it by that. We are not able to give absolute assurance to Members of what the cost would be because of the way that we would need to go away and do the banding work, having made the assumption that wages meant income from employment and not more broadly income, and it will take officials a little bit longer to do that calculation.

Deputy P.M. Bailhache:

Will the Deputy give way for one moment on a point of order? I would just like to be clear of what your ruling was, because the word “wage” appears in 2 places in the proposition. I just want to be clear that it is to be construed as income in both places.

The Deputy Bailiff:

That is correct.

Deputy P.M. Bailhache:

Thank you.

The Deputy Bailiff:

Thank you for raising that. Yes, thank you, Deputy.

Deputy I.J. Gorst:

So all I can say is that it would be more ... it would cost more than £8 million. Members will make their own assumption. I cannot be any more certain than that. It would be, as Members can calculate for themselves with their own calculators, a 41 per cent increase in the thresholds, bearing in mind that in Jersey we also already have some of the very highest tax thresholds and we already exempt because of those ... sorry, I will not use the word “exempt”. There are already, because of high tax thresholds, a large proportion of Islanders who do not pay income tax because they are below that threshold. There are 2 other issues that I think we should bear in mind. One is the cliff edge, which may not have been well-understood by Members, because although it would in effect be a raise in thresholds, that is not the calculation that my officials would have to do. They would have to do a calculation based on the 60 per cent of median income, as the Deputy has asked for. What that means, again with the tax interpretation of the amendment, is that you then suffer a cliff edge, so if you earn above £23,399 per annum, simply £1 above, you would have to do a tax calculation and you would be liable to taxation and that taxation on the extra pound would be calculated on the whole of your income, not just on the pound, which is what you would expect logically, because it is a tax calculation. So rather than paying 26 per cent on £1, you would be making the assumption that you are a marginal taxpayer, which I think is a very reasonable assumption in this case, you would pay an extra £1,250, so you are creating disincentives for anyone to earn more if you are a low-income individual, more than £23,399 per annum. Those Members who have experience of running businesses or working in businesses will understand the effect that that would have on availability of hours, the desire of some individuals to work more than one job or the need for them to work more than one job and so what seems like a very positive measure up to that threshold, it could be regarded as such - I do not think it is an appropriate measure, but it could be - but as soon as you tip over that, as soon as you do an extra half hour’s work or 15 minutes’ work that your employer might want to very leniently pay you for or think: “Yes, I would like to pay that individual more because they are doing a good job” you suddenly tip into a tax liability. That is what we mean by cliff edge and I do not think that is appropriate, and I am again not sure that that is what the mover of the amendment expected but that is the reality of what would be. Secondly is that - secondly and thirdly, probably - the normal reading of the amendment would appear to me to require me to go away and work with my officials and bring forward an amendment to the Government Plan in effect within the next 14 days. I think that the Government Plan has got, now we are drawing to the ... I am looking to the Chief Minister for her guidance. I think we are looking at a cut-off point of something around 4th October, but I could be wrong about that, in order to comply with Standing Orders and give the requisite number of weeks before we get to the debate in December. I am looking also at the Greffier. She might correct me if I am wrong there, please do, but it gives something like 14 days to work through the difficulties that we have discussed earlier in the system. The other thing that it does is this: it would not be agreed in the law and completed in time for Islanders to receive their bulk

statements in November. The reason that we have brought forward or I have brought forward the changes to the tax system in the mini-Budget that do not have effect until 1st January is so that Islanders see the benefit in their I.T.I.S. (Income Tax Instalment Scheme) rate in the notice that they are issued in November of this year, and the Chief Minister outlined that in her opening commentary to the overall mini-Budget. Islanders would not see, on 1st January, the benefit. We go through a process, their I.T.I.S. rate would remain as it is, based upon their previous calculation, but with the benefit - if Members support the £2,000 increase in thresholds - from the beginning of January. They would then have to complete their income tax assessment for the year 2022 and then start to see the benefit in the second half of 2023. I do not believe that it is the right amendment. I do not accept the philosophical argument that has been made, and for the reasons that I have outlined, I ask Members to reject the amendment.

15.3.7 The Connétable of St. Mary:

I apologise for going back to the term “wage” as opposed to “income”, but if that word “wage” is to be replaced by “income” we are left with a phrase: “60 per cent of the annual median weekly wage.” Am I to understand - and perhaps the proposer can clarify this - does that mean in calculating that median figure, we take into the income from all the 1(1)(e)s, whether it is taxed at 1 per cent or not? Is that his interpretation, that that will be brought into account at gross level, effectively?

15.3.8 Deputy P.M. Bailhache:

I think that my point is quite similar to that just raised by the Deputy of St. Mary and I assume that the proposer of the amendment has discussed this issue with the Treasury officials, but if the proposition is to read that any taxation obligations for taxpayers receiving an income less than 60 per cent of the annual median weekly income for the preceding year, I would like to be assured that tax officials will be able to treat that phrase as a term of art. In other words, do they know what is the median annual weekly income of taxpayers in the Island because, if one looks at the report of the proposer, he talks of median income, that is true, but he also talks about median income of a full-time employee and that is different from median income, which may include investment income and could be considerably higher.

[16:15]

Therefore although Deputy Gorst was speaking of a figure of £24,000 it seems to me that - in theory, anyway - that figure could be very considerably higher.

15.3.9 Deputy S.Y. Mézec:

I really do think that Deputy Coles is on to a really important point here and I think some Members have admitted that, that there is an important philosophical question here. Deputy Gorst seemed to dismiss it, not agreeing with it, but there is this question of do you consider it right that if someone is living in relative low income, which let us be clear, that means relative poverty by Jersey standards, that they should still be included in paying income tax? I regard the existence of poverty in an Island like Jersey, so wealthy, to be a failure of how we govern our society and how we govern our economy, that there are still people left there who are living in relative poverty in a wealthy Island like ours and I think there ought to be significantly more done to support those people. I think that we ought to do significantly more to ensure that the numbers of people who would benefit from a policy like this be reduced so that it becomes unnecessary in the first place to have something like what Deputy Coles has put forward. But he has put it forward to make an attempt to make a difference for those people, to find some way of supporting them and to find an affordable way of supporting them, because the alternative that you could have done to have the same effect would be to raise the basic income tax allowance to whatever level relative low income is considered at the time, but then that would of course have the effect of benefiting those at the higher end of marginal relief as well. That would make a policy like this completely unaffordable, so he has attempted to find a way around that to get

the best use of our efforts and of lost revenue to exclusively benefit those people. I think that that is a good thing to have tried to do. I found the use of this phrase “cliff edge” to be quite amusing in this debate; this idea that we create a cliff edge where when you suddenly start receiving a certain income you would then be subject to some income tax where you would not have been before. It is amusing because the concept of a cliff edge is not a unique one in Jersey’s taxation system. There is a cliff edge in social security contributions; there is a cliff edge in the long-term care tax. The difference is it is at the other end of the spectrum. It is for the super-wealthy so that they do not have to pay a penny above that amount instead, but when we propose it for the opposite reason, which is to help the lowest earners in Jersey: “Oh no, we could not possibly have any kind of cliff edge.” That strikes me as a bizarre double standard. If we are going to have systems where there is a sudden cut-off point for any form of taxation, we should first and foremost be looking at removing it for those who need it the least, and if we have to introduce them, introducing them for those who need it the most. Deputy Gorst also referred to the fact that Jersey, comparatively to other jurisdictions, does already have high personal tax allowances, certainly higher than our neighbours, higher than the U.K., but the reason we have higher tax thresholds, tax allowances here in Jersey is frankly because we need them because we do what they do not do in our neighbouring territories, which is we tax necessities here. Okay, you will not see it come out of your payslips at the end of the month or from wherever else you obtain your income, but you are spending more at the till paying tax on necessities that those other jurisdictions with lower personal tax allowances do not have. All of that contributes to an environment where there are these people in Jersey who could do with that extra help. I think it is right to treat this as a debate on principle. We have an opportunity with a creatively put together amendment to try to help those people without having the massive financial ramifications to our income forecast otherwise. I commend Deputy Coles for bringing that forward. I think it is a good idea and I look forward to the day, hopefully sooner rather than later, when a measure like this is not even necessary in the first place.

The Deputy Bailiff:

Thank you, Deputy. Does any Member wish to speak on this amendment? If not, I call upon Deputy Coles to reply.

15.3.10 Deputy T.A. Coles:

Let me just thank you very much for your ruling for my grievous error and apologies to Deputy Gorst for throwing him off his train with my simple oversight. I would like to address both the Constable of St. Mary and Deputy Howell about the data and statistics. For Deputy Howell, the statistic of 60 per cent of the median is provided by Statistics Jersey, and one of the reasons why everything was sort of thrown together a bit quickly is that information was released on the Friday before the bank holiday when the amendment had to be lodged by the following Tuesday, so it became quite rushed at the end. For the Connétable of St. Mary, I believe the high-value residents, again as mentioned earlier in the other debate, are on a completely separate system and so their tax revenues are not applied in the same manner. It is also worth noting that Statistics Jersey refers to a full-time employee’s earnings as where they get their median income from, so it probably explains more of my error in the sense that we have an income tax system that bases things off of people’s full-time earnings, and so we are using multiple terms for things that can refer to the same thing. Also with regard to people’s pensions, we are also talking about an income rather than an earning, but they are still taxed through our income tax system in the same way a wage would be. One point that Deputy Gorst was making, the fact that he was referring to this as an increase in the thresholds, it is not an increase in the threshold but a targeted allowance that means if anybody who is subject to a wage below a certain point, they will be automatically allocated the same allowance, which will take them out of tax. It is a simple allowance, not overly complex, and has a cut-off point for when that would no longer apply. But as I said, I believe this is more a point of principle than anything, and the fact

do we believe that people who earn less than 60 per cent of the median income in this Island, should they be paying tax? This is the question that I ask the Assembly.

The Deputy Bailiff:

Is the *appel* called for?

Deputy T.A. Coles:

Yes.

The Deputy Bailiff:

The *appel* is called for. Members are asked to return to their seats. I invite the Greffier to open the voting. If all Members have had the opportunity of casting their votes - and I have received your vote in the chat, Deputy Ward - I invite the Greffier to close the voting and I can announce that the amendment has been defeated.

POUR: 9		CONTRE: 33		ABSTAIN: 0
Deputy M. Tadier		Connétable of St. Brelade		
Deputy R.J. Ward		Connétable of Trinity		
Deputy C.S. Alves		Connétable of St. Peter		
Deputy S.Y. Mézec		Connétable of St. John		
Deputy T.A. Coles		Connétable of St. Clement		
Deputy B.B.S.V.M. Porée		Connétable of Grouville		
Deputy C.D. Curtis		Connétable of St. Ouen		
Deputy L.V. Feltham		Connétable of St. Mary		
Deputy R.S. Kovacs		Connétable of St. Saviour		
		Deputy C.F. Labey		
		Deputy L.M.C. Doublet		
		Deputy K.F. Morel		
		Deputy M.R. Le Hegarat		
		Deputy S.M. Ahier		
		Deputy I. Gardiner		
		Deputy I.J. Gorst		
		Deputy L.J. Farnham		
		Deputy K.L. Moore		
		Deputy P.M. Bailhache		
		Deputy D.J. Warr		
		Deputy H.M. Miles		
		Deputy M.R. Scott		
		Deputy J. Renouf		
		Deputy R.E. Binet		
		Deputy H.L. Jeune		
		Deputy M.E. Millar		
		Deputy A. Howell		
		Deputy T.J.A. Binet		
		Deputy M.R. Ferey		
		Deputy A.F. Curtis		

		Deputy B. Ward		
		Deputy L.K.F Stephenson		
		Deputy M.B. Andrews		

Before we move on to the next amendment, I know that the ruling I gave in relation to the interpretation of the amendment certainly gave rise to some consternation on the part of certain Members. That was, in my judgment, a decision under Standing Order 167, namely a decision under a question of order or procedure which is not provided for in Standing Orders, and accordingly the Greffier will record the decision that I made so that it is understood. It is a matter namely whether or not the Presiding Officer can or should effectively either amend or interpret in that way a proposition to be considered in due course by P.P.C. I note that in relation to legislation, as Members will recall, the Presiding Officer does have a power under Standing Order 75 to correct errors or oversights in Third Reading and in this case Deputy Coles has referred in his closing submission speech to you to an error or oversight and Members may want to consider in due course whether it is appropriate for there to be an express power in Standing Orders for any such oversight or error to be correctable in certain circumstances in the context of a proposition such as this.

15.4 Mini-Budget 2022 (P.80/2022): fifth amendment (P.80/2022 Amd.(5)) - Reduction in Social Security

The Deputy Bailiff:

We now move on to the next amendment under consideration, amendment 5, lodged by Deputy Catherine Curtis and I ask the Greffier to read the amendment.

The Greffier of the States:

Page 2, paragraph (b) - For the words “31st December 2022” substitute the words “31st March 2023”.

15.4.1 Deputy C.D. Curtis:

First, I congratulate the Council of Ministers on their speed in responding to this cost-of-living crisis. The proposed reduction in social security contributions will allow workers to keep more of their own money and for some people that little bit extra will make the difference between being able to eat well and stay warm or having to choose just one of those essentials. However, there is what I feel is an error in this mini-Budget proposal. It is proposed for the reduction to run from October to the end of December. This means that people will find their pay packet lower at the end of January, the very worst time of year for this to happen. So many families will be in debt at this point, after spending on children at Christmas, and then face the biggest heating bills of the year. To ameliorate this problem, my amendment proposes we continue the social security reduced payments until March. This will enable hard-pressed families to pay for the essentials and make them less likely to fall into debt. The Council of Ministers have stated that my amendment to continue the reductions until March is unnecessary because new tax allowances will come into place in January. Unfortunately, this will not make up the difference for many people. Tax is not that simple. People’s tax rates may go up, which would wipe out the differences made by the more generous allowances. For example, a self-employed caterer may have had a lot more business in the previous year after all the COVID restrictions and that person will be issued with a higher tax rate, so we cannot say that new tax allowances will make that difference. Secondly, there are families who pay little or no tax. They may be able to claim the community cost bonus, which will help, but most do not even know of its existence and not all will be able to claim it, certainly those without 5 years’ residency. The surest way to assist working families is to continue with the reductions in social security contributions through the difficult winter period. The Council of Ministers has stated that there will be a practical difficulty in ending the contributions reduction in March. May I remind Members that we should never decide policy on what is easy to put into practice? That would be very poor government. I

urge Members to vote for this amendment, as it will provide a secure safety net against our Islanders falling into poverty this winter.

The Greffier of the States (in the Chair):

Is the amendment seconded? **[Seconded]** Does anyone wish to speak on the amendment?

15.4.2 Deputy E. Millar:

I will get the hang of the microphone sooner or later. The proposed reduction in contributions, as proposed by Ministers, if approved by the Assembly, will start very quickly. It will take effect in October and give much-needed support to all workers each week, each month, depending on when they are paid, up until the end of the year. Its strength is its breadth of impact and the speed with which we can implement it. However, it acts best as a stopgap measure until we can provide more tailored and targeted support through other mini-Budget measures. The Deputy's proposed amendment to extend the support to the end of the year is well meaning and I commend her for that, but I cannot support it. The Council of Ministers' proposed package of support to help with the higher cost of living includes significant well-targeted measures from the start of January, which taken together support more people and are worth more than the reduction in contributions, particularly for households with low income.

[16:30]

The Deputy, in her report, is most concerned about working households, especially those with children, who pay a very low rate of income tax or no income tax at all. The package of support in the mini-Budget includes both an increase in income support and a much higher community cost bonus of £516 to lower income families who do not pay income tax. Ministers are also supporting Deputy Feltham's amendment to the community cost bonus to extend it to households with a tax liability of under £2,735 in 2021. If I could just comment on the income support increase, I think regulations have been lodged today which will increase income support quite significantly. We already have the agreed 2.6 per cent increase in October. Today's regulations will, if accepted by the Assembly, result in a further increase of 6.4 per cent, effective from January. In this case because of the way the calculations work, 2.6 per cent and 6.4 per cent do equal 9.2 per cent. These other measures will be worth more to low-income households than extending the 2 per cent cut in contributions by 3 more months. The proposed package and measures in the mini-Budget is expected to cost approximately £56 million altogether in 2022 and 2023 and this is within our means and what we can afford as an Island. A 2 per cent cut in contributions for a further 3 months, on top of the measures already planned for January next year, would add another £9 million to this total. It would also be a further £9 million of foregone income from the Social Security Fund in 2023. Although this would have only a very small impact on the long-term sustainability of the Social Security Fund, this does follow several years of reduced income into the fund to provide funding to public services during the COVID pandemic totalling hundreds of millions of pounds. The impact of this will shortly be considered by actuaries who are starting the 4-yearly actuary review of Social Security funds. They will provide new financial projections using up-to-date Social Security data and census data from Statistics Jersey for a range of future population scenarios. Finally, Revenue Jersey could implement this amendment for the first few months of 2023 but it would come at a critical time in the delivery of the improved revenue collection system. There is operational overhead associated with the beginning and the end for the period of reduced contributions. If reduced contributions continue to march, the administrative burden for Revenue Jersey of returning to the 6 per cent rate would come in April at the same time as a planned implementation of a joint revenue collection system. I believe this is a very significant type of project on which Revenue Jersey have been working for a considerable length of time. This would increase the risk of a delay and additional project costs in delivering the planned programme of important improvements to the joint revenue

collection system for 1st April 2023. I would, therefore, encourage Members to reject this proposition.

15.4.3 Deputy S.Y. Mézec:

Helpful to try to help the debate go along in case people are holding back. I thought that Deputy Catherine Curtis made an extremely compelling case in her opening speech for this proposition in terms of explaining the impacts that it would have on real people and different household types and explaining how certain people will be missing out as a result of the changes that will come through in January, ending the temporary reduction in social security contributions and moving towards the income tax thresholds allowances instead. The basic fact here is that it is by virtue of the fact that our social security contribution system is regressive, when you cut it that is a progressive measure because it helps those on the lowest earnings right away in that there are no thresholds at the start for them, like there is for income tax. From January, as the income tax thresholds change, if you are a single person without dependents earning £20,000 you will benefit from those increases in tax thresholds but if you are somebody who is earning less than those thresholds you will not benefit a penny from that. But you would benefit from the social security contributions changes because you start paying that at the start of your income without those allowances there. It is strange but it makes that a more progressive measure and it targets it at those with the lowest earnings, more effectively than the income tax changes do. Income tax changes are good, I am not standing to oppose those in any shape or form, but the point at which people start benefiting from them is significantly higher than the point at which they start benefiting from social security reductions. It has been mentioned that there are changes to the income support rates designed to help people. There are 2 points I would make to that; first, and I will probably have to make this point many times over the next few years, but I really do not think it is always the best solution to just provide more benefits to help people. We should look at supporting people to be as independent as possible and able to sustain their living on their own incomes independently from government, wherever is possible. It is not always a good thing to just say we will just pump more into the benefit system, there are plenty of occasions where that is necessary but we should not have that automatically the case for every problem that we try to solve. The second thing I do not like about that is that there are plenty of people out there who are not eligible for income support. They either have not lived here long enough and those people will still be suffering from the increase in cost of living as well or there may be other reasons why they are not eligible or there may be people who are eligible for income support who claim income support but due to the sometimes horrific bureaucracy they come across end up having to pay back overpayments or there has been some mistake somewhere along the system, it will take them 20 forms to fill it out and they will be suffering for months on end while that tries to get resolved. For many people their experience going through that is not pleasant and they are denied help that they might otherwise be eligible for in the meantime. The reason that the reduction in social security contributions starting in October is a good idea is because it is relatively easy to implement; it starts benefiting people very quickly. The reason that it would be a good thing to extend it from January to March is for all those same reasons it is good to do it in the first place. Many of those people otherwise that, come January, will suddenly find that they do not have that support anymore and their life circumstances will not have changed. In fact if they have changed they have probably got worse because of higher heating bills or whatever inflationary pressures are waiting for us round the corner over the coming weeks and months. What Deputy Catherine Curtis is proposing here is very well targeted and will directly benefit those people. They will be the lowest of the earners there who will benefit from that right away. There are other organisations that have, I think, been speaking out on this as well, suggesting that this would be a useful thing to do. From what I have seen in comments, those have been organisations which deal with people who are on very, very low incomes. I have to ask the question: why was this not considered by the Government in the first place? I have got to say I do not really buy this idea that it coming to an end in April causes administrative difficulties. For goodness sake that is surely not insurmountable if there is a very long lead up to it. Absolutely tens

and tens of millions we are spending on I.T. (information technology) stuff in government, surely it is not going to be too difficult to say we will just put the rate back up to 6 per cent come that point. Really I think we are smarter than that, hopefully; if we are not I would be very worried. It strikes me that the arguments against it just are not that strong. The strongest argument you can come up with is that, yes, it does lead to a longer period of time where there is less revenue going into the Social Security Fund. But we have used that fund from time to time in recent years to help respond to crises when it has been necessary and there is the actuary review going on anyway, and there will be some thinking we will need to do about social security contributions and that fund in the long run to make sure that it is sustainable and it is able to pay out everything we need it to, to support people. But that is something that we are looking at long term because it is not, I think, until the 2060s or something that that fund would be depleted anyway. There is a long time to get around that, it is not urgent, it is something we can deal with with cool heads and think very carefully on, whereas this will make a difference to people come January and it will be those who need it the most. I am wholeheartedly behind Deputy Catherine Curtis on this.

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

To talk back to the points that Deputy Mézec has just made, firstly, if people are really struggling with claiming income support or finding it a labyrinthine process, Citizens Advice is always there to help those people; does a fantastic job in navigating people through that system. There should be no reason for anyone who is struggling financially to not get that correct assistance. In relation to the computer systems, the Minister and I recently met with Revenue Jersey and got a good understanding of exactly why extending this past December of this year would be expensive, costly and put the project back. This is a project that has been a number of years in the gestation. It is really important that we get it into place now. While this might be quite attractive to just extend this for another 3 months, this is not the right time to be extending it. This is not to the benefit of anyone. We need to implement it for a short term, timely and targeted and then move on to next year.

15.4.5 Deputy M.R. Scott:

I just wanted to remind the States Assembly that there is a class of people who are suffering some poverty who do not pay social security contributions and those are the pensioners. I feel that overall this mini-Budget does not really address pensioner poverty adequately. I have noticed that some of these amendments, including this one such amendment, and I would rather see more work being done to address a target group that has been identified as particularly pronounced in Jersey. That is really where I would want to focus in terms of additional change in terms of this mini-Budget.

15.4.6 Deputy J. Renouf:

Deputy Mézec raises the question of where are the arguments against this? I think this is something we considered at length in the Council of Ministers and I think the point about this is it is a carefully tailored package. We have one set of measures that take us up to Christmas and another set of measures that come in after that, and they are designed to dovetail. Deputy Curtis has certainly made some points about people who might slip through that net. There may be a few who slip through that net, I do not know. But what she is not pointing out, I think, is that there will be people who double benefit because of the way that these measures have been designed to work. An awful lot of people will gain a double benefit from the fact that the cuts in social security contributions will continue at the same time as other measures come into effect to also help. It is not a good use of taxpayers' money in that regard. I think the focus needs to be on making sure that those benefits work together. The other point I would make is that all the arguments that Deputy Mézec and Deputy Catherine Curtis made for extending the measure would work again next April and again after that. There is no point at which those arguments would not be relevant and, therefore, this would, effectively, turn this measure into a permanent cut or else we would have to face making the same decision that we are facing now, just at some point in the future. I think now is the time when we have got a very

carefully worked out set of measures that dovetail together very well, to stick with that and support the original mini-Budget proposal and, I am afraid, reject this amendment.

15.4.7 Deputy M. Tadier:

I think I was told by Deputy Southern a while back that you always go into debate as if you are going to win it and that is good. But 14 years of experience in this Assembly has also taught me to be slightly realistic and we know which way the wind is blowing in this Assembly, even after a couple of days of debate.

[16:45]

I find myself struggling as to whether to try and speak in terms of influencing the debate, to try and change independent Members' mind, the people who were elected, let us say, independently - I do not know if there are any of those in this Assembly - to listen to arguments that are put forward and then to decide on the weight of those arguments where their vote may fall or just to go along with a particular party whip, which may be something other than Reform. I find myself initially tending towards the voice of a commentator, to first of all try and unravel some of the psychology which I find particularly fascinating going on already in this mini-Budget. I think it is what is termed as whataboutism. I am not sure if that is the correct expression but I have heard it referred to that on social media as that. It is where people say they do not address the actual amendment or the proposal in front of them at all, they just find another reason from somewhere up here and they say because the amendment that we are dealing with does not deal with this, which incidentally, as an elected States Member, I could have brought as an amendment to the Budget or I could do, I could raise all of those issues or I could lodge proposals and then withdraw them if I get talked out of them; that is also another way to do it, is that they just say: "Well, because it does not deal with this I cannot vote for it" but we are here to address the issue in front of us. Deputy Renouf talks about double accounting or double helping; God forbid that we should help anybody twice. A possible Standing Order being broken there but we will see how attentive the Chair is being. I do not think I invoke the deity. But let us never suggest that we might try and help people twice because of course we know that, what would that mean? It is as if to say there is a Venn diagram. We know that the current Government will be helping lots of people twice, 3 times and other people will fall by the wayside, they will not necessarily get the help that they want. That is because society is complex and our economic system is complex and our tax system and social security systems are not fully integrated and that is something which I am sure the current Minister is fully aware of. We have a strange system whereby in terms of ... and I have heard this when I sat on Scrutiny from the officers at the Tax and Social Security, they said in a lot of countries the Social Security income support systems and the tax system are integrated. Those are the levers, you help people through tax allowances and/or you help them through Social Security through benefits and those are always available and those are the levers that we use. Part of the problem we have in Jersey of course is that the Social Security system looks at household income, whereas now and into the future even more so the income support system will look at individual income, so there is already a disconnect there. You can have a household which might be in poverty but you can have individuals who might be very high earners but of course in a household they might just be the only breadwinner, so to speak, in that household, so there will necessarily be contradictions. Unless we have some kind of absolutist or totalitarian system where we want to know every small bit of information about every household and what is the expression? The perfect plan is the enemy of a good plan. What I think we have here from Deputy Curtis in her first proposition in this Assembly, which I also commend her for and not simply because it is a first but because it is a good one, is that it seeks to do something meaningful here. I think it is a slightly peripheral but, nonetheless, important advantage of this amendment, is that I am interested in the data that we will collect from this. If we put in a benefit very temporary, is it temporary, timely and targeted? Yes, it is but it is very temporary. If we did it over a 6-month period, which is normally how we run Social Security, you run it on 6-monthly contributions before you can claim benefits, the

data we will get from that will be much more meaningful. We will be able to look at that and how it has affected people's lives in the longer term, not to mention the fact that it will take them through, as has already been said, the coldest period of the year, which is normally from January up until March. Of course we know that there are people who are not eligible for the community cost benefit, some of those will be pensioners, so not all pensioners but a lot of people who are on pensions who do not pay tax will be caught by the doubling of the community cost bonus, that is why it has been put in there. This idea about the Venn diagrams is that, in a sense, yes, we do need to look after those and they are being targeted directly by the costs bonus but there are other people who pay social security out there and that is before we get on to the people who pay social security and get no benefits. Remember there are lots of people working in the low-paid industries, on the farms. At the last Assembly we talked about people who got injured, who receive absolutely no cover because they might only be here 4 or 5 months; they are paying that, they are not taking any pensions out. This is also going to help the lowest earners in our society. What are they going to do with that saving? People in this position, they are just going to spend it and they will spend it locally. These are people who work in Jersey and they will be spending that money in the local economy and it will be helping either through fiscal stimulus or coming back in circular money. I do not think we need to be afraid. We are arguing over a 3-month period here of a targeted measure from September to March. I think 6 months is a good period to help people in a meaningful way and we should support Deputy Catherine Curtis in this, I think, modest amendment.

The Greffier of the States (in the Chair):

Thank you, Deputy, and to allay your concerns, rest assured that the Chair was being attentive but perhaps more relaxed about religious references, provided that they are respectful, so I did not wish to interrupt your speech.

Deputy M. Tadier:

I was referring to all gods of course.

15.4.8 Deputy M.B. Andrews:

First of all, when we are looking at deductions, so increasing net income, we have to be very careful, especially during a period of higher inflation. In terms of the measures, they are going to be sustained, if the longer obviously we are to approve measures. By doing it, say, for a 3-month period you are probably not going to see a reflection in price increases. But if you are, for instance, adopting policy where there are, say, baseline wage earners who are given more savings, how are they then going to consume? Again, they are probably going to consume the same relevant goods within their purchasing power. I just think we have to be very careful in terms of what we look to address in terms of implementation and how long for. Because longer term you could see net incomes potentially increase but also the reflection in prices also could do too, so you are cancelling out what you have already implemented. However, I do commend the Deputy for bringing this forward. I think it was very innovative but also, secondly, as well I have some concerns about the Social Security Fund. The Fiscal Policy Panel, they reported that by 2067 the fund will more or less be exhausted and, again, that is a massive problem that we have. Again, that is on the basis of a 325 net inward migration and also maintaining the current level of social security contributions, so roughly about 54,000. Again, we are really struggling to recruit, we also have to think about our demographic composition problem, that is what I tend to call it. If we are unable to recruit external labour and also we are seeing more people retire, then again there is going to be a greater need for fiscal expenditure. There is going to be less people who are going to be economically active who are going to then be paying into the pot as well, so that is really my concerns. I think as well, being somebody who is in their 20s, I am also considering the future generation and I think this is one of the benefits of having a more diverse States Assembly I think; obviously having 22 female politicians is absolutely extraordinary. I am very proud to be part of this Assembly. But also as well I think having a few

more people who are relative to me in age is also a very good thing because also we bring forward a different perspective as well for the future generation.

The Greffier of the States (in the Chair):

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

15.4.9 Deputy C.D. Curtis:

Thank you, everyone, for your comments. I just want to remind everyone that the social security contribution is somebody’s earnings, they have earned that money. It is not something we are giving to them, it is their money; we are taking it from them for a good cause. But there is a cost-of-living crisis and it is the broadest and simplest way to help working people, which is to stop or reduce those contributions in some way for a period of time. By stopping it in the most expensive time of the year is going to make people’s lives much harder. Deputy Millar did talk about how the targeted measures will fill the gap for many people but they will not fill the gap for all people. Increases in income support and the community cost bonus; that does not cover all low-income households. It does not cover the people who have been here for less than 5 years and are we just going to forget those people? It does not cover all of the other households either. Deputy Ferey spoke to say that it was an unnecessary amendment. I have spoken to quite a lot of charity leaders who support this amendment. They are very concerned about stopping it during the winter period. Deputy Scott spoke on this but did not speak on the amendment but just another matter completely. Deputy Renouf suggested that people could gain a double bonus. But what I would like to say is for people to remember that this is a cost-of-living crisis, so this is to prevent people falling into debt. They are not going to be hoarding the money, they are going to be paying for things, for example, a tank of heating oil now costs £950. We need to think about what is best for our Islanders during winter. If Members want to assist the people of Jersey to get through the winter during this cost-of-living crisis they will support the amendment. Therefore, I make the amendment and I ask for the *appel*.

The Greffier of the States (in the Chair):

The *appel* is called for. Members are invited to return to their seats and I ask the Greffier to open the voting. If all Members have had an opportunity to cast their votes, I ask the Greffier to close the voting. Deputy Ward, I have noted your vote in favour of the proposition. I can announce that the proposition has been lost.

POUR: 14		CONTRE: 30		ABSTAIN: 0
Connétable of St. Helier		Connétable of St. Brelade		
Connétable of Grouville		Connétable of Trinity		
Connétable of St. Ouen		Connétable of St. Peter		
Connétable of St. Saviour		Connétable of St. John		
Deputy M. Tadier		Connétable of St. Clement		
Deputy R.J. Ward		Connétable of St. Mary		
Deputy C.S. Alves		Deputy C.F. Labey		
Deputy L.J. Farnham		Deputy L.M.C. Doublet		
Deputy S.Y. Mézec		Deputy K.F. Morel		
Deputy T.A. Coles		Deputy M.R. Le Hegarat		
Deputy B.B.S.V.M. Porée		Deputy S.M. Ahier		
Deputy C.D. Curtis		Deputy I. Gardiner		
Deputy L.V. Feltham		Deputy I.J. Gorst		
Deputy R.S. Kovacs		Deputy K.L. Moore		

	Deputy P.M. Bailhache		
	Deputy D.J. Warr		
	Deputy H.M. Miles		
	Deputy M.R. Scott		
	Deputy J. Renouf		
	Deputy R.E. Binet		
	Deputy H.L. Jeune		
	Deputy M.E. Millar		
	Deputy A. Howell		
	Deputy T.J.A. Binet		
	Deputy M.R. Ferey		
	Deputy A.F. Curtis		
	Deputy B. Ward		
	Deputy K.M. Wilson		
	Deputy L.K.F Stephenson		
	Deputy M.B. Andrews		

15.5 Mini-Budget 2022 (P.80/2022): third amendment (P.80/2022 Amd.(3)) - as amended (P.80/2022 Amd.(3).Amd) - Community Cost Bonus

The Greffier of the States (in the Chair):

The next amendment listed in the running order is the third amendment lodged by Deputy Feltham. Deputy, there is an amendment lodged by the Council of Ministers to your amendment, do you accept that amendment?

Deputy L.V. Feltham:

Yes, I do.

The Greffier of the States (in the Chair):

Are Members content to take the amendment as amended? I will ask the Greffier to read Deputy Feltham's amendment as amended.

The Assistant Greffier of the States:

1. Page 2, paragraph (c) - after paragraph (c) insert the following new paragraph and redesignate the remaining paragraphs accordingly - "(d) increasing the current income threshold for access to the community cost bonus to include all those households that did not have a combined tax liability of more than £2,735 for the previous year". 2. Page 2, paragraph (c) - after paragraph (c) insert the following new paragraph and redesignate the remaining paragraphs accordingly - "(d) extending the deadline by which applicants must apply for the community cost bonus to no later than 6 months after the year end to which the application relates, and correspondingly reducing the maximum late application extension to one month".

15.5.1 Deputy L.V. Feltham:

I will try and keep this short, I appreciate it is the end of the day. I thank the Council of Ministers for their amendments, which I have accepted on the basis that it does make sense and it makes the amendment fairer. The purpose of this amendment to the community cost bonus is to include households that are on a relatively low income and do not currently have access to other benefits. I will not go into great depth about what those households are because I think my colleague, Deputy

Coles, described that very well when he proposed his amendment earlier and this amendment seeks to help the same people. But just to remind the Assembly that the definition of a relative low-income household is very well understood and it is one referenced by Statistics Jersey, and that is those people earning less than 60 per cent of the median income or wage. We will not go into semantics there.

[17:00]

Not only will this enable the lower-earning taxpayers to claim the community cost bonus but because of the way that the tax system does work it will also enable some families that are in lower to middle-income thresholds to also claim the bonus as well. The households in this bracket will be some of the most affected by the rising cost of living and I am sure that the income from the benefit during the winter period will be greatly appreciated by those families. I hope that the Assembly considers that this is a pragmatic approach to ensuring that these families get a little bit of additional income during this crisis. I would like the debate to be open.

The Greffier of the States (in the Chair):

Is the amendment seconded? [**Seconded**] Does any Member wish to speak on the amendment as amended?

15.5.2 Deputy E. Millar:

I just want to make a couple of comments. Deputy Feltham's amendment expands those who are eligible for a community cost bonus considerably to include those households which have a tax liability. While the Deputy's proposal suggests this level is linked to the relative low-income threshold that is not the case and individuals in households with incomes well above the relative low-income threshold will also be included in the expanded scheme. That said, the Council of Ministers supports the expansion to this additional group, understanding that many households are impacted by the rapid increase in living costs. It is important to note that while the Council of Ministers is supportive of Deputy Feltham's aims in relation to this change to the mini-Budget, it does not necessarily mean that when my officers and I review the community cost bonus next year, as we are required to do due to the expiry of the current regulations, that a similar extension of eligibility is guaranteed to be included. The support of the Deputy's amendment is a reflection of this council's agreement with the principle, providing additional support this year at this time of rapidly rising prices. Deputy Feltham's amendment referred to extending eligibility for the C.C.B. (Community Cost Bonus) to individual household members who have a tax liability under £2,735. That change would exacerbate a distinction in the current system, which would result in the benefit being accessible to unmarried couples who earn much more than married couples in similar circumstances. As a result, an unmarried couple could receive around £10,500 extra income and remain eligible for this community cost bonus, while married couples in otherwise equivalent circumstances would not be eligible. My amendment to Deputy Feltham's amendment would still maintain the aim she is looking to achieve and that it extends eligibility for the community cost bonus to more households, but my amendment would look at the tax liability of the whole household. If the household has a combined tax liability of £2,735 for 2021 they would be eligible for the community cost bonus. This approach ensures consistency with other Social Security benefits, which we pay on the basis of household, rather than individual income and help minimise the distortion between different household types, such as married and unmarried couples.

The Greffier of the States (in the Chair):

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

15.5.3 Deputy L.V. Feltham:

Thank you, Deputy Millar. Yes, as you pointed out, your amendment does seek to resolve an inequity that was in my original one and I look forward to seeing what comes out of the review of the community cost bonus, although of course I hope it is unnecessary, as I hope my colleague, Deputy Kovacs' future proposition to remove G.S.T. off of food is successful.

The Greffier of the States (in the Chair):

Do you call for the *appel*, Deputy Feltham?

Deputy L.V. Feltham:

Yes, I do.

The Greffier of the States (in the Chair):

The *appel* has been called for. Members are required to return to their seats and I ask the Greffier to open the voting. If all Members have had an opportunity to cast their vote, I ask the Greffier to close the voting and I can announce that the proposition has been carried. **[Approbation]**

POUR: 43		CONTRE: 0		ABSTAIN: 0
Connétable of St. Helier				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B.S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				

Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F Stephenson				

15.6 Mini-Budget 2022 (P.80/2022): second amendment (P.80/2022 Amd.(2)) - Residential rent controls

The Greffier of the States (in the Chair):

The final amendment is the second amendment lodged by Deputy Mézec and I ask the Greffier to read that amendment.

The Assistant Greffier of the States:

Page 2, paragraph (e) - after paragraph (e) insert new paragraph (f) as follows - “(f) introducing residential rent controls for a period of 2 years to include, but not limited to - (i) the suspension of rent increases and (ii) the transference of both fixed-term and periodic tenancies to open-ended tenancies and with the Minister for Housing and Communities instructed to bring forward legislation to implement the above for debate for the Assembly on or before 1st November 2022”.

Deputy R.S. Kovacs:

Sorry, can I raise a point of order just before? Is it appropriate for Members to declare any possible conflict of interest before they speak or vote? For the record I and my family are tenants.

The Greffier of the States (in the Chair):

I think it would be appropriate if Members who have an interest in this matter do make that declaration.

Deputy I. J. Gorst:

Ma’am, yes, I am a landlord.

The Greffier of the States (in the Chair):

Is there anybody else who wishes to make a declaration? If they could do so slowly for the purposes of the record-keeping.

Deputy K.L. Moore:

Would it be helpful if all Members who are landlords turn their lights on perhaps?

The Greffier of the States (in the Chair):

I think that might be very useful, yes, and we could read them out afterwards once we have got the records.

Connétable M. O'D. Troy of St. Clement:

Point of order, Ma'am, if we are both landlords and tenants.

The Greffier of the States (in the Chair):

It is perhaps best to say so then, Connétable.

The Connétable of St. Clement:

There we are; I think I have just said it.

The Greffier of the States (in the Chair):

Duly noted. Greffier, let me know when you have got everybody down.

Deputy R. Binet:

I do not have a microphone or ...

The Greffier of the States (in the Chair):

Goodness, okay. Usher, Deputy Binet in the back row does not appear to have a microphone nor lights, it is a conspiracy. We will get that fixed for you. You are both wanting to make a declaration I hope. We record Deputy Binet's wish to also make a declaration. We will get that fixed. What we have recorded is in terms of landlords, declarations have been made by Deputies Gorst, Moore, Gardiner, Warr, Alex Curtis, Bailhache, the Constable of St. Clement, both as a tenant and landlord, Deputies Morel, Labey and both Rose and Tom Binet and Deputy Jeune and Deputy Tadier and the Connétables of St. Helier and St. Peter. Everybody's microphones are now working. I call upon Deputy Mézec to speak.

Deputy A. Curtis:

Sorry, a point of order, are we also going to record declarations of interest as tenants or have we done that as well?

The Greffier of the States (in the Chair):

We only have in respect of the Constable of St. Clement but if Members feel it is appropriate we could also do that on both sides. It is probably equitable, probably makes sense. If we could do the same exercise again, those of you with microphones with lights that work, if you can indicate and the Greffier will make a note of your names; sort of easier in this instance. Connétable, your light is on. That is Deputies Renouf, Andrews and Wilson, Mézec, Kovacs and Jeune.

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

I am both.

The Greffier of the States (in the Chair):

Yes. Sorry, and Catherine Curtis, sorry. Without further ado, Deputy Mézec.

15.6.1 Deputy S.Y. Mézec:

I am pleased to see that tenants are better represented in this Assembly than they were in the last one and do we not need it? This amendment is brought to attempt to take tangible action where currently no tangible action is being taken for something which for many households will be the single greatest inflationary pressure that they will feel at this time. I am routinely inundated by communications from constituents who tell me about their experience as tenants facing rent increases. It can always

be awkward talking about them because there is only so much I can say without risking identifying people as having gone to talk to a politician and then have them face whatever consequences there may be in their personal lives as a result of doing so. But I get people coming to me very frequently to tell me that they have had notification out of the blue for a home they have lived in for sometimes as little as one year, as little as 2 years, they are being allowed to continue living there but it will come with a very significant rent increase. I get amounts usually around £300 a month. The highest one I have heard was for an apartment where they were paying £1,200 a month rent that was to be increased to £1,650 a month. These stories are not captured in any real statistics though because when Statistics Jersey captures their rental prices index they do so on the basis of advertised rent and of course these kinds of rent increases are not advertised, they are imposed mid-tenancy or at the point of a tenancy renewal which will not be advertised. There is a whole load of data here which we are lacking and I am sorry that I can only go by these anecdotal examples that come to me. But even without that I would hope that a greater proportion of Members in this Assembly, as compared to the last Assembly, will admit that Jersey does have a severe housing crisis and it is a crisis that is built up of many issues, not simply the lack of supply of homes but the lack of security of tenure for those who already have a home. How a housing crisis affects you is not just based on whether you have a home or not, it is also based on what conditions you have in the one that you are living in, how much you pay for it, what security you have. Jersey has a housing crisis and in the last few years bits and pieces of actions or words have been offered to indicate that we face such a crisis. The previous Minister for Housing and Communities put together a fair rents plan, which had some good stuff in it but was not particularly well put forward in my view. Previous Ministers have attempted to take action to improve rental conditions, some of which they worked hard on and consulted far and wide on and put together good packages, only for them to come and die a death on the floor of this Chamber. All the while confidence in the system of Government of Jersey from those who are suffering from this crisis is getting worse and worse. I struggle to go a few weeks by without hearing another member of my friendship group saying that they are thinking of leaving Jersey and I tell you the reason is always the same, they simply do not see a future here for themselves because of the cost of housing. For many of them those are already people who have given up on the aspiration of ever owning their own home but they know in their flat that they rent that they are reasonably happy in, at any moment the letter could come from their landlord to tell them: "Either you have got 3 months and you are out, no ifs, no buts or this rent increase is coming your way. I know you have not had a pay increase, I know your income has not gone up in any shape or form but this rent increase is coming and by the way if you do not like it you will also get your 3 months, no ifs, no buts and you are out." People in this Island are suffering as a result of that and I am sorry to say that in the context of a mini-Budget, which otherwise is a good Budget that has good things in it, the lack of action on housing is disappointing. It is not good enough to simply say we will put out communications asking landlords nicely not to put up their rent, for the simple reason that most decent landlords do not need to be told; they are already doing it. I meet these people all the time. I have them as members of my family, I have them as ordinary members of my party as well who regularly contact me to discuss this issue; decent people who try to do their best and who are not out there to be greedy or exploitative.

[17:15]

But, unfortunately, as usual it is the minority that spoils it for the rest and is causing real hardship on many people. There will be people out there, they are already getting in contact with me, who will benefit from the measures in the mini-Budget. They will see their tax liability reduced because of tax allowances going up. There are people who may also benefit from some of the additional support being provided through C.L.S. (Customer and Local Services) too and for whom every penny that they may get from that is just going to go straight to their landlord because that rent increase is coming, in fact more than what they are receiving from the mini-Budget. At crisis point we have to decide what action we are going to take. The previous Government and this one right now does not have a clear enough plan for what they are going to do about that. When it is such a crisis I think it

is right that we take some action to say we will for now impose something which, yes, will be controversial; yes, will upset some people but it will provide us with some time to cool things off while we get a proper plan and a proper framework in process to improve the experience for renters in Jersey. I spent a good proportion of my time in the last Assembly working very hard with other Members on a plan to fix our rental market. It was called the Housing Policy Development Board and it produced a set of recommendations which I stand by to this day and think were good recommendations. They were basically the Europeanisation of private renting in Jersey to look at those countries that many of us are familiar with in Europe where there is a culture of renting. People can rent for a very long time and be perfectly at ease with that and not feel like they are a failure for not owning their own home. But it comes with laws that protects them. In many of these countries they have rules which say you cannot have a no-fault eviction for your tenant. If you decide that you are simply going to be awkward and cause upheaval in someone's life so that you can feather your own nest I am afraid you cannot do it unless you fulfil these criteria and those are set out in law. They will be things like you want one of your children to move in what was an investment property for you, that kind of thing, or the property is being redeveloped or something like that. They also often have rules which stipulate that you cannot increase rent by more than once a year. We have no such rule in Jersey and I get anecdotal examples of people facing more than one rent increase in a year. When you do increase rent it cannot be done by more than a particular formula, which will be set out in that law. It might be R.P.I., it might be the rise in average earnings. I quite like the idea of having it as either of those, whichever is lower, that particular year; I think that would be a good option but we have got none of that here. There is work, I believe, going on behind the scenes that were started by the previous Minister for Housing and Communities on putting forward a new residential tenancy law and we need one and we need one as soon as possible. But we are still a long way off from getting it. We have not had a draft law put out to consultation yet. We do not know, ultimately, what is going to be in it and we do not know if anything will be watered down in it, compared to what was proposed by the Housing Policy Development Board and the previous Minister for Housing and Communities as well to have some form of rent stabilisation in it and open-ended tenancies to protect tenants so that they can raise legitimate complaints about the maintenance of their property. They can raise legitimate complaints about the treatment they are receiving on rents and know that they are not going to be kicked out of their homes and risk their livelihood as a result of that. This proposition asks to take action for 2 years to freeze rents and make tenancies open-ended in that meantime, cool things off. That will cause inconvenience for some people but I think it is worth it for the benefit it will provide for those who otherwise would face serious hardship as a result of it. In that time we will put that new framework in place, whatever that ends up being. There are some comments that have been made in opposition to this, that we have been provided beforehand, which I do take serious issue with. The first is in the comments from the Council of Ministers, which say that there is no existing legislation in Jersey to provide for a general rent freeze. In a sense, that is true in that there is no clause in a law somewhere that says by passing this Ministerial Order you can impose a rent freeze or anything like that. But there is a piece of legislation which with amendment could very easily provide that legal framework to us. We know that and we know it from experience because we have done it before. In April of 2020, as Minister for Housing and Communities at the time, I brought forward under the COVID enabling laws emergency legislation to amend the Residential Tenancy Law, to put in new temporary clauses that said rent could not be increased for the duration of that lockdown and that tenancies were to be regarded as open-ended from that point. We had the power to do that relatively simply because of the COVID enabling laws and those have expired since then, so we cannot undertake the same process now. But we have used the existing legislative framework to provide temporary add-ons to do more or less exactly what I am asking to be done here. I take exception to something that suggests that this is harder than I think it is. The other parts that I take exception to are many of the comments that have been provided to us from the Jersey Landlords Association, which makes some comments that I am afraid we just cannot let be unanswered. They refer in them to the previous COVID rent freeze,

which they say and I am quoting here: “During the pandemic every landlord had their rents frozen for 6 months with little complaint.” I tell you there were complaints, I heard a lot of it directly myself. I had the phone calls saying: “Why is this applying to me?” I had emails in my inbox from people who were angry about it and we had the official communications from the Jersey Landlords Association asking States Members to vote against that legislation change at the time. It was the only piece of COVID emergency legislation that did face complaint. I am sorry but that comment that we have had put to us is complete nonsense. But the other point that is made in it is about a survey of their membership which says that 40 per cent of respondents said that they will not be increasing rents at all this year; 40 per cent will not be increasing rents at all this year. I wonder if they realise what a magnificent self-own that is because it means that 60 per cent presumably are intending to increase rent by some proportion this year, that same majority and it shows that the words that have been issued by Government and Landlords Association so far, to a majority of their members at least, are not being appropriately heeded. It shows that what is on offer right now is not working. It shows that there will be people, whether it is a small increase or a large increase, will see their rents increase during the coming months and people will be worse off as a result of it. The Government in Scotland announced very recently that they were going to be introducing a rent freeze there; good on them. I know that there were comments made earlier today about how that was controversial and complaints were made; they were and they were from exactly who you would expect them to be and there were many comments saying the exact opposite. I have seen many organisations praising the Scottish Government for taking bold action in the way that they have done and I look forward to seeing how they deal with that. This is of course not the kind of measure that would sit easily philosophically for many Members to impose this kind of action in what is otherwise a free market. But I beg Members to consider that what we have right now is not working. There are people who are suffering from rent increases. The proposals in the mini-Budget will simply not help them because every penny and more that they receive will go to paying those rent increases. We do have an opportunity and a framework that can be provided to enable a cool-off period while the other important work in developing that fair rents plan can be implemented so that we have a proper structure that is more flexible, that does have an ability for rents to be adjusted as and when they need to be, when there is justification and which is fair and flexible. But we do not have that now. Right now it is a free-for-all. How you can be issued if you are on a periodic tenancy 3 months’ notice and there is nothing you can do about it. In a debate later on on this Order Paper I will make this point in more depth. But I do have to say that the proposal to re-establish the Rent Control Tribunal under the 1946 law, I am sorry, is going to be a waste of everybody’s time for the simple reason that the Residential Tenancy Law provides for no-fault evictions. No-fault evictions are perfectly legal in Jersey, they can happen to any tenant on a periodic tenancy with 3 months’ notice and they can happen to any tenant at the end of their fixed term tenancy for no reason whatsoever. If you lack such security of tenure you would be out of your mind for going to a Rent Control Tribunal to seek a judgment against your landlord when they could throw you out so easily. This body will not be used. There is a reason why a previous Minister for Housing did not re-establish it, it is because it is a waste of time and it is simply not going to operate and take cases and have the impact that it is meant to be had, so that action is not good enough. In the absence of any other action I have brought forward this amendment to ask that we take a similar line to what the Scottish Government is doing and attempt to do something because without doing something we really are doing nothing at this point and that is not good enough, given the crisis we are facing. I make the amendment.

The Greffier of the States (in the Chair):

Is the amendment seconded? **[Seconded]** I just have an eye on the time.

Deputy I.J. Gorst:

Yes, Ma’am, I wonder if we should call for the adjournment.

The Greffier of the States (in the Chair):

The adjournment is being called for. If Members could kindly show if they agree that we should adjourn and reconvene tomorrow morning. Very well, the Assembly stands adjourned until tomorrow morning at 9.30 am.

ADJOURNMENT

[17:26]