

STATES OF JERSEY

OFFICIAL REPORT

THURSDAY, 17th DECEMBER 2020

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[9:31]

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

PUBLIC BUSINESS - resumption

1 Government Plan 2021-2024 (P.130/2020) - as amended - resumption

The Bailiff:

Then I will continue with the debate on the Government Plan, P.130, as amended. It is posted in the chat, so that Members can see the version that is now being debated, following the amendments that have taken place over the debate over the last few days. I have first noted to speak from yesterday evening Deputy Southern. I do not think you spoke yesterday, Deputy, do you? Deputy Southern, did you wish to speak? Does any other Member wish to speak on the Proposition?

1.1 Deputy M.R. Hegarat of St. Helier:

The reason I wish to speak as much as anything is to acknowledge the significant amount of work that the Scrutiny staff have done for the Health and Social Services Panel during 2020, and this may be my last and only opportunity to do so. They have obviously been the team who had the most work in relation to legislation, which has been brought in, in very quick time, in relation to COVID-19. They have on every occasion provided the Panel with some excellent comments in order that that has been able to assist other States Members with the decisions that they have made in relation to those pieces of legislation. In relation to the Government Plan itself, they have in short time, like all of the other panels, put together a document of significant length in order to assist Members when they look at the plan overall. There are 49 findings with 11 recommendations. The Panel decided not to change or amend any of the areas in relation to their remit. I would also like to highlight the fact that that same team is obviously working with the Scrutiny Liaison Committee in relation to the Future Hospital and that of course is also under review and will continue to be so. They have looked at the Jersey Care Model, which of course during 2021 we will still be monitoring it very closely once the selection of the process in relation to the independent non-executive board has been completed. They will also have a progress review in relation to the mental health report, which was completed by the panel in March 2019. Of course, before the end of 2020 we should see the funding model brought forward in relation to the J.C.M. (Jersey Care Model). Of course, there will be more significant work coming their way. Therefore, I wanted this opportunity, as I say, to thank them for all for their work because I think sometimes ... I am not saying we forget but without them we would not be able to do our jobs sufficiently and for that I thank them. As I said, the panel have done their review in relation to the Government Plan and it is my opinion, as the Chair of that Panel, I will support the plan. What other Members will do is obviously a matter for them but I will be supporting the Government Plan as amended.

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

When we have these debates, when we get to the substantial document, most of the energy, of course, has been spent on the amendments. Of course we also know the way that it works, of course a lot of the media coverage will have been on just the amendments because we do not have separate votes on these things and because other Members have accused there to be a lack of leadership. Can I just touch on some of the things which we should be talking about, which are in this Government Plan? For example, we have a commitment within the Government Plan which I feel very passionately about, which we will not have a separate vote on but it is something which I had to fight for and I am grateful for support from the Council of Ministers, that there was support for the Retraining Strategy policy work to be developed within the next year. Many Members have spoken about the importance of reacting to obviously the economic crisis which is going to follow and how we adapt to that. We are hoping that from what happens within the fiscal stimulus package will be a good learning experience in order to help us form and develop the policy within the Retraining Strategy and how

that will need to interact between the Education Department and the Social Security Department in order to assist Islanders, in order to develop their skills and their abilities, which we hope will also have an improvement eventually on the long-term effects when it comes to income inequality, allowing people to gain better skills and provide for themselves; that is something which is not going to get probably the media coverage that it should receive. Also, I would just like to highlight in my remit when I was Assistant Minister for Health and Social Services, the money, again, in this Government Plan which really should be highlighted because we will not have a separate vote on this either, but the work that has been done in order to support the mental health nurse training, which again is found within this Government Plan. We know during this term, despite the criticism, working with our colleagues in Scrutiny and under Senator Pallett previously, there has been a huge amount of leadership with regards to mental health and how that has become a much greater priority, as it should be. Providing this training to develop on-Island mental health nurses to bolster that is incredibly important but of course that is not going to get the media coverage that it rightly deserves. The other aspect through the Government Plan, which I will be keeping my eye on and, again, it is in the health remit, is again how there is a commitment to provide again training for senior nurses in order to provide that work within the community. We know globally we have a shortage of nurses anyway but there is even a greater shortage of the senior nurses that do that community work. For example, the health workers that go out and do that work with new mothers, for example, those individuals are incredibly difficult to recruit and find. Within this Government Plan through the skiful... qualification, that is what we are looking to develop. Of course that also goes back to our commitment in putting children first, ensuring that those services are developed and working with our partnership agencies, Family Nursing and Home Care, in order to make sure that we can produce those key skills within our community going forward. Again, that is an incredibly important and incredibly good thing that this Government is doing; it will not get the media coverage but that is within this document within the Government Plan. Of course, the other aspects which Members will be aware of, unfortunately the Minister for Education is ill today, so I just want to touch on some of the work that the investment that is going into education. Some of that is just bringing schools to cover their deficits and into the future to give them the extra funding that they need and that they should have. But this Government, again, has recognised that and that again goes back to our commitment of putting children first.

[9:45]

Because I think there has been a lot of criticism through the amendments that the Government has not been putting children first. Of course, we cannot do absolutely everything that will have a benefit to children but we are doing many things in order to support and improve children's lives within the Island and, again, that will not get the media coverage. But it is incredibly important that that is recognised within this document and this debate today. I just want to put that on the record because it is always easy to criticise things. Through my own manifesto do I have everything that I would like within this document? No. But are there very many good things within this document which will not get the coverage that it deserves? No, it will not either because it has been a huge document, there is a lot of detail within the plan and this is an opportunity which I am trying to do, is give that a fair airing because there is a lot of good work. Can I just touch on the process? Because, yes, Scrutiny, and I remember I was on Scrutiny for 9 years, so I know exactly what it is like when you are pressed for time and you have got to produce things for the Assembly because those are the parameters, but can I just inform Members that the Government Plan on the ministerial side had to be put together through breakneck speed as well, when of course normally Ministers would have 5 or 6 months in order to put it together and do the various consultations and do those policy discussions between Ministers. Having to react to the pandemic, and I do not think some Members fully appreciate this, has taken up so much officer time in order to support our community through this, that many projects have, unfortunately, been delayed but that is just the reality of the situation. What does not get recognised as well are my colleagues among the ministerial ranks, the hours, the hours

that they have had to work in order to bring this all together, to put it forward, working with officers. Can I also just take a moment to thank again many of our officers who have put this document together at breakneck speed in order that we have a Government Plan debate? Because those have been the pressures of the time, as well as dealing with the pandemic. I pay tribute again to particularly the Chief Minister and the Minister for Health and Social Services because we are very lucky. They are burning the candle at both ends in order to get us through this, as well as having to do this important work with a great amount of detail to put it together, as well as other ministerial colleagues; they are facing exhaustion as well. I think sometimes we forget that Members of the Assembly are human beings too and sometimes that does not always appear to come across the Members' speeches and Members' questions; that they tend to forget that we are dealing with human beings. I just wanted to highlight that the process of bringing the Government Plan has been extremely truncated for Ministers as well. I think they have had maybe 2 months to put together this particular plan. Yes, of course they get more officer support because obviously they have got the civil service there. But, again, still everything has to go through the bottleneck of the Council of Ministers in order to get approved. I think the Council of Ministers, I was just an Assistant Minister, so my involvement was not as much as a Minister, although I did step in now and again, in order for my colleagues to bring this document together in such a truncated period of time and achieving many of the good things that I have already mentioned, I think is something which we should be proud of. Of course, that is not going to get the media coverage; no one is going to care about that in our community. But I think it is important that someone stands up and says there has been a huge amount of work under a huge amount of pressure to bring this together and provided everything goes according to plan, which we cannot always guarantee, given the current circumstances that we face, there are many good things within this Government Plan which I think, and I hope that Members, on reflection, will be able to support. I would just like to thank Senator Mézec for his speech yesterday talking about many of the good things which are proposed within the Housing portfolio and the Children's Services portfolio, so I will not have to go into detail there. There is a lot of good within this plan and I appreciate just the dynamics of the situation, the process will not necessarily give them all the light and coverage that they deserve. But I just want to put on record again my thanks to officers who have had to work under great pressure and breakneck speed to put this document together for Jersey and for the betterment of our community.

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

My apologies for not being present on the last call. A vote on the Government Plan or its predecessor in the past, in the past 18 years in fact, has always been a very easy one for me because it is usually brought in one proposition and goes through with one vote. I have usually managed to vote *contre* because it has been about cuts and not enough about delivering services to our needy society. If it is brought it is separated, I think it may well get a vote for *pour* from me on 2 or 3 of the propositions before us. But overall I feel that what is contained in the plan has been sacrificed by Amendment 14. Amendment 14 looks like a recipe to me for reducing budgets left, right and centre and prioritising the bottom line yet again and I am very disappointed in that amendment having been passed. If it comes in as a whole I will be voting against it. But worst still I think I would like to just bring attention to my Panel's Scrutiny report, Scrutiny Report 17 of 2020, into efficiency savings. What we looked for there was evidence that what we are dealing with in the £120 million of efficiencies, which is supposed to be delivered over the next 4 years, in among those efficiencies we asked a series of questions: were they genuine efficiencies and not just simply cuts to services? What would the impact be on staff or an impact on those services? Will it reduce services? Do we have hidden charges hidden in among them, so they are not efficiencies, that they talk just about maximising income? Have the efficiencies been carefully researched and analysed? In a practical sense, can £120 million of efficiencies be delivered? Why do we have a change in name from efficiencies to rebalancing? What is that hiding? The fact is that the rebalancing moves show that it has been very difficult to deliver £120 million of efficiencies; it keeps getting harder year by year. We have seen

these so-called efficiencies. Rather than being a new type of efficiency they have, in effect, descended into mere cuts imposed by a centre and it is a revival of salami slicing, that is what happened and an alternative for that is certainly difficult. What we have got is plan A, plan B, plan C; plan A is efficiencies that can be delivered, plan B is efficiencies that have been imposed by the centre because you cannot deliver plan A, and plan C is simply defer efficiencies from this year to the next. It has been a messy process. I just want to illustrate some of the issues that have been unearthed and I do recommend Members ...

The Bailiff:

You have gone silent, Deputy Southern. I think you may have been muted unintentionally.

Deputy G.P. Southern:

Yes, I am back on microphone, Sir.

The Bailiff:

We last lost you on you were drawing Members' attention to certain things.

Deputy G.P. Southern:

I do recommend that Members do read S.R.17; it is a good read and it is not a heavy weight effort, it is not 100-plus pages, it is a mere 50. One of the issues there was the ombudsman, and that has been accepted by the Government and is in the Government Plan; it is applied with the adoption of the ombudsman in a timely manner and I am glad to see it is there. But I just want to draw attention to the impact on sustainable well-being that is described in the plan: "It is proposed the ombudsman will replace the current complaints board arrangements, which the Jersey Law Commission, Clothier review and Independent Jersey Care Inquiry believe are inadequate, as they have failed to provide for the proper resolution of complaints. By doing so it will help build trust and confidence in public services. Without the establishment of an ombudsman members of the community may feel that there is nowhere to seek proper redress with a negative impact on trust and confidence." The document produced in the Government Plan says there would have been a negative impact on trust and confidence. This emphasis that they keep saying on sustainable well-being in this particular case looks likely to be ignored. I am glad to see that this was eventually, due to pressure, accepted. Then we have, unsurprisingly, H.C.S. (Health and Community Services) proposals which talked about: "A zero-based budget approach is now being clinically validated by the care groups prior to ratification by the H.C.S. executive. In addition to pay efficiencies, opportunity to deliver savings through the non-pay budgets have been identified." Pause there. What pay efficiencies were involved in setting up the new delivery model in H.C.S.? Did people have to reapply for their own jobs? Were they downgrading of jobs in order to save money? We do not know. Then later on it says: "To date the exercise identified further potential opportunities of £3 million, which are subject to action or decisions by the service." Then it goes on to say: "This proposal is at an early stage and detailed plans, along with the benefits and impacts, will be shared as the plans evolved." There you have a document which is incomplete; we have not done the research and developed the proposals. We are asking you to take them on faith; again bad practice I think and not an approach we ought to be taking. Then there is a small reference to vacancy management, vacancy factors. This is a classic when is a cut not a cut? If you do not appoint people to posts, then you can, and often do, use their salaries elsewhere where you have higher demand. This has happened in this case in the Home Affairs Department where we have had vacancy in management to the tune only of something like £200,000 per year does not sound significant. But when you multiply that up for H.C.S., the biggest spender, then we are talking about carrying up to 200 vacancies over this period and that is significant cuts in services that can be delivered if vacancies are not filled.

[10:00]

Just briefly - here is a classic - looking at the impacts of the building and maintenance budget and what we have got here is £4 million that was transferred from the building and maintenance budget through to Health just to get on with things because their buildings are falling down. The statement here is: "The building and maintenance budget will be reduced, be lower level that allows J.P.H. (Jersey Property Holdings) to improve the current condition of the property estate. While some areas are in relatively good condition, some properties are in need of extensive works to ensure they remain functional for building users and compliance. However, with the removal of this funding this will no longer be possible." The building budget will be reduced, be lower level, which allows J.P.H. to improve the condition of the property estate that some buildings are getting unfit for purpose, and that is a statement in the Government efficiencies plan which we are asked to back. I do not know how Members feel about that but something that makes it no longer possible to maintain our buildings is not a policy, is not something we should be following at all and that £4 million, effectively, is not saving. Then we come to whether we are charging for services that we make, and here I refer to the healthcare model where we are having the widest possible range of activities to keep our population fit and healthy across the board. Yet, here we are with the possibility of fees and charges being made: "The policy sets out charges for discretionary services will be set in order to fully recover the costs, unless there is a specific decision on the part of the Government to subsidise the service provision for appropriate reasons." If H.C.S. wants to lay on, let us say, a dance class down at Springfield and using the rooms at Springfield, we will be charging them, in the first place, for running that sort of group and it looks to me like it is left hand and right hand not talking to each other. We want to have these initiatives to make sure our mental and physical health stays prime and yet in delivering some of those services we will be automatically charging for use of rooms, for use of expertise, *et cetera*. It seems to me that this is cutting off our nose to go nowhere. It seems to me that these sort of defects that we have found with the efficiencies or so-called efficiencies mean that we cannot rely on this level of efficiencies to be efficiencies. What I suspect again that we are talking about are reductions in services, reductions in staff and damage done to our holistic approach to delivering care for our society.

1.1.3 Deputy L.B.E. Ash of St. Clement:

Had this debate finished yesterday I would not have in fact spoken. But having reflected overnight and listened to what can only be described as some of the negativity in the speeches and the criticism of certain actions and areas, I felt a desire to put a few points forward; it will not be lengthy. As a body we will, hopefully soon, approve a Government Plan that still embodies much of what we had hoped to achieve when we set out the policies a year before. This contrasts very well with the rest of the world when many plans will have to be shelved under a mountain of debt. Whereas in reality our debt, whatever it will prove to be, is covered by our reserves. We are, as an Island, in a very good position. A few years back I was playing golf in Spain, a beautiful day, with a very good friend of mine. He took the game rather more seriously than myself and halfway around he said to me: "Do you know I am really not enjoying this?" I said to him: "We are here on a beautifully manicured golf course, we have views across the mountains into the sea. The lady has just come round with a truck full of ice-cold beer and this is a wonderful manicured golf course. If you are not enjoying this you really, really should consider giving up golf." He kind of looked at me a bit strangely but a hole later he said: "I am really sorry, you are absolutely right, I really should enjoy this and it is a fantastic place." That is where we are in this Island. We have listened to these speeches telling us what a terrible place we live in, how it is awful, one thing and another are terrible, well it is not. We are not in Syria, we are not in Somalia, we are not struggling in the slums of Calcutta, we are on that golf course in Spain. But at the moment we are on that golf course in Spain in the middle of a rather unpleasant and heavy thunderstorm, a particularly dangerous one with lightning crashing around us but it will clear. We will move through that and we will be back on that golf course leading a very pleasant life in comparison to the rest of the world. As I say, we have a substantial amount of negativity and we do need to shake it off. At the moment much of it is justified, there is a lot of talk

of blame for the current COVID crisis and for those employed in the government structure working hard to keep the Island safe to the very best of their ability, this must be incredibly hard to take. When something like this happens people naturally look for someone or something to vent their anger on. I fully understand it and I am sure every Member of the Assembly can. There is plenty of scope. You can blame opening our borders, you can blame not closing them quickly enough, you can blame, as Deputy Tadier did and I probably concur with him, the decision not to require incoming passengers to isolate. You can blame, as some in the *Bailiwick Express* did this week, a vote of no confidence in diverting attention at a crucial time from the Government's efforts or indeed if you wish to look farther afield you can blame the World Health Organization for the handling of the initial stages. As I say, there are no shortage of areas where one can wish to look to apportion blame. But one area where you should not look to put your gaze when it comes to blame is our public servants. They are most certainly not to blame. Teachers, doctors, nurses, testing staff, emergency services, Social Security, track and trace and a myriad of others, including the arm's length organisations, have all gone the extra mile and some for the good and the health of Islanders. I would of course include high on my list the Treasury team who have worked burning the midnight oil to come up with innovative solutions to our problems and then delivering them; from the payroll scheme through to the £100 card. I would say to all those people that can now, hopefully, get a few days rest over Christmas; thank you so very much for all your efforts. They have not gone unnoticed and are deeply appreciated.

1.1.4 Senator S.C. Ferguson:

In the middle of all this we must keep under review the good management of the States, the pursuance of the overall tax policy, the succession planning; we have a very good local talent pool but we are not actually employing them properly. We should be able to employ locals, as Deputy Le Hérissier has been saying for years. The succession planning, it is very important, perhaps a graduate management training scheme within the States, and much as the best private business setups where they take talented graduates and move them round the business, the department. They have got a similar one in the U.K. (United Kingdom) and you move them round and you give them a new experience. There is also the Lean system. I am told that we could make savings through improving systems, reviewing purchasing and the usual results are apparently about a 20 per cent saving without any bother. It is well understood that a systems approach does give savings but does not involve more expenditure or staff. I look forward to the more detailed analysis of the costs of the zero carbon policy and renewables. Some of all these projects are significant pieces of work but some are normal parts of work and tend to be overlooked by senior management, their ongoing business. I do agree with what Deputy Southern was saying about the use of vacancies and other comments referring to maintenance. As I recall it - I would need to check it - but the maintenance budget to bring buildings just up to scratch, what I seem to remember in about 2009, 2010 was about £100 million. I say to the Assembly, yes, you have a plan but in the middle of this do not neglect the various aspects of governance; do not forget the basic governance. If you need to run courses for people to understand it, then for goodness sake get on with them or else find people working who have had experience of governance. Do not forget the old people, they are very important, they are corporate memory.

1.1.5 Senator J.A.N. Le Fondré:

I think it is worth saying a few words on this and really to try and bring Members back to the slightly more positive world I hope we do try and live in from time to time, rather than some of the negative remarks that we sometimes hear. I really want to focus: this is a plan for 2021 and it is a plan for recovery. It has got flexibility built into it and it enables much of the important work that we all signed up to in early days to continue. That ranges from a significant investment in I.T. (information technology), further investment in the environment, yes, efficiencies, education, health, economy and even maintaining and improving on Overseas Aid. We really have to recognise that 2020 has been a tough year and that is going to continue for a few more months as well, obviously the tough times.

But, equally, we are starting to see some green shoots, we will be obviously doing some more announcements on vaccination and obviously we have got the update for States Members later on this afternoon, depending on the length of time that we spend in the Assembly today. There is light at the end of what has been a very long tunnel but we are not there yet. What it has resulted in, in terms of the COVID-19 pandemic, has obviously resulted in the Government having done everything it can to support lives and livelihoods during 2020 but having to borrow and having to borrow in such significant sums ever in the history of this Island.

[10:15]

But we also have a plan for that and much of that has already been approved by the Assembly with a move to P.Y.B. (prior year basis) and C.Y.B. (current year basis). While we have borrowed we do have a plan for repaying and that also then comes down to we need to recognise, which unfortunately some Members do not seem to recognise sometimes, is that there is also no magic money tree and that is why we have to make sure we are efficient with public money. That is why we have to make sure that efficiencies do work and that is why we set the zero-based budgeting process in train in 2019. Yes, again, it got delayed as a result of COVID during 2020 but it is back up and running and it is delivering. That is why we have to have rules in place, which were obviously in the Government Plan initially and obviously the Assembly has heavily approved for them being in the actual proposition, which is around essentially, in summary, almost any spare monies that we have in terms of capital receipts that are not planned for. All those type of things being applied to clear the debt as soon as we can and that, I think, is absolutely right. What I want do is also just remind Members and just turn to the document, marginal bits, what is in the Plan? We will continue to implement the Children's Change Programme, it is about vulnerable children being protected and supported. We will support our children catching up on their education and that is about not suffering long-term detriment, particularly as a result of COVID. We will maintain, at the other end of the scale but still important, our investment in Jèrriais. We will significantly improve access to mental health services and obviously the Assembly has approved the Jersey Care Model, which we can now begin to implement. We will maintain and build on the Island's Government to Government relationships in respect of the U.K. and E.U. (European Union). Recognising the role of Jersey in the global community and that role becomes increasingly important to our global position but also to the economy and also to Islanders. We will develop proposals to better support disabled adults living at home and their informal carers. We will develop a new approach to supporting workers with long-term health conditions to return to or remain in employment. From the environment we will protect our habitats and species through better legislation and enforcement, and some of that is already lodged for debate next year. We will invest in research surrounding inland water quality, including P.F.A.S. (polyfluoroalkyl substances) and pesticide research and central staffing relating to catchment management. That is a very, very brief taste of why this Plan is important and is important to Islanders. As I said, there is no magic money tree but that is why we have had to make the change we have had to because of the circumstances which have been unprecedented in generations as to what this Government has had to face. I will also stress in terms of leadership, part of the leadership style one sees at present is something that is calm and works on the evidence and on the data and it is also about long-term thinking. What I will say just on that note, before I close the document in front of me at the moment, is looking ahead at long term I always refer sometimes to the back of the document. Lastly, we indicated we were going to be doing work on P.Y.B., C.Y.B. measures and that was when I flagged it up, and that has been flagged up from a number of years, it was with a different goal in mind. But, as I said, that forms a significant basis for the strategy in repaying the COVID debt. If one looks in the back of the document this year we have expanded on an area called refinancing of pension debt. Just to quote: "Latest assessments show that the total repayments of this debt over the timeframe involved" and some of that goes out 50, 80, 100 years: "Over these timeframes will amount to £4 billion. Options for repayment of the pension increase debts have been analysed and significant long-term savings can be achieved through the early repayment of those

debts.” Obviously subject to further work: “Proposals will be progressed and that is with a view of implementing them by the Government Plan 2022 to 2025.” That is one of the things we are doing, we are dealing with a lot of long-term issues and also addressing many of the legacies used that for decades in certain instances have not been addressed, and that is for the longer-term benefit of the Island. There is a lot to be done and we will continue to work at pace. We have risks ahead and challenges - we know that - in the next few days, week perhaps, Brexit, COVID continues and obviously the economic consequences lie ahead and that is why we also need stability and long-term thinking. As I conclude, to add to various Members who have said thanks, obviously I do want to thank Scrutiny and their officers and members and the officers from the Greffe in terms of helping us get to this point in the Government Plan. We have tried to work with Members’ amendments and where we can we have either accepted as many as we can or we have amended with a view to trying again to incorporate them into the plan. In general, I hope that has shown through. Where we have not been able to I would hope Members accept that there have been very legitimate reasons and if we can find a different way we will try and achieve that during 2021, as we have already laid out. What I will always ask is on any these significant items, if Members do want to bring amendments, please do come and speak to us first because sometimes then we can find a way, even if it is not quite the one that the Member initially envisaged, but it does help by trying to work collaboratively on these type of matters. I do want to say, just in concluding as well, very much thank you to, from my perspective, all the officers from the M.S.U. (Ministerial Support Unit) who have helped us and coordinated all the work that has been put to bring the Plan together. Obviously to the members of the Comms Department, who have had an incredible workload over all of 2020 and in the reach they do make to all Islanders and through many of the different channels that they use. Obviously to all other officers that I have not addressed, not only through the very sterling work that they have done on the Government Plan but obviously widely. As we have said many, many times, and without doing the whole list, of everyone who has helped us support Islanders through the COVID pandemic to date and who will continue to do so. I think in concluding, in some of the most uncertain times that we have faced for decades, this is a Plan to help us as an Island to recover and as a community to go forward, and for all of those reasons and some of the ones I have obviously outlined from reading from the Government Plan, we will be supporting this Government Plan and I really do ask Members to do so as well.

1.1.6 Deputy M. Tadier of St. Brelade:

I think it is the golf course analogy that prompted me to speak, living as I do currently by a golf course, not La Moye perhaps where I used to live but the Royal, which will be familiar to some Members and many people, I guess, who have been out east, if they do not live out east, and it truly is a beautiful area. There are so many beautiful areas in Jersey. Those of us who have perhaps had a bit of time over the last year to go out for walks in areas that we did not before truly appreciate how much of a wonderful Island we live in, in many areas still unspoiled, and also we have got great cultural heritage, tangible and abstract. But coming back to some sense of a different reality because, of course, there are different realities for different people living in the Island. I am always reminded of Deputy Southern’s words, and I said this to a constituent who lived in town who is having to battle with very difficult circumstances for him and his family and I said to him ... when people said: “Jersey is a beautiful place, you should basically shut up and not complain”, I said: “You cannot eat the landscape, you cannot eat the scenery.” I would say that, of course, you can compare Jersey to a beautiful golf course in sunny Spain, I do not know why we have to compare it to one in Spain when we have got beautiful golf courses in Jersey, but the problem is that some people do not own any clubs in order to be able to play on that golf course and some certainly do not have any balls either, so they could not hope to play. I think we should not just allow this blanket idea that you either have to be positive or negative, whether it is on the Government Plan or in general. What I would hope is that whatever we bring to the Assembly, whether it is on the Government side or on the Backbenches or in opposition, and incidentally there is nothing wrong with an opposition. In the U.K. it is called

Her Majesty's Loyal Opposition and it is recognised that it provides a good function. Of course, I say to those who do not like Reform Jersey being in Opposition, do not worry that is not our intention to stay as one for very long. I would offer some constructive criticism and I will start by saying, first of all, that this is Charlie Parker's Government Plan, it is the Chief Executive Officer who has done all that hard work, largely leading the civil service, which Deputy Ash rightly talks about. Just looking at this objectively, I have not heard his name mentioned, I have heard a lot of thanks to the different departments for their hard work but I have not heard anyone thank the head of the civil service over this very difficult period, not just for Jersey and not just in terms of the pandemic but also it has been a very personally difficult time for him. I feel that this Government has, effectively, thrown him under the bus for a problem which was not entirely of his creating. Sure there was an error of judgment but the real error, I think, was on the part of Government and the right checks and balances they request, *et cetera*, were not carried out. I think that he is gone, it is a bit like the analogy, it is better that one man should perish rather than the whole system should fail; paraphrasing somewhat there and I think that is exactly what has happened. We need to hear perhaps from the Minister for Treasury and Resources when she sums up whether she wants to thank the Chief Executive - I do not know if he is the former Chief Executive yet - for all of his work, but he has been leading. I also want to speak from a little bit of experience from my time as an Assistant Minister at Economic Development, Tourism, Sport and Culture. The first thing to do is to thank the officers who have worked very hard there, in particular I would call him my right-hand man, he knows who he is, who has been dealing on the day-to-day basis with the arm's length organisations, having to, again, navigate through some very difficult times and of course the people above him. What I have seen is that there is some great work being done in the civil service but often it is being done under suboptimal circumstances and there is still a systemic dysfunction there. It is basically because we do not have enough staff; so many departments are not resourced enough. We have this constant drip, drip mantra that is pervasive and also in the media which says that Government wastes so much money and that there is so much waste in the civil service. But in fact inefficiencies can also be down to underinvestment and I think that what we have seen recently is a legacy of that. Something I do not agree with is the cuts programme and no matter how you dress that up it all comes back to the same thing. I have been disappointed that there are not enough Ministers who are willing to defend their budgets, especially where those budgets are already very small. The 2 departments that I think spring to mind are Environment and what used to be T.T.S. (Transport and Technical Services). I think those are the 2 departments which, like in other departments, we have some very excellent staff that I have come to work very closely with as well. Unfortunately, they are running all over the place putting out fires when they should be doing much more productive work across the board. That is not to take away from any of the good work that they are doing. We do need Ministers in future, I think, to defend their budgets. I am not here to blow my own trumpet but I think I have demonstrated through the course of this Plan and previously that it is possible to fight for your principles and put a line in the sand and say you will not cut that particular workstream, and you will make sure that you invest in these areas so well. Because if it had been down to the Government the commitment to arts and culture, the commitment to Elizabeth Castle, I would say would not be there. They tried to cut those areas and I think that is short-sighted. Again, here is the constructive criticism, I am pointing out what I think is a failure because we would all have lost out if that money had been cut because culture, arts and heritage is an economic driver.

[10:30]

I am glad that the Chief Minister mentioned Jèrriais but I go back to the point again: how many times have we had to defend Jèrriais? Jèrriais is absolutely critical if Jersey wants to distinguish itself from just another English-speaking British island. It is one of the cultural identifiers and cultural markers for our Island and it is great, not because it is just our language but it sets us up as a region, in the same way that the Isle of Man is not just a small island in between Ireland and the north of England. It is part of a Celtic region because of its Celtic heritage and because it still uses and keeps and

cherishes that Celtic language that they have. They have got links with Cornwall, with Ireland, with Scotland and with Brittany as a result linguistically and culturally. Jersey has got a similar richness sitting on its doorstep culturally with the whole region of Normandy that the French and the Normans love with the Channel Islands as well. It ties into that narrative and I would put this challenge out to all Ministers but also my successor at heritage because I think, to a certain extent, I am pushing on an open door. It is not to disparage the relationships with the U.K. that we need to keep strong but we need to be increasingly looking towards the east and the south, rather than simply the north, not just culturally but also economically. We have this small stretch of water that separates us and why do we rely on so much of our freight and tourist links coming from the north, when we could be opening that post-Brexit to our closest *voisin* to the south and to the east? Similarly, when we commission reports - such as the arts and heritage strategy that is coming up - so the cultural strategy, the arts strategy, I was certainly keen to make sure that we did not simply automatically go to the U.K. for an off-the-shelf consultancy firm but we looked at who provides best consultancy services in that particular field and that we choose someone in that area. But that does require political intervention from time to time, if we are going to change the way that Jersey is positioned, as I have said, not just economically but also culturally. The thing that particularly disappoints me is that there has been a lot of talk from Members about, I think, wanting to do everything and it came out really wanting to appeal to every group and not wanting to ... the 25 per cent tax debate yesterday really highlighted this, I think, is that there is this lip service that is paid to wanting to make Jersey a fairer place, more equitable, more open. But we have seen time and time again how this Assembly struggles with the concept of fairness, whether it is to do with how we value different cultures and ethnicities in the Island and nationalities. I go back to the nationality debate about who can and cannot even stand for election in this Assembly. The idea of financial fairness about the fact that we charge certain people a much higher rate of tax on their disposable income than we do other people. We have got yet another tier of tax for the super wealthy who are coming to the Island and we do not even know the negative impact that they might have on the infrastructure and the space that we have available in this Island. That has to stop because it was the Constable of St. Ouen, I presume in whatever capacity, saying that we are no longer a tax haven in Jersey. Let us presume that is true but the problem is we still act as if we are protecting that tax-haven model and that we base everything on this lust for low tax, low spend, when in fact we need to try and balance that by saying, okay, how do we continue to offer strong and leading financial services but make sure that we also raise sufficient revenues for the increasing demands of a complex and a civilised society and what that civilised society, who do have to live in Jersey in 2020, expect their Government to deliver on their behalf? There are no easy answers but it comes down to the fact that, yes, somebody somewhere will have to pay more tax if we want to continue to deliver services at their current levels. In order to do that we have to, therefore, raise more tax. The question still needs to be answered: how do you raise more tax in an equitable way? You have not got that many choices, you can either do it regressively, progressively or at least try and be fairer in the system. Every time my party has tried to put something forward in that regard, we get these great speeches saying it would be a lovely thing to do but maybe we could phase our way to that. How do you phase in a 25 per cent tax rate? These arguments, I suspect, might be disingenuous but certainly they are not very helpful. I do put that challenge out to Members who wish to try and espouse both areas, who want the votes from the poor and who want to be seen and, I suspect, genuinely want to do something about poverty in Jersey but do not want to challenge capital and do not want to challenge wealth. Because those are the people who can pay, fundamentally; middle Jersey cannot pay anymore. My concern is that this Government Plan, for all of the good things that might be in it and that might be highlighted by Government spin, is fundamentally no different to any Government Plan that has come before it. We have seen it with the environmental amendments, modest amendments that have been tried to put in that have been rejected, modest amendments to try and help young people get free school lunches narrowly but, nonetheless, rejected by this Government, which is I think now completely moribund. Let me finish with COVID, again the good and the bad, my concern is that for all the good work that has been done

during COVID, and we know what it is, we know that the track and trace system, the testing system in Jersey is second to none. But a chain is only as strong as its weakest link. The concern is that I think we have got 2 weak links at the moment. The first weak link, as I have said before, was when we did not require people to self-isolate for the first test and the second weakest link now, just a week before Christmas, is that we failed to close the schools early enough and now we have got complete disorder and we have got some of the highest COVID figures in the world. That cannot simply be put down the fact that we have been testing more people. This Government has to accept responsibility that in the last week by not closing schools and ... on isolation is that they have been more than reckless and they are endangering people's lives in Jersey. That is much more significant than any confidence vote that might have come as a result of an administrative oversight about a job that a Chief Executive took. This is about fundamentally protecting our constituencies, our constituents and our Islanders and this Government has failed to do that; I am concerned. All of that good work will be undone by this failing Government and I cannot, therefore, support this Government Plan. I hope for the day when we can have a more cohesive and a better vision for the Island being put forward cohesively.

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

I do not know about other Members but I always do look forward to the Reform Jersey speeches to bring a bit of Christmas cheer into the end of the term. I just wanted quickly to say it has been a real journey getting to this point today, to get to the vote for the end of the Government Plan. With the pandemic and all that we had to learn and all that we had to do, I just want to thank the many, many, many hours that the Chief Minister, the Deputy Chief Minister and the whole of the Council of Ministers had to put in to try and work at breakneck speed with not the best information to try and keep our Island safe and to give confidence. I really want to thank them for that work. I think the officers and the Council of Ministers did themselves very proud for the hours and the time and the decisions that they made. I want to thank the Chief Minister and Deputy Martin for being my Ministers while we have gone through this process. I also want to thank Scrutiny. Getting the Government Plan to where it is today in the time while we are through this pandemic has been really tough. It has taken many late nights discussing the work of the Treasury team and the Policy team, the Communications team putting it all together and the Senior Leadership team has been outstanding, and I do want to thank them really well for all of their time and energy. I know it has not been easy and I do hope they get some time over the Christmas period to rest and recuperate. We have remote working in the Assembly and I want to thank my team, the Modernisation and Digital team and Digital Jersey that has helped us in this Assembly work from home and stream live and, yes, it has not always been absolutely flawless. But we were the first Parliament or Assembly to fully go remote working and we were the first in the world. I think that really is amazing and puts Jersey quite firmly on the map for how well we are a digital economy and how well we have done. Again, I would like to thank Digital Jersey for their hard work in getting us there. I want to thank my team for sorting out the track and trace system that is being talked about the world over as one of the best in Europe. Many of my team have been sat down the harbours and the airports themselves in serving the Technology Department, testing Islanders and building a system from scratch. I say all this because this is all the journey we have got to, to get where we are with this Government Plan, and it is a good Government Plan. I think the amendments from Scrutiny that got through were the right ones. I think we have got to a place that we can be proud of; obviously the work carries on next year. The Modernisation and Digital team when the pandemic hit had to get thousands of civil servants working from home. Many of my team worked 7 days a week, 16 hours to rebuild the network and make sure it was ready and capable for that. I really do want to publicly recognise the amazing work the team has done ...

The Bailiff:

Deputy, I appreciate there are a number of very warm compliments that can properly be paid to many people in the public service and you have spent a fair amount of time doing that, as indeed have other speakers. But perhaps I could remind Members that the purpose of this part of the debate is the adoption or not of the amended Government Plan. There may be other opportunities for valedictory speeches of one form or another. But I am very conscious that this has been a theme for the last few speeches and I felt it was necessary to intervene at this point. Please, do continue, Deputy.

Deputy S.M. Wickenden:

Thank you, Sir, and thank you for bringing me back to the point. I did try and slip some bits about the Government Plan in through it all. I want to say that I believe that this Government Plan is exactly where it needs to be. It is putting money in education in the right places and should be wholeheartedly supported. With that I think I will leave it there.

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

I really just want to say a few words and I really want a direction to ... and I am going to be very nice to Senator Mézec and Deputy Tadier. Because they were in Government when we put this plan together, they did some really brilliant work getting this plan together. I would like to take them back to when we put the C.S.P. (Common Strategic Policy) together, which ended up being we will reduce income inequality was all their words. I had left it, I had to leave the Island and I should have been the lead Minister on that, and it was going to be called improving social inclusion but they did not like that, they wanted to change it; in the end backwards and forwards for me. No civil servants involved from me and especially the Chief Minister. The Chief Minister said to me: "Do you want to die in a ditch over this and they want this word in?" I said: "Fine, fine, we will have that word in." They were in the room; fully, fully accept that. As I say, Deputy Tadier was there for the Minister for Economic Development, Tourism, Sport and Culture, Deputy Southern there as my Assistant Minister and the Minister for Children and Housing was in the room and they put this together. I know they have said we have not done enough but that is a name and we are working towards it. We would have done more if we had not been hit by COVID. We did after the summer break, the Chief Minister phoned me straightaway and said: "Senator Mézec wants to try and hold the rents in January."

[10:45]

I said: "No, income support it does not affect. Yes, I will support it, as long as Treasury can support it because of the money that goes back." There are good things and they did good work and it was such a shame yesterday, the first speech from Senator Mézec, I think he was one of the first to speak on the plan that: "I am not going to support it now, we did not get this." No, and I know and it is very hard to say politics is the art of the possible and this could have been a terrible plan. We could have not done a lot of things. We could have said COVID has cost us millions and COVID has cost us millions; we will put that on hold and we will put this on hold. But we have not, we have tried to deal with COVID, deal with the spending. As everyone says, and it is not my officer worked harder than your officer, 110 per cent, and I hate that saying because it is so bad maths. But everybody on all sides were putting in the hours that they never thought they signed up for and dealing with COVID and putting a plan together that can work for Jersey, work for the Island. Yes, it probably does not go as far as the Senator wants. As I say, but he did work on it, he has got some things. He chose to not support the Government in a vote of no confidence and we are where we are, and so did Deputy Tadier but he has still got his arts. He said yesterday in his speech, was it a civil servant who put the 0.9 through? None of this came to Council. Deputy came to Council and it has got what was voted in the Assembly. It was voted in the Assembly, it is not statutory, it was a vote in the Assembly. We are still doing all the statutory things we have to do. I go back to Education, much more money going to Education. We have at last done something for the lowest earners in our society for cheaper doctors. I think even then Senator Mézec said that will not help income inequality. I apologise if I

heard that comment wrong but it has got to help. If it was £45 last week to go to the doctor and it is costing me £12 with all my tests and then from taking my child and that is free, it helps me, I have got more money in my pocket. We all think we get to income inequality in different ways. Deputy Southern said to me to keep rising the benefits but I more agree with what Deputy Maçon said. We make it skilled across, if people have lost their job doing this and they want to try a new skill, we can facilitate that and we have got money in the Government Plan to do that. Deputy Maçon did fight for that but he did not fight a closed door, we were all behind him. It was just where can we get the money? Where is it best to be? We have accepted some of the amendments, it has improved the plan and they have cost lots of money. I sat down with Deputy Ward on the Beresford Street Kitchen; I tried to cut it to £150,000 and when we had a talk he amended his amendment to £300,000. They are going to work with all my officers because they do need to get a good business model in place to carry on; they do fantastic work. But we sat down, after the Deputy came back the amendment was agreed. No more rowing. I said: “Yes. Can we live with that? Will we work with the kitchen? Will we get what we want?” Yes, it just gives them a bit more certainty. I am trying to be Christmas Deputy and we will get a chance to do all what you said, Sir, later, to thank everybody because I am the only Deputy who can get to say that. I will leave a lot of thanks for that. But I really do wish that if you can, it was your plan up until a few weeks ago, Senator Mézec and Deputy Tadier, why would you want to vote against it, with all the excellent things that are in it? Some of those things because of your hard work and you want to vote against. Please do not, it makes you a bigger person to vote with it. I will leave it there.

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

It has been an interesting few days of debate that have highlighted several themes that I would like to speak to. Just to begin with, I will just reiterate the point made by Senator Moore regarding the outstanding work of Scrutiny. I know people have thanked people before but I feel I must thank the members of my panel, the Children, Education and Home Affairs Panel and, in particular, I am sure they will express appreciation of Scrutiny officers who have been so supportive and produced another quality report in a short time. I will say no more but it is very important that we voice those. I hope that the Minister for Treasury and Resources will take parts of the Government Plan separately to enable a clear representation of the different views on different parts of the Plan. I would like to see in particular parts (f), (i) and (m) voted on separately and I would ask the Minister to do that. One theme that seems to have emerged is the search by some for a middle ground or a compromise position that appears at first glance to offer our representation of the people of Jersey or even apolitical positions have been adopted. Unfortunately, the product of that approach to this Government Plan has led to missed opportunity or inertia, with of course the underlying challenge of the pandemic, which is not going to simply disappear. I will illustrate these concerns with examples from the areas of the climate change initiatives and sustainable transport policies. I remind the Assembly that initial leadership on these issues did not come from Government Ministers but from non-Executive or Backbenchers, well I know many who do not like this term. But the baton of these work areas has been taken by Ministers and their departments, and baton is a good notion as it is something that appears to be constantly being passed on. During the debates in the last few days there has been a real protectionist attitude to the Climate Change Fund, a fund that is far too small anyway. To hear the Minister for the Environment, effectively, surrendering all hope of dealing with the extent of the challenge due to the reality of the costs does nothing to allay my fears, that we have paid far too much lip service to the existential threat of climate change and taken far too little direct action. It is perhaps encouraging that the Government can mobilise to find money to maintain our economy to some extent at least in a short timescale we have faced during this difficult year. I hope that this may be this vision in the future to mobilise in a similar way to build a truly sustainable, inclusive and skilled economy of the future we desperately need if we are to have the type of new deal that will be truly successful for Jersey. The theme of government departments being unable to complete or even start projects is one that concerns me for any Government Plan that claims to be

ambitious. This limitation to possible action is vividly demonstrated in education, the main reason for voting against the extensions of free school meals was a claim that this was not possible in the timescale planned, to the extent that this is not even worth attempting. This expression of limited possibilities should trouble us all. I will be taking a keen interest in what happens to the current pilot scheme and its future. I am concerned that already the Minister for Children and Housing is stating that some parents are not taking up the offer. I hope the data on the current project will not be used to end this much-needed provision. The current Minister has said this morning that we cannot do everything to support children. I am pleased to see extra funding going into Education, although the fact that a very large proportion of this extra money is simply going to make up for overspends that have existed for years due to chronic long-term underfunding must be understood. Let us not be fooled by large numbers. But the extra funding left is vitally needed. I hope it is not squandered on educational vanity projects or the latest fix-me-quick fashions that are so commonly presented by educational snake oil salesmen or, as they are now called, consultants. Every penny needs to go directly to classrooms and to those who deliver education on the front line, trimmed of the chances of our young people and subsequently all our life chances. The people who know best how to direct this money are the professional teachers who are still in the classroom day to day, not those who may not have had to function in a classroom for many years. My biggest concern is that we are entering what is, effectively, the last year of this Assembly before the election period. We have a Government full of Ministers all willing to delay projects and undertake continuous surveys using expensive consultants. There are essential projects that will finally develop some tangible plans by the end of the year on climate change, sustainable transport and education reform. But as yet, we have seen nothing of real substance. Instead we only have plans to undertake planning of plans if the plan is there and if officers have time to plan. Bus shelters and cycle proficiency are not adequate actions to combat climate change. We do have the beginnings of a Citizens' Assembly, a good idea but with one flaw; it will report back perhaps radical ideas just before we enter the election cycle and the next Assembly will be able to disregard any plans at will. We will pay for inaction in the long term. In the meanwhile the car remains king, public transport expensive and uses Jersey as a cash cow for off-Island provision. Cycle routes are patchy at best and safe walking is a distant pipedream discussed in meeting after meeting and then put on the back burner because the decisions are either too difficult or simply not a priority. A promise of Island-wide air-quality monitoring has disappeared in a puff of smoke. We continue to build in urban areas, the type of development that will be out of date and inadequate to address the action we will need to take to be carbon neutral by 2030. The Island Plan will again fail to include genuinely sustainable building standards but look ahead to long term, rather than the short-term financial gain for developers. This Government, like so many others, is a triumph for the accountant over social and environmental need. It does nothing to address income inequality, continues the monopoly approach to the climate crisis, constantly returning to go and hoping to build a nice pot of money with no real plan for its use. The worst facet of this is the use of the pandemic-led inaction, rather than being used as an opportunity to grab the issue by the throat and make changes that impact directly on people's lives. Instead the middle ground compromises in league with the bean-counters create creative obstacles in a form of the never-ending data-gathering, like an Orwellian continuous war or nuanced reasoning based on a need to find reasons not to support change or simply made-up irrelevant minutiae that satisfies the conscience. Our ministerial Government is like a dysfunctional family, as a patriarch that is searching through self-help books to deal with his relationship issues; inevitably it will not address the real problems and is doomed to failure. But I want to finish on some positives, I am pleased that the amendments from the Scrutiny Panel I chair have been accepted. I hope that the development of Public Service Ombudsman is undertaken at speed, as it is desperately needed. Congratulations to Deputy Tadier for protecting the arts, even from outside of Government and, as stated by George Washington: "To encourage literature and the arts is a duty which every good citizen owes to his country." I am pleased that the fabulous Beresford Street Kitchen have funds for this year and promise of support for a sustainable business model into the future and I wish all of their staff a happy Christmas. I do not think any of us really know what

the true impact of 2020 has been on us as individuals or as a society, only time will tell. But we must continue to advocate for progressive policies and for actions from our Government that will genuinely address income inequality, genuinely put our children first, genuinely protect our environment and build a fairer society where nobody is left behind. We need a new deal. I, with my colleagues, will continue to fight for it and I urge more Members to join with our campaign.

The Bailiff:

Thank you very much, Deputy. Does any other Member wish to speak on the proposition as amended? If no other Member wishes to speak, then I close the debate and call upon the Minister for Treasury and Resources to respond.

1.1.10 Deputy S.J. Pinel of St. Clement:

I was only hesitating because I saw Deputy Higgins' name come up. Could I continue?

The Bailiff:

I am afraid Deputy Higgins missed it ...

Deputy M.R. Higgins:

I was typing as you were speaking, Sir, and I thought I had got it in before you had finished speaking.

The Bailiff:

Sadly, Deputy, I am sure you were typing, I do not doubt that for a moment but the rule is that if I say the debate is closed then the debate is closed. Very well. Yes, Minister.

Deputy S.J. Pinel:

You will be pleased to know that I will not be addressing everyone who has spoken individually but I would very much like to thank all States Members for their contributions to this lively debate over the last few days, could be months, as we discussed the Government Plan and its amendments. As I set out on Monday, 2020 has been a year like no other, due to the very unusual circumstances we have found ourselves in.

[11:00]

This Government Plan has had to consider our initial and further response to the COVID-19 pandemic to ensure we keep Islanders safe, while at the same time supporting and investing in our economy. The Government Plan sets out the expected costs of managing the pandemic, as well as running deficits to support spending and investment in the coming years and have balanced budgets by 2024. We came into the pandemic in a strong financial position and will be using borrowing to fund our response, which will also protect our reserves. However, you have my assurance we will minimise the borrowing. As outlined in the Government Plan, we will also be funding new economic growth through a series of initiatives that will drive the recovery. Along with the co-funded payroll scheme and visitor accommodation scheme, we will continue to provide timely, targeted and temporary fiscal support throughout 2021. We are going to continue investing in delivering our common strategic priorities, such as funding the start of a 3-year education reform programme, implementing the Jersey Care Model, delivering a new hospital and continuing our journey to become a carbon-neutral Island. We are also continuing to modernise government, as we invest in digital technologies and develop a new government office, along with delivering sustainable efficiencies. I would like to thank States Members for the huge amount of work that they have put in to preparing for this debate and for everyone's energetic engagement in it. I also want to thank members of the Scrutiny Panels for their work in scrutinising the Government Plan and for their findings and recommendations, which have enriched and informed this debate. This Government Plan has been strengthened through a number of amendments, which have been accepted by the Assembly. We will also start working on the changes to childcare tax relief and child tax allowances, among other

amendments to the original Government Plan, which have also been approved this week. This plan gives us a clear roadmap for returning to a balanced budget by 2024, as well as investing in our priorities. I commend it to the Assembly as a whole *en bloc* document and ask for the *appel*, please.

The Bailiff:

I ask the Greffier to post a link into the chat. The vote is *en bloc* for or against the Government Plan as amended. I open the voting and ask Members to cast their votes. Somebody appears to have their microphone on because we can hear food being consumed, which, although not contrary to Standing Orders in the privacy of one’s own home, is a little distracting, so if the microphone could go off. Thank you. If Members have had the opportunity of voting, then I ask the Greffier to close the voting. The plan has been adopted.

POUR: 41	CONTRE: 1	ABSTAIN: 1
Senator I.J. Gorst	Senator S.Y. Mézec	Deputy of St. Martin
Senator L.J. Farnham	Deputy G.P. Southern (H)	
Senator S. Ferguson	Deputy M. Tadier (B)	
Senator J.A.N. Le Fondré	Deputy M.R. Higgins (H)	
Senator K.L. Moore	Deputy C.S. Alves (H)	
Senator S.W. Pallett		
Connétable of St. Helier		
Connétable of St. Clement		
Connétable of St. Lawrence		
Connétable of St. Saviour		
Connétable of St. Brelade		
Connétable of St. John		
Connétable of Trinity		
Connétable of St. Peter		
Connétable of St. Mary		
Connétable of St. Ouen		
Connétable of St. Martin		
Deputy J.A. Martin (H)		
Deputy of Grouville		
Deputy K.C. Lewis (S)		
Deputy J.M. Maçon (S)		
Deputy S.J. Pinel (C)		
Deputy of St. Ouen		
Deputy L.M.C. Doublet (S)		
Deputy R. Labey (H)		
Deputy S.M. Wickenden (H)		
Deputy of St. Mary		
Deputy G.J. Truscott (B)		
Deputy J.H. Young (B)		
Deputy L.B.E. Ash (C)		
Deputy K.F. Morel (L)		
Deputy G.C.U. Guida (L)		
Deputy of St. Peter		
Deputy of Trinity		
Deputy of St. John		

Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

The Greffier of the States:

Those Members who voted *pour* were as follows: the Constable of St. Clement, Deputy of St. Peter, Deputy Doublet, Deputy Guida, Senator Moore, Deputy Le Hegarat, Deputy Morel, Deputy Martin, Deputy Pamplin, Deputy Labey, Deputy of St. Ouen, Deputy Ahier, Deputy Gardiner, Senator Farnham, the Constable of St. Ouen, the Constable of St. Brelade, Deputy of Grouville, Deputy Truscott, the Constable of St. Martin, the Constable of Trinity, Senator Le Fondré, the Constable of St. Lawrence, Senator Pallett, Deputy Pinel, Deputy Ward, the Constable of St. Saviour, Deputy Maçon, the Deputy of Trinity, the Constable of St. John, the Constable of St. Mary, Senator Ferguson, Deputy Ash, Deputy Wickenden, the Constable of St. Peter, Deputy of St. John, Deputy Young, Senator Gorst and Deputy Lewis. Those are the votes in the link, I will deal with the chat in a moment. Those who voted *contre* were: Deputy Tadier, Senator Mézec, Deputy Higgins, Deputy Alves and the abstention was the Deputy of St. Martin. In the chat there was a vote *contre* from Deputy Southern and votes *pour* from the Constable of St. Helier and the Deputy of St. Mary.

The Bailiff:

Deputy Pinel, you have asked if you could speak, you are in fact moving the next Proposition, so did you want to wrap up what you wanted to say during that?

Deputy S.J. Pinel:

Just very briefly to express my thanks. I know that everybody has done that so far but I have not had the chance. To the extraordinary amount of work, dedication and long hours that have been committed to producing this Government Plan under extremely difficult circumstances, to the Treasurer and his team, the Comptroller of Revenue Jersey and his team and of course the Scrutiny Panels, civil service and all the departments that had considerable input into this Government Plan, thank you very much.

2. Draft Finance (2021 Budget) (Jersey) Law 202- (P.147/2020) - as amended (P.147/2020 Amd.)

The Bailiff:

Thank you very much. The next item is the Draft Finance (2021 Budget) (Jersey) Law, P.147, lodged by the Minister for Treasury and Resources and I ask the Greffier to read the citation.

The Greffier of the States:

Draft Finance (2021 Budget) (Jersey) Law 202-. The States, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following law.

2.1 Deputy S.J. Pinel (The Minister for Treasury and Resources):

Following the decisions reached in the debate of the Government Plan, the Draft Finance (2021 Budget) (Jersey) Law proposes the standard rate of income tax and the income tax exemption thresholds for 2021. The Draft Finance Law makes a number of changes to the Income Tax Law, operating the allowances and reliefs available to personal income tax taxpayers, as amended during our debate. It also puts on to a firmer statutory footing a number of provisions that were previously dealt with by concession and practice. It makes a number of administrative changes, for example,

expanding how Notices may be served. The draft law makes provision for the Comptroller to disclose tax information in respect of one spouse or civil partner to the other spouse or civil partner from year of assessment 2021 onwards. It gives exemption from income tax for Clos de Paradis, which was recently approved as a social housing provider. The draft law also enables regulations to be brought for the taxation of companies within the medicinal cannabis industry. It also makes amendments to the assessment procedures relating to breaches of pension scheme rules. The draft law increases the fees payable by entities wishing to be listed as international service entities with effect from 2021. It reduces the amount of stamp duty and land transaction tax payable by first-time buyers when purchasing a home through an approved assisted ownership scheme. The draft law amends the Revenue Administration (Jersey) Law 2019 to give responsibility for the collection of social security contributions to the Comptroller of Revenue. It also allows the offset of tax overpayments arising under the Income Tax (Jersey) Law 1961 and G.S.T. (Goods and Services Tax) (Jersey) Law 2007. The draft law sets the level of impôt duties on tobacco and fuel for 2021. Finally, the draft law includes the Government's technical amendments to the legislation to remove the prior year basis of paying taxes. I move the principles.

The Bailiff:

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

2.1.1 Senator K.L. Moore:

I do hope to be brief. In general, we at Corporate Services support this Finance Law, however, I would like the Minister to speak to the alcohol duty decision. There is no increase in alcohol duty, despite the very known issues that there are in the Island with abuse of alcohol and a high level of consumption of alcohol, particularly given the current situation where licensed premises where controlled drinking occurs being closed. It is very difficult for licensed holders to understand the approach of Government at the moment in relation to alcohol, albeit this is part of a COVID measure. However, given the health consequences of excessive drinking and also the emotional and the potential for abuse through drinking, these are all known, they are all talked about and I do think it is important that the Minister addresses the approach that her Government has taken to this very important matter and why they have not sought to take greater action in respect of the approach to alcohol that we see within our community.

The Bailiff:

Thank you very much, Senator. Does any other Member wish to speak on the principles? If no other Member wishes to speak on the principles, then I close the debate. Deputy Higgins, I will, yes, of course permit you to speak on this occasion because it arrived at the moment I was saying I close the debate. But could I caution Members not to wait until the very last moment. It was apparent that no one else in the chat had indicated a desire to speak. I was, inevitably, going to move to close the debate and it would be helpful, I think, if Members who wish to speaker noted their interest in doing so before one gets to that stage.

2.1.2 Deputy M.R. Higgins:

I apologise. I am having trouble, as many Members with computers at times, trying to get things done as quickly as we would like. My comments here are in relation to the budget which approves the Government Plan, so I make that from the start. I am going to say what I would have said earlier because it relates very much to whether we agree to putting the budget into place. The problem with any Government Plan, especially one which has adopted some of the amendments I agree with and rejected some amendments I am passionate about is whether to support it or not. I was delighted that the funding was put back for the Public Services Ombudsman, the Jersey Schools Premium and money for care leavers' funding. But in my opinion that money should never have been removed in the first place. I was also delighted that more money is being put into education and into supporting

the Beresford Street Kitchen and Statistics Jersey, to name but 3, the latter whose work is essential if we are going to make timely evidence-based decisions in the future, something that has been very much lacking in the past. I am disappointed that we did not agree to school meals for all, as many of our children do not get a hot or nutritious meal a day, as many of our youth clubs are well aware of and have compensated for in the past. I was disappointed that Members did not support my Proposition for trying to deal with the deficiencies in our justice system by not supporting a pro bono legal aid service at the Institute of Law at Highlands or to honour the States decades-long commitment to the Jersey Sea Cadet Corps and on that I shall be monitoring what the Minister for Home Affairs does next year with great interest. One problem with supporting the Government Plan and the budget is the public do not read the detail and the media do not accurately or adequately report on these debates. People have the impression that when we agree or disagree the plan we disagree with everything or we agree with everything but in reality we do not and we have some misgivings or serious misgivings about parts of what is being put forward. Another problem is through experience of successive Governments that if you vote for it you have consented to everything they have put forward, which is patently not true.

[11:15]

I can guarantee in the next few months and up to the next election this will be said to you by the Government. I am not just talking about this Government, it is said by every Government. However, there is much to be applauded in the Government Plan and it would be churlish and dishonest of me not to acknowledge them. I have repeatedly criticised some of my colleagues who oppose everything that the Government does for a variety of reasons, some political and some because of perceived and, in some cases, actual sleights. Although I voted against the Government Plan, it was not a total rejection of it. I have always spoken my mind and said what I believe and criticise where I believe it to be due but, equally, I will praise and support what I believe is right. When it comes to implementing the Government Plan through the budget, I shall support the budget going forward.

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

I speak really just to counsel care with the proposed increases under the Customs and Excise (Jersey) Law 1999 for tobacco, hydrocarbon oil and, of course, alcohol. I think we must vote for these with a full understanding of the effect that it will have on the general public. They will know that these raises are either for health reasons or for climate change reasons and I would not dispute that in any shape or form. But there are those who are in business in the Island, shall we say the men with a van, the ladies with a van, who cannot get out of utilising their vehicles for their work and will be affected, possibly unreasonably, by the hydrocarbon fuel increase? Likewise, and I am not a smoker myself, but I would suggest that very often an excessive increase in tobacco duty stimulates a reduction in sales. While that may be something we are trying to achieve, smokers will purchase their tobacco by other means, usually by off-duty sales on boats or planes. I think we need to be cognisant of the potential loss in volume in the market and maybe the Treasurer has provided that for that potential loss in other areas. I would also support the comments made by Senator Moore in terms of alcohol sales. We have this disparity between the on and off-licence sales at the moment and that stimulates me once again to suggest that we need to look further into the Licensing (Jersey) Law 1974, it needs a serious review. I know it has been tried before but we must try and get it dealt with at this stage. I have suggested in the past and once again I will repeat it, so that we should be looking further in-depth at alcohol content of that which is sold in the Island.

2.1.4 Connétable R.A. Buchanan of St. Ouen:

It is more a query for the Minister for Treasury and Resources about Article 15 which talks about withdrawing approval for a pension scheme following a breach of rules. I just wonder whether she can give me some assurance that this indeed happens through a group scheme that underlines the group scheme who may not themselves be in a position to repay any tax allowance that they have

been given, will be given adequate notice and adequate warning and that wherever possible reclaiming tax from those people will be avoided, unless it is deemed to be the ultimate sanction. Because, as people will know, if you are a member of a group scheme you have very little control over the way the trustees manage the scheme and indeed whether or not they breach certain rules, which would render the scheme to be in breach of the law.

2.1.5 Deputy R.J. Ward:

Just briefly, the hydrocarbon tax going to climate fund, we do need a Climate Change Fund and we need to address that issue obviously. But it has always seemed to me to be counterintuitive to some extent the more hydrocarbons we sell, the more money we have to deal with the hydrocarbon usage, and I think we need to find a new fund for climate change, something that is sustainable, is larger and has impact. Because in the long term it will more than pay for itself with a regenerated and new-deal economy.

The Bailiff:

Thank you very much, Deputy. Does any other Member wish to speak on the principles? If no other Member wishes to speak on the principles, then I close the debate and call upon the Minister to respond.

2.1.6 Deputy S.J. Pinel:

I will address individually the questions on the Finance Law. Firstly, Senator Moore on alcohol duty, there would have been a small increase of 0.5 per cent, based on all the other increases of R.P.I. (retail price index) and it was deemed unnecessary to do that on the basis that it was such a small increase if we were to follow R.P.I. We are also supporting the hospitality industry in freezing the impôt on alcohol and also because there was a big increase in alcohol duty last year. In answer to Deputy Higgins, I was trying to find what he was saying in relation to the Finance Law, rather than the Government Plan, so I do not have any comment to make. Connétable Jackson, may I refer him to page 109 of the Government Plan, which describes the Excise Law and the fuel contribution, of course, is made to the Climate Emergency Fund of 2p increase in duty of the 2.3p increase goes to the Climate Emergency Fund? Connétable Buchanan, Article 15 he mentioned, there is no change at the moment to existing practice. There is always and has been and will be an assessment for appeal available. If he wishes to discuss pension further with the Comptroller, then would he please get in touch? Deputy Ward, I think I have answered as regards the Climate Emergency Fund. I propose the principles and ask the Assembly for the *appel*, please.

The Bailiff:

The *appel* is called for. I ask the Greffier to place a voting link into the chat. I open the voting and ask Members to vote in the normal way. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The principles have been adopted.

POUR: 44		CONTRE: 2		ABSTAIN: 0
Senator I.J. Gorst		Senator S.Y. Mézec		
Senator L.J. Farnham		Deputy C.S. Alves (H)		
Senator S. Ferguson				
Senator J.A.N. Le Fondré				
Senator K.L. Moore				
Senator S.W. Pallett				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				

Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

Do you propose the matter in Second Reading, Minister?

2.2 Deputy S.J. Pinel:

Yes, please, Sir.

The Bailiff:

How do you propose to deal with them?

Deputy S.J. Pinel:

If acceptable to Members I wish to propose the Articles *en bloc* as amended by the Government Plan and my own amendment inserting a new Article 18. If Members have any questions regarding a specific Article, I am happy to respond to those queries when I sum up and take any Articles as a separate vote if Members request that.

The Bailiff:

Deputy, do you wish to take then all of the Articles as amended by the amendments that have been made during the course of the debate?

Deputy S.J. Pinel:

Yes, please, Sir.

The Bailiff:

As amended by your own amendment.

Deputy S.J. Pinel:

Yes, please, Sir.

The Bailiff:

Could I ask Members if any Member objects to that course; that will be to take all of the individual Articles as amended during the course of the debate on the Government Plan, together with the amendment proposed by the Minister to her own? If any Member wishes for that not to be the case, would they please indicate in the chat? Very well, then they are to be taken *en bloc*. You propose them *en bloc*, Minister.

Deputy S.J. Pinel:

Yes, please, Sir.

The Bailiff:

Is it seconded *en bloc*? **[Seconded]** Does any Member wish to speak on any of the Articles in their amended form?

2.2.1 Deputy M. Tadier:

I only want to talk on Article 19 really, which is to do with the excise duty on tobacco. It is specifically to tobacco and it is obviously relevant to this Article. I will not be supporting this Article and it is not because I like tobacco, it is quite the contrary; I dislike smoking. The reason I am critiquing this is that we have got a policy in Government, with this Assembly, of presuming that just by putting duty up all the time above inflation on tobacco that it stops people smoking. I think that is a really blunt tool at best and I think that also there are unintended consequences. I will give you a tangible example about somebody who I know, I will say that they struggle with multiple addictions and they have got complex needs and are probably in the marginal section of Jersey section in terms of poverty. One of the addictions is tobacco and they have got to the point now, although they have tried to give up and they vape and all those kind of things, this person no longer buys tobacco, unless they think they can afford it in any particular week. But what they do is they go to ashtrays around the Island, so when pubs are open they will go outside a pub or they will go outside an office block where they know lots of smokers congregate and they will go into one of the communal ashtrays and they will find the cigarette butts and empty them into a packet, then take them home and then roll their own tobacco. I am really concerned, this is just one case that I know about, but that there are people in the Island doing this, their addiction is so strong that no amount of money or duty increase that we put on tobacco is going to stop people who want to carry on smoking. Because nicotine is a very highly addictive drug and of course while some will make the transition to vaping, and I will say this as an aside, I would warn against any moves to try and tax vaping products because I think that is highly unfair, is giving people a way out to try and transition from tobacco addiction to at least continue their nicotine addiction without having to inhale some of the other more harmful substances that are in tobacco. I put the challenge out to Government and the Minister for Health and Social Services in particular to talk to the Minister for Treasury and Resources about a programme to look

to phase out the ability of people to sell tobacco in the Island. I do not think you can ever stop tobacco use *per se* but I think it is wholly inappropriate, given that we have known the harms of tobacco for such a long time, that we continue to licence people to sell it to the community and to make a profit. Similarly, Government is profiteering from this highly pernicious drug that we continue to allow. The risk is if we just simply increase duty as smoking goes down, and I am not saying that the cost is not an effect on people stopping smoking but I think there is a combination, my point is that it is a blunt tool. If we keep putting the price up then we just get to a point that when one day when there are no more smokers at all in the Island and that is presumably what we want but the last person who buys a packet of tobacco is presumably going to be having to pay for all of the duty that we now currently take for granted from smoking and that surely cannot be a feasible position to be in. I know it is something of a *reductio ad absurdum* but if we continue going that way the last smoker on the Island will have to pay all of the duty that the Minister for Treasury and Resources is currently getting. I will not be supporting this Article. I do ask the Minister for Health and Social Services at some point in the future before the next budget and before the next Government Plan is debated to look to phasing out the sale of tobacco and to ask the Minister for Treasury and Resources to work with him or her, whoever the future is ... at the moment, to stop the sale of tobacco in Jersey for good.

[11:30]

The Bailiff:

Thank you very much, Deputy. Does any other Member wish to speak on the Articles or any of them in Second Reading? If no other Member wishes to speak, then I close the debate and call upon the Minister for Treasury and Resources to respond.

2.2.2 Deputy S.J. Pinel:

I thank the Deputy for his contribution. I think he was outlining a lot of very serious health issues regarding smoking and tobacco and I think that the comments on the people he was exemplifying need medical help and not a lesser duty paid on tobacco. Also, in answer to his question and one of the reasons for increasing the excise duty, is that I do work very closely with Health and that is, of course, one of their recommendations. I continue to propose the Articles in the Second Reading, please.

The Bailiff:

Deputy Tadier, you indicated you would not be supporting this Article. Do you, therefore, ask for it to be taken separately?

Deputy M. Tadier:

Yes, please. Could I have Article 19 taken separately, Sir?

The Bailiff:

In fact, because of the amendment already accepted and adopted by the Assembly, it becomes Article 22 but for clarity it is the one on tobacco duty.

Deputy M. Tadier:

Thank you, Sir. That is very helpful.

The Bailiff:

Minister, Deputy Tadier is entitled to ask for that, so do you take Articles 1 to 21, inclusive?

Deputy S.J. Pinel:

Yes, please, Sir.

The Bailiff:

I propose to take those, as no one has wished to speak, on a standing vote if Members agree. If anyone who wishes to vote *contre* to those Articles indicate now on the chat so that I know whether we should take a formal vote? No. Very well, I will accept Articles 1 to 21 inclusive on a standing vote. Do you then propose Article 22? We will now move to a vote on Article 22, which is the tobacco duty.

Deputy S.J. Pinel:

Yes, please, Sir.

The Bailiff:

I open the voting and ask Members to vote in the normal way. If Members have had the opportunity of casting their votes on Article 22, the one relating to tobacco duty, then I ask the Greffier to close the voting. Article 22 has been adopted.

POUR: 43	CONTRE: 1	ABSTAIN: 1
Senator I.J. Gorst	Deputy M. Tadier (B)	Senator S. Ferguson
Senator J.A.N. Le Fondré		
Senator K.L. Moore		
Senator S.W. Pallett		
Connétable of St. Helier		
Connétable of St. Clement		
Connétable of St. Lawrence		
Connétable of St. Saviour		
Connétable of St. Brelade		
Connétable of Grouville		
Connétable of St. John		
Connétable of Trinity		
Connétable of St. Peter		
Connétable of St. Mary		
Connétable of St. Ouen		
Connétable of St. Martin		
Deputy J.A. Martin (H)		
Deputy G.P. Southern (H)		
Deputy of Grouville		
Deputy K.C. Lewis (S)		
Deputy M.R. Higgins (H)		
Deputy J.M. Maçon (S)		
Deputy S.J. Pinel (C)		
Deputy of St. Martin		
Deputy of St. Ouen		
Deputy L.M.C. Doublet (S)		
Deputy R. Labey (H)		
Deputy S.M. Wickenden (H)		
Deputy of St. Mary		
Deputy G.J. Truscott (B)		
Deputy J.H. Young (B)		
Deputy L.B.E. Ash (C)		
Deputy K.F. Morel (L)		
Deputy G.C.U. Guida (L)		

Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

The Greffier of the States:

The abstention was Senator Ferguson.

The Bailiff:

Do you now propose the remainder of the Articles, Minister, in Second Reading?

Deputy S.J. Pinel:

Yes, please, Sir.

The Bailiff:

I beg your pardon. Yes, I think we just put them to the vote. You have already proposed them. In Second Reading I will take those on a standing vote unless a Member wishes to indicate they wish to have the vote formally taken. If anyone wishes to vote *contre*, would they please now indicate such in the chat? Very well, we will take the remainder of the Articles on a standing vote. They are adopted on a standing vote. Minister, do you move the Articles in Third Reading?

Deputy S.J. Pinel:

Yes, please, Sir. May I call for the *appel* for that one, please?

The Bailiff:

Yes. Is it seconded in Third Reading? **[Seconded]** Does any Member wish to speak in Third Reading? If no Member wishes to speak in Third Reading, then the debate is closed and we move straight to the vote. The Minister has asked for an *appel* and I ask the Greffier to place a link in the chat and I open the voting and ask Members to vote. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The Articles have been adopted in Third Reading.

POUR: 44		CONTRE: 0		ABSTAIN: 0
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator S. Ferguson				
Senator J.A.N. Le Fondré				
Senator K.L. Moore				
Senator S.W. Pallett				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				

Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy I. Gardiner (H)				

3. Draft Act declaring that the Finance (2021 Budget) (Jersey) Law 202- has immediate effect: addendum to P.147/2020 (P.147/2020 Add.)

The Bailiff:

The next item of Public Business is the *Acte Operatoire* to give immediate effect to the Draft Finance (2021 Budget) (Jersey) Law and I ask the Greffier to read the citation. It is posted in the chat so if you will just bear with us a moment we will call it up.

The Greffier of the States:

Draft Act declaring that the Finance (2021 Budget) (Jersey) Law 202- has immediate effect. The States make this Act under Article 12 of the Public Finances (Jersey) Law 2019.

The Bailiff:

Minister, you propose the adoption of the *Acte Operatoire*?

3.1 Deputy S.J. Pinel (The Minister for Treasury and Resources):

I do, please, Sir. Thank you.

The Bailiff:

Is that Proposition seconded? [**Seconded**] Does any Member wish to speak on the adoption of the *Acte Operatoire*? If no Member wishes to speak, then I close the debate and ask the Greffier to post a link into the chat in the usual way. I open the voting and ask Members to vote. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce that the *Acte Operatoire* has been adopted.

POUR: 45		CONTRE: 0		ABSTAIN: 0
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator S.Ferguson				
Senator J.A.N. Le Fondré				
Senator K.L. Moore				
Senator S.W. Pallett				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of Trinity				

Deputy of St. John			
Deputy M.R. Le Hegarat (H)			
Deputy S.M. Ahier (H)			
Deputy R.J. Ward (H)			
Deputy C.S. Alves (H)			
Deputy K.G. Pamplin (S)			
Deputy I. Gardiner (H)			

4. Draft Social Security (Amendment of Law No. 15) (Jersey) Regulations 202- (P.148/2020)

The Bailiff:

The next item is the Draft Social Security (Amendment of Law No. 15) (Jersey) Regulations, lodged by the Minister for Social Security. I ask the Greffier to read the citation.

The Greffier of the States:

Draft Social Security (Amendment of Law No. 15) (Jersey) Regulations 202-. The States make these Regulations under Article 50 of the Social Security (Jersey) Law 1974.

4.1 Deputy J.A. Martin:

The Treasurer, supported by the Council of Ministers, has requested this amendment to the Social Security (Jersey) Law 1974, which we are doing by regulations. They are a consequence of the States Members just agreeing the Government Plan 2021 to 2024, which sets out the States grant will be zero for 2021. These Regulations make a small change to part of the Social Security Law that can make this happen. Suspending the grant for 2021 means the Minister for Treasury will have an extra £65 million available in the Consolidated Fund. It will give the Minister greater flexibility to allocate funding during this pandemic and reduce the need for further borrowing. The Government Plan also sets out a planned direction for the States grant to be zero for 2022 and 2023 with payments starting again in 2024. In the light of these plans, I and the rest of the Council of Ministers will review the Social Security Fund and bring forward proposals next year to make sure that it remains sustainable for future generations. These Regulations do not stop the States grant for 2022 or 2023. I will bring forward proposals to do this next year should these plans remain the same. The fund has significant reserves of £1.9 billion in the reserve, which is worth 6 or 7 years of spend from the fund. That is if we absolutely did nothing. Please be in no doubt this will not affect the ability of the Social Security Fund to pay out old age pensions nor will it affect the ability to pay out contributed benefits to working age people who need them, like our Sickness and Incapacity Benefit or our new Parental Benefit. I would be glad to answer any questions that Members may have and I propose the principles.

The Bailiff:

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

4.1 Deputy G.P. Southern:

It is just to remind people, as the Minister said, provisions for 2022 and 2023 are not made yet. I just remind Members that these funds are made up of individual contributions so that people expect to be able to have a pension and have various alternative, different benefits paid from their own contributions. The principle that these are ring-fenced appears, to my mind, to about to be broken but that debate is yet to be had at another time.

The Bailiff:

Does any other Member wish to speak on the principles? If no other Member wishes to speak on the principles, I close the debate and call upon the Minister to respond.

4.1.1 Deputy J.A. Martin:

I really do thank Deputy Southern for his input because he feels exactly the same as me. This is why this review is going to be carried out. I want this fund to remain sustainable. I have said to him at Scrutiny I will not be the Minister for Social Security who leaves this fund with no money or not the same money as when I left. It will pay out and I cannot really say any more than that.

The Bailiff:

I propose to see if this matter can be taken on standing voting. If anyone is intending to vote *contre* could they indicate in the chat, please, otherwise I will assume that you vote *pour* on the standing vote? Indicate now. Very well, we will take it as a vote *pour* and adopt it on the standing vote. This is not a taxation draft. Therefore, Deputy Le Hegarat, does your Scrutiny Panel wish to take this in for scrutiny?

Deputy M.R. Le Hegarat (Chair, Health and Social Security Scrutiny Panel):

No, thank you, Sir. Based on the fact that this is only for 2021, we are content. Thank you.

The Bailiff:

We now come to Second Reading. How do you wish to propose the regulations, Minister?

4.2 Deputy J.A. Martin:

I would like to request to take the Regulations *en bloc*.

The Bailiff:

Are the Regulations seconded? **[Seconded]** Does any Member wish to speak on the Regulations or any of them? If no Member wishes to speak, then I close the debate.

[11:45]

I will take this as well on the standing vote if Members agree. Would anyone who wishes to vote *contre* please now indicate in the chat? Very well, I will take that as adopted on a standing vote in Second Reading. Do you propose the Articles in Third Reading, Minister?

Deputy J.A. Martin:

Yes, Sir. I propose them in the Third Reading. Thank you.

The Bailiff:

Are they seconded for Third Reading? **[Seconded]** Does any Member wish to speak in Third Reading? If no Member wishes to speak ...

Deputy J.A. Martin:

Could we have a recorded vote in the Third Reading, please, Sir?

The Bailiff:

Yes, indeed, we could. Then I close the debate. The *appel* is called for and I ask the Greffier to place a link into the chat in the normal way. I open the voting and ask Members to vote. If Members have had the opportunity of casting their votes, I close the voting. The regulations have been adopted in third reading.

POUR: 44		CONTRE: 0		ABSTAIN: 0
Senator I.J. Gorst				
Senator L.J. Farnham				

Senator J.A.N. Le Fondré				
Senator K.L. Moore				
Senator S.W. Pallett				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

5. Draft Health Insurance Fund (Miscellaneous Provisions) (Amendment No. 2) (Jersey) Law 202- (P.156/2020)

The Bailiff:

The next item is the Draft Health Insurance Fund (Miscellaneous Provisions) (Amendment No. 2) (Jersey) Law P.156/2020, lodged by the same Minister, and I ask the Greffier to read the citation.

The Greffier of the States:

Draft Health Insurance Fund (Miscellaneous Provisions) (Amendment No. 2) (Jersey) Law 202-. A law to amend the Health Insurance Fund (Miscellaneous Provisions) (Jersey) Law 2011 to enable £11.3 million to be withdrawn from the Health Insurance Fund in 2021. The States, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following law.

5.1 Deputy J.A. Martin (The Minister for Social Security):

This Proposition is a consequence of the States Assembly agreeing the Government Plan. The legislation will make an amendment to the Health Insurance Fund (Miscellaneous Provisions) Law to transfer £11.3 million from the Health Insurance Fund into the Consolidated Fund in 2021. The Health Insurance Fund has a balance of £98 million and the transfer will not affect the ability of the fund to fulfil its legal obligations. These monies will pay for 2 things, first, developing the Jersey Care Model next year, which the majority of States Members recently approved, and, second, the first year of the Digital Care Strategy that will create digital health and care services for the benefit of all Islanders. The 2021 Government Plan sets out further transfers in 2022 to 2024. I again will only put these forward after Ministers have completed the planned review of sustainable health funding and brought proposals back to the Assembly during 2021. The next transfer will be proposed next year after States Members have considered the proposals for sustainable health funding and the future direction of the Health Insurance Fund. I would like to maintain the principles.

The Bailiff:

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

5.1.1 Deputy G.P. Southern:

It is just to have a look at the figures that we are talking about here. We are talking over the 4-year period taking some £40 million out of the H.I.F. (Health Insurance Fund) to fund the move to the Jersey Care Model. In the first instance I would like the Minister to inform Members what the first tranche, £6.6 million in 2021, is going to be spent on, what particular services or other factors? Where is it going? I ask for her justification that £40 million be taken out of a fund that, in my understanding, today is £100 million. Again, why I am asking is that this is supposedly ring-fenced for delivery of primary care and not other factors. Is there a danger that it becomes something else altogether rather than people's individual contributions, which deserve to be ring-fenced? Can the Minister give us assurance on that?

The Bailiff:

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

5.1.2 Deputy J.A. Martin:

The complete breakdown was in the Proposition for the Healthcare Model and I do not have that split. I do not know if the Deputy would have expected me to because, as I say, that debate was had and the money was coming. I fully understand his concern on the other part and that is why I said we need to look at a complete model for our new Jersey Healthcare Model. We cannot carry on taking money out of the H.I.F. It does not pay for everything we want. The Deputy knows the proposition for cheaper G.P.s (general practitioners); the last part (c) was Deputy Southern identifying a sustainable funding mechanism. This has all got to be done. This will kickstart it. We have known that. We have known it from all along. I understand the Deputy's concerns. I do not share them because we will not be taking any more money out until we find that sustainable model. It will come back to the Assembly. It needs to come back to the Assembly and it will be amendable

but it has to be done, as I said, before we can just carry on taking money out of the Health Insurance Fund. I know that probably is not a big enough answer that the Deputy wants but the money is broken down somewhere. I think the Deputy has also asked for these figures from the Minister for Health and Social Services in Oral Questions a couple of weeks ago and he was pointed to the page in the massive proposition that was presented to the Assembly. I cannot be any more help on that. I do absolutely understand where the Deputy is coming from but we have been doing it for a long time this way. We want to move the model of healthcare. We want to make sure it is more inclusive, it is more deliverable and more people can afford it and it is delivered in the right place. That is why I am kickstarting this this year and I will have a lot more information with the Deputy. I have told the Deputy before, as he is on my Scrutiny Panel, he will get to see these. As soon as we know what it is looking like, he will get to see early sight.

The Bailiff:

I will ask the Greffier to place a link into the chat for voting. I open the voting and ask Members to vote. If Members have had the opportunity of casting their votes, I will ask the Greffier to close the voting. The principles have been adopted.

POUR: 43		CONTRE: 1		ABSTAIN: 0
Senator I.J. Gorst		Senator S. Ferguson		
Senator L.J. Farnham				
Senator J.A.N. Le Fondré				
Senator K.L. Moore				
Senator S.W. Pallett				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				

Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

Deputy Le Hegarat, does your Scrutiny Panel wish to call this matter in?

Deputy M.R. Le Hegarat (Chair, Health and Social Security Scrutiny Panel):

No, thank you, Sir. However, I would also raise the concerns in relation to the funding model, which will be brought forward to the States in due course because obviously there is a concern from the panel and other Members of the Assembly, along with Islanders, who have got concerns about money being used from the Health Insurance Fund. So we, as a panel, look forward to the department bringing forward those proposals in relation to a proper funding of this Jersey Care Model moving forward and assure the public that we will, at every opportunity, scrutinise these processes.

The Bailiff:

Do you move the matter in Second Reading, Minister?

5.2 Deputy J.A. Martin:

Yes, I move the matter in the Second Reading and, again, I would like to thank Deputy Le Hegarat for her comments. She is the Chair of the Scrutiny Panel and again will be seeing all of the proposals early doors.

The Bailiff:

Thank you very much. Do you propose them *en bloc* then?

Deputy J.A. Martin:

Sorry, Sir, yes, *en bloc*.

The Bailiff:

Are they seconded for Second Reading? **[Seconded]** Does any Member wish to speak in Second Reading? If no Member wishes to speak in Second Reading, then I close the debate and I ask the Greffier to place a link into the chat. I open the voting and ask Members to vote. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce that the Articles have been adopted in Second Reading.

POUR: 42	CONTRE: 0	ABSTAIN: 0
Senator I.J. Gorst		
Senator L.J. Farnham		
Senator J.A.N. Le Fondré		
Senator K.L. Moore		
Senator S.W. Pallett		
Connétable of St. Helier		
Connétable of St. Clement		
Connétable of St. Lawrence		
Connétable of St. Saviour		
Connétable of St. Brelade		
Connétable of Grouville		
Connétable of St. John		
Connétable of St. Mary		

Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

Do you move the Articles in Third Reading, Minister?

Deputy J.A. Martin:

Yes, Sir, I move them in the Third Reading. Thank you.

The Bailiff:

Are they seconded for Third Reading? **[Seconded]** Does any Member wish to speak in Third Reading? If no Member wishes to speak in Third Reading, then I close the debate. I propose in the light of the last vote to take this on a standing vote. Would anyone who wishes to vote *contre* in Third Reading indicate in the chat so we know whether to post a link or not? Deputy Tadier, you have asked for the *appel*, therefore the Greffier will place a link in the chat. I open the voting and ask Members to vote in the normal way. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce that the Articles have been adopted in Third Reading.

POUR: 44	CONTRE: 0	ABSTAIN: 0
Senator I.J. Gorst		
Senator L.J. Farnham		
Senator J.A.N. Le Fondré		
Senator K.L. Moore		
Senator S.W. Pallett		
Connétable of St. Helier		
Connétable of St. Clement		

Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

[12:00]

That concludes Public Business. However, there are a number of matters the Assembly is still to deal with before we adjourn. The first of those is I have an announcement from the Chair which will involve us in one minute's silence. There is then an urgent oral question from Deputy Doublet in respect of which I have allowed 10 minutes, an hour of questions without notice to Ministers on matters of COVID-19, which has also been the subject of a requisition, and then traditional greetings. May I assume, given that it is now 12.00 p.m. and we inevitably will not finish by 12.45 p.m. that Members would wish, in the light of what is ahead, that we conclude and carry on through the lunch hour. If anyone wishes that to be determined or discussed at this point, could you indicate now in the chat, otherwise I am proposing that we sit until we finish?

Deputy J.A. Martin:

I second that, Sir.

The Bailiff:

I cannot make a proposition, of course. I am proposing in the more general sense but thank you very much, Deputy. There appears to be no contrary view, therefore we will continue with the business of the Assembly in the way that I have described until we finish. If a Member wishes to make a contrary proposition during the remainder of the business it is open for them to do so, but I shall proceed on that default position in that case.

COMMUNICATIONS BY THE PRESIDING OFFICER

The Bailiff:

6.1 Appreciation of former Senator White – the late Mr. Leslie White

Members may be aware that a former Member of the Assembly has passed away at the advanced age of 101 years. Leslie White was elected as a Deputy in St. Helier No. 3 in 1963 and again in 1966. He was elected by a by-election for Senator in 1967 and held that position until 1972. During his time as a States Member he served on a number of committees, most notably in the Public Works Committee, Housing, Education and Fort Regent Development Committee during the period it was transformed into a sports, leisure and entertainment complex. We have no further immediate information concerning the late Senator White, who clearly gave service to the Assembly in the 1960s, but we note his passing and I ask Members to stand and maintain a minute's silence in his memory. [Silence] May he rest in peace.

QUESTIONS

7. Urgent Oral Question

The Bailiff:

Deputy Doublet has an urgent question for the Minister for Health and Social Services. I have allowed 10 minutes for this question to be dealt with before we move on to the one hour for Questions without notice. Deputy Doublet.

7.1 Deputy L.M.C. Doublet of St. Saviour of the Minister for Health and Social Services regarding support partners at antenatal scans.

Could the Minister please explain the reasons why pregnant women will not be permitted to have a support partner with them for any antenatal scans, given that the N.H.S. (National Health Service) guidance issued on 14th December emphasised the importance of support partner involvement and states the negative impacts on mothers, babies and partners that could potentially arise as a result of this new policy?

Deputy R.J. Renouf of St. Ouen (The Minister for Health and Social Services):

This decision has been taken as a result of advice from our Infection Prevention and Control team and following an assessment of risks in the workplace, the purpose being to keep our workforce safe and as free as possible from the risk of spread of COVID.

Deputy L.M.C. Doublet:

Can the Minister continue, because he has not fully answered the question?

The Deputy of St. Ouen:

The Deputy in her question has referenced N.H.S. advice and of course I agree with the N.H.S. finding that it is always helpful, I am sure, to pregnant women to have their partner with them. I am not aware how N.H.S. hospitals are operating at the present time although clearly many of them are under strain and would also be seeking to protect their workforce. We recognise that we would wish to restore the position as soon as possible, so this is not a policy, it is a decision taken on a risk-based assessment in the light of the current circumstances.

Deputy L.M.C. Doublet:

A supplementary, please, Sir.

The Bailiff:

I am sorry, I thought that was your supplementary, Deputy Doublet. You of course have a final supplementary but very well, yes, I think it is reasonable as you were asking for further clarification. Therefore a supplementary, Deputy Doublet.

7.1.1 Deputy L.M.C. Doublet:

I am disappointed that the Minister has not fully answered the initial question, even given that prompting that I had to give him just then. The second part of the question asks what negative impacts on mothers, babies and partners could potentially arise as a result of this new policy? I would like the Minister to answer that, please.

The Deputy of St. Ouen:

In the Government's COVID response we have always sought to balance the harms. We acknowledge that harms result from some of the measures that are necessary to combat and control the spread of COVID and we are seeking to balance that. In the U.K. I am advised that there have been cases of staff working in clinics who have acquired COVID as a result of spread from either patients or partners attending. Of course we wish to avoid that. We recognise the harm that is caused, the possible upset and why mothers would wish to have their partners with them, but it is important to bear down on the spread of COVID in hospital, which is a place where we take in our sickest people in the Island who are vulnerable to the spread of disease. This is a perfectly proper, safe and appropriate measure to take.

The Bailiff:

Thank you very much. I have 8 people indicating a desire to ask a question. In the amount of time available I propose not to allow supplementary questions to any of those, but to allow them to ask their questions until we run out of time. May I remind Members that immediately follows Questions without notice to Ministers and if their questions are not answered during the course of this few minutes then they are at liberty to pose a question if they wish subsequently?

Deputy R.J. Ward:

Sir, I am sorry to interrupt but it really is difficult at times without a supplementary on specific topics. I wonder whether it would be possible to extend the questioning time. This is the last thing that we are dealing with today, with respect.

The Bailiff:

It is not the last thing that we are dealing with today, Deputy Ward. The last thing we are dealing with today would be the traditional greetings but before that of course there is an hour of Questions without notice to Ministers and it is possible to spend a lot of that, if necessary, dealing with this point. I am looking to fit as many people into this question within the 10 minutes available to it. I think in the circumstances I will permit 15 minutes of questioning instead of 10 minutes of questions and we will see if we can deal with matters of supplementary questions. If we run out of time at the end of 15 minutes then it must be the case that we will have to defer anything else until Questions without notice.

7.1.2 Connétable K. Shenton-Stone of St. Martin:

My question is in 2 parts. The second part relates to the first part. Does the space in the scanning room prevent social distancing? If so, can another room be used? I understand that the scanning

room is very large. The second part is what is the additional perceived risk if the partner is distanced in the scanning room and already from the same household?

The Deputy of St. Ouen:

I am confident that all of these matters would have been considered in the risk assessment that has taken place and would have been considered by our Infection Prevention and Control team. They are not capricious about this. We do not have a desire to do this. It has been considered necessary to prevent the spread of infection within the hospital. Visiting to other wards has been closed. Visiting to some of our most vulnerable in mental health wards is closed, the reason being not that we wish to do it but that it is recognised that bringing more people into an environment such as this does increase the risk of spread among the most vulnerable in the Island. Therefore, that is why the decision has been taken.

7.1.3 Deputy R.J. Ward:

Given that we are in 2020 and that, speaking as a father, fathers are an integral part of the process of pregnancy and want to be involved, is there not a way that fathers or partners can be included wearing P.P.E. (Personal Protective Equipment) or taking the precautions that are necessary so that they are part of the scan and part of the support mechanism? Can I ask the Minister: will he accept that it is okay for him to change his mind and no one will see him as weak for doing that and it will be supported?

The Deputy of St. Ouen:

It is the case, as was said in the news release yesterday, that we know there are times when extra support is needed during an antenatal scan, particularly if the pregnancy is high risk or complicated and we will provide additional support as is needed. In appropriate cases what the Deputy has said may well be implemented.

7.1.4 Deputy I. Gardiner of St. Helier:

Would the Minister recognise that supporting mother and child is not visiting? Does the Minister recognise the role of the partner as a vital role to care for mother and baby and it cannot be considered as visiting and they should be treated differently with extra precautions to be taken, such as advanced scanning and using P.P.E. to avoid the spread of the virus?

The Deputy of St. Ouen:

Yes, I do recognise the valuable and critical support of a partner in instances like that. I did not mean to infer that the partner was a visitor in the same way as a visitor to the ward, although undoubtedly the partner is a visitor to the hospital if the partner is not receiving a clinical examination in a clinical environment. P.P.E. and other measures do take time to put on and take off and they are not a failsafe. That is probably the reason why in the U.K. there has been a spread of COVID from people attending such examinations, even though their staff have been fully kitted out in all P.P.E. It is a simple measure, a straightforward and necessary measure to protect staff and patients in the hospital.

7.1.5 Senator K.L. Moore:

In his answer to Deputy Ward the Minister suggested that in appropriate cases if there was a particularly stressful situation in relation to the pregnancy that some waivers may be offered. How does the Minister propose that occurs?

[12:15]

Is it the pregnant person who should request it if they feel particularly stressed or concerned about their pregnancy, therefore they would like due consideration to be given to their partner or is that a medical decision to be taken?

The Deputy of St. Ouen:

It is certainly not for me to direct how such decisions should be taken. Staff are not unfeeling in this. They would already have established a relationship with the mother and we will be aware of difficult pregnancies, problematic pregnancies, particular instances where additional support may be needed. I am sure those discussions would be had with appropriate mothers-to-be.

7.1.6 Deputy G.P. Southern:

What evidence or basis is the Minister aware of that should lead to such a marked difference between the U.K. advice and our advice?

The Deputy of St. Ouen:

I do not know what the specific U.K. advice is in each and every N.H.S. Health Trust. There is obviously advice for the general situation, that partners should be encouraged but in COVID times I am sure that N.H.S. hospitals are being very careful about their measures. I would remind the Deputy, as he well knows, that we are a single health care provider, unlike an N.H.S. hospital that can call upon support from the neighbouring town or county if their staff are affected and fall ill with COVID. We are not able to do that, so we do need to protect our staff here on the Island and try to minimise the risks for them.

7.1.7 Senator S.Y. Mézec:

Can the Minister understand why what he is suggesting will sound so implausible to so many members of the public who will be wondering what benefit this actually provides, to separate a couple for an antenatal appointment in the name of preventing the spread, when presumably outside of this appointment they will be spending a lot of time with each other? Is he in possession of some sort of medical evidence that demonstrates there is a higher risk of spread in an antenatal appointment without separating a couple who are otherwise spending a lot of time together anyway?

The Deputy of St. Ouen:

The risk is double. We know that people are at their most infectious before they exhibit any symptoms. We know also that many people can carry COVID and yet be asymptomatic. There is a risk from the mother-to-be attending, who may have COVID and not be aware of it and may not exhibit symptoms. The service will continue to bear that risk and deliver the antenatal service, but the risk is doubled if that mother's partner comes in and for that reason it is appropriate to seek to minimise the risk.

7.1.8 Deputy K.G. Pamplin of St. Saviour:

I have read the N.H.S. advice issued on 14th December and I respect Dr. Muscat, as the Minister knows I do. What is the specific reason that has led to the conclusion that Dr. Muscat has made that these things cannot go ahead? There has to be a specific reason, otherwise he would not have made that decision. Does the Minister know what that is and can he share it with us all now?

The Deputy of St. Ouen:

As I have said before, the reason that has been given to me is this is the appropriate measure to minimise risk to our staff and the community in hospital, including vulnerable Islanders.

7.1.9 Deputy C.S. Alves of St. Helier:

I have just heard the Minister quite rightly say that the risk is doubled and that in many situations somebody may be positive and not show any symptoms. Therefore, does the Minister recognise that there is a clear contradiction when the Government are allowing our pregnant teachers to be in contact with potentially hundreds of children and other members of staff in a non-sterile school environment compared to a hospital environment?

The Deputy of St. Ouen:

Every workplace runs on the basis of a risk assessment, schools, hospitals, every other States workplace. Those risk assessments would have been carried out and were they to be an unsafe environment action would be taken, as we are doing in this hospital scenario.

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

The reason that the Minister has brought in these changes, he says, is to protect the workforce. Would he agree with me that in order to protect the workforce even further he could ask for pregnant women who are very close to their birth date to come in to the hospital and have their babies under more controlled conditions than might otherwise be the case if they just wait for baby to come along naturally?

The Deputy of St. Ouen:

I am happy to put that to those who would be the best judge of these things on a clinical basis. I do not think I can say any more than that. I cannot give my own opinion. It needs clinicians.

The Bailiff:

Very well. We come to the end of the 17 minutes that I have in fact ended up that I have allowed for this so far. Do you have a final supplementary, Deputy Doublet, before we move on to Questions without notice?

7.1.11 Deputy L.M.C. Doublet:

Yes, please. Does the Minister not agree that the minimal risk of one person from the same household attending a scan is vastly outweighed by the huge toll that this will surely have on the mental health of pregnant women? Indeed a U.K. survey shows that these same restrictions in the U.K. negatively affected over 90 per cent of pregnant women at the time, and that it cannot be predicted whether the news from a scan might be: "Sorry, your baby does not have a heartbeat" or: "Sorry, your baby has an abnormality" or: "Sorry, you need to have a termination." Even with the mitigations and the allowances he is stating and given the fact that these things cannot be predicted, and the N.H.S. document that Deputy Pamplin refers to states that support partners are not just visitors, they are a vital part of providing the care for pregnant women and babies, will the Minister please agree to go back and review this decision?

The Deputy of St. Ouen:

I am afraid that right at the beginning of the supplementary the Deputy asked if I would accept that this is minimal risk. No, I am sorry I cannot accept that it is minimal risk. I reiterate that staff are not unfeeling. Staff will be on hand to offer all the support they can. We have a magnificent team in the antenatal service and yes, these decisions are under constant review, if only because it pains the staff, I am sure, to have to impose this requirement. As soon as it is safe to do so we will revert to the previous practice, recognising the benefits of partners attending these appointments.

The Bailiff:

Thank you very much, Minister. That brings an end to the period that I have allowed for this urgent question. We now move on to Questions without notice. We have a number of Members who have indicated a desire to ask questions. An hour has been allocated for this. It is to Ministers on matters related to COVID-19. Senator Mézec, you have a question for the Minister for Health and Social Services.

8. Questions to Ministers without notice

8.1 Senator S.Y. Mézec:

It does follow on from the questions we have just been asking him. In response to my previous question he said that having the partner there would increase the risk, in fact he said it would double the risk. That is the word he used, “double”. Can I ask him if he would like to either reconsider that or provide us with the statistics that demonstrate the risk is actually double? Many of us will find it extremely difficult to believe that the risk is multiplied by that amount, given the person that is being excluded from the antenatal appointment is somebody who the pregnant woman will be spending a lot of time in close proximity to outside the appointment. Surely that cannot be double and the risk must be much less than that.

The Deputy of St. Ouen (The Minister for Health and Social Services):

The Senator and I obviously have a difference of view there. Each of those 2 persons is an individual. Each of them has the same risk profile. They may be asymptomatic. They may be pre-symptomatic. They are 2 persons coming in as opposed to one. I will take that away to the risk assessment group but at the moment I cannot see it as other than double.

8.1.1 Senator S.Y. Mézec:

Would the Minister for Health and Social Services endeavour to provide us with the statistical evidence that demonstrates that the risk is double as soon as possible so Members are able to decide if we want to challenge this matter further? It strikes me that double the risk would be perfectly likely in a scenario where there are 2 completely unconnected people but the risk profile will be totally different when it is 2 people who are in close proximity all the time outside of that, where if one partner has COVID there is a much higher chance that the other partner has it, or if they do not have it then there is very little chance of either of them having it. Could he provide that statistical evidence as soon as possible and if it is incorrect to say double would he then be prepared to correct the record?

The Deputy of St. Ouen:

I will go back to those who have assessed these risks and ask the question.

8.2 Senator S.C. Ferguson:

I understand that the logistics team do not appear to have taken into account access to the Fort, for instance for people at risk in the outlying Parishes, who are vulnerable and have to come to town by bus, and heaven knows how they are going to walk up to the Fort. Would the Minister explain what provisions are going to be made for these people?

The Bailiff:

Is that a question to the Minister for Health and Social Services?

Senator S.C. Ferguson:

Yes, it is his logistics team who are planning the use of the Fort. Why are they not using the drive-through site at the *J.E.P. (Jersey Evening Post)* or Albert Bartlett or something like that? This is quite ridiculous.

The Deputy of St. Ouen:

I recall the Senator asked a very very similar question on Monday. It is recognised that there will be people who are housebound or who have specific vulnerabilities that we need to make special arrangements for and they will be notified of those, they will be worked through before the call for vaccination is made. Again I would say to the Senator if the vaccination centre was placed in any other venue then people would be asked to travel to it. The Fort is an accessible venue to most people. It is of the right size and has the right facilities and that is the reason it was chosen.

8.2.1 Senator S.C. Ferguson:

Can you not use the places like the *J.E.P.* site where it could in fact be a drive-through setup, not just having to arrange for buses and all sorts of things and to get up to the Fort and spending a long time on public vehicles if you need to go by bus? Why have you not thought of it before?

[12:30]

The Deputy of St. Ouen:

If an Islander needs to travel by bus then they would need to travel by bus to the former *J.E.P.* at Five Oaks. I cannot quite see the distinction there. I do not imagine, although I have not discussed it directly with the team, it is possible to have a drive-through vaccination. A vaccination is a clinical function, a clinical operation. Surely people would be required to get out of their vehicle and roll up their sleeve. The people administering the vaccine need to determine the person's capacity and they need to ask questions. They need to ensure the person is comfortably seated and be able to respond should any health concerns arise. It is not a drive-through in the same way that a test swab can be taken by putting something up our nostrils or to the back of our mouth. That, I anticipate, would be the reason. I have every confidence in our team. We have made an excellent assessment of the best way to administer these vaccinations.

8.3 The Deputy of St. Martin:

In the past the Chief Minister has always resisted the urge to say to Members he will change tack on policy if a certain number of positive cases are reached and always stated that he would prefer to use a combination of factors, I think are his words. Can I ask him this? Given that we are now at 100 cases a day, can he tell us what combination of factors it will take specifically for him to change the rules on meetings over Christmas?

Senator J.A.N. Le Fondré (The Chief Minister):

I welcome the question actually. It is worth noting, because obviously the Minister for Health and Social Services seems to be getting a lot of question at the moment, we are doing the detailed briefing for States Members, which we put in Members' diaries on Tuesday before we had had obviously notice of this particular session and we are earmarking around 2 hours, which will mean a briefing obviously from all the officers and then questions again based on the latest data. I just flag that because again if there is technical stuff we want to bring through there will be some further information that will come out, which is just being finetuned at the moment. We have always been very clear about not focusing on a point in time and a number, as the Deputy has rightly pointed out, and we have also very much been focused on the fact that it is only going to be Friday at the earliest, in reality - and from my perspective it is going to be this weekend, maybe even Monday - where we will see whether the trend is going to start changing as a result of the hospitality circuit breaker that we have put in place and therefore will only be 2 weeks on Friday. I must admit, I was semi expecting a slight uptick in today and tomorrow as a result of what was sometimes referred to as the anecdotal behaviour that we saw just before that hospitality circuit breaker came in place. In terms of the factors, we are basing it on always the medical advice we have, and it is from frankly the best scientific minds we have access to because they are our medics, and they include Dr. Muscat and others. S.T.A.C. (Scientific and Technical Advisory Cell) is meeting today, in fact I think it is meeting now, and competent authorities will be meeting once we have had their advice to then consider our next stages. The crucial thing will be trying to understand what the trend is and whether the results we had today are part of that trend or whether they are an occurrence, as it were, prior to the impact of the hospitality circuit breaker that we put in place and the other measures, which should all be starting to bite from the end of this week. Let us be very clear, if that trend continues we will have to do some further announcements in fairly short order but we do need to get that assessment and we do need to act on the advice from our medical advisers, that is what we have been doing all the way through, and will mean that we are meeting and receiving that advice in the next couple of days.

8.3.1 The Deputy of St. Martin:

Can I just ask the Chief Minister, does that advice include some factors which account for the level of stress, concern and worry in the general public of the Island at the moment?

Senator J.A.N. Le Fondré:

We always take account of the wider context of the well-being of the Island as well as the impact of COVID directly. I think I reiterate 2 points. One is that we do have, and I know we have said this again and again, a very good testing and tracing system. Between, I think it was, last week and the week before the number of tests increased from something like 10,000 to 14,000, that is a 40 per cent increase. That does have an impact on the number of results we are seeing. We will try and explain that more in the context to Members later. We do take account of all the factors we have to deal with. We are also keeping an eye not only on Christmas but the likely impact in January and February. On the positive side, we are obviously ... and there is more information, a press release going out later. The vaccination programme is working well and there is some good news on that as well. Do not forget as well the priority is maintaining the health service in a good capacity to look after Islanders. It is working. Again, Members will have an update later on this afternoon on that.

The Bailiff:

Members are concerned that I have not called them, I have been writing down names strictly in the order that they appear in my version of the chat, which is not always the same as everyone else's. To give Members a heads up, the next 2 questions are Deputy Gardiner and then Deputy Le Hegarat. Then Deputy Ward, Deputy Higgins, the Connétable of St. Saviour, Deputy Morel, Deputy Pamplin, Deputy Doublet, Deputy Southern and Senator Moore are still to ask their first questions.

8.4 Deputy I. Gardiner:

Would the Minister for Health and Social Services advise the Assembly what the updated R number is today?

The Deputy of St. Ouen:

In discussions with officers yesterday the estimate of the current R number is 0.921.1.

8.4.1 Deputy I. Gardiner:

Has our R number gone down? Basically if I am looking on 2nd December we had 331 cases, 2 weeks later on 16th December we had 881 cases, it is more than double the rate. When will your assessment and your modelling be done on what our new predicted number will be?

The Deputy of St. Ouen:

Yes, the R number is complex, it is not a definitive number. It is an estimate in all jurisdictions and it is an estimate that is compiled by the use of quite a number of data sources. I am aware that in the States Members briefing that is intended for later today there will be further detail given about the assessment of the R number and how it is calculated. I hope we can answer the Deputy's question more fully then. It is not just a case of looking at the daily numbers or the number of active cases at any one time. I hope that helps.

8.5 Deputy M.R. Le Hegarat:

I am going to continue with the Minister for Health and Social Services in relation to the attendance at the hospital of pregnant women. If the scans are, as we will assume, planned and assuming that the pregnant woman will have been tested for COVID-19, can they please consider the fact of giving a test to the partner in order that that partner can go to the appointment with them. If they do not already test the pregnant woman, I would ask that consideration be done in order that that can happen.

The Deputy of St. Ouen:

Yes, I will ask that an assessment be made around those parameters to see if it is possible to introduce any change in that. That is all I can say because I do not know precisely when or if tests are taken at the present time.

8.6 Deputy R.J. Ward:

A question for the Chief Minister but it may be the Minister for Health and Social Services, depending on who wants to answer it, but I would say for the Chief Minister. Jersey appears to have the highest rolling 7-day average cases per 100,000 in the world. At what point will the Minister accept that they are losing control of the pandemic? If he does not accept this, what evidence does he have to show that is not the case?

Senator J.A.N. Le Fondré:

Firstly, as I was suggesting to the Deputy of St. Martin, we are going to be showing Members all of the data that we have to date in the briefing that I think is likely to be starting at about 4.30 p.m. today. In fact it is just worth making the point, as I said, about we work and we listen to the advice of our scientific advisers, of our medical advisers - from our perspective they are the best scientific brains we have on the Island who can give us that advice - so S.T.A.C. are meeting today, and therefore Ministers will then consider their advice basically as soon as we can get it. What I will say though is that we made it very clear that the hospitality circuit break, the impact of that will only start kicking in at the earliest on Friday and Saturday of this week. Therefore that will be very much the case of looking at initial trends that have come through. What I do need just to say, obviously we had intended to do a press conference tonight, but obviously where we are in terms of the time in the Government Plan, which has been very important because it is approving the funding, for example, for COVID-19 for next year, but given that we have therefore had to just finetune on the timing for the presentation to Members we are going to postpone the press conference that was about to give the public an update on numbers, but particularly on the vaccination programme ... I think different measures have been put in place to ensure that takes place, which will be from the head of the COVID Vaccine Department and the Deputy Medical Officer for Health. Going back, it is very important that we are looking at the data on a daily basis, we are watching the trends, we want to see if there is any initial impact from the hospitality circuit break and then, if there is no change, there is no doubt we will have to be making some further decisions. What I will just say to challenge the Deputy's earlier comments about the highest rate, again I make the point that we said ... Deputy Morel, I see he has a question coming, but he certainly seemed to understand it on Tuesday. We have a high rate of numbers, there is no question, but we have one of the highest rates of testing and the fact we saw a 40 per cent increase in the number of tests between this week and last week, we have gone from 10,000 to 14,000, that has an impact on the number of positive tests that we are going to then see, because we are testing so much more it is making the virus much more visible than in any other jurisdiction. I will stop there because you need a shortish answer. We will explain that more either in further questions if Members want to ask me that or in the briefing tonight.

Deputy R.J. Ward:

Supplementary?

The Bailiff:

Yes, indeed, but before we do, Deputy, could I just remind those answering question that generally the rule is one minute and 30 seconds. The last answer was 2 minutes and 40 seconds. I realise this matter is one of complexity and is highly important but if Members could avoid any extraneous observations in their answers and seek to answer the questions I am sure we will have the opportunity for more questions as we go through.

8.6.1 Deputy R.J. Ward:

It is clear that Islanders are very concerned about the growing number of cases. Can the Chief Minister be clear and succinct and tell us whether he believes he still has control of the pandemic, he is confident that numbers will be dropping and that the Island will be safe for Christmas and beyond that?

Senator J.A.N. Le Fondré:

Firstly, I do absolutely understand the concerns of certain parts of the Island in terms of where we are in the numbers. There is no question there, which is why we did take the effort at the beginning of last week to talk about the context in which those numbers are coming, and that is what I was alluding to in my earlier answer.

[12:45]

I will just conclude again on that. Certainly the way it has been presented to me - and I hope I will be able to translate that across correctly - is that if we applied ... look at the hospitalisation rates that we have and we applied that to the way the U.K., for example, are testing, we would have a rate in the U.K. way that they measure things of between about 160 and 200 per 100,000. What we are actually seeing at the moment is we are finding over 800. That does not mean we have got more of the virus, it means that we are finding it a lot more than any other jurisdiction and that is what is demonstrated in the numbers. Our magnifying glass in terms of seeing where that disease is is a lot bigger and giving a lot bigger picture than almost any other jurisdiction is getting. If we understand that, that does mean actually that relative to the other jurisdictions we are taking decisions in advance of whether they are again. We just have to put that into the context. Again, we will cover that tonight. I do understand the concern of Islanders and, please, be absolutely clear we are following the best advice we have got. We, to date, have taken decisions early and to manage the disease. We have said since the hospitality circuit breaker came in that we would have to wait until the end of this week to determine if that trend has been enough. If it is not, and particularly bearing in mind January and February, we will take further decisions in very short order.

8.7 Deputy M.R. Higgins:

Could the Chief Minister tell us how many people are currently in the hospital, both in intensive care type units and also in general wards?

The Bailiff:

Do you mean persons who are suffering from COVID-19, Deputy Higgins, or just persons in general?

Deputy M.R. Higgins:

Not it is COVID-19, sorry.

Senator J.A.N. Le Fondré:

Just briefly looking at the S.T.A.C.'s figure that I have, which is as of yesterday, there were 32 cases in the hospital. Now, I need to caveat that very carefully and we will be giving a lot more information on that to Members in the briefing. By far the majority of those individuals are people who have come in for non-COVID related matters and when they have been tested they have then had COVID detected within them. So there will then be a very small number of those who have come in directly because of COVID-related matters. I do not have the greater breakdown on me at the moment because I do not want to give a wrong number out on that. We will be presenting that to Members just after 4.00 p.m. this afternoon, unless the Minister for Health and Social Services has that further information. The principle is that by far the majority of the numbers that are reported in hospital have gone in for other matters, or matters other than COVID, have subsequently tested positive, sometimes it has been detected they have got COVID in them, they have not come into hospital directly because of a COVID-related matter.

8.7.1 Deputy M.R. Higgins:

On that, with the hospital, I thought everybody was being screened before they got into the hospital. Have people been found to have the COVID after they have been admitted, even though they were screened?

Senator J.A.N. Le Fondré:

Sorry, that was probably me expressing it wrongly. They are tested when they come in. So they are admitted, they are tested and at that point, my understanding is, that is when they have determined that, in the majority of cases, they have come in with COVID in them but they have been coming in for a different reason, i.e. to have a normal procedure or an emergency procedure that is not COVID related. But, as I said, we can give the exact breakdown in the presentation later today. Very happy to, that is why we have allowed a lot of time for Members to ask those direct questions either of ourselves or of officers.

The Bailiff:

The Connétable of St. Saviour. Who is your question for, Connétable?

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

Yes, I am not sure exactly. It could be for the Chief Minister. It is just I have had a lot of calls at home to say that they have had word that the new Nightingale Hospital has an infestation of rats. Is that correct? I do not know who can answer that one.

Senator J.A.N. Le Fondré:

I am happy to take that one. I can categorically state ... I remember it was raised, blimey, I am going to say a month ago with Ministers, it might have been earlier than that. I think it was at the Emergencies Council by the Connétable of St. Lawrence, it was definitely investigated and is categorically not the case. Certainly that was what we were informed at the time and we do continue to raise it at times.

8.9 Deputy K.G. Pamplin:

I think there are a few technical problems with Teams at the moment but thank you for your patience. My question is to the Minister for the Health and Social Services, and I hope it is the final time. Will the Minister for Health and Social Services make sure that the States Assembly decision of my Proposition as amended, P.88, is finally delivered because as it stands it goes against the will of this Assembly since early July.

The Deputy of St. Ouen:

I am doing all within my power to ensure that the decision is implemented. I enquired about this yesterday. I am informed that Minutes of 4 further meetings are with the Greffe, or whatever process is required just to get it on to the website, and that the chair of S.T.A.C. is working today and other days on bringing all those Minutes up to date.

8.9.1 Deputy K.G. Pamplin:

As well as that now infamous part of my Proposition, will the Minister for Health and Social Services also respond to the other element of P.88 that has not been fulfilled? Does he just take responsibility as the Minister who responded to my proposition and apologise to the Assembly for the position we find ourselves in?

The Deputy of St. Ouen:

If the Deputy could just outline what particular parts of this Proposition that question relates to I would try and be more specific.

Deputy K.G. Pamplin:

To help the Minister, it is all of it, parts (a) to (f), and I am quite happy to email him again my proposition for him to go through.

The Deputy of St. Ouen:

Remembering that the Proposition related very largely to the important aspect of communication around this area, I would point the Deputy to the work undertaken by our Communications Unit in keeping the Island informed at a very stressful time, at a time when all Islanders are engaged in a campaign to safeguard ourselves and keep our friends, neighbours and families well. They have done that with the help of communication. It is a difficult task to communicate and message to everybody, because we all receive information in different ways and have different emphases in our lives, and the Communications Unit must try and send a universal message in ways that people who are very different wish to hear it. I commend them for their hard work.

The Bailiff:

We will try Deputy Morel again. Deputy Morel, are you able to ask your question?

8.10 Deputy K.F. Morel of St. Lawrence:

Yes, and apologies for that, I was distracted by someone popping into the room. I do apologise. My question is also about S.T.A.C. Minutes and I have asked for the Chief Minister but am happy to be directed to the Minister for Health and Social Services if that is the appropriate place. With regard to the S.T.A.C. Minutes in terms of the advice being given for COVID-19, does the Chief Minister consider either himself or the Minister for Health and Social Services to be essentially holding the States Assembly in contempt for not having published those Minutes?

Senator J.A.N. Le Fondré:

The short answer is no. The longer answer is that we do have to recognise that we all want to see these minutes published but the way that the S.T.A.C. is operating, quite literally some of the members are operating at other times, i.e. in theatre and therefore the priority is very much the availability of the time of the clinicians in getting the Minutes finalised. I know resource has been put in there and it does get raised very often because we are acutely aware of it, but it is recognising that the people who are providing all this are also operating quite literally on Islanders and that obviously is their priority. The S.T.A.C. Minutes, as the Minister for Health and Social Services updated, we are expecting to see movement of the logjam taking place firstly today and my understanding is that some Minutes are in the process of being put up on to the website, hopefully in the next few hours and there will be more later on this week. The intention is to start shifting on that logjam. We have been trying to get that into the right place. I would like to just address some of the other points that were raised about P.88. I am unclear as which bits are not being carried out because certainly there is definitely ... for example, part (e) as amended, a weekly press conference briefing or engagement should be held, including by the Chief Minister, other Ministers, government officials and technical experts as required. The point is there has been engagement with the press obviously every week that we have been going through pandemic. It has been just as required and as the appropriate way of communicating has been deemed. Obviously in the last few weeks we have definitely been in press conferences on a very regular basis. So, no, we are not in contempt of the Assembly. It is frustrating but equally we have to make sure that we do recognise the efforts of the people behind the scenes in terms of them managing (a) their day job and (b) particularly the practical response to the COVID-19 pandemic. I do recognise the frustrations.

8.10.1 Deputy K.F. Morel:

Thank you, yes, there is frustration. In today's media one column says: "Ministers and their senior civil servants have not deemed keeping the public informed a priority, they clearly do not value

openness.” That is in regard to the reason of workload being given. Does the Chief Minister agree that they clearly do not value openness? Does he recognise that the public may be interpreting the failure to publish the minutes as devaluation of openness?

Senator J.A.N. Le Fondré:

I am always very cautious about commenting on media opinion, particularly editorials, and I go back to that point, it is not about lack of openness. The Minutes will be published and are being published, there has been a delay but principally because of logistical difficulties or practical difficulties with ... we as an Island do very, very well in what we do but we also have to recognise that usually it is a very small team behind it and therefore when we are dealing with the pressures of the pandemic we have to make sure that those pressures do not fall too heavily on any one or 2 individuals. In fact, I did see a comment in an earlier editorial around the absence of a particular member, who we all very much respect, and casting aspersions as to the reason behind it. The very simple reason, which I had alluded to in the press conference, was that particular member had been briefing States Members at 8.15 a.m. in the morning, if I recall correctly, and as had been identified by somebody else an individual had been writing their notes at 5.00 a.m. in the morning and therefore to be requiring them to attend a press conference again at 7.00 p.m. in the evening we just felt was somewhat over the top. It is therefore just recognising that while we all want to be addressed by person X or person Y, those people in practical terms (a) have to do their day job and (b) are very much focused on delivering the practical implementation or implications relating to dealing with the COVID pandemic.

8.11 Deputy L.M.C. Doublet:

Deputy Le Hegarat asked the question that I was going to ask. I thank her for that but the Minister responded to that question saying that he would look into testing pregnant woman and their partners. I thank him for that but will he please examine the N.H.S. documents that I have referred to in my urgent question this afternoon and endeavour to put anything else in place that a risk assessment might identify as needed in order to enable partners to attend scans and to, please, let States Members and the public know exactly what is decided, whether it is the suggestion from Deputy Le Hegarat or any further things that might be put in place for this situation?

[13:00]

The Deputy of St. Ouen:

Certainly I will examine them but in conjunction with that I will also take advice from the Infection Prevention and Control team as to their applicability or relevance to our situation. Whatever we can glean from them that might be a better way of safeguarding patients and staff in the hospital we will try and implement.

8.11.1 Deputy L.M.C. Doublet:

Were any other mitigations considered to help with this situation or was banning support partners the first thing that was considered?

The Deputy of St. Ouen:

I do not like the word “banning”. This is a measure to protect people and to try and slow the spread of infection in the Island. It comes later than other measures that we had put in place, which was around visitors attending in hospital wards, which came into place perhaps a fortnight ago now. I can say to the Deputy: this was not the first resort.

8.12 Deputy G.P. Southern:

The question is whether the Chief Minister is open, if the advice he receives tonight is at the darker end of the spectrum, to advising that the numbers of people who can visit people in their homes over the Christmas period is reduced and then length of time is also reduced?

Senator J.A.N. Le Fondré:

The very simple answer is yes. The longer answer is, we always work on the advice. I do remind Members, because some members of the public have not yet quite grasped this or understood it in the context of a lot of the national news we see, the measures that are in place already from just before Christmas until just after New Year do represent already a tightening up of restrictions compared to what we have as of today. To be very clear, if the view of the trend that we are seeing means that we feel we need to take further measures or we feel we need to take further action to support the result of where we need to be in January and February, then we will do so. That will be part of the considerations that we are going to be doing over the next few days. That is why we want to make sure we have an informed position to then tell Members and the press.

8.13 Senator K.L. Moore:

A week ago, a locally born professor of virology advised, through the local media, that a rethink on gatherings was taken immediately by this Government. He advises, in his professional view, that nobody should be visiting another person in their home, given that almost 1 per cent of the population has tested positive, 5 per cent of the population has been in direct contact with one of those cases and that does not include their family members and people they may be living with, who would be equally affected by that. Also a Channel 103 poll has shown that 75 per cent of the public would like to see a tighter restriction on gatherings. Why, given the increasing rates over the past 2 weeks, since the hospitality circuit breaker, has the Chief Minister not reconsidered his position before now?

Senator J.A.N. Le Fondré:

Firstly, I do not, nor does any other Minister, make decisions for the benefit of the Island based on media polls. We should be very clear there. Second question, I think we have already covered that in response to Deputy Southern's question. I hope that answers the point. Third point, again, is as we laid out in the press conference we did last week and to Members, the context of the huge amount of testing we are doing does need to be understood. As we have said, we will be listening to the latest updates and S.T.A.C. advice. If we need to make further decisions, we will do.

8.13.1 Senator K.L. Moore:

Why will the Chief Minister not listen to the advice of a professor of virology, who is locally born, therefore has a deep concern for the Island? He may argue the point about testing. However, since the decision was taken for the hospitality circuit breaker, the figures here have more than doubled.

Senator J.A.N. Le Fondré:

The difficulty we have is that while I understand the credentials of the gentleman that the Senator is talking to, which experts do we listen to? Do we ignore the advice of the experts that we employ, who have guided us so well? They have guided us well and given advice to Ministers to make decisions upon that have led us so well to this point to date. I really emphasise the point that in the context of the vast amount of testing that has been undertaken, as will again be shown to Members and we will re-emphasise if we need to to the public again, is way above almost any other jurisdiction globally. That has to be put in the context of the results we are seeing. However, we are not blind to this. As we have said, day in and day out for the last couple of weeks, we need to see whether the measures that we have taken in terms of the hospitality lockdown, the masks, the work from home, are going to start taking effect. The earliest it will be when we start seeing a potential change in the trend will be from this weekend. However, as I said already to Deputy Southern and others, as to what the context of the next few days and the decisions we will need to be making, we will be making those decisions if we need to.

8.14 Senator S.Y. Mézec:

Earlier in the year during lockdown when mixing between households was prohibited, I recall that there was an exception made for the children of parents who were split up, who spent their time ordinarily between 2 households as an equal member of each of them. It is possible, depending on household size, that under the Christmas restrictions the movement of children in some situations like that could be restricted, depending on the presence of step-siblings or potentially grandparents, *et cetera*. Can I ask the Minister what consideration has been given to those children whose parents have split up in these Christmas restrictions?

The Deputy of St. Ouen:

It is right to say that all families are different. The Senator draws attention to a particular family construct. For that reason, we sought in our Christmas guidance to put a framework around, which would meet the reasonable needs of most family situations. We obviously cannot provide guidance for each and every scenario facing a family, depending on whether they might be separated, divorced, have elderly relatives or not, or whether they have older children living away from home that might want to come home. We said instead that people can meet together in groups of 5 and under. We said also that there should be no more than 3 gatherings in a period of 6 persons and more. Within that framework, we were asking all Islanders, all families in the Island, to work out how best to make arrangements for themselves. So I do recognise that that would need some careful working through between the parents involved of those children that the Senator has referred to. In my understanding and experience, families are trying to work through those difficult decisions at this unusual Christmas time.

8.14.1 Senator S.Y. Mézec:

That sounded like a long way of saying that no consideration for those particular children had been made. Given that we are talking about rules not guidance, could I ask the Minister what advice he may give to a family situation where there is a young child who would like to see both of their parents on Christmas Day, but could be prohibited from doing so if the household sizes were at the 5 and they would take it to the gathering limit were they to move between those 2. What advice would he give to those families who may face very acrimonious circumstances, arguing, over who gets to see their child on Christmas and if families were to ignore those rules and allow the child to see both of their parents on Christmas, as they would want to, who would be held criminally responsible for that?

The Deputy of St. Ouen:

This is a horrible situation. No one wants to put families under any sort of restriction at Christmas. For the sake of maintaining some control of the spread of COVID-19 it has been necessary to introduce rules. We have seen that throughout the world where infection is spreading and similar rules have been put in place, which of course restrict people. In the circumstances that the Deputy is referring to, I would ask the 2 parents to talk together, to work out where their child will spend Christmas Day. Christmas Day being one day; there are other days. Let us not pretend that in each and every scenario, Christmas Day is the only time for enjoyment that child can have. That child can visit family on other occasions too. Of course, it is a difficult decision, but it is not possible to write rules which reflect every family situation. Instead we provide a framework and ask families to work within that framework.

8.15 Deputy M. Tadier:

Does the Minister for Health and Social Services have an estimate about how many new cases of COVID-19 have been caused by not closing the schools this week? If not, why not?

The Deputy of St. Ouen:

That is asking for the impossible. The Daily Analytical Cell assesses daily how COVID-19 is spreading within the Island. Thus far they have found that COVID-19 does not spread within schools, i.e. between pupils. COVID-19 generally comes into schools through family members who pick up

COVID-19 in the community, pass it to the children who are then attending school. That has been the experience thus far.

8.15.1 Deputy M. Tadier:

I suspect that is completely unscientific. My question, let me put it in context, there was a decision to close pubs and bars because it was thought that was a place for transmission of the illness. That was done on projections, presumably, of how many cases would be prevented from doing that. We have heard that the results would be waited for to see if that has worked. What preparation and planning has been done to look at exactly what consequences there will be in terms of COVID-19 contraction by not closing the schools? It is a simple question.

The Deputy of St. Ouen:

Our decisions have been based on evidence. There was clear evidence of spread within pubs, restaurants and bars; evidenced by the clusters of infection that were seen arising from those venues.

[13:15]

There has not been the same degree of evidence from cases arising in schools. Therefore, the medical advice does appear to have been that it was safe to continue schooling of our students. We act on the medical advice, which is brought forward as a result of careful analysis of the evidence of spread.

8.16 Deputy C.S. Alves:

Picking up on what Senator Mézec said. I have been made aware of numerous family units who are 5, because all it takes is 2 parents and 3 children, who will therefore be restricted from meeting others or having people come into their homes on more than 3 occasions during a 2-week period. Many of these families rely on family and friend support. I would like to pick up on something that Deputy Perchard asked in the previous Questions without notice. Why were household bubbles not considered? This would have been a better way of controlling the virus, less contact and would allow families, like the ones I have just described, to continue to have support during that time.

The Deputy of St. Ouen:

It is a moot point as to whether bubbles would be a better way. It has certainly not been very workable in the U.K., as we have seen many instances where confusion has arisen and people have suffered as a result of those rules. This was brought forward. The scheme we have on advice from Public Health and our medical experts as being the safest in the circumstances, knowing that people would want to meet over Christmas. We have to be realistic. We need not say that people must isolate over Christmas. We know as well that many workplaces will be closed. People will have free time. They will want to meet. We needed to plan for Christmas. Accordingly, those methods were brought forward. A family of 5 will be able to meet on 3 occasions with others.

8.16.1 Deputy C.S. Alves:

Again, I reiterate the point that meeting on 3 occasions, a family of 5 cannot have anybody at home on more than 3 occasions during a 2-week period, which is normally a time to be with family. The Minister states that there was some confusion about the household bubbles. Potentially what could happen here is that we could have neighbours who are reporting other neighbours for having people round and therefore being more than 5 people on those 3 occasions. What advice can the Minister give to these families that rely on this support and could potentially be breaking the 3 occasions rule?

The Deputy of St. Ouen:

I have to ask Islanders to observe the law and to observe the guidance. It is not pleasurable to impose rules in this way at all. It is a horrible thing to do. But to consider the wider ramifications, if greater numbers were allowed to mix together that would mean an increase in the spread of the virus and our numbers increasing yet further. So, of course, there has to be a limit set. I understand that there will

be different views of what the limits should be and different ways of doing it. We have had to set some rules around this. We have done it by allowing people to meet together on certain occasions, but we cannot unfortunately allow unfettered gatherings of any numbers whatsoever, without just giving up on this fight against COVID-19.

8.17 Deputy R.J. Ward:

I wonder if the Assistant Minister for Education can answer. If not, it could always be taken by the Chief Minister. Can I ask whichever Minister it is: what is the current figure for absence from primary, secondary and from colleges on the Island of student and does the Minister support parents removing their children from school?

Deputy J.M. Maçon (Assistant Minister for Education):

I do have some of that data if you can just bear with me, in order to bring it up, which I believe is to be shared with Members shortly. Yes, I do not have the breakdown that the Deputy has requested by primary and secondary. I wonder if he Deputy could just repeat his question now I have the table in front of me.

Deputy R.J. Ward:

Yes, it was what is the percentage of absence in the primary schools, secondary schools and colleges and does the Assistant Minister support parents in removing their children from school?

Deputy J.M. Maçon:

Thank you. I have the percentages in front of me. The primary school figures are 52.1 per cent attendance and secondary school figures are 29.9 per cent attendance. Overall, primary and secondary, are 40 per cent attendance. I do not have Highlands College. I can get that for the Deputy. As the position has always been, if parents want to withdraw their child from school they should have that conversation with the head teacher, who I am sure would be very sympathetic at this time.

Deputy R.J. Ward:

The question was, and this is not my supplementary, I do not think it has been answered: does the Minister support parents removing their children. I do have a supplementary afterwards.

Deputy J.M. Maçon:

The Minister supports the policy, which is that parents should talk to the head teachers in the first instance.

8.17.1 Deputy R.J. Ward:

Are there any plans within the Education Department to have a staggered return to school in January, as seems to be being reported that will happen in the U.K. due to the increasing transmission in schools that is happening with testing programmes increasing in the U.K. in schools?

Deputy J.M. Maçon:

It will not be a surprise to anyone with the concerns that we saw after half term, after bonfire night, after Halloween, there is a concern about a spike in cases over the Christmas period. We would suggest that people minimise their social contact as much as possible. Therefore, the department is running through various scenarios and mitigation measures into next term. This may or may not include a change to how we begin.

8.18 Deputy M.R. Le Hegarat:

Why are clinicians having to review and redact S.T.A.C. Minutes, when this is a task F.O.I. (Freedom of Information) officers do on a regular basis and the document would then be reviewed prior to publication?

Senator J.A.N. Le Fondré:

I do not know the practical way the Minutes are produced or released, but my understanding is it would usually be the role of the Chair of that particular group. That is all I can add.

8.18.1 Deputy M.R. Le Hegarat:

Would the Minister, therefore, review this practice, so that the Minutes can be released a lot quicker? It is impractical and not realistic for this task to be done by clinicians.

Senator J.A.N. Le Fondré:

I am always happy to see if that process can be speeded up. I do also make the point that I do not want, in any shape or form, to be interfering in what is an independent group of, at the end of the day, quite scientific brains generally who then advise us. If there is anything that can be done to speed up the process, I will happily do so. Could I also just take the opportunity to make the point that in some of the questions today we have had the classic demonstration of the difficulties we face, I am not saying in the personal views of the Members asking the questions, but we have had demonstration of: “Why are we restricting the rights and abilities of households to mix?” versus: “Why are we not doing more to stop households mixing?” That is the absolute classic example of the dilemmas and decisions that the authorities have to make and have been making all the way through.

The Bailiff:

Thank you very much, Minister. That brings the period of questions for Ministers to an end.

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

The Bailiff:

We then deal now with the arrangement of future business. Chair of P.P.C. (Privileges and Procedures Committee).

9. Deputy R. Labey of St. Helier (Chair, Privileges and Procedures Committee):

I just have one change to the published Consolidated Order Paper, which comes with the lodging of Our Hospital: Preferred Access Route, P.167/2020, which has been listed for 9th February. Other than that, I should perhaps remind Members that the Minister for External Relations is poised to requisition an extraordinary meeting of the Assembly to deal with Brexit matters, but that is entirely dependent on the British Prime Minister reaching a resolution with his negotiations with the European Commission. I do not have any more information on that. It was hoped by Senator Gorst that he could do that on Tuesday, 21st December, next Tuesday, but he cannot move, obviously, until there is a resolution. I wanted to remind Members of that prospect. With that, I propose Public Business.

The Bailiff:

Very well. Does any Member wish to comment upon the Chair of P.P.C.’s Proposition to call Public Business? Then we will proceed on the basis that Public Business is accepted. That brings us on to the last part of the Assembly today.

CHRISTMAS GREETINGS

10.1 Senator I.J. Gorst:

Trying to, as we do, with our Christmas greetings, think of the year past, I could do nothing better than to think of Dickens when he said it was the best of times, it was the worst of times. That really does describe our year. Not only does it describe our year, it also describes what we are experiencing right now. As the Chief Minister has indicated in answer to questions, what we may continue to face in the weeks and months to come. My thoughts turn not only to the Christmas Story, but also to Dickens’ *A Christmas Carol*. It has been what can only be described as a tough year. It has also been a tough, tough few months, particularly these last few weeks, and sadly it looks like continuing

to be tough for a number of weeks to come. This Christmas we will not be together as we might usually have been. This Christmas will be quiet, a time for reflection, a time to reflect on the past year, a time to be thankful for the community in which we live, to be thankful for family, be they near or far, and for many of us we will be separated from our families whether they are in a different country or simply in a different Parish. It will certainly be a time to think of others. In the *Christmas Story*, we can hardly turn a page without an angel appearing and saying: “Be not afraid.” It is difficult not to be fearful in the middle of a global pandemic.

[13:30]

The *Christmas Story* is also one of hope, of new life and new beginnings. We see the start of new beginnings with the roll-out of the vaccine. It, however, feels like a single candlelight against the darkness, but we must hold firm, that light will spread and hope will grow. All of us, like Scrooge, must find a different way to celebrate Christmas this year, not to forget our neighbours or our work colleagues, who might be all alone this Christmas. As Dickens said: “And it was always said of him that he knew how to keep Christmas well, if any man alive possessed that knowledge. May that be truly said of us, and all of us.” This Christmas, the Senators say thank you to all of those who have supported the fight against COVID-19 this year. We say thank you to all Islanders to the part they have played during this COVID-19 crisis in trying to keep us safe. We can also celebrate Christmas in a practical way and say thank you in a practical way by those 3 simple actions: washing our hands, wearing our masks, and keeping our distance. That is how we will all, if we do that, have kept Christmas well. The Senators give their Christmas greetings to the Connétables, to the Deputies, to you, Sir, and your family, to his Excellency and Lady Dalton, to the Deputy Bailiff and his family, to the Dean and his family, to the law officers and their families, to the ushers and their families, and to the Greffier and all his staff and their families. This year, we give Christmas greetings to all of those involved in ensuring that we could have these virtual sittings. The I.T. support staff. Of course, we send Christmas greetings to any that I have missed out from that list; a very happy Christmas, a peaceful and a healthy New Year. Thank you, Sir.

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

I am pleased to have this opportunity to extend Christmas greetings from the Comité des Connétables to the Members of the States Assembly and to our parishioners. This has been a most challenging year for all of us. Our hearts go out to everyone who has felt the impact of the pandemic this year, on their family friends and loved ones and on their jobs, work, businesses and leisure interests. It is particularly difficult just now in the run-up to Christmas with increasing numbers of Islanders suffering from COVID-19 and so with much uncertainty and concern being felt, especially by those in the most vulnerable groups, in the hospital and in our care homes. It is particularly cruel that some people are suffering and even dying just as a vaccine is being made available. The healthcare workers, whom we came out of our homes to applaud on Thursday evenings earlier this year, are once again rising to the challenge of protecting us, along with their colleagues and the emergency services, while our teachers and other public sector workers are also showing their commitment to public service. Our community has come together remarkably this year, with the Government, Parishes, local businesses, voluntary and charitable organisations and the churches all working together to support those in need, with hundreds of volunteers coming forward to offer their help. The services the Parishes provide have been adapted, with lots of new ways of working to comply with the new restrictions, to ensure that our key services can continue safely. Staff in the Parishes and the municipality, including community services volunteers, have kept in touch with those living alone, helping them to get their groceries and medicines, assisted by many local organisations as well as by good neighbours. At the November meeting of the Comité des Connétables, the Comité recorded its appreciation of the role the Honorary Police have played during the pandemic, citing their outstanding work throughout the Parishes during this exceptional time, which they had agreed should be publicly acknowledged. While a number of members have been required to shield or due

to working commitments have been unable to undertake duties, the role has ranged from supporting the vulnerable to enforcing lockdown and dealing with antisocial behaviour. Officers have shown the value of the Honorary Police during an unprecedented period and the 12 Parish forces have been working together to support each other throughout the period. After so much planning went into the events to celebrate the 75th anniversary of the liberation, it was a big disappointment that the Parishes were unable to commemorate this important milestone in the way they wished. Yet we adapted well to the challenge this presented. Alternative plans were rapidly developed, in conjunction with Government, and celebrations moved online and on to the radio. We look forward to being able to celebrate liberation together again, once it is safe to do so. Also, we look forward to bringing back to Parish life all the shared events which we all enjoy so much, from the functions in the Parish Halls to the gatherings of the faith community, which have been so curtailed, from the numerous and varied events and festivals which take place throughout the year around the Parishes, to the activities of the many clubs and associations which we all support. We long for an end to the current restrictions, to be able to greet one another in the street, on the beach, on the cliff path, or in the park, to hug loved ones, to visit freely friends and family, to plan events without twin towns and work on our Battle of Flowers floats. We look forward to our holidays on and off the Island and to the continuing role our Parishes will play in helping all Islanders lead fulfilling lives. First we have Christmas to look forward to. We do wish, in spite of the difficulties we face, all of our parishioners a very happy Christmas and a peaceful and healthy New Year. We are particularly grateful to all public sector workers who will be continuing to provide the services on which we all depend throughout the festive period and to the numerous volunteers who will also give up their time to help the community. We offer seasonal greetings to the Lieutenant Governor and Lady Dalton and the staff at Government House, the Dean and Mrs Keirle, Canon Golding and all church leaders, our fellow States Members on the Senator and Deputy Benches, to you, Sir, the Deputy Bailiff, the Attorney General and Solicitor General, the Greffier, Deputy Greffier and Assistant Greffier, to the jurats and the staff of the Judicial Greffe and their families, to the Scrutiny officers, to the technical wizards who have developed and maintained the States Assembly's online functions, to everyone associated with the running of the Assembly and the Government, including the media, we offer our warmest greetings this Christmas and our best wishes for the New Year. Thank you, Sir.

10.3 Deputy J.A. Martin:

It is always great to go third. I did offer this gig to Deputy Southern because he is the second-longest serving Deputy, but it was not appreciated. I would like to say thank you to you, Sir and the Deputy Bailiff, the Greffier of the States, the Deputy Greffier of the States, because she always reminds me that I must not forget anybody, the Dean, the Assistant Greffiers, the Attorney General, the Viscounts and all their staff, ushers and all their staff, again, all the support staff that have enabled us to have these online Teams meetings. They can be very funny when people forget to turn off their mics or forget their camera is on, but in the end we all get there. We must not forget, and we have not seen much of Jan this year, but we know that she would have loved to have been in the Assembly making our teas and coffees. Then there is the local media, who cover us whenever we sit and cover all the public meetings and everything. From the Deputy benches, I do wish also the Senator and the Constables a really, really happy Christmas. I really do not want to forget anybody. We know that when we were in lockdown and after, we had shop workers, essential workers going out, even sometimes being criticised because there might have been 2 in a van, and nobody knew what they were doing, but they were keeping the Island going, so were all the Islanders. I need to absolutely thank the Chief Minister and the Minister for Health and Social Services, who even again there, after another hour of questions without notice, are the top people that people want to ask questions of. I always have my notes ready, but they are not needed. I wanted to say a little personal thing. The week before lockdown, I was in Broad Street for many hours with Senator Farnham, the Minister for Treasury and Resources, and officers, trying to put together the co-funded payroll scheme. We were there sometimes until 11.00 p.m. at night. My Assistant Ministers were there. It was all because it

was going to be run through C.L.S. (Customer and Local Services) and we wanted to make sure that everybody could do these things. It went from that to lockdown. In that time, I had 2 older children living with me; both decided to leave the Island, one of the 10th and one of the 21st, had work in the U.K. It is what it is. When we locked down, Deputy Martin was all on her own; do not feel sorry for me, I know people live like that all the time, but Deputy Martin was very scared. Deputy Martin had been convinced that the virus lived on every door handle, so they got cleaned every day. They were never touched, only cleaned. I must tell this little story. It was lockdown on Monday and I had to go shopping on the following Sunday. I went to a local supermarket. Everyone was queuing, everyone was silent, and everyone was getting their hand sanitiser. There was this young boy by the trolleys. He was cleaning them. It might have been his Saturday or Sunday job, he did not look much older than 15 or 16. I know what the Employment Law is for that age. I said to him: "You are doing a fantastic job." He relaxed and I relaxed. It was just one of those things. I thought: "Get a grip, Deputy Martin." Then I drove back and I got to the Georgetown lights and I had a car in front of me and I distanced my car 2 metres from the car in front. The man behind me was not giving me the 2 metres distance and I was very upset with him. So if you were ever sitting behind a very old battered up Ford Fiesta in the first week of lockdown and thought there was an irate woman in front of you, that was me. Then I started laughing, realising what I had done. I was distancing a car that I am sitting in alone. But that had been in my brain. We all want to be with our family at Christmas. The Minister in the U.K. said today: "Have a little Christmas." We want to be safe. Seventy-five years ago the Island came out of Occupation. They were looking forward to Christmas. We are still in a battle today. We are in a battle with an enemy that we cannot see, we cannot smell, we cannot hear and we cannot taste. What does this enemy love? It loves the human race. It loves the human race as much as we love our families. It loves to get into us. It loves us cuddling each other. We have to think about that every time we meet our family. We have to stay safe. We have to enjoy Christmas. It will be different. We do have this unseen enemy in our midst called COVID-19. Again, all I can say, from the Deputy benches to the rest of the Island, all the workers have done the most fantastic job. As the Constable and Senator Gorst said, we have had volunteers on the community taskforce, over 3,200. They are there, they are waiting and it has been fantastic. It has been, as Senator Gorst said, the best of times, because it has brought out the best that Jersey can offer. It is also the worst of times. We will get through this.

[13:45]

We have had many debates on how we should have handled it. It is fantastic we had that democracy, shut the borders, open the borders, do this, elimination, *et cetera*. It has all come to the Assembly and we have all had a chance to debate it. We will get through this. All I can say is a very, very, very happy Christmas to everybody. Please, please, please that the New Year of 2021 will see this gone, see us back to some sort of normality. We are starting that with the absolutely fantastic roll-out of the vaccine. I wish you all a very merry Christmas. Thank you, Sir.

10.4 The Bailiff:

Thank you. Senator, Connétable, Deputy and indeed all elected Members, thank you for your kind words and collective good wishes. I am very happy to have this traditional opportunity to reciprocate them all. The difficulty with being the forth speaker is that pretty well everything that one might want to have said has already been said by somebody else. Even so, and notwithstanding the injunction in Standing Orders against repetition, it is not possible to allow this Christmas greeting to pass without reflecting a little at least on the extraordinary year that we are shortly to leave behind us. Much has rightly been said about our community, our health workers, and the volunteers, those who have stood shoulder to shoulder against the COVID-19 pandemic. I agree with all of those things that have been said. However, I will have another opportunity to talk about those things in another place, so I propose to concentrate a little bit on the Assembly, if I may. We could not this time last year have anticipated what 2020 was to bring. We were looking forward to a year in the

States Chamber, a number of legislative projects, and more generally we were looking forward to the celebration of Liberation 75. We were not expecting that we would have to reinvent large amounts of the way in which we did our business and rise to meet the challenge of a global pandemic. We did not think that we were going to sit firstly in the rather chilly Gloucester Hall, then remotely chaired from the digital hub, and then in the hybrid system that worked for a while, and now under current restrictions back to remote sitting once again. We did not anticipate that we would need to requisition many extraordinary meetings, more so than in any prior year, and use those meetings to pass enabling legislation that would, among many other things, restrict some of our most fundamental liberties. We did not anticipate doing those things, but we did them. As painful and as difficult as they were and continue to be, the Assembly stepped up to the mark and did what and continues to do what is necessary to keep our people safe, as safe as we possibly can. Legislation has been passed in record time. Scrutiny has worked tirelessly to scrutinise it. The Assembly has passed additional safeguards in the form, for example, of question periods, to hold Ministers to account in this heated time. From the point of view of the Assembly, you have done what needed to be done and are continuing to do so. I do not want, on this occasion, to let that pass unacknowledged by the Presiding Officer. Of course, we have sat a great deal and the workload of Members has grown as a result, so it seems. We will probably have to wait for the Annual Report next year to find out all of the figures, but I am confident that this past year will have been exceptional in terms of the work done. This is sitting day 55 so far this year. There were 35 last year. It has been a genuine privilege for me to preside over this Assembly for most of the sittings in these challenging times. I have mentioned hard work, but throughout both I and all the Members have relied on the Greffier and his team. That we could function at all is entirely down to them. That we have achieved an enviable parliamentary response to this crisis, as good as any and better than most, is down to their collective commitment, innovation, and dedication. I would like, therefore, to pay a particular tribute at this time to the enormous contribution to the work of the Assembly made by the Greffier, Deputy Greffier and their team this year. Members speaking so far have already recognised this, but perhaps I am particularly aware and am grateful for the level of support that I have received in the day-to-day functioning of my office. I have not got it right on every occasion, but I have always had the very best of advice. As Members have understandably said, it is not over yet, but there is some cause for real optimism in the form of the vaccine. Perhaps we can carry that optimism with us, and hope, into this Christmas period and into the New Year. There have been some lighter moments, of course. I will not single out any Member in particular, as we grappled with the technology, but I suspect that a trawl through Hansard will pick up many interesting comments or unparliamentary verbal frustrations with technology when a Member has forgotten to turn his or her microphone off. What Hansard will not reveal, however, is the intriguing insight into Members domestic surroundings and occasionally their sartorial choices when they have turned on their cameras by accident or have forgotten to turn them off. One could dine out on those stories, but would not. We have also managed business as usual. The last week has demonstrated that in spades. A great deal of hard work and some excellent debates have taken place with, I must say, for the greater part, manifest good humour that is missing in so many Assemblies elsewhere. Not only has the Assembly just finished the Government Plan, but in recent times has addressed a number of other important matters, including electoral reform and the hospital. The statistic that is traditional to mention from the Presiding Officer at this time is the amount raised for the Christmas Charity Appeal. Well, the fines levied this year amount to a meagre £40. This is a very substantial reduction on the figures for last year. I suspect that is because we have had to be tolerant of extraneous noises as Members cope with being online. Among the noises we have been tolerant of have been flushing lavatories, dogs and, of course, children. They are all a natural incident of life and we have been tolerant of them in a way that, of course, we could not have been were we doing other than sitting online. In any event, it is now time for a pause and for everyone to take a very well-earned rest that we have come to. No matter what your personal beliefs are, what they may be, if any indeed, about the significance of this time of year, I would like for myself, on behalf of his Excellency and the Crown officers, for the Dean, the Greffier, the Viscount, the Chief

Usher and all members of their respective teams, to thank you for your kindness and support over this extraordinarily challenging year and wish you and your respective families and all of the people in our Island a peaceful and happy Christmas break. As they say: stay safe. Thank you very much. Very well, that concludes the business of the Assembly. The Assembly stands adjourned until 19th January 2021. Thank you.

ADJOURNMENT

[13.54]