

STATES OF JERSEY

OFFICIAL REPORT

FRIDAY, 17th DECEMBER 2021

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[9:32]

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

COMMUNICATIONS BY THE PRESIDING OFFICER

The Greffier of the States (in the Chair):

1.1 Declaration of Interests

The Assembly adjourned yesterday evening in order for the Bailiff to consider his position on amendment 12 in respect of Standing Order 106, which is to do with the declaration of interests. The Bailiff has considered the matter and produced a ruling, which I will read out for Members: “During the debate on amendment 12 I was asked to rule on whether those who have income of more than £250,000 per annum should declare an interest under Standing Order 106 and withdraw from the debate. I made a provisional ruling, but Members voted to adjourn to enable me to consider the matter further. I have done so, with the benefit of a greater understanding of the reach of amendment 12 and other relevant matters. My view remains unchanged. Standing Order 106, so far as is relevant, is in the following terms: ‘(1) A member of the States who has, or whose spouse or civil partner or cohabitee has, an interest in the subject matter of a proposition must - (a) if it is a direct financial interest - (i) declare the interest, and (ii) withdraw from the Chamber for the duration of the debate and any vote on the proposition; (b) if it is not a direct financial interest, but a financial interest which is general, indirect or shared with a large class of persons, declare the interest; (c) if it is an interest which is not financial, declare the interest.’ Then (4): ‘A financial interest in any subject matter is direct if it is immediate or personal to the person concerned.’ As I understand the amendment, it applies to (1) employers of persons earning more than the upper monthly earnings limit for social security contributions; (2) self-employed persons earning more than the upper monthly limit; and (3) persons above the annual income limit for long-term care contributions, which is the annual equivalent of the upper monthly earnings limit. I understand the relevant limits to be a little over £250,000. It seems to me to be clear that the amendment applies, among others, to employed individuals insofar as they have income above the monthly earnings limit for long-term care contributions. If the amendment were to be adopted, such persons would have to make a greater contribution than is currently the case. Persons in that category might accordingly be said to have a direct financial interest in the subject matter of the proposition. I am informed that there are some 800 to 900 persons overall affected by this amendment, and I should add further information came in since this was written to suggest that the number maybe 1,000. I understand there to be approximately 350 in the social security category and 450 in the long-term care category. Obviously that may be slightly higher for both categories, given the new information which arrived shortly before this sitting began. On a strict interpretation of the Standing Order, as persons affected have a direct financial interest, the provisions of Standing Order 106(b) do not fall to be considered. However, were they to be so, I do not consider that such number is a large class of persons. I have also had the opportunity to review the previous rulings on these provisions and I am mindful that this Standing Order has been given a particular interpretation with regard to some taxation matters. Different considerations have applied in those cases as a strict application of that Standing Order with regard to say G.S.T. (goods and services tax) increases or impôts duty or income tax allowances will cause a large number of Members - in some cases all of them - to be required to withdraw and that would be a nonsense. I do not consider, however, that this debate is in the same category, as clearly this applies to relatively few Members. My ruling on this matter cannot be of general application, however, as each case will turn on a number of factors. This matter is not entirely straightforward, and in my judgment, as my predecessors have said in the past, this Standing Order would benefit from careful consideration and refinement and I would hope that P.P.C. (Privileges and Procedures Committee) could give this consideration. However, a ruling must be made and I rule that Standing Order 106 applies to the effect that a declaration of interest should be made by all Members where they, a spouse or their civil partner or cohabitee falls within the 3 categories that I

have mentioned, namely employers of persons earning more than the upper monthly earnings limit of £250,000 for social security contributions, self-employed persons earning more than the same limit, and persons above the annual income limit for long-term care contributions, which is in the same amount. A declaration should be made and the Member should withdraw from the debate and from the vote.” So in relation to Deputy Guida, he has asked in the chat: “Having declared an interest, am I not allowed to speak, but I can vote?” No. Members who declared the interest must withdraw from the debate and must not vote, so they can listen, obviously, but they can come back to participate once this amendment has been dealt with. Can I ask Members who have live mics - and I am going to suggest that that could be the Constable of St. Saviour - that they mute them, otherwise they are cutting across the business of the Assembly? Senator Moore, did you wish to make a point on this issue? I think you have already spoken in the debate.

Senator K.L. Moore:

No. I just wanted to reconfirm my position of yesterday, that I consider myself withdrawn from the debate.

The Greffier of the States (in the Chair):

Thank you very much. In relation to the Constable of St. Clement, I think it would be a combined salary because that is how tax is paid, so if it is a household salary ... Senator Mézec is shaking his head. He probably understands it better than I do.

Senator S.Y. Mézec:

I do not think that is the case. Social security contributions are paid on an individual basis and I believe the long-term care tax is as well, so it is different to income tax, which can be done as spouses, but for L.T.C. (long-term care) and social security it is an individual basis.

The Greffier of the States (in the Chair):

I am happy to accept that. What do I know about these things? Happy to accept. I see Deputy Martin is nodding her head, and if Deputy Martin is nodding then we must be right, so Members can stop telling me in the chat I am wrong. I have already accepted that, so it is an individual situation. Deputy Young, you wanted clarification of something.

Deputy J.H. Young of St. Brelade:

Yes, I do need it. Because this is such an important issue of principle, I do need to get this clear. In other words, it is concerning whether this Standing Order requires a declaration of the Member individually or whether it is the combined with their spouse.

The Greffier of the States (in the Chair):

I have dealt with that. I think we have established it is the Member individually, not a combination with a spouse.

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

As of yesterday, that has clarified my position. I will not need to withdraw because I was confusing it with combined and not singly.

The Greffier of the States (in the Chair):

We are in the same camp there, Deputy. If that is dealt with ... yes. No, that is a good point, Deputy. Let me just go back over the ruling. This bears out the point the Bailiff has made about the complexity of this and these rules. If a Member has an interest or if their spouse, civil partner or cohabitee ... if it is a direct financial interest on the part of that individual, then the Member must withdraw, so if a Member has a spouse, civil partner or cohabitee who they believe falls into the category of earning over £250,000 or so, then they must also declare that and withdraw. I think Deputy Alves is quite

right, so that may affect you. I am not sure if that affects your position, Deputy Le Hegarat, but it is not solely about yourself, it is about your spouse, civil partner or cohabitee.

Deputy M.R. Le Hegarat:

No, neither of us would fall into that category, thank you.

The Greffier of the States (in the Chair):

Fine, thank you. I believe we have dealt with this matter now.

[9:45]

Members can make declarations if they wish to, but I have already had declarations from Senator Moore and Deputy Guida. If anybody wishes to, they should do so, but otherwise we need to move on with the debate. Deputy, just to be clear - I will come back to you in a moment, Deputy Tadier - the ruling applies if you earn over £250,000, roughly speaking, or in the unlikely event that you are an employer, directly an employer of someone who earns more than that money, or your spouse, civil partner or cohabitee falls into that category, but what it does not mean, you do not have to add up your salary or your income with your spouse to work it out. It is entirely about the individuals and whether they individually and you individually are in that position. Deputy Tadier, a point of order.

Deputy M. Tadier of St. Brelade:

I am presuming that the only 2 Members in the Assembly who are affected are those 2 who have declared because no one else has. If that is the case, can I just ask, have either of those spoken or have any of those who were affected spoken yet? If they have not, that is fine, but if they have, what happens to the Hansard and the record of that, given that it should be inadmissible, in court speak?

The Greffier of the States (in the Chair):

We are not in a court, Deputy Tadier, so let us say that first off. Deputy Guida has not spoken, as far as I can see from the list. Senator Moore - my understanding is - has spoken and declared the interest and obviously people have to speak in order to declare the interest, so I think that is completely appropriate. It is up to Members to declare interests. The Presiding Officer is not in a position to work out or single out individuals to ask them to declare interests or anything like that. Members have to take that responsibility and make those declarations. If they have not done so, then the assumption is that they have nothing to declare, but if they think at some point that they realise they have, they must make that declaration as soon as possible.

PUBLIC BUSINESS - resumption

2. Proposed Government Plan 2022-2025 (P.90/2021): twelfth amendment (P.90/2021 Amd.(12)) - resumption

The Greffier of the States (in the Chair):

If we can move on to the debate on the amendment, I have a request to speak from the Constable of St. Martin.

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

I have sympathy with what Senator Mézec is trying to achieve and I would like to be able to vote for this but, however, I am unable to support the amendment lodged by the Senator. It is simply changing the cap for social security and L.T.C. care in isolation will not assist us in creating a balanced long-term strategy for tax and social security that needs to meet the requirements of the Island for the years to come. The deficiencies in the 60 year-old tax law are well-known. The Social Security (Jersey) Law is also out of date and the L.T.C. scheme needs a review. We need a comprehensive review before we apply more sticking plasters to the laws that we have. As stated in the Government Plan itself, the efficiencies and rebalancing needs to be achieved by this Government and the next. I

really do appreciate that by supporting the Government it may appear to be counterintuitive, but we can no longer, as an Assembly, continue to accept excuses for the non-delivery of efficiencies and the profligacy within the Government and the civil service. We need these efficiencies delivered and more. The over-generous pension scheme springs to mind. This amendment, the social security cap, delivering extra cash to Government, is not the way to deliver these efficiencies and concentrate these efforts. The proposed changes will increase costs for employers and self-employed. Doing business in Jersey is already very expensive. However, the changes will make not a jot of difference to the wealthy, who live on capital and keep their income low. The proposal is simply a tax on jobs. The words “regressive” and “unfair” are bandied around as if they mean something, but in this case I do not think they do, at the end of the day, under the rules the more one pays, the less they receive. What we do need is a cohesive policy that is fair to all members of our society and simply amending an already poor and out-of-date system is not the answer. I am sorry, I will not be able to vote for this.

2.1.1 Deputy T. Pointon of St. John:

I am exasperated that we are listening to arguments from those opposed to this amendment that would perpetuate a limitation on Government to raise funds for the Social Security Fund that could allow the Government to reduce the general taxation spend on that same Social Security Fund. If we were to build up the Social Security Fund, it is conceivable that the general taxation contribution into the fund could be reduced, freeing up a source of general expenditure, general expenditure that could allow funding of mechanisms to offer somewhat more attractive terms to essential employees in the Island, so providing an incentive to the people with skills, who matter so much to the Island’s well-being. Our high earners we may lose, but professionally qualified essential workers are the people that we do lose and will continue to lose, which we should not be losing. We lose them because of relatively low pay in relation to the cost of living and housing. They are not a part of a speculation that we may lose them; we are losing them. The debate about whether we would not attract high-net-worth individuals or lose them because of an adjustment in the social security or tax they may have to pay is not a current and real issue. We are not funding our staff retention effort adequately and should be drawing on the ability of those with higher incomes to make a greater contribution by way of solving the challenge. The real issue is that this Assembly needs additional revenue to fund the pressing issues that dog our ability to address real funding shortfalls within Education, Health, Housing, Infrastructure, Environment and other essential departments. In relation to the numbers of people who make up the high-income group in this Island, those affected will be relatively small in relation to the total working population, but this group of people could make a huge difference to the well-being of our society. That is an issue that relates to our ability to retain essential employees, and this amendment, if accepted, would begin a positive process, allowing serious issues within our essential workforce to be addressed. I urge Members to vote for this amendment.

2.1.2 Senator J.A.N. Le Fondré:

I thought I would come in relatively early. I hope we are getting towards the tail end of the debate, but we will see, but it was an interesting interlude yesterday evening. I am pleased obviously it is now resolved, but I would just like to remind the Assembly of some of the points that have been raised from the debate yesterday. This is an increase in revenue. It is a fiscal measure which is against the F.P.P.’s (Fiscal Policy Panel) advice. I know Members are aware, but it is worth just reminding Members obviously the role of F.P.P. in the P.F.L. (Public Finances Law). They provide an independent role and, yes, we had a spirited debate on the Technology Fund, but I remind Members that the F.P.P. were supportive of the plan. Ignoring all the economic advice because of one very particular point which is more about process than economics seems to me unwise. Regardless of all of that, and as others have eloquently stated yesterday - and I am particularly reminded of Senator’s Gorst’s remarks - this measure is not the right one. As has been written down and confirmed, any income raised by this amendment will be paid into the ring-fenced Social Security Fund and L.T.C. fund. The money will support the reserve built up in those 2 funds, but it cannot be

used for anything else. It will not provide additional money for the Health Insurance Fund and it would not support those services funded through general taxation. Each of the ring-fenced funds will have an actuarial value in 2022, that is what the Minister for Social Security said yesterday; the reviews will confirm the long-term position of each fund, allowing informed decisions to be made. The social security changes raise costs for employers, there is no question, and it raises the costs for self-employed entrepreneurs. Combined with changes to long-term care, it would reduce international tax competitiveness. This is not about the comparison to the U.K. (United Kingdom), it is, for example, comparison about our sister Island and other small jurisdictions. To be clear, high-value residents pay class 2 social security contributions and long-term care. We need to retain and grow the employment from entire businesses run by people at these earnings levels - there is no question there - but they do add a large amount to our economy and our tax collections. Some Members may not like the regime but, as was said yesterday, as well, it is a fact that the top 5 per cent of earners pay one-third of our tax. Half of all personal income tax is paid by 12 per cent of taxpayers, so this change does have a very real risk of making all Islanders worse off. We do not know the exact impact on this last point and that is rather the point. We, as an Assembly, in my view, should not be making what is a very important revenue policy decision without the proper amount of thought and assessment of the impact and proper consultation of those affected. Certainly, I remind Members of the comments from the Minister for Social Security of the amount of discussion and consultation that she went through when we did shift the limits a year or so ago. In summary, it will come as no surprise that I cannot support this change and I really do urge Members to reject it.

2.1.3 Deputy S.M. Ahier of St. Helier:

It is unfortunate that this proposition could not have been divided into 2 parts: one for the social security contributions and one for the long-term care contributions. It has been mooted by some Members recently that the total exemption amount for property and assets of £419,000 may have to be increased because of the considerable rise in property prices. If such a proposal was brought to the States Assembly and passed, it would put an inevitable strain upon the long-term care fund. Members will recall that the Corporate Services Scrutiny Panel brought an amendment to the previous Government Plan to limit the increase in contributions from taxpayers because we believed the fund was amply funded. In the comments by the Council of Ministers to this amendment, it mentions that the long-term care contribution rate following the agreement of the States was raised to 1.5 per cent and is now expected to last much longer under the current policy. But of course the Council of Ministers' intention was to raise it to 2 per cent because they did not believe that the fund would remain solvent for the long term, as was advised by the actuarial report. In the Government Plan on page 167, the estimates for the long-term care fund are £51 million in 2022, rising to £71 million in 2025. It seems that the Corporate Services Scrutiny Panel's calculations on the feasibility of the fund were well-measured. If the exemption level were to be raised, it would almost certainly lead to a call for the contribution level to rise to 2 per cent or above and that is something that I am vehemently opposed to. We can prognosticate that if limits are raised, this will inevitably lead to a call to raise long-term care contributions. We must not increase taxes to middle Jersey, there must be another way. This brings me back to the amendment. Here is an opportunity to ensure that no such rise to taxes of middle-income earners takes place. We can pre-empt that possibility by supporting this amendment and ensuring that long-term care rates will remain at 1.5 per cent for the foreseeable future.

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

I would like to start by picking up on a point that Deputy Southern made, and he raised the issue about whether the social security contributions are a tax or a contribution to an effective quasi-insurance scheme. My view is, and as a contributor to social security since the age of 17, I have always viewed it as a contribution to a long-term health fund and care fund to provide for healthcare, pension and social security support as one gets older.

[10:00]

Given that all the funds we receive from contributions to this fund are all ring-fenced, I think that is probably a pretty fair assessment, frankly. I think let us try and unpack a bit what higher earners get for the money when they put into the scheme. I think in fairness it is unlikely that they are going to be drawing substantially on what they put in, or they are going to get value for money for what they put in, because a large proportion of them are not going to be here for very long. Normally they are here for a contracted period of time, 5 years or so, and so they are unlikely to draw on the long-term care scheme and it is pretty unlikely, if we are realistic, that they are going to need income support or any other form of social security support. The only benefit that they will receive for their contribution is probably subsidised prescriptions. When it comes to healthcare costs, in fact, if you unpack this, most of the people in this bracket will have private medical insurance and that brings a further benefit to us because if they are seriously ill they will go through the private system and effectively the costs of caring for them will be provided by the private system. This has further benefits because Jersey is a very attractive place for top-quality consultants to come and practice because we do have a substantial number of people who have healthcare insurance, and that provides a very lucrative practice for top-quality consultants to come to Jersey. In fact, if we did not have that, they would not come and it does allow for a much higher level of care to the rest of the Island from these very highly-qualified and very capable consultants. In many ways, it is a hidden benefit that high-value payers bring to the Island. If you look at what they are contributing in cash terms and what they take out of it, they are the biggest net contributors to the Social Security Fund so, in a way, for us, they are a valuable group because effectively we are making money out of them. I would just like to come back to some points that Deputy Pointon made and just reiterating points that the Chief Minister made. He said that he was not that worried about losing some of the higher-value earners and that we should be concentrating on paying, I assume he is referring to, our highly-qualified but perhaps slightly underpaid healthcare professionals, and that is a fair point. But I think that bears looking at because if we look at the figures the Chief Minister set out, just 5 per cent of our top earners pay 32 per cent of our tax, so I guess my question to Deputy Pointon is: can we really afford for a lot of these people to leave? The answer probably is no because we need their tax contributions to run the Island. I do not want to scaremonger and say that if we pass this it will upset them, but I think we need to be careful. These people make a valuable contribution to the Island. Yes, they earn a lot of money and we take a lot of tax off them, and it is quite right that we do, but I think there is a danger that if we go too fast and too quickly we could upset these people and we could lose some of them. I am not saying that will be the case but it is a risk. I am heartened by the progress that Deputy Martin has made in getting this upper limit raised through consultation and I think that is the important part for me. I believe we can push this up but it needs to be done in consultation with the firms that are paying this. In my mind, it is not a good idea to just impose a cost on somebody without talking to them and seeing whether it is acceptable. I think we need to look at the firms that are involved. These firms are lawyers and accountants, international firms that have come to Jersey and who make a vital contribution to our finance industry. The finance industry in Jersey is attractive to outside firms because of the very quality of advice that we have in the Island. This is provided by highly-qualified people who are very well paid who come to Jersey because it seemed to be a good place to come. If we upset that balance, we could - and I am not wishing to scaremonger again - but we could upset the balance of the attractiveness of our finance industry if those firms decided that moving to another jurisdiction is more attractive than ours. As many of you will know, I was in the finance industry, I have sat answering questions to my head office about the costs and attractiveness of our Island. I think we all know that we have a housing cost issue and if we add this to that cost issue, then I think there is a danger that the equation will begin to tip in the wrong direction, and I think we should be concerned about this. I think in summary, it is important for us to do this with consultation. We need the businesses that pay these high salaries and we need the businesses to provide the high-quality advice to our finance industry. I, for one, am very concerned that if we do

this without consultation - and I applaud Deputy Martin for the progress that she has made - that we will upset that equation and it will have a negative impact on our economy at a time when people are looking very closely at costs. Inflation is now, in the U.K., back up to 5 per cent. Businesses in the U.K. were looking very carefully at their costs and their earnings to make sure that they maximise them and looking at your offshore subsidiaries is one way of doing that. So I ask Members to bear that in mind when they vote and I will listen to the debate with interest.

2.1.5 Senator S.W. Pallett:

Just very briefly, I think one of the most disappointing things of this Government Plan is the lack of commitment and ambition to reduce income inequality. I think Senator Mézec is right in bringing this amendment because it is an opportunity to start to reduce some of that income inequality. I have personally never understood why, and it is at the start of his report, those who earn the most pay the lowest effective rates. For me, that is an unfairness and something that I do not want to see carry on. It is clear that this will raise substantial extra, both for social security and for the long-term care scheme. I support some of the comments made by Deputy Ahier around the benefit of perhaps not having to raise rates of long-term care by the extra revenue that this could bring in. A lot has been said around the high earners and also the 2(1)(e) system, having been involved with it to some degree when I was at Economic Development. There has been a lack of evidence or lack of data around the benefits of 2(1)(e)s. I personally have no doubt that they are hugely important to the Island and do provide massive benefit but, as the Minister knows, there have been calls for greater transparency and greater ... sorry, that is my wife's phone, I apologise.

The Greffier of the States (in the Chair):

Well I did not hear it, Senator, but if you wish to make a contribution to the fund because you heard it, I would be very happy to receive it.

Senator S.W. Pallett:

Yes, no problem in that. As I was saying, I felt that that has been a point for some time, is that we do need better evidence on the benefits of our 2(1)(e) system. But Deputy Martin said yesterday: "Well why would they not leave?" Well when you look at the attractive tax rates that we have - and a lot of other people have said this - our stable political system, quality of life, its superb connectivity, we are strategically placed close to London, we have got a British way of life, we are community based, why on earth would people want to leave because of this potential change to taking off the social security cap? From my experience of our high-net-worth individuals, all of them, without fail, want to integrate into Island life, they want to be part of our community. Most importantly, I have not met one yet that is not fair-minded, and they all want to put more back into the Island than they ever want to take out. So I do not think that I am suggesting that there is going to be an exodus of 2(1)(e)s as a reason not to go ahead and support this amendment today. Another comment made yesterday from Deputy Huelin was the potential of reducing our ability to attract the brightest and the best; quite often they are the youngest. But, again, I think what we have to understand is please do not underestimate, certainly with young people, their understanding of their social responsibility and how they feel that they can put back into the Island, even if they are only here for a short period of time. The Constable of St. Ouen said: "Well what do high earners get?" Well, what they could get is a feeling that they are supporting the social fabric of the Island. That is very important and I think a lot of people do understand that and they are quite prepared to give that support through potentially increased social security payments into the long-term care scheme. From a Progress Party point of view, and I know Senator Mézec mentioned this, we are going to support this because we think it is the right direction to go in. It would have been good, I think, as Deputy Ahier said, to potentially split the amendment but, at the end of the day, we have to decide what is in front of us. I am going to be supporting this amendment but do I feel there are risks? There are risks in everything in life but I think what I have to look at here is, are we meeting our aims of reducing inequality? In

not voting for this I would not be doing that, so I am going to support Senator Mézec and I am going to support this amendment today.

The Greffier of the States (in the Chair):

Does any other Member wish to speak on the amendment? If no other Member wishes to speak on the amendment, I will close the debate, and call on Senator Mézec to respond.

2.1.6 Senator S.Y. Mézec:

I guess I will start by just confirming that I have no financial interest to declare in the outcome of this debate at all but, boy, I wish I did. As is often the case, my favourite contribution in this debate came from my good friend and colleague, Deputy Ash, who ended his speech with a quote from Winston Churchill, as he does from time to time, who gave one of his characteristic inaccurate and, frankly, just wrong outlines of how a socialist system would work. But I would remind Deputy Ash that Winston Churchill gave that quote just before he lost re-election in one of the most stunning upsets of political times, to be replaced by a Government which was one of the most effective and transformational in British history. If Deputy Ash wishes to follow in the footsteps of his political hero, I wish him every success in that regard. This debate, as some of us could have anticipated, was packed full of the same clichés and misunderstandings of economics that I think we come to expect from Jersey right wing when it comes to our tax system, and that is this flawed idea of trickle-down economics which I think we heard alluded to very strongly in contributors like the Deputy of St. Peter, the Chief Minister and the Constable of St. Ouen, in particular. It is this idea that started in the late 1970s, early 1980s, Reaganomics, as it would have been called at the time, that if you create tax systems and ...

The Greffier of the States (in the Chair):

There has been a rush of it today, I am afraid, so I will be looking to Deputy Martin to put her hand in her pocket, but please ...

Senator S.Y. Mézec:

There is no cap on that contribution. The arguments that have been put forward are essentially trickle-down economics which is this idea that if you create tax systems that provide privileges to the super-wealthy, that they will be so economically active, they will create so many jobs, they will end up generating more tax revenue for your public services and end up creating more economic growth. Sounds great, and I kind of do not blame anybody who believed that in 1979, but in the year 2021, if you still believe it, then you have some serious questions to ask yourself. Because the evidence that has been collected in the decades since that economic way of thinking was created, it is clear that it simply does not work. What happens when you provide tax privileges for those who are super-wealthy, is that they become even more super-wealthy. There is simply no evidence that they end up putting more back into the economy with the breaks that they get from those tax privileges. I issued the challenge to the Alliance Party to stand up and say why it is they believe that tax privileges are a good thing, why they can be morally justified and why they can say to the wider electorate: “These are the rules that I expect you to live under, however, I am going to ask this other group of people to play by a different set of rules to you.”

[10:15]

I do not think that challenge was adequately responded to. Deputy Ash gave it a spirited go but he did not really address that key point, I think, in there. I suppose the strongest argument in opposition to this is the cost of employment that this would create for some employers who employ some very highly-paid people. Theoretically, you might understand how that can be the case but when you get your calculator out and look at the numbers, it becomes pretty ridiculous. For every £10,000 above what is currently the upper earnings limit that a high earner would be paid, it would result in an extra liability for the employer of £250. In the grand scheme of things when you are paying people that

amount of money, £250 is peanuts, it really is. It is peanuts for somebody at that end of the scale but it is not peanuts for somebody at the other end of the scale. £250 would be a couple of weeks' big shop if you have a family and children. That is a real amount of money that would make a huge difference to people at that end but people at the other end, when we talk about £250 potentially for somebody earning £10,000 above that limit, it is doomsday. If we were to ask for that greater liability from their employer, it would bring our economy crashing down and we would all end up losing out because of it, which I think was the point that the Chief Minister, of all people, was trying to make in his speech, that taking on this risk could end up making everybody else worse off. Well, I have to say I wish that was an attitude they took when it came to some of the other decisions that they have made in this term of office, how they are so desperate to protect the incomes of those at the very top of our society, talking about the benefits that they potentially provide in our wider economy. But when it comes to a debate on something like the rate of the minimum wage, which right now is a poverty wage, suddenly totally different standards apply to it. Senator Pallett, at the end of this debate, brought it back to the fundamental point behind why this amendment has been brought. It is about equality, the fact that this Assembly and the proposal of this Government signed up to to make one of our priorities reducing income inequality and improving the standard of living. I am afraid to say it is the case that there is very little evidence of that having been achieved in this term of office. Based on some of the signs we see, there is every likelihood that in fact it will have got worse in that time, particularly with the cost of housing, that this Government has done everything it can possibly do to oppose any sort of progressive move in that. There were some other arguments that were, quite frankly, bizarre on this. They were saying if we take this step it would make other things inevitable. Some Members spoke about that if you turned what is currently seen as a contribution into a tax by removing the cap, then why would you continue to have separate social security and income tax systems? Would the next inevitable step not be to amalgamate them? That is a ridiculous argument because, first off, it is predicting the future and, secondly, the amalgamation of tax and social security is either a good idea or it is not. Whether or not this is adopted has no impact on that separate question and any move in that direction would have to come back to this Assembly and be decided upon. If it was determined that it was a bad move, you would suddenly find that it is not very inevitable at all. If I could use one example to show that the Assembly is the master of its own destiny and nothing is inevitable here, let us just look at the minimum standards in housing legislation that was originally proposed, which said in its report and in its clauses that the inevitable next step would be to introduce a landlord licensing scheme to make that legislation worthwhile and that turned out not to be very inevitable either, did it? We are talking for L.T.C. here, for every £10,000 above that upper earnings cap you would be earning, you would only be paying £150 more. For an employer of somebody who was being paid £1 million a year, the extra liability for the employer would be £18,500, again; peanuts in the grand scheme of things. If you are employing somebody at that end of the spectrum, I think costs like this are probably going to be taken into account from the outset anyway. A lot has been made about the Fiscal Policy Panel and their what I would describe as a blanket recommendation to avoid revenue-raising at this time. I say that because there is not that much more detail with it. There are millions of different ways that you can choose to raise revenue and they do not all have the same economic impact. The effect of raising G.S.T. is different to the effect of raising income tax or raising a cap on social security or L.T.C. They have different economic impacts and what the F.P.P. has said is a blanket proposal. I think it would be reasonable to ask what specific comments are made on this specific tax and this specific proposal. Is it really going to have a negative economic impact now if we were to say that we are seeking to protect low and middle earners, the people who spend most of their income in our local economy, protect them by asking those at the upper end to pay what for them is a tiny amount that in most instances is probably unlikely to affect their behaviour at all? If you ask them to undertake a specific study on that specific question, would they say the same thing? I am not convinced. But even still with the recommendation not to raise revenue, that did not stop the Government of course from proposing raising duties, so it is convenient when it is convenient and inconvenient when it is inconvenient there. The Deputy of St. Mary made a point that I was

particularly disappointed by. He said that he did not really like these debates and the tone that the debate had taken up until the point that he had spoken because he was disappointed at the social division it creates, which is an interesting way of putting it; debates like this causing social division. Well we are being accused of causing division by asking for people to be treated the same. I think he will find that what causes the division is having separate rules for people based on their incomes. That is division, not asking to fix that division and say that all of our community should be expected to contribute according to our means, according to the same set of rules. That I think was also partly why I was disappointed with a comment from the Constable of St. Martin, and I tried to write this down so I could quote it as accurately as possible, but she said something along the lines of ... words like “regressive” were thrown around and she does not think they really mean anything. Well, she is wrong, the word “regressive” is a technical word, it does have a very technical meaning. In relation to taxes, the word “regressive” means a tax where the tax rate decreases as the taxable base increases. It is a very clear and technical term and that is what the social security cap and the long-term care cap achieve. They mean, the more you earn the higher your income, the effective rates that you pay gets lower and lower and that has all sorts of implications. As far as I am concerned, first and foremost is the moral implication of treating people differently in that way and saying the better off you are the more the system should work to keep you better off rather than the other way around, which should be to help those at the lower end of the spectrum instead. But it is also the fact it is not financially prudent, the fact that - and this relates to what Deputy Ahier was arguing, and I thought he was spot-on when he pointed this out - if you are not getting the revenue into these funds adequately, you are then forced to ask questions about the rates that everybody else has to pay. With long-term care in particular, where the rate was proposed at the start of this term of office to be doubled but thanks to an amendment it was not doubled, it was just raised by 0.5 per cent, the working people of Jersey are paying more tax because of that. Nobody at the last election said: “Vote for me and I will be raising your L.T.C. to make sure that you are paying more tax.” Nobody was clear about that but it happened anyway. Because of the projections of the long-term care fund and the money it needs in it to be able to provide that service, there is currently a suggestion that at some point in the future that rate will need to rise again, asking working people to pay more into it. Deputy Ahier said: “Well, you could delay that if you scratched the cap.” If you were getting that extra £8.5 million into it, the day at the point where the fund becomes unsustainable and the rate does need to be looked at again, is delayed into the future. So, you can protect those people and their incomes by asking the people who will miss it the least instead to - not even pay any more - but just pay the same rate as the rest of us, basic fairness there, so that has a positive economic impact for low and middle-earners as well. Deputy Ahier was right to point that out because that, I think, is the most certain consequence of this that can be assumed. I think there is probably not a lot more to say on it. This proposition is very clear in what it seeks to do. It will get rid of an inherent unfairness from our system, it will make social security and long-term care funds healthier, it will protect lower and middle-earners into the future from potential rises in the rates that they pay. The distributional impact of it in terms of who is hurt by it; anyone with a calculator can figure out it would be absolutely minimal for those who will end up paying more. Those employers of high earners in most instances will be paying nothing more than a few hundred pounds extra and for those where they are having to pay thousands of pounds extra, it is because it is for really, really well-paid people filling jobs that I presume would be difficult to fill otherwise and so those people, they do not really have a choice and they probably know that already and will take that into account. I thank those that have contributed to this debate and I do, I suppose, give notice that this issue is not going away any time soon because of the inherent unfairness behind it. The Assembly can choose to vote against it today if they want but it will be back the year after and it will be back the year after that. It will keep coming back until the politicians of this Island are prepared to make a break from the past, do something brave and say: “Let us treat the people who we represent equally and fairly.” I would ask Members to vote for equality and fairness and I call for the appel.

The Greffier of the States (in the Chair):

The appel has been called for on amendment number 12. The Greffier will put a link in the chat very shortly. The link is available, so the vote is open. I ask Members to cast their votes. If all Members have had an opportunity to cast their votes, I will ask the Greffier to close the voting.

[10:30]

The amendment has been rejected.

POUR: 17		CONTRE: 24		ABSTAIN: 0
Senator T.A. Vallois		Senator I.J. Gorst		
Senator S.W. Pallett		Senator L.J. Farnham		
Senator S.Y. Mézec		Senator S.C. Ferguson		
Connétable of St. Lawrence		Senator J.A.N. Le Fondré		
Connétable of St. Mary		Connétable of St. Brelade		
Connétable of St. John		Connétable of Grouville		
Deputy G.P. Southern (H)		Connétable of St. Ouen		
Deputy M. Tadier (B)		Connétable of St. Martin		
Deputy M.R. Higgins (H)		Connétable of St. Clement		
Deputy of St. Martin		Deputy J.A. Martin (H)		
Deputy L.M.C. Doublet (S)		Deputy of Grouville		
Deputy J.H. Young (B)		Deputy K.C. Lewis (S)		
Deputy of St. John		Deputy J.M. Maçon (S)		
Deputy S.M. Ahier (H)		Deputy S.J. Pinel (C)		
Deputy R.J. Ward (H)		Deputy of St. Ouen		
Deputy C.S. Alves (H)		Deputy R. Labey (H)		
Deputy K.G. Pamplin (S)		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 of St. Peter		
		Deputy of Trinity		
		Deputy M.R. Le Hegarat (H)		

2.2 Proposed Government Plan 2022-2025 (P.90/2021) - as amended

The Greffier of the States (in the Chair):

We now come to the debate on the main proposition, as amended. The Greffier will, in a moment, I hope - we are just having a change around of Presiding Officer, so there is a degree of unrest in the Chamber - but we are going to put a link to the amended proposition in the chat because there have been a number of amendments. I will spare the Greffier from reading out the whole proposition because it extends to 6 pages now but those Members who wish to speak on the main proposition, as amended.

2.2.1 Deputy R. Labey of St. Helier:

I wanted to take the earliest opportunity to return to the very first amendment to the Government Plan from Senator Mézec, to thank him and congratulate him for accepting the Government's amendment

which was, I think, the last amendment to be lodged, indicative perhaps of how difficult it has been to reach an agreement on how best to achieve an 80 per cent model for Andium rents over the current 90 per cent. It is something I have been pushing for since day one in office and doubtless the Senator was the same in his tenure. The seemingly immovable object here was: who takes the hit, the Government or Andium? A hit of millions a year and increasing; in today's money, up to £2.6 million a year in 2030 and £3 million a year in 2035. It is vital that Andium press on with their ambitious programme for 3,000 new homes by the end of the decade. It is also vital that Government continues to develop its important programmes to support children, improve healthcare and provide the public services that we all rely on. The move to 80 per cent rents could not come at the cost of either of those. I am very grateful to both Andium and the Minister for Treasury and Resources and her officials who have put their heads together repeatedly over a long course of months and come up with a positive solution to this issue. The Government of Jersey amendment ensures that there is no deficit in the Consolidated Fund. Adjustments will be made to the return from Andium to reflect the drop in income support costs from this move. Over 60 per cent of Andium tenants receive income support and this change will have no effect at all on their net household income. Any change in rental level is reflected pound for pound in income support payments. As rent levels are maintained no higher than 80 per cent, the reduction in future income to Andium in respect of income support tenants will result in a corresponding reduction in income support payments to those tenants. A separate adjustment will be made to the interest payments charged on outstanding Andium loans that they hold. Senator Vallois will recognise this solution as one promoted by her, and I thank her for her input for that too. These 2 adjustments will cover 90 per cent of the reduction in rental income over the Government Plan period. Andium have agreed that they can absorb the remaining 10 per cent without any impact on their development programme. I am extremely grateful to Andium for their support and co-operation in achieving this agreement. There will also need to be adjustments to longer-term financing beyond the Government Plan period and we will look at this in the next few months. We might work in this Assembly on a 4-year plan but our incorporated bodies: Andium, S.o.J.D.C. (States of Jersey Development Company) and Ports need to work in terms of the 10-year plan. I hear them on that issue, I think we do in Government, and we need to better facilitate that and work towards that. I am working very hard on improving how Government and Ports, Andium and S.o.J.D.C. work together and whether we can improve that. While Andium are the largest provider of social housing, it is also important to acknowledge the good work undertaken by other housing trusts in general. Their property portfolios are more mature than Andium's and rental levels for the other trusts are already no higher than 80 per cent. As such, the overall amendment will have minimal impact on these trusts. I pledged in May to get certainty on more government-owned sites for housing by the end of this year and I can tell the Assembly that in addition to St. Saviour's Hospital and the old Les Quennevais School, we now have certainty on 3 more sites: Westaway Court, Valley Close and Marina Court and Philip Le Feuvre House and Huguenot House in La Motte Street. Whenever I reference St. Saviour's Hospital and the old Les Quennevais School, I always stress the scope here for community amenities after meaningful local consultation, which will begin shortly. In building homes, we must build communities. Andium will shortly re-present re-drawn plans for the old Ann Street Brewery site; they are very exciting. They have listened; I commend them for it. In the old brewery building itself, they have made an offer to accommodate a new youth centre for St. Helier. I hope that offer proves acceptable and will be taken up. I hope Senator Pallett is satisfied with the comprehensive answers to his written question last week on the homelessness strategy because this represents never-before-seen advances in this area. I am finalising the details on new initiatives promised in the action plan, announcements are imminent and will be very early in the new year. So repeated thanks to Senator Mézec, the Treasury team and Andium, with this Government Plan we can now move to an 80 per cent social rents model and put that issue to bed for a while. I would also like to express my gratitude to the Housing team, all of those who regularly meet with me at 9.00 a.m. every Friday morning and who throughout the week work above and beyond the call of duty in meeting the challenges we face. They know who they are and I also include the Housing Advice

Service, the critical support team, all those working on the homelessness strategy and the Gateway officers. Finally, I cannot tell you how delighted I was to receive an invitation last week from Senator Moore to join her on a visit to an example of modern method of construction. I, too, am working on this with Deputy Huelin, the Constable of St. Mary and Andium Homes. We should all perhaps pull together on it because it is vital. I am genuinely interested in Members' ideas; I am at your disposal and ready to listen. It will not curb your ability to challenge and hold me to account but in the remaining time available to us, the more the Assembly can demonstrate a common passion, a shared purpose, a bond, a brotherhood and sisterhood to come together to meet this housing challenge head-on that we face, then the more I believe we can achieve.

2.2.2 Deputy J.H. Young:

Similar to my colleague, Deputy Russell Labey, I want to put on record what this Government Plan means for the environment. I think, the major one, I am so delighted, is that the Assembly, with the support of my fellow Ministers, adopted a number of amendments. Members, since my election as Minister, have probably had to put up with me constantly bringing to Members' attention the fact that the environment function has been historically under-resourced and a need for more resources in order to be able to bring our work into line with what is the requirement that we face now where our environment is under massive pressure. I am really pleased to say that those amendments, although they are practically almost miniscule amounts in the scheme when you look at the scale of the numbers we are approving in this Government Plan, are very, very significant indeed for the Environment team, those parts of government that are working as hard as they can. But of course I have also had to apologise, I have also had to disappoint Members and say: "Well, we have not been able to make the progress on this and we have not been able to do that. We have problems in a number of areas" and particularly one of those areas of course was regulatory and regulation. Obviously the areas that come under stress are the environmental health team and the planning and the building team particularly, and not exclusively, but mainly those. What this plan now does ... and I am really grateful to Senator Vallois for bringing forward an amendment to restore the business case that I put forward at the beginning of this year to try and resurrect that. Of course, that was reduced in the original Government Plan by half because at that time, the environment was not cutting the ice, I am afraid, with my colleagues and the way our Government now runs. But I am really pleased to say that I do think that what we have seen of course is that those figures were dealt with in the early part of this year when those judgments had to be made and of course things have changed. The needs have dramatically increased and, in fact, I am pleased therefore that they accepted that and restored and brought in another £750,000 a year for regulatory improvement for each of the years 2022 right through to 2024. This is going to make a major difference. For example, one of the things that the team will be doing is that I am very hopeful, in fact, the housing plan that Deputy Russell Labey spoke of, requires the Island Plan to be approved and implemented. That is a debate we are going to have in the new year and it is really important. But of course that will require additional resources to be able to see through into reality; it is one of the questions that people identified in the inquiry. Well how can you deliver this, how can you do it? Some of these policies, it is argued, are more complex. Well they need to be complex because of the pressures our environment is under and they need to regulate development to ensure we get the right development and good development in the right place. This money that we have, it is now £1.5 million in all for each year, so it is an additional £750,000 a year from Senator Vallois' amendment, is really going to be significant. Now it will not just deal with the Island Plan things, it will also allow us to deal with the acceleration of an increased number of planning applications which we expect because the Island Plan proposes doubling the number of housing completions over the 4-year period. Then there are areas of work in the Island Plan we are bringing forward, there are in there proposals for conservation areas, which is something which is long overdue. Long overdue. It has been decades in the coming; therefore, the resources will be there in place to do that. Biodiversity, work on our marine environment and indeed trees and other areas like that will be dramatic, as well as the core work of planning and building and

implementing client policies to be able to achieve climate change. So, those are just examples I think where I am really, really so encouraged with this. Now environmental health as well, of course, as I took on the role of Minister for the Environment, very recently before I took it, the environmental health function was transferred to my portfolio. But then I learnt of course that its budget had been taken away by previous M.T.F.P.s (Medium Term Financial Plans). £1 million a year was taken away in anticipation that we would introduce charges for regulation of rented dwellings, plus we would introduce charges for food, restaurants, for food licences and health checks on those.

[10:45]

Of course, frankly, that second one, there was just no prospect of even thinking about doing that now in the post-COVID situation and the damage done to our hospitality industry. So there is no prospect, I believe, of fees being introduced there but, in any event, the wisdom of what I have just said, and not abandoning the ideas of charging those fees, has been accepted by the restoration of that budget of £1 million for each year. That will mean that the I.A.T. (investment appraisal team) will not be faced with this constant thing that I have faced, and I think has also affected my colleague, the Minister for Infrastructure because we share the same budget structure, that we have had to find ways of cutting essential services in order to be able to stay within budget limits. That situation is now gone. In terms of the regulating side, there is a real gain there of very significance. It is, as I said, around £2 million a year and the officers have told me their plans. They involve development and training positions, training people. Yes, there will be some recruitment but whoever takes on this role from me in the future, I wish them well. What I have sought to do is to put in place the resources and the capability to give the new Minister the opportunity to do that job. I am very, very proud; I really do hope the Assembly will endorse the budget. Then I want now to just move from that subject to the Constable of St. Brellade. Over the years I have had to again say how disappointed I was that the really innovatory ideas of sandbox, air quality monitoring systems have not worked. The story for why that did not work is a story for another day but what I have been trying to do is to put in place new arrangements to put that project on a new footing. It is effectively £250,000 for that project and that of course is kind of a mix of a project cost and an ongoing cost that involves capital equipment, it involves scientific work and so on, and of course the Constable's amendment has given us that possibility. So the Constable's amendment there, at the end of the day, the proposal says that it allows for the possibility that if no other funding place could be found, the Climate Emergency Fund will be used. But either way it provides the flexibility in the proposition in the wording, as amended by the Council of Ministers, because that wording needed to be tweaked in order to make the Constable's amendment work. I am grateful to my colleagues for doing that. I think I have got a request for giving way at this point, I have just seen my screen.

The Bailiff:

Well it is clarification at the end of the speech, it has been said, so you can carry on, and then if you want to give way you can at the end.

Deputy J.H. Young:

I will carry on then. Now I also wanted to mention, Members may have been surprised - well my colleague Ministers might have been surprised - why I voted for the amendment of Deputy Ward on bus travel. I did have quite strong reservations about this when it came across the Council of Ministers' table because I have always been very, very keen on expanding our school bus service. Therefore, what I was really anxious about was what were the potential wider effects and what were the costs. I have absolutely always been 4-square with a principle. Now, when we had the debate, I thought it was an outstanding debate, the arguments made were really good, and of course I am conscious of the fact that the carbon-neutral road map that I have been able to publish today - also I am really proud of the work that is done there - improves the provision for £1.5 million to be spent from the Climate Emergency Fund on the development of the bus service. So I think there was no

question that the amendment was absolutely in line with the principle of the carbon-neutral roadmap. I really feel whatever now my colleague the Minister for Infrastructure does to take that forward, which I am sure he will embrace it wholeheartedly, I think it is really good, the move towards ensuring that we bring the bus service to a level where it really makes a massive impact on reducing the use of cars, the air pollution, the congestion and all the negative effects that arise from that uncontrolled use of vehicles. Of course, we will be having that debate after public consultation on the carbon-neutral road map, hopefully before the end of this term, because that is the intention, so again that work can be set on track for the future. That work can be enabled because of the £23 million which is in the Climate Emergency Fund, which is again a result of this Government Plan and indeed the previous one. I again think that is really good. So in terms of the environment, my message to the public and the message to Members is that now I think we really can put some real weight and new resources and momentum behind that commitment to put the environment as one of the strategic priorities. I absolutely hope that the future States and the future Council of Ministers continue that work but we are very well placed because the pressure is on our Island with our population growth and we know now that the population group is likely to carry on. We have a document which probably, for me, raises more questions than it gives answers, which I suspect is a lot of people's views. It does mean that those pressures will not get any less, they will get worse, and so the environment side, those resources and the work of our team ... I want to praise the work of the officers. I think I have been privileged to work with such a fantastic team of people. They really are committed and I absolutely want to put that on record. Now one of the things - I am just going to get towards closing now; I see I am on 13 minutes - unlike Senator Gorst I resisted the temptation to redesign the organisation in the budget and have a dedicated Environment Department. I did that because I think it is not the place to do that as a piecemeal thing but we decided to go with it. But the Environment Department will need some organisational changes to deal with the conflict-of-interest issues in the future. Also I think there is the question, the part of our former C.E.O.'s (chief executive officer) organisation for the environment which works extremely well is the development of what we call the S.P.3 (Strategic Policy, Performance and Population) team, the Combined Policy Unit integrated. It does not sit under my Ministry, but it has been massively successful in integrating policy right across Government. I think that has given us for the first time, real joined-up policy in a whole host of different areas. If there is a problem, it is that they do not have enough resource. This is where I am looking to the Chief Minister, I am looking to future Chief Ministers to try and put some extra resource in that S.P.3 team because the policy programme is just so, so big. Thank you, it is a really positive message from me and I have still got 10 seconds left. I am absolutely behind this budget, I am very pleased with it and it is really good for the Island.

The Bailiff:

Thank you very much. You are asked to give way for a point of clarification from Deputy Tadier. Are you prepared to give way?

Deputy J.H. Young:

Yes, please, sorry, Sir. Yes, happy to do so.

Deputy M. Tadier:

It does relate to the Minister's comments on the air-pollution testing and I note the Minister said that sandbox did not work and that the monitors did not work but that is a story for another day. But I am not sure if it is a story for another day and it would certainly be helpful for me in terms of which way I vote, about whether he could explain what the problem is. We have voted to give more money to this area but of course because the amendment was accepted we were not allowed to ...

The Bailiff:

Could you be succinct in your point of clarification, Deputy Tadier, and not make points?

Deputy M. Tadier:

Thank you, Sir. I was just putting it in context, that is all, I was not trying to ...

The Bailiff:

No, but if you could just ask the clarification you are seeking is what exactly?

Deputy M. Tadier:

Can the Minister explain to us why it did not work; we did have monitors and why they did not work and why they were not maintained?

The Bailiff:

Thank you very much. Are you able to answer that, Minister?

Deputy J.H. Young:

I will try and summarise, obviously there is work going on to go into more detail but, in essence, this was a project launched with Digital Jersey, it was extremely well-intentioned. The supplier came forward and gave us some equipment and we have received that equipment. It was delivered in the middle of COVID. It was installed throughout various sites in the Island. But, frankly, then the engineers were not able to get to the Island because of COVID and, therefore, they were not able to do the maintenance and set up. Unfortunately, a number of the appliances failed due to probably weather increase or exposure to weather and so on. In the end the situation came that then we had to accept that it was not possible to resurrect that. I understand and it is accepted that the kit needs to be revised and redesigned rather. It was a good attempt but the new project will do it in a different way and this time will succeed.

The Bailiff:

Thank you very much, Deputy, that was a clarification.

2.2.3 Connétable A. Jehan of St. John:

You will be pleased to know that I will not be troubling the clock. At the start of the debate I asked the Chief Minister, following his statement, if he agreed with me that we needed the debate to be constructive. After a very shaky start to questions on the Minister's statement, I feel there has been a reasonable debate. This is my first Government Plan, who knows, it may be the only one I debate? But I think a thread for me is about the need for more collaboration and more of a solution-based approach, as the Minister for Housing and Communities suggested. I am pleased that the Assembly agreed to the changes to impôts and of course the trial for youngsters with the bus passes. I do remain concerned that C.Y.P.E.S. (Children, Young People, Education and Skills) turned down additional funding. I sincerely hope the Minister is proved correct in doing this but I have concerns, genuine concerns, based on my personal experience. I also remain very concerned at the level of borrowing proposed in the plan. The Tech Fund is vital but we should have had more detail. Judging by social media, there have been quite detailed discussions on this but, as Members, we are still fairly in the dark on the detail. Again, an example of how collaboration could have helped the Assembly reach decisions. To me, it does not matter who brings a proposal. I encourage other Members to take the same approach, put your Island and Islanders first. I am delighted to see 2 Ministers in the Chamber today. Many Islanders are asking us about 4th January and at a time when we are asking people to continue their business in a normal way, we should be leading by example and we should have more Members in this Assembly. Despite my concerns, we have had the opportunity to discuss these. I will be supporting the plan as amended.

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

Again, I do not think it is the first time, it is a pleasure to follow the previous speaker. In echoing some of the Constable's words, I agree that the Government Plan does give us, as individual States Members or collectively as parties, I guess, or as Scrutiny Panels, the opportunity to improve and that the Assembly is still the place where we can influence and bring the concerns of the people we represent to the Government to act those things out. I can say to him and those listening, as this is his first, this is not mine, maybe my last, but last year I brought an amendment to the Government Plan about work to do with relevant poverty, which has been undertaken for those and we look forward to seeing the results of that soon, this year.

[11:00]

I am now going to speak very briefly on the 2 amendments on behalf of the Health and Social Security Scrutiny Panel and start by thanking both the Ministers for accepting our amendments, especially, first, concerning the H.I.F. (Health Insurance Fund). The panel had noted many times during its work in the last year, its concerns that it has raised and looked to have brought something constructive to the Government Plan and I am grateful and the panel are grateful that that was reciprocated by the Ministers and their officers. Just a brief summary for those because obviously we did not debate it, the panel lodged the amendment to the Government Plan in order to obtain commitments to certain matters relating to the Jersey Care Model work and its funding from the Health Insurance Fund. The commitments that we sought were all ... and it was agreed achievable measures and reasonable safeguards that will provide confidence in the use of, most importantly, public funds. Issues, however, such as the delay to the establishment of the independent oversight board, which was the proposition we brought to the main Jersey Care Model debate last year and the lack of priority for the Jersey Care Model digital projects were enough concerns for us about the successful delivery of the Jersey Care Model. The panel seeks a commitment for support to be provided to the board, that we wished to have had in place this year will be in place to report no later in March and, again, I am pleased and the panel is pleased that that commitment was met. There are other concerns around the H.I.F. that we, as a panel, will address after this debate in the upcoming amendment debate. But I will now turn to our other accepted amendment, one I know States Members will have no surprise in me talking about because it has been my consistent piece of work since becoming an elected Member, and that is with regards to mental health services. We have continued as a panel to watch very carefully since issuing our first review to Government on mental health services. But the panel had noted in previous hearings the backlog of referrals for certain services, such as Jersey Talking Therapies, leads us to further concerns about the effort that is needed to help Islanders with these needs. This will also take into consideration the ongoing pandemic. We are also, as I have said, grateful that the Government accepted our amendment of the proposal of an additional £250,000 in the sum held in the general reserve for the COVID-19 purpose to address the elements of the pandemic on adult mental health services. In order to address the identified backlogs and target the particular areas of need, including support of its partnerships with a third sector, such as the Listening Lounge and others, we are grateful for their support in bringing our amendment. As a personal note, I think this is where I echo my opening remarks of my speech, that this is the power of the Assembly to make change. To anybody who has grown disillusioned to politics and what is the point of becoming a politician. You cannot do anything, I was regularly told, as an individual. That may be so but I believe one person can make a difference and we should all try. Whereas collectively, as a Scrutiny Panel and as this Assembly and working with Government, we will help and we will make a difference to those who are going to need us in the coming months with their mental health services. The fact that that could be recognised and we have constructively and collaboratively made that agreement is positive. Had I wanted to bring that or the panel bring that is another question but I do not want to be dragged into that because we have got a long way to go. There are concerns of course for next year, we should be under no illusion that there are tough times ahead, as we heard in the United Kingdom, the Bank of England raising interest rates, inflation is a concern, people are concerned because of the ongoing effects of the pandemic. We have to be mindful, we have to be

listening, we have to be ready to help and support all of those people that we represent next year. I wish all of those people working in Government, working in the Assembly next year and those beyond my time, to continue doing what we are doing, work together, may this be the catalyst for positive change.

2.2.5 The Connétable of St. Martin:

The Government Plan is not just a spending document, it is a policy document and because of this it is a document that has the power to lay the groundwork for change and to make real improvements in the Island and this is where I lay my hope. Government Plans are the monetary source of our work at the States Assembly, it is what funds the projects we want to see delivered. It allocates the spending according to what we, as an Assembly, vote for. But is this all it can be? Can we in fact go further and drive positive social change through these plans in a way that is only suggested by references made to, for example, alcohol duty, free bus passes for students and be brave, innovative and fearless in helping to solve problems that have become so horribly embedded within our society's fabric? In this Government Plan is, by amended amendment, for actions to improve women's safety. I brought this amendment as women's safety has been an issue for millennia. This is 2021 and we need to tackle this for the good of all. Women's safety impacts women and society in every country in the world. The fact that women in all corners of our planet are not treated with the respect we deserve is nothing less than criminal. It is insidious and pervasive. The renowned academic, feminist and social activist, bell hooks, who sadly died 2 days ago on 15th December, once wrote: "Feminism is a struggle to end sexist oppression. Its aim is not to benefit solely any specific group of women, any particular race or class of women. It does not privilege women over men. It has the power to transform in a meaningful way all our lives." It is with this energy, this spirit with which I want to see the Government of Jersey take the amendment I lodged and the Minister amended and the Council of Ministers accepted, and deliver real, tacit, genuine change to improve the safety of women in the Island. In tandem to this the Australian philosopher, Kate Manne, writes in her book *Entitled, How Male Privilege Hurts Women* and whose predecessor *Down Girl, The Logic of Misogyny*, I would genuinely recommend to States Members, that the unequal distribution of social goods in our society creates and I quote: "Inequalities that range from a woman not receiving adequate care for her pain, to not being able to take up traditionally male positions of power, to her not being granted her rightful authority to speak about subjects in which she is expert." This is why I lodged my amendment and why I am going to closely watch the work that will take place through my amended amendment. If it falls short or identifies a severe underreporting of statistics of issues, such as drink-spiking and sexual harassment and assault, as many Islanders have suggested to me, then you can expect me to push for more, whether I am still a Member of this Assembly in December 2022 or not. I, therefore, raise this challenge to the Minister for Home Affairs to not let this become just another review but an opportunity to make real change, to take risks and to make the Island a better place to live. It needs to be women-led and community-led. It needs our Honorary Police to be fully involved. It needs community organisations and charities, including the Women's Refuge and Jersey Action Against Rape and it needs to offer women across the Island the respect, the dignity and the safe spaces needed to give testimony and contribute for a safer, better Island. I know that officers can deliver through the work that is being conducted, following my proposition on road safety and, coincidentally, the Island road safety review is being released today and I am proud to be associated with it. The road safety review has genuinely excited me and shown me just how brilliant officers in the Government of Jersey can be. I hope that officers working on this amendment for women's safety are able to approach this with the same energy and enthusiasm as I saw from Infrastructure, Housing and Environment officers for road safety. Perhaps we need to understand the potential that social reform can bring. Perhaps we need to remember the power this Assembly has to benefit the Island's culture and social conscience. We saw how the public debates on assisted dying and climate change were changed by the citizens' jury and assembly that followed. I felt this potential could be harnessed to create an opportunity to have a full, open discussion on the issues relating to women's safety in

Jersey, with full community engagement and support to design and drive solutions. Speaking to students at J.C.G. (Jersey College for Girls) 2 weeks ago, which was a real privilege, makes me feel even more determined to deliver on this. If I think there are community-driven opportunities to drive forward equality in Jersey, well I am going to support them and do my best to bring the Assembly along. I will conclude with another quote from bell hooks: “To be truly free we must choose beyond simply surviving adversity, we must dare to create lives of sustained optimal well-being and joy.” Women after millennia have been treated as secondary, of spending millennia being marginalised and harassed, deserve to be treated with respect, deserve to be on a level playing field with men. We were all born equal, we should all live equally. We, in this Assembly, must dare to create lives of sustained optimal well-being, make this the driving force of our future Government Plan and future States Assemblies. At the very minimum we owe women and we owe Islanders these lives.

2.2.6 Senator K.L. Moore:

I am delighted to follow the previous speaker. Firstly, I would just like to start by pointing out and thanking all of those who have worked in Scrutiny over the past weeks for their excellent reports, their numerous amendments and particularly praise must go to the officers who have diligently supported the panels in providing scrutiny and holding the Government to account in what has been a shortened, once again, and, therefore, difficult time period to conduct what is really important work. This is one of the key points of a political year because of course it deals with the issues of taxing and expenditure and the ultimate priorities that any Government has to choose when setting the spending for their next year and how that reflects upon the community that they serve. That is where our first problem lies, I am afraid. I can refer Members to finding 1 of the Corporate Services Scrutiny Panel’s report, which is excellent and I hope everybody has had an opportunity to read it, but finding 1 quite simply says: “The Government Plan does not adequately clarify the rationale and purpose of policy, analytical context, economic and policy implications to ensure that it is possible to see how spending, taxation, borrowing and asset accumulation has happened in the past and where it will go in the future; it is not clear.” That is the problem with this Government Plan, it is simply not clear. It is often said that I am not positive and do not give enough praise, so I can say one thing that I do like about the Government Plan, is that it has a lovely photograph on the front cover. But it is also a heavy document, it has an awful lot of words in it and some other pretty pictures, which is great. But what it does not provide us with is enough detail about what the Government really is trying to achieve with its expenditure and the context within which the 3½ years of this Alliance Government have left us and where it will lead us into the future. This is a Government Plan and the third one, the third annual spending document that we have had because previous Governments had Medium Term Financial Plans. It was criticised by some but the benefit of those Medium Term Financial Plans was that they did look further into the future and provided some additional context around the expenditure and the plans of those Governments at the time. If one is to look back to the Budget Statement of 2018, the projected expenditure for 2022 at that point was expected to be £904 million. The Government Plan that is before us today for next year is now asking the Island to spend an additional £100 million, and what are we going to achieve for it? That is not clear, the rationale and purpose is not clear enough to express why this Government has ... after telling people at the ballot box back in 2018 that they were going to come in and save money and rein in public spending, why they are delivering public spending that exceeds £1 billion and also sets the Island on a serious track towards a considerable amount of borrowing, over 40 per cent debt to G.V.A. (gross value added).

[11:15]

Another positive came from the speech of the Constable of St. Martin, she talked about the collaboration that has been found between some Members and Ministers where they have worked upon amendments to the plan and found agreement. Of course there have been many points of agreement in this week of debate and the amendments that were accepted by the Assembly and also those that were extremely close, that showed the very fine line between differing views between

Members here. But that has all been conducted, I would like to say, in an excellent fashion, a collaborative and positive fashion. Because we are here to debate political views, the rights and wrongs of priorities and, as I think we have said during the week, this is about priorities. It is about how Members, as politicians, see spending assisting the community that we are here to serve. But this is a watershed and that is a quote from our economic adviser, Mr. Warwick Lightfoot, it is a watershed direction this Government Plan is taking us in. I have mentioned already the borrowing that includes for a hospital, that the hospital advisers told us lacked the relevant evidence to justify the size and scale of the project itself and, therefore, the cost. To quote again the economic adviser to the Corporate Services Panel: "The full implications of the current revenue expenditure to support the scale of the hospital is not clearly set out in the plan." The borrowing, as I think the economic adviser sets out very clearly in his report, potentially risks the autonomy of the Island; there is no plan B here. What if the economy does not perform, as it is expected to do? What will happen? That will be left to future Governments because this Government has no plan B. It simply expects that life will continue on in its present form, despite having experienced some significant years of disruption and the impact of which will be felt for some time to come. The matters of productivity within our economy are simply not dealt with in the Government Plan. They were set out early on by the Government when they pulled elements out of other people's manifestos and set out their own priorities. Productivity has not been turned around during this period and, equally, accountability has not been properly managed. Unfortunately, we have found time and time again, as our report shows, a lack of openness and transparency in dealing with these issues. Despite the number of amendments that have been adopted that will make considerable improvements to the lives of Islanders, for example, the bus passes for our young people, I do find it very difficult to support this Government Plan going forward. Because it is simply not detailed enough, it does not meet enough of the Government's own common strategic priorities, such as reducing income inequality and improving the standard of living. We are all very aware at the moment of the public debate and feeling about the cost of living and this plan does not go far enough in dealing with those, giving hope to Islanders that there is a reason to continue to work and contribute to the economy because a better quality of life is ahead. If I could leave Members with, again, another quote from the economic adviser to the Corporate Services Scrutiny Panel: "Whether a public authority should engage in a form of financial engineering as ambitious as the plan's proposal merits rigorous scrutiny, moreover, the precise steps and risks involved in the proposed financial strategy should be fully exposed and exemplified in a manner that is lucid to the satisfaction of elected members of the public body involved. Given the scale, the transactions involved in relation to the Government of Jersey's annual public spending, the proposal should be further clarified and reviewed." Despite many hours of scrutiny and many reports, which are excellent in their content, this Government still lacks detail and still lacks a clear purpose to justify the vast expenditure and excessive borrowing that they are proposing to take and, therefore, I cannot support such a move.

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

As with any Government Plan there are some things which are good and some things which are not so good in the Government Plan. It is, after all, dividing up of resources and we will all disagree about some elements; we wished we had had more here and less there. On the good side, from my perspective and the Economic Development Department, we have more money for culture, arts and heritage. We have money to restore Elizabeth Castle and these are things that I am really pleased with. We have more support for the rural economy, it is, in my view, not yet enough but it helps and it is heading us in the right direction on that front. There is help with housing; that is really important. There is more money in health and mental health and there is indeed more money in education but, although, as I will say in a sec, I do not believe it is yet enough. Importantly, this Government Plan and indeed previous ones have started to address lack of investment over decades; previous Governments just did not invest enough in this Island. I appreciate that some of the decisions that have been made are with seeking to redress that balance. But in my view too much of that investment

is focused on capital projects. Some of them I know are necessary, we do need, there is no question, to improve the I.T. (information technology) systems within Government. But we have not yet set out enough to digitise the Island, not just the Government. There is though, while we are spending more on I.T. within Government, not enough for improved oversight in Modernisation and Digital. In my view this is one area where there is not enough accountability. This is not a criticism at all personally but we know that the Minister who has oversight in Modernisation and Digital is the Minister for Children and Education. The Minister for Children and Education role is a full-time 100 per cent role, it leaves no time for proper oversight of Modernisation and Digital. I think that, while not part of the Government Plan, it shows that we need to invest in making sure that our technology decisions within Government are being made properly and being made efficiently and that we are not heading for hundreds-and-something-million pounds of a failed project. Too much is also being spent, in my view, on internal government administration. It does not do enough to prioritise services and, in my view, it should but that is the decision that has been made, it is kind of capital over services. Outside of the Tech Fund there is not enough to stimulate enterprise or diversify our economy. It is just the sad truth and this is something I do not know if Islanders really understand. But as far as our economy is concerned, since 2007, 2006 even the strongest performing growth area of our economy has been private rent. We have not diversified enough. We have had success on the digital front, it has been growing steadily but slowly. The other success story in diversification has been the growth in public administration; that has grown, which means the size of government has grown. In my view, if we are to have an Island which is fighting fit for the 21st century, economic diversification is absolutely key. But, unfortunately, when the rental sector is the strongest growth story we have we know there is something structurally not working within our economy. In my view, the Government Plan does not do enough to address that need for diversification. Most importantly though, this Government Plan does nothing to address the structures of our public finances in a way that will enable us to stabilise our population and also enable us to help with affordability. In that sense this is a Government Plan of the last 7 decades, it is still rooted in the past and it is not, at its heart, a plan that prepares Jersey fully for the future and the enormous challenges that we face today. Because, in my view, the decisions that were made in 1948, which set the Island on course for a superb second half of the 20th century and it was superb, they were the decisions of 1948 and we are still working to those decisions. We have not made this Island ready for the 21st century, in which we have different challenges to those faced and much greater uncertainty. We are in an election year and I hope that Islanders understand that fundamental change is needed to our tax and social security systems if we are going to stabilise our population and deal with our environmental obligations and invigorate our economy. This plan does not do that and of course it loads the Island with a debt that will last for generations, and I am still struggling with that. Future plans need to be far more ambitious in their scope. They need to embrace change, change that can be delivered while maintaining the Island's commitment to low, broad, simple and fair taxation. The truth is our tax system is not broad. It is focused primarily on personal taxation and this is something we need to change, for Islanders can no longer maintain the burden of that focus on personal taxation. The plan does not use tax cleverly, it does not do enough to challenge Islanders' consumption choices, something that will have to happen if we want to become a truly sustainable Island. In my view, we are still not investing enough in education or our skills base. If we want to improve productivity by the multiples that we need to, then we need to use taxation to incentivise businesses to invest in training and technology but this is not there in large enough spades. These are the choices of this Council of Ministers. They are simple choices, they are reasonable choices, but they are not visionary choices and they are not choices that grasp metal and set the Island on course to succeed in the 21st century. For that to happen it seems that we all need to wait for the election, for that is the time when Islanders can have their say and decide whether they want to remain tethered to the 20th century or whether they want leaders who wish to prepare the Island for the enormous challenges and the enormous uncertainty of the 21st century. There is too much thinking in this plan. Previous speakers spoke about the lack of a plan B. There is too much in this plan which is tethered to the idea that

everything is going to carry on just fine, as it has done over the past 20, 30, 40 years; that is highly unlikely. History tells us that there will be bumps in the road and, to be honest, current affairs tell us that those bumps in the road are coming ever closer. Anything else will see the Island slip backwards and stagnate and that is something we cannot afford. When you see that the strongest performing sector of the economy is private rent, then you know that we are beginning that road. We need to invest more in people and businesses in order to ensure that Jersey can have a strong, bright and exciting future. This is possible but it is only possible with vision and people at the helm who share a vision of a dynamic, caring Island in which we all work together and help each other to succeed and achieve. Unfortunately, we will have to wait for next year but I believe it will be worth the wait.

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

I have always thought that when we have huge documents like the Government Plan it would be pertinent for Governments to take them in parts so that they can, if you like, audit the level of support for different parts of a Government Plan.

[11:30]

Because you may think that is a really good part but that is not. There is an issue, obviously an underlying sort of elephant in the room with this Government Plan in terms of the Alliance Party and them early on calling it a Government Plan and not a Government Plan. Even though it may annoy a particular Member of this room, I am afraid that these things have to be taken account of when we present what we are doing as Governments; that is what leadership is about. We cannot swap and change as a leader in what you are doing. I think there is a real problem there that that was a mistake and those mistakes need to be taken into account but we move on. I do worry that the priorities are wrong and I share something of the concern over the emphasis on capital projects. I will say some capital projects because I believe that some of the capital projects that should have been completed so far and still have not would have had a massively positive impact. Obviously it is going to be no surprise when I say I am referring to the youth facility in the centre of St. Helier, which is still not there. I hope because my amendment to the bridging Island Plan has been accepted we now have a site and we can get on with it. There is a difference, I cannot think of the word, it is gone, there are funds allocated, such as the Technology Fund, with no business case or no real knowledge of how they are going to be spent but they have just allocated. I am afraid that this phrase “slush fund” does come to mind and it may be unfair and I maybe being unfair, okay. But when we do not know how this money is being spent this is a problem. I would say that that is a particular problem when one tries to bring amendments for specific reasons to address specific issues, such as the very close vote on the extra education funding that I will predict - predictions are important I think - that it will be needed and then we will be scurrying around to know how it will be found or it simply will not be applied, and we will have even worse situations in our schools than we have already in terms of funding. It will just be left until after the next election for the next Reform Jersey Government to pick up the pieces again, which I am sure that we will be capable of doing. The biggest scourge, I believe, one of the biggest scourges, if not the biggest problem of any small society, in particular is inequality and income inequality. It separates, it divides society. The haves and the have nots does not work for a functioning society. When you have a small island it concentrates that problem; it concentrates that problem because you see that wealth right on your doorstep when you are struggling and some of the attitudes we have seen. The attitudes towards food banks, for example, I think need to be apologised for and they need to be made clear. Because if we demonise those who are the poorest in our society then we are the demons when we do that and I do not believe that is the right and moral thing for us to do. I would like to support those who need most support. If we judged our society by how much we support those who need the most, rather than simply those who amass wealth, we would be a better society. I am afraid of what I see from the Government that we have ... and I say again it was not Reform who used the phrase “Alliance Government” first but it does make me chuckle, partly, I must admit, because it does irritate some people, but that is unfair and I

would not do that. But what I see is a Government that seems to value the amassing of wealth by private individuals over their population and I am still to be proved that that is not the case. I want to finish with one thing, this is really difficult and I hope I do not get this wrong, the Constable of St. Martin, I want to support you in what you have said because I believe that ...

The Bailiff:

Through the Chair, please.

Deputy R.J. Ward:

Sorry, Sir. I would like to support the Constable of St. Martin in what she said. I believe it is important that men stand up and speak about what is happening to women in our society. I believe that is important because we are the arbiters too often of the problems. When I jump on the bus and come in I like to listen to music, I love to listen to music and I listen to a huge range of music and there are so many lyrics in my head, I think if I was in a pub quiz I am really good at lyrics. I am not going to quote Winston Churchill, I do not think he would be particularly good on this topic, to be quite frank. I would like to quote a band, I was going to quote something else and this is a quote from a song and, again, I hope I do not get this wrong. I would like to quote the Idles, one of the best bands to have emerged in the U.K. for many, many years. They are a fantastic live band; I recommend them to everybody. In one of their songs there is a verse that says: "Sexual violence does not start and end with rape, it starts in our books and behind our school gates. Men are scared women will laugh in their face, whereas women are scared it is their lives men will take." I think that sums up the massive inequality in our society. The attitudes to women end up with a much more serious outcome than the laddishness with men between each other and I think we need to address that as men in our society, we need to address it in our schools, we need to address it in our literature. Most importantly, we need to address that in the attitude of our Government. They need to accept what is happening in our society, they need to accept the inequality in our society and they need to accept that addressing that inequality is not a weakness, it is a strength. It is a strength for us as people, as men and as leaders. Until we do that we will not be able to sit in this Assembly and say we truly represent our population. I hope I have worded that correctly and I look across to the Constable of St. Martin to check that that is okay because that is what we need to do, we need to talk and consult and understand. We are different people but we need to understand each other but we all have the right to exist in this society safely. My son does, my daughter does, the men and women in our society need that. I would say that over the Christmas period think about your actions and think about the consequences of those actions, and I think it is important that we talk about that as a society. Finally, I am very pleased that finally we may have some changes to our bus service, which we have been working on for a long, long time and I must admit I am very pleased. But the problem is that overall this Government Plan does not address what this Island needs, so I am in a really difficult position. However, this Government Plan will be voted for, it will be accepted but it does not mean it will be accepted for all of the parts of this Government Plan. That is why I would have said let us get a gauge on all the different parts, so that Government can look at it and say: "That part was not that popular, we are going to have to work harder on that part." I think that is really important. It is a little bit like the review into the COVID; I was really disappointed with that because what it would mean is that Government can look at it and say: "What did we do right and wrong?" We have not got that in our politics. I do not think just because of the emergence of parties that we need to have that constant conflict in those terms. I believe that that assists openness, so we know where everybody is coming from and we know the baseline to their beliefs and we can work on them. There is nothing hidden in the back doors and the gentlemen shaking their hands in the back. It is about openness and that is what we need, the transparency in our society. As a Government Plan, there is so much that could have been done that was better. There were so many gaps and so I am very concerned about the overall direction. I am too concerned about the level of debt in some areas that we are passing on, I think it is being spent in the wrong direction. But I thank everyone who voted

for the positive amendments that came through. I feel disappointed in some of the others and I thank all Members for their contribution to the debate overall.

2.2.9 Senator J.A.N. Le Fondré:

I am glad, I think, to follow the last few speakers. I think, starting off with, the fact that the Government Plan is a balanced approach and it is quite an integrated and interlinked document, and I think that is quite important. The other point that some of the speakers seem to have missed, it is a forward-looking document, it is not meant to be a backward-looking assessment or performance document. It does bring together income, expenditure and capital, and that was a significant change to the old M.T.F.P. process, which only, essentially, addressed expenditure in one set and then the different effect it had on income and capital, from memory. That does not mean that the Government Plan cannot be improved at some point in the future, and I would expect that to be an ongoing review process to see how one can improve things going forward always. But it is also, again, worth reminding Members that we have had unprecedented challenges and unprecedented in terms of generations of challenges in this period of this Assembly and this Government and this Council of Ministers. Brexit we knew was going to be a challenge coming through but obviously COVID was not on the horizon when we started and, unfortunately, it is still with us right now. What I think is worth remembering there and, again, I make the point about the comments I get from commentators or people of experience in this type of area ... I am getting an echo, can you hear me okay, Sir?

The Bailiff:

Yes, we can hear you quite well, Chief Minister. I think the echo must be your end of things.

Senator J.A.N. Le Fondré:

Okay. But when I say it is a coherent and cohesive document, it does bind together and there is a common thread, which was what one of the objectives was, that was set down and in fact I will say under Senator Gorst's original Council of Ministers, when the changed programme was originally agreed. But the whole principle was, and I think has absolutely worked very well, compared to previous situations with these type of documents, is that we went from the C.S.P. (Common Strategic Policy) priorities into the Government Plan, into direct business cases, and then the performance side be assessed from the mid-year review, from the accounts, through K.P.I.s. (key performance indicators) and through the performance framework. Yes, the performance framework needs to be maintained, kept up to date and we said that will evolve from when it came in. But those systems are a significant improvement from a technical and process level to what we have had previously. I think also when we came in I do not think anyone realised, in any capacity, the lack of investment in some of our key systems and departments that support the whole organisation and that is about, ultimately, services to Islanders. I believe these have been significantly remedied in the main but there will always be improvements that do have to come through. But I also agree in part with the comments from, I think, the Connétable of St. Martin, we do have to keep our eye on making the organisation even more efficient. But part of that as well is getting all the foundations corrected, of getting that culture right, and that is where some of the investment is to go. But, ultimately, what we have got to remember ... actually with tongue slightly in cheek before I go back to the Government Plan, to an extent on the basis that I lead the Government, I lead the Council of Ministers and I am a member of the Alliance Party. I am delighted it is labelled the Alliance Party Government Plan. However, unfortunately, for those people who commentated and made that comment, it would seem they are slightly either numerically or mathematically challenged. Because on the Council of Ministers there are 12 Ministers, of which 7 are independent, and in fact the remaining ones who are members of the Alliance Party, we have all said that we act independently because that is how we are elected, and that is a situation that will probably crystallise more in terms of the party or the Alliance at the next elections. I know that may not sit very well with commentators but if they want to continue to call it the Alliance Party Government Plan that is fine. I regard it as the Council of

Ministers Government Plan and, more importantly, the Assembly obviously, hopefully, will be endorsing it. But I think I want to make the point, we have had 26 amendments, we have tried to work with Members to either accept as many as we could and obviously tried to amend as many as we could to assist that process.

[11:45]

As with any democratic process, not everybody gets everything they want and the same thing, so there are some amendments that have gone through that the Assembly has deemed they wished to see and obviously there have been a number of amendments that we have put through that we would wish to see. But that is the nature of the democratic process in this Assembly. I think to come back to the plan, it advances our vision, as an Assembly, the Island's priorities. It is a balance. It provides for our continuing response to COVID, as well as our recovery, both economically and socially. Although there has been a comment about the increase in expenditure, obviously since before this Government came in, this does obviously include tens of millions of pounds as provision for next year, for COVID. Obviously we hope that that will not be required but at this stage it is prudent to make that provision and that estimate. What I would like to do is continue to point out it includes £13.4 million over the next 4 years into our children's health recovery plan and an additional £5 million spending on our health professional recovery side. Thanks to the amendment from the Connétable of St. Brelade, it also now includes a provision for a review into our handling of COVID. The plan commits us to around £200 million worth of spending for putting children first next year and raises the growth of expenditure for education to around £25 million. Again, we have had criticism from both ways, (1) for not putting yet more money into education and (2) for spending too much money. This plan will see more than £13 million in new funding towards mental health over the next 4 years and support for our ageing population via the Jersey Care Model. It offers an important opportunity to revitalise our local economy, as well as invest in our digital sector and support for our heritage, arts and culture. In this year's Government Plan we are going to be implementing the new £10 million affordable purchase product and that will be in place before the end of this term and that will help more Islanders to own their own homes. We have also proposed, as I think the Minister for the Environment, Deputy Young, has referred, £23 million in funding to be deployed by the Climate Emergency Fund to support the switch to lower carbon transport and more energy efficient heating. This year's Government Plan includes a further £20 million on rebalancing and delivering statements to taxpayers and increasing efficiency within the Government; that is on top of the just under £60 million recurring, which has already been achieved. It also builds on the progress we have made to improve the Government's infrastructure, both in the physical realm of the new office strategy and digitally via the I.T.S. (integrated technology solutions) programme. Just to clarify a point I made earlier, in terms of COVID it is £34 million included in 2022, with a further £53 million in reserve required. We have agreed plans to borrow responsibly to cover our pandemic response and the refinancing of our pension debt and we have plans in all of those to repay those on a pragmatic basis. We have outlined the plan to refinance those existing public sector pension liabilities early, saving the taxpayer £3.6 billion over the longer term. I think that is the first time I can ever recall anyone in this Assembly being able to say that. Obviously that is subject to the vote and, hopefully, that will come through shortly. This plan is therefore able to chart a course to the terms of balanced budgets without relying on raising taxes, delaying important projects or jeopardising other reserves. It goes back into the black, into surplus from 2023. As I said on Tuesday morning, this plan has been prepared by the Government, it has been formed and now shaped through the wishes of this Assembly and I believe the needs of our Island. I do hope that Members will join me in approving the plan and delivering on our shared commitments to Islanders for the last part of this Assembly.

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

I would take this opportunity to comment specifically on the amendments which I brought to the plan. I am grateful for the Council of Ministers accepting my amendment 26, which enabled funding to be directed towards an air quality monitoring policy and provide all the equipment. We have spoken in this Assembly for so many years about this, and in earlier speeches Members mentioned matters coming back and coming back again. This goes back, I can assure Members, 10, 12, 15 years and we have spoken about it with nothing to show for it. While the Minister outlined the problems his team have had with the implementation earlier on, I am glad that we can now move forward in the interests of residents and particularly children. My third amendment was, I believe, broadly supported but the proposed timescale was not. I think Members will appreciate why I have been so vehement in trying to move my proposed lessons-learned review forward at pace because of circumstances which are taking place even while we have been discussing the Government Plan. It became clear, however, that despite the best will in the world it simply was not achievable using the mechanisms within which we operate. This simply highlights the point that in the light of rapid changes, which seem to be occurring outside of our control, was that we need to develop speedier mechanisms to be able to provide rapid responses, should the need arise. Maybe a better use of a body such as the Emergency Council could be better utilised to deal with emergency situations and that could be, of course, the subject of future discussions. Government spending is always going to be a balance and we must take comfort in the fact that debate has been full and frank and democracy prevails. I am not affiliated to any party but have voted throughout this debate influenced by those I meet in the street, by those who get in touch, and with the experience of 7 years in this Assembly and of course speeches of the day. I believe the resulting plan is as acceptable as it can be and I will be giving it my full support.

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

I am, like my colleague, disappointed that we are only going to review this Government Plan as a one-off block vote. I am disappointed because my attention is drawn to page 134 of the annexe proposed Government Plan 2022-2025 where it talks about efficiencies and measures to rebalance expenditure. This was an area that I was drawn into to scrutinise some time back but I remain disappointed by this approach. Efficiencies and measures to rebalance expenditure, in short, simply cuts, cuts in service delivery, cuts in staffing, which make the job harder to do. I quote from this on page 134: "It is important to restate the approach to the delivery of the efficiencies and other rebalancing measures agreed by the Council of Ministers, as set out in the original efficiencies plan. Ministers also agreed that if any of the efficiencies are not subsequently approved or delivered, they will seek alternative departmental efficiencies to the same value to replace them or to reduce or re-profile some of the planned spending by the equivalent amount in order to ensure that income and spending remain in balance." In short, it is a numbers game. If you can agree to make cuts, fine, if you cannot agree to make cuts, we will make cuts for you; that is what has happened. That is no way to behave when we are talking about Government. It then goes on: "This approach can be described as plan A. The efficiency has been delivered or is on track for delivery. So not all of them complete yet. Plan B, an alternative efficiency has been or will be developed to cover any shortfall. Plan C, typically, Government Plan growth will be deferred to cover any shortfall, although other one-off approaches can be used where appropriate. Then, finally, Plan D, non-pay inflation available to departments is reduced to the same value as undelivered targets. Departments, C.Y.P.E.S. and I.H.E. (Infrastructure, Housing and Environment), will continue to work with the Treasury and the Exchequer to determine the extent to which they can implement savings measures to achieve their targets, one-off or recurring. Plan D should be considered as the last option. Lo and behold one paragraph later here is plan D. As suitable measures were not identified and agreed with Ministers, the default position is that the proportion of non-pay inflation efficiencies will be increased by the same value as these undelivered targets. This is literally just playing with numbers. We shall put some numbers in there to make the plan - the supposed plan - balance. So let us take a look at some of what that means. Sometimes it means a staffing cut and sometimes it means a non-staff cut. Let

us take a look at some of those. The Minister, departmentally, C.Y.P.E.S., Children's Safeguarding and Care: "Remove one social worker role [a recurring change] spend reduction on staff of £50,000. This will slightly increase the caseload and reduce capacity across the team." This is an essential service. This is children's safeguarding and care. Social work reduced by one. Increasing the load on the other social workers. Delivering efficiently? Perhaps. But reducing the service. Next one down, C.Y.P.E.S. again: "Integrated services and commissioning, rebase budgets to best manage priorities within reduced resources. Will further reduce GP20 growth and limit the planned improvements in early intervention and therapeutic provision for looked-after children." That is in the Government Plan. The Ministers should be ashamed of that. That is a statement that clearly lays out a reduction in early intervention. What is the key thing we have to do in terms of our social care? Early intervention. Here is one limited, reduced. Let us move on. H.C.S. (Health and Community Services). Health and Social Services, departmental-wide: "Increase in substantive staff and a reduction in agency or temporary staff through improved recruitment programmes. Spend reduction on staff, £1.8 million." Oh, if that could only happen. Would that it should; that we should reduce our use of temporary workers, bank nurses, et cetera. It will not happen. It is impossible for that to happen. It is not happening now and we are trying. Next, H.C.S. again, departmental-wide: "Review, challenge and reduction of contract and procurement costs. Health costs, we should negotiate our way down and save £750,000." Again, it would be nice if it happens. No guarantees there though. Especially in the costs of health that are going through the ceiling. Here is a nice one, which I bothered to talk to the Minister for Health and Social Services about: "Targeted delivery of a cost improvement plan through partnership with Europe along with ongoing embedding of zero-based budgeting and effective budget management. Non-staff saving £2 million."

[12:00]

I looked at that: "Europe, what is that?" I asked the Minister. "It is a consultation group. We did not go very far with them." Why are they still in the budget with a £2 million saving? Nonsense. Let us move on again. Treasury and Resources, not an area I usually look at, but: "General staffing productivity increase can be achieved through a number of different levers within each department including Treasury and Resources, zero-based budgeting, vacancy management, et cetera." Saving is supposed to be of the order of £400,000. But what does that mean? That means getting more for less out of your staff. That is basically what it amounts to. Finally, before I finish, let me move back to C.Y.P.E.S. Integrated services and commissioning: "Rebase budgets to best manage priorities within reduced resources. Will further reduce GP20 growth and limit the planned improvements in early intervention and therapeutic provision to looked-after children." £56,000 in savings. Again, reduced early intervention and therapeutic provision. A service that is failing and will continue to fail. I cannot vote for this Government Plan and I will not be.

2.2.12 Senator S.Y. Mézec:

On 12th June this year a Government Minister, 2 Assistant Ministers and presumably with the blessing of several other Government Ministers, held a press conference at a hotel in Jersey to announce the foundation of the Jersey Alliance Party, a historic moment for Jersey's politics and one which on principle I welcome. You can go on their website and read the speeches, which were delivered at this event on 20th June and that included the chairman of the Jersey Alliance saying: "Our manifesto is the Government Plan." Some retreats from that statement, or some attempts to retreat from it, have been made since the months since then. But the historic fact remains the case that at that launch the Alliance Party stated that the Government Plan is their manifesto. I for one say fair enough to them if that is the declaration they wish to make, if that is the record to the public, which they want to present of what they are seeking to do with their roles in Government and what achievements they may make or what things they may not go as far as they may otherwise wish. I think fair enough, let them make that declaration if that is where they stand. But the next step beyond that is to hold them accountable for it, not just those aligned with the party, but the entire Council of

Ministers. Looking at the Government Plan, which we have before us that we are now asked to debate and vote on as one proposition without being able to vote on the individual parts in it, I see it, not only in the terms that Deputy Southern has outlined in such detail, going through it line by line as he just did. But I look at it as a Government Plan, which cements the legacy of this Government as one of failure in trying to meet the key priorities, which we signed up to unanimously as an Assembly at the start of this term of office. I for one cannot forgive them for their complete and utter failure on the key priority of trying to reduce income inequality and improve the standard of living. I cannot forgive them for it because of the huge impact that has in the daily lives of my constituents, people who I meet day in and day out who often come to my constituency surgery to tell me about their experience in life and how Government decisions are affecting them. Because I know this has a real human cost. But I cannot forgive them because it did not have to be this way and that there were opportunities they could have taken advantage of but they chose not to. When I was anticipating this Government Plan, knowing that it was about to be published and, at that point, not knowing exactly what was in it, there was a part of me that thought maybe at this late stage in this electoral term they may well pull a rabbit out of the hat and take the opportunity to bring forward proposals in the plan, cost them, find the revenue for them and all the rest of it, to take the measures that so many of us know are necessary to improve the standard of living and reduce income inequality in the Island. In this plan contains pretty much nothing on it. It was notable in the Chief Minister's statements on Tuesday morning that the words "reduce income inequality" were not spoken and the words "improve the standard of living" were not spoken either. Really that ought to be a sign that they have just given up on that priority and they ought to be a bit more open about that. They do not have the statistical evidence to demonstrate that they have succeeded on it. Having seen what has happened to the economy, to housing and all the statistics that the Statistics Unit produce for us, it is a safe bet to say we will have probably gone backwards on that key metric. When the income distribution survey is eventually produced that will presumably lay those failings bare before us, for us to judge them on. The Minister for Housing and Communities in his opening speech on this, and I am not going to be too hard on him because I think there were some good things in what he was saying and I do not think he is to blame for the following, for what I am about to say. But it is the fact that too many Members of this Government are out of touch with the reality on the housing crisis and it is that being out of touch that then leads them to not put in this plan the proposals that are needed to address that housing crisis. A blueprint was produced previously, which outlined what policies could be enacted. In fact I worked on that with several members of the Alliance Party who sat with me on that policy development board and helped come up with these policies, which they now seem to reject, and they are not in this plan anywhere. Nothing on tackling rental inflation and nothing really to require the private sector in its delivery of homes to deliver the homes that we know that we need. That is unforgiveable. It is having an effect on our other key priorities as well. We are struggling with recruitment and retention in some of our key public services. Because what were our other priorities? They were putting children first, where we are struggling for teachers and social workers now. It was looking after their health and well-being, something we know we are struggling with. We are told time after time from people who leave their careers in public service or leave the Island that it is the cost of living that has such an impact on them. I will say as well that on the key priority of protecting our environment and, by extension, climate crisis commitments that we have made, there has not really been anything tangible in this plan to deliver upon that either. There has been money put aside for reviews and all the rest of it, but it is really at too late a stage to achieve anything tangible in this term of office in reducing our carbon emissions. That again is being left to a later date to solve, which is regrettable, and it was regrettable the resistance that was put up to measures that have been proposed time and time again from Deputy Ward to try to promote sustainable transport. To get people out of cars and not producing emissions. Instead there is a constant resistance to that. Then we come to the debt. Hundreds and hundreds of millions of pounds of it. I had said in a previous debate that there is nothing wrong, in principle, with debt. In fact debt can be a fantastic thing that you use to improve your infrastructure, to make investments where they are needed. I do

not shy away from that and indeed now is a good time to be borrowing if you need to do that. But you do have to make sure you do so sensibly, sustainably, and on things that we do need, so that you do not rack up your debt levels to the point where the lenders will not lend you any more because they are no longer convinced of your ability to pay it back. That is why we are left in a weakened position for the future to borrow money if we have to, to address those issues like carbon neutrality or housing and the rest of it, because we have taken on debt for things that are less justifiable like the extra debt this Assembly has approved to take on for the hospital project, which in my view Scrutiny demonstrated was not necessary at that time, or not necessary to those lengths. I remain convinced that the government office project has not been managed effectively and has left us with something that could in the future end up being a huge liability because of the P.F.I. (private finance initiative) arrangement that they have come up for it. That leaves us in a weaker position. Though this plan has been improved by some amendments, some of which I wholeheartedly supported, and they have mitigated this, we do now ultimately have to decide before us if we will vote for the Jersey Alliance Party manifesto as they declare it is. As somebody who is not a member of that party, I politically will not do that. It is for them to decide what their manifesto is and what proposals they bring forward. If they gain a majority at the election then they will have a mandate to pursue it and good for them. But as someone who will not share that mandate I cannot be expected to be mandated by my constituents to vote for another party's manifesto. That point is as simple as that. But, most important of all, I will vote against this plan because of its failure to address that key priority of improving the standard of living and reducing income inequality. Because I believe that the failure to take necessary action in this plan has left those people in Jersey worse off as a result of it, which means the next Government and the next Government Plan will have a more difficult job trying to undo some of the damage that has been done. So my small part in trying to mitigate that damage is to vote against this plan and I urge the rest of the Assembly to do the same.

2.2.13 Senator I.J. Gorst:

Unfortunately, my camera is not working again today. Well, do we not live in interesting times. The advent for Jersey again, and I use that word advisedly, of party politics. We have heard all sorts to recommend party politics to us. We have even heard in this debate on the Government Plan that party politics are more open and more transparent. Yet we are also starting to see in this debate the division that party politics brings. It is that division, which is so detrimental to our small Island community.

[12:15]

I have been involved in party politics elsewhere in the world. Those who come to Jersey from a political system where there is party politics initially find it strange that there are no party politics in Jersey. But they learn to understand the value of the independence of mind, the independence of thought, the needing to build a consensus, the needing to come together and find a positive path for our community. I am and remain to be convinced that these great benefits that we are told that party politics will deliver will be delivered. Rather, we have seen, and we heard from the last speaker, and it is fascinating because the last speaker is always clear about his political motivation, always clear, and for that I respect him. He would say that I am always clearly on the opposite side of any argument when it comes to economics. That is how it should be. Individuals and independents can be quite clear with the electorate without needing the party political system. Because, is this Government Plan the manifesto of the Alliance Party? Of course it is not and nor can it be and nor should it be. Is this an Alliance-led Government? On the one hand of course that could be argued because post the forming of the Government a number of Members of Government have joined the Alliance Party. As I understand it, the Alliance Party has among its current membership of course the Chief Minister and the Minister for Treasury and Resources. It is entirely a choice for them. So, in that very fact, 2 senior officers of the Government are held by Members of this Assembly who are party to that party, members of or supporting or signing early signatories. But this document is the result of the decision

of Members of the Government with the really important input of Members of the Assembly as it has always been. We can go back to the formation of this Government, as Senator Mézec did earlier, and talked about income inequality. He knows that he argued with his fellow party members at that point to have this as a priority, reducing income inequality. He knows that I argued against it because I did not feel the implications of what that priority meant were fully understood by those who were supporting him in that argument. I would much have preferred, as I made it clear, that priority was a priority that dealt with the cost of living for Islanders and looked at the challenges that Islanders face every day through that prism rather than the prism of income inequality. Whereas the Reform Party clearly articulate that means that you are just as concerned with how much money the wealthy have as how much those who are struggling have. I believe my political philosophy is more concerned about how we support the struggling, as Deputy Ward said, than I am being envious or overly concerned about those who are successful and wealthy in our community. But it is a different political philosophy, I absolutely accept that. There are some elements of this plan that I am gravely concerned about - gravely concerned about - because they turn the economic model of Jersey Government finance management on its head. That is the overall level of debt. I find that very difficult that the incoming Government, of whatever party or political persuasion, will have to develop a plan and they will have to appeal to the public because the plan will have to be about debt reduction. How does the incoming Government deal with the reduction in debt that this Government Plan will leave them? My understanding is that Treasury officials will probably be able to raise the initial part of the debt for the hospital and potentially for the pension scheme as well. So that debt will be there, this plan will lead to it, and an incoming Government will need to deal with that. But we have had that argument in the Assembly and I lost that argument for all of the reasons that I fully understand. I lost that argument. That does not mean to say I have changed my political philosophy about that. Ironically, not dissimilar to the one we heard articulated by Senator Mézec, borrowing at the right time of the right amount can be very much in Islanders' long-term interests. I just believe that this is borrowing is the wrong amount at the wrong time. It is a different opinion. I am also uncomfortable; it was Senator Moore that reminded us about the overall spending levels. I have the reverse concern of Deputy Southern who went through the efficiencies and was unhappy with the efficiencies. I do not think the efficiencies go far enough. I do not think that the level of spending, even though from an accounting perspective what we have in the Government Plan balances in the short-term as the F.P.P. suggested we should, I do not believe it is sustainable in the medium or longer term. Because the F.P.P. have said that taxes will need to rise if this is the model that Jersey is to follow. Of course I fully accept the Reform Party want to see taxes rise. They are quite clear; they are quite open about that. I am quite clear and quite open I do not want to see taxes rise, and therefore spending has to be got more under control. Perhaps it is the element in the middle where some Members are believing it is right to deal with all of what has been described as underinvestment of the past, but still do not acknowledge that in order to spend at this level taxes will need to rise. That is why I am uncomfortable with it. I am, like Deputy Ward, disappointed that the Minister for Treasury and Resources is not intending to take this vote in parts and I appeal to her to perhaps change her mind and take this vote in parts because that is the democratic thing to do. I cannot recall whether it has been taken in parts before so I might have to eat humble pie if that has not been the case. So I stand ready to eat that pie if that is necessary. But from my perspective today I would like to see it taken in parts where possible. But, like others have said, there are good elements of this Government Plan. In my own department, that is those things that I am politically responsible for, they have a fair share of the slice. We are able to deal with the impending MONEYVAL review and we have increased resources there. We are able to deal with new products and innovation in the financial services sector and continue to promote Jersey as a centre for those wishing to access global markets. We are able to continue the really good work of promoting Jersey in Europe, in the Middle East, in the Far East, and in the States, and continuing the good work that happens in the London office. So I am satisfied with that and I do fundamentally believe it is time that the Minister for External Relations and Financial Services became its own Ministry, and that is what this Government Plan

does. But in casting my vote, in hopefully not too many minutes, or perhaps it is going to be after lunch, who knows now. In casting my vote, I will be mindful of this factor that we are still in the middle of a pandemic, we still do not fully understand the implications of the latest strain of the virus and what effect it will have on the Island, upon Islanders' everyday lives, and on the economy of the Island and therefore the fragility of Islanders' jobs and future. I am not sure that I want Treasury officials and Government officials to have to go back to the drawing board and present a new Government Plan in the course of January and February at the very point when the health experts, not just here in Jersey but across Europe, are indicating to us that the pandemic will be difficult again for all of us. So my ideal choice today would be to take this in parts. I recognise that this Plan is going to get approved today, listening to all of the speakers today. Every Government Plan or M.T.F.P. has always been approved because Members, as independents, recognise the need to move forward and when they have lost an argument in this democratic Assembly, therefore to seek to make their arguments in other ways and at other times, as difficult as that is. That is really possible as an independent but I do recognise it is more and more difficult in the party system, which is what we are moving towards. I want to uphold the great traditions of independent Members of this Assembly and I will be seeking to uphold those traditions and to build consensus in the best long-term interests of Jersey, even though there are some major parts that I disagree with, as I cast my vote on this Government Plan hopefully today.

2.2.14 Deputy M. Tadier:

I am going to start by focusing my comments on air pollution, which might sound like a strange thing to do in a Government Plan. But, as I alluded to in a point of clarification I put to the Minister for the Environment, due to the nature of some amendments having been taken and adopted by the Council of Ministers, I am not criticising that by the way, it is obviously a pragmatic way forward, but it does mean that individual debates on specific, perhaps more focused, areas have not had their own debates as such. So just for a moment or so I think this is important because I believe it came up because of a direct contribution from a constituent following some canvassing I did asking for opinions of people. So I basically put out a letter saying I would like to hear from residents of St. Aubin's area and that constituency about matters that are of interest to them. One gentleman came back and talked about air pollution as a factor. He believed that there was some air pollution in that area but of course we did not know about it officially because the devices were not working properly. I am thankful also to the Constable of St. Brelade who was copied into some of that correspondence for following up on it. My concern though is that I am ambivalent as to whether or not the money being put into that is well-spent. If I remember rightly about £200,000 will be allocated to maintaining those air pollution monitors.

[12:30]

I just wonder whether or not it is something that, first of all, could that money be better spent more directly mitigating air pollution? Because we know that there is a big problem in certain areas. It may be more widespread than just limited to the obviously urban and school areas, for example, where we know a lot of traffic congregates. Because there may be pockets in the Island where there is all that in valleys, et cetera, not just related to cars or vehicle emissions, but to do with chimneys; residential chimneys for example. We need an explanation about the fairly arbitrary way that these monitors were basically given to the Island but no budget or infrastructure was put in place to maintain them or use them fully. I suppose it is just beware of something when it is given to you for free, because often there are maintenance costs and if there is no ongoing budget for that then it seems pretty pointless. But I would like to ask the Minister to really think about areas where he knows pollution is a problem. Something that has always struck me is that when I look at the tunnel, when I am using the tunnel, and it is not normally as a pedestrian, I have in my life only been through there one or 2 times, it is not a pleasant experience. We know that the tunnel is highly polluted because of the nature of it. We know that walking back and forward through that twice a day, maybe in some

cases 4 times a day if they are going home for lunch, and I see people going through the tunnel with prams and maybe elderly people, and you just have to wonder what effect does it have on somebody if they are trying to do the right thing and they may not have a car themselves, and what does it mean if you are walking through the tunnel over 30 years of your life, twice a day, 5 days a week? I would say to the Minister start there. He needs to consider what effect is being had on those people and also looking to other areas around the Island. But, for example, could that £200,000 have been spent on several electric vehicles for the public sector and take diesel or petrol vehicles off the road? I do not want to be one of those who is saying: "What if?" because that is often what we get when we try to propose things. But this just seems to be one area, which has only happened fairly arbitrarily because it got flagged up by a member of the public. When I heard about the talk about division and that independents are best from Senator Gorst, the way I interpret that is basically him saying: "We want everybody to cheer the Emperor for his nice new clothes, even though some people realise that the Emperor is naked." Often, as Senator Gorst will know, from the mouths of babes comes truth. It was the little boy who had to pipe up when everybody else was taken in by the group thing to say: "Hang on a minute, he is not wearing any clothes." Such is the nature of politics is that, if there are divisions that are appearing or that seem to be in place due to party politics, that should not be seen as something that is automatically negative that is brought about by party politics. It is simply that there are real divisions in society, there are class divisions, and there are different ideas. There are ideological differences and there are firm beliefs, which are clearly going to be expressed in the political forum. If party politics is imperfect that is because humans and politics itself are imperfect as well. So of course we cannot expect all problems simply be solved by party politics. But what it does mean is that this is the last Government Plan of this type and hopefully it will be the last Island Plan that we are going to see of this type where it is done reactively and it is done after you know what you have. It is a bit like you put your hands into the bag, you draw out some numbers for the bingo, and then say: "That is what we have, now let us figure some policies out." There is a fundamental question about trust around this Government Plan because, as Senator Mézec said, the Alliance Party did have what can presumably be seen as their manifesto launch, their party launch, even though they say they are not a party. It is remarkable how they all manage to vote together on almost every vote, even though there is no party whip. They are doing better than us. It sounds like they do not need a party whip. They just automatically have an in-built conservative group think among them even when the Assembly disagrees with them and votes things through like the bus passes for our young people. Clearly the Assembly wants to put young people first, even if this Council of Ministers and the Alliance Party do not. So they are the ones who stood up and said that their manifesto is the Government Plan and the Government Plan is their manifesto. I presume that they were either telling the truth then or they are telling the truth now, but it cannot be both. You cannot say: "We were wrong to say it was the Government Plan then." One of those statements has to be incorrect. I will leave it to Members of the Assembly and to the public to find out which statement, they can both be false, of course, but they cannot both be true. My concern about Senator Gorst, who I think is finding himself politically homeless at the moment, trying to cling on to this idea about independent policies, is that he knows fully well in his heart that we have never had independent politics in Jersey. We have always had conservative politics, deeply conservative politics, masquerading, as Deputy Le Hérissier would have said, we have consensus, we have got independent politics or consensus politics masquerading as independents. Or I think he might have said something similar to that. What we get because of that is we get a political cartel that operates in our Island. So it is strange that somebody like Senator Gorst and many other free-market liberals, and perhaps even myself, recognise that competition in many ways is or can be good. It does not always work. But we are told that the perceived political wisdom about economics is that competition is good and that the market will help. But when it comes to politics, it seems that competition is not so good. The competition of different ideas, perhaps different ways of thinking to try to resolve the same problems, which is strange because you get that in all walks of life. You get it in science and you get it in many different walks of life. But it seems to me that Senator Gorst wants to have a

political cartel operating in Jersey and that he is quite happy, as somebody who espouses deeply conservative values, to have independents elected across the board so long as they are all conservatives who are elected independently. But I would say that does not wash anymore because the world has changed. What we might see as well is that this is the beginning of the end for the Jersey model, the low-tax/low-spend model. It has started to be recognised by all of the serious political, and what I would say those who follow through in terms of the consequences of their policies and politics, is that you know you cannot get anything for free. So when it comes to things like building a hospital there is an isolated number of people in this Assembly, an isolated number of Members, who cannot accept the fact that it costs a certain amount of money to provide decent public services. So when it comes to building hospitals, to building new schools, to dealing with the consequences of the pandemic, it costs a lot of money to do that. What I do respect Senator Gorst for is that he was probably a sole voice in the early days of the Coalition Government who stood up when Reform Jersey asked for the inclusion in the then Strategic Plan for the words to be put in about reducing income inequality. He was the only one of the conservatives who realised that it did not fit in with their ideology because it is not possible if you are an economic conservative to agree with reducing economic inequality. You know that under your model, under their model, the economics is such that you want a free market and that you want the rich to get richer and if the poor get a little bit richer as well that is not necessarily great but it cannot be helped, some trickle-down is necessary and you cannot always sweep up all of the crumbs from the capitalist table. But he recognised that. But unfortunately we have the rest of the Council of Ministers who said: "Yes, we will try to do that." But what has happened is that we have seen a whole litany of consequences from their system, which is fundamentally remaining unchanged. Because they are the party of the rich. We have seen that their leader of the Alliance Party had to withdraw from one of the debates because he was conflicted due to having very high earnings. Not only was he conflicted but he protested that there might be nobody left in the Assembly to represent the super high earners who represent perhaps only a few hundred in our Island. I do not think he needs to worry because there were still lots of other Members in the Assembly to represent the interests of the super-rich. We also have this Government Plan from the party, which is also the party of lager and cider drinkers. Their inability to apply an even-handedness and fair approach to taxation even goes down to the minutiae of needing to discriminate between wine and spirit drinkers over cider and beer drinkers. They cannot even get that right. So when it comes to taxation that should be low, fair and broad, they even go into minute detail to make sure they discriminate against wine drinkers. It makes me wonder because a lot of the politics we are seeing from the Alliance Party is akin to what you might have heard in the wine bars in the 1980s and 1990s in London. We just have basically a leftover poor man's conservative party from the 1980s but without any of the political heavyweights to go with it. So you can probably tell from my approach that I am not particularly enthused about this particular Government Plan. But what concerns me in particular is that, if this is the manifesto of the Alliance Party, and they have been using civil servants to write their manifesto for them, which seems wholly inappropriate. These are civil servants who are, and I think should be, seen as independent in their thinking. Yet they have been put to work writing the manifesto for the Alliance Party. Of course, if they have not been doing that, then it means that the leader of the Alliance Party has put those civil servants in a very difficult and invidious position by making those kind of comments. We have also heard a lot of words about patronising the poor. Clearly from the last speaker, Senator Gorst says: "We should do what we can to help the poor" but the underlying message is: "so long as nothing changes fundamentally economically." It is important that we have foodbanks in the Island, but we have also heard recent comments from this Government saying that people who use foodbanks, in some cases it may well be because they are feckless and they cannot manage their money. But nothing to do with the fact that we have a very expensive Island where people, even if they are not on income support, have very little left in the bank, if at all anything, they may be overdrawn after paying the very high rents in this Island. That is not just down to chance.

The Bailiff:

I am sorry, Deputy, your 15 minutes is up. That is the end of your contribution.

LUNCHEON ADJOURNMENT PROPOSED

The Bailiff:

The adjournment is proposed. The Assembly stands adjourned until 2.15 p.m.

[12:43]

LUNCHEON ADJOURNMENT

[14:16]

The Bailiff:

Before we resume the debate, I just want to mention to Members that I have allowed an urgent oral question on the Omicron variant to be asked by Senator Moore. I propose to take that at the end of the legislation for Christmas readings. Does any other Member wish to speak on the Government Plan?

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

I am going to be brief and basic. I apologise to Members if my short speech is not as detailed or as well thought through as other Members who have spoken already. But there are plenty of things to commend about this Government Plan. My thanks particularly go to Scrutiny and those Back-Benchers who have worked so hard for their input and the changes that have been accepted to those amendments. I want to very much support my Constable here. I want to support the initiative to try to get more young people on to buses, to get them used to using buses so that it becomes second nature to them as they become adults. I want to help hospitality and the associated industries because they have struggled so much. Despite my disappointment at not finding ways to address the obvious inequalities that the Government seems to not recognise and not finding ways to help our schools and our young people with those amendments brought by Deputy Ward and the Education Scrutiny Panel. Our teachers really need more help. Despite those things, I cannot really bring myself to vote against this plan. However, I am not sure that I can bring myself to vote in favour of it either. As has been mentioned, staggering amounts of borrowing, not much of an attempt to address the inequality issues that have been mentioned so far, too much waiting, too much consulting, too much indecision, very little vision, and not enough out-of-the-box thinking for my liking. Then of course we come to the issue, which was raised by Senator Mézec, and he has taken the next chunk of my speech completely off my notepad, and that is the Alliance-led Government. They are that because, as he quoted to us, the senior Members of our Government are members of the Alliance Party. How can this not be the Alliance-led Government Plan and, as has already been spoken, the Alliance Party manifesto. As the deputy leader of the Progress Party, I find myself in a position where I could not possibly support another party's manifesto. Therefore, for those reasons, as I clearly explained, because I do this very rarely, I will be abstaining from the proposal.

The Bailiff:

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

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

I apologise to all, but I do not seem to be able to get a connection, so cannot put the camera on. I appreciate we have all had a very long and concentrated and demanding week, so I shall be very brief in my summing-up. First of all, I would like to thank all States Members for their contributions to

this lively debate over the last few days as we discussed the Government Plan and its 26 amendments, 13 of which have been accepted. As I set out on Tuesday, this Government Plan focuses on recovery and renewal for Islanders and for our economy by providing a plan for the long-term sustainability of our finances. Our financial strategy for 2022 to 2025 has 6 key principles, which we will be following to manage our borrowing, repaying the Our Hospital debt, funding new investment and balancing public finances during the term of the plan. We are also going to continue investing in delivering our common strategic policies and priorities as well as modernising government through investment in new digital technologies and the building of a new government office. We will also continue to implement our efficiencies and rebalancing programme with £20 million worth of savings per year between 2022 and 2024, in addition to delivering the shortfall from previous years. I thank the people who have contributed to the main debate recently, this morning. I will be brief in my answer to those. First of all to Deputy Labey and his thank you to Senator Mézec for accepting the Council of Ministers amendment. We were all very pleased that he did that, it saved another long debate, and also a thank you to Deputy Labey for his comprehensive explanation of the housing situation in Jersey. Secondly, to Deputy Young, what the Government Plan means for the environment and very positive he was about moving forward with conservation, marine, climate, and environmental health issues. The third contributor was the Connétable of St. John, Mr. Jehan, and he stated, it was a reasonable debate, and also that we need more collaboration. That has come back from various people who have contributed across this debate and I quite agree. The concern over borrowing again many people have expressed. I am not going to answer that in detail because I have done previously. Deputy Pamplin, not here at the moment, but his huge thanks for the Scrutiny Panel on which he serves and acceptance of his amendments, especially the ones on mental health services. The Connétable of St. Martin on women's safety, of which her amendment was accepted and, as she quite rightly says, needs to be pursued. It has to be said that I completely relate to what she was saying inasmuch as in 2011, when I was asked to be part of a movement, could be the wrong word, but something productive to try to encourage more women into politics, and here I am. So I convinced myself on that one, so with the Connétable on what was a very good speech. Senator Moore responding as chair of the Government Plan Review Panel, I thank her panel for their input. She criticised that there was not enough detail in the Government Plan. However, it is a 200-page report without the appendix and there is only so much detail that can be gone into in a publication like that. But we have discussed the detail in detail with officers and Scrutiny Panels. Again I will not go into detailed answers as every Member has had the opportunity to lodge an amendment, all of which have been answered and debated or both. Then Deputy Morel appreciated the good support for heritage. Possibly criticised the amount spent on government administration but then there has been a huge amount of government administration with the dual effects of Brexit and the pandemic. So we have to realise that a lot of officers' attention has been diverted from their normal specifications into dealing with this. He also talked about diversification and affordability, which I do think the plan addresses. He also mentioned archaic decisions of 1948 and that is why the Revenue Jersey team and officers have spent so much time and effort with bringing in independent taxation, which is a 1928 archaic law agreed by this Assembly in September. Deputy Ward spent quite a bit of time on talking party political politics, which I will come into, haves and have-nots, which again have been a constant question, and support for the Connétable's speech in the inequality in society, which we are addressing. Without doubt we are addressing. The Chief Minister, we need to be looking forward, not backward. Again, not wishing to repeat, but to reiterate the situation, which this Government has had to deal with, with Brexit and the pandemic and being unprecedented times. He gave a very comprehensive explanation of the Government Plan for those who are listening or have not been able to read it. The Connétable of St. Brelade thanked us for the 2 amendments, which were accepted by the Council of Ministers, Government, and thank him for his support and what he said afterwards for the Government Plan. Deputy Southern, efficiencies and measures to rebalance expenditure or cuts. I will not criticise but our definition of efficiencies to rebalance expenditure are preferable to the word "cuts". Again, many of the Deputy's criticisms have or are being addressed.

Senator Mézec, again income inequality not addressed. But I have already explained that this is happening and will go forward. There were a couple towards the end of the morning, Senator Gorst went on considerably about the division caused by party politics and concerned about the economic measures, i.e. debt. He also questioned whether we would be taking the proposition in parts. No, we will not, it is to be taken *en bloc*. Everybody has had the opportunity to bring amendments, as did the Senator, who brought 2. Deputy Tadier, again pleased with the pollution situation that the amendment has been accepted with the monitors. Again, a long discussion about party politics. I do think, in addressing States Members' contributions to this main debate, I am disappointed there was so much time spent on discussing party politics. This debate is about the Government Plan 2022 to 2025; therefore I will continue with the remainder of my speech on this.

[14:30]

I would like to thank States Members for the huge amount of work that they have put into preparing for this debate and for everybody'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. I commend it to the Assembly as a whole.

Senator K.L. Moore:

May I ask a point of clarification?

The Bailiff:

Will you give way for a point of clarification, Minister?

Senator K.L. Moore:

The Minister referred to the numerous recommendations made by Scrutiny Panels and I thought she might give the Assembly some idea as to whether she is likely to accept those recommendations. It would be helpful before we vote.

The Bailiff:

This is not a clarification but if the Minister wishes to address it I will afford her the opportunity to do so.

Deputy S.J. Pinel:

No, this is not open to further debate. I have commended the proposition to the Assembly for a vote and there will not be further discussion.

The Bailiff:

Very well. I ask the Greffier to place a vote into the link. The vote is on the Government Plan as amended. 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 Government Plan has been adopted.

POUR: 35		CONTRE: 7		ABSTAIN: 2
Senator L.J. Farnham		Senator T.A. Vallois		Senator S.W. Pallett
Senator S.C. Ferguson		Senator K.L. Moore		Deputy of St. Martin
Senator J.A.N. Le Fondré		Senator S.Y. Mézec		
Connétable of St. Lawrence		Deputy G.P. Southern (H)		
Connétable of St. Saviour		Deputy M.R. Le Hegarat (H)		
Connétable of St. Brelade		Deputy R.J. Ward (H)		
Connétable of Grouville		Deputy C.S. Alves (H)		

Connétable of Trinity				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Deputy J.A. Martin (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. 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 S.M. Ahier (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

3. Draft Finance (2022 Budget) (Jersey) Law 202- (P.100/2021)

The Bailiff:

The next item is the Draft Finance (2022 Budget) (Jersey) Law P.100 lodged by the Minister for Treasury and Resources. For the purposes of this debate the main respondent is the chair of the Corporate Services Scrutiny Panel. I ask the Greffier to read the citation.

The Greffier of the States:

Draft Finance (2022 Budget) (Jersey) Law 202- A law to set the standard rate of income tax for 2022 and to implement parts of the Government Plan 2022-2025 by amending the Income Tax (Jersey) Law 1961, the Customs and Excise (Jersey) Law 1999, the Goods and Services Tax (Jersey) Law 2007 and other enactments. The States, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following law.

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

Proposing the principles, following the decisions reached in the debate of the Government Plan, the Draft Finance (2022 Budget) (Jersey) Law proposes the standard rate of income tax and the income

tax exemption thresholds for 2022. The Draft Finance Law makes a number of amendments to the Income Tax Law, changing the allowances, deductions and reliefs, available to personal income tax payers. It also puts on to a firmer statutory footing a number of provisions relating to tax relief for businesses that incur interest costs. These have been previously dealt with in extra-statutory concessions. In another move away from relying on concessions, the draft law also introduces the first phase of the changes to our law on personal income tax for residents. These provisions deal with the apportionment of income and allowances in the years of arrival and departure, which will be calculated by reference to days rather than completed weeks. In the Customs and Excise Law, the vehicle emissions duties for non-commercial vehicles are amended, although the new rates will not take effect until April 2022. For commercial vehicles a lower rate of vehicle emission will be created for more environmentally-friendly vehicles. The draft law also sets the level of impôts duties on tobacco, alcohol and fuel for 2022. In relation to G.S.T., from 1st January 2023, large offshore retailers will need to register for G.S.T. Those retailers will be able to register voluntarily in 2022 if they are ready to do so. Finally, minor changes are made to allow general directions to be provided to the Comptroller to clarify the position for alternative investment fund services businesses in relation to I.S.E. (international service entities) fees and to make consequently changes to the calculation of the L.T.C. effective rate in the Social Security Law. I move the principles.

The Bailiff:

Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles? If no Member wishes to speak on the principles then I close the debate and ask the Greffier to put a vote into the chat. I open the voting and ask Members to vote. Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. The principles have been adopted.

POUR: 39	CONTRE: 4	ABSTAIN: 0
Senator I.J. Gorst	Senator S.Y. Mézec	
Senator L.J. Farnham	Deputy G.P. Southern (H)	
Senator S.C. Ferguson	Deputy R.J. Ward (H)	
Senator J.A.N. Le Fondré	Deputy C.S. Alves (H)	
Senator T.A. Vallois		
Senator K.L. Moore		
Senator S.W. Pallett		
Connétable of St. Lawrence		
Connétable of St. Saviour		
Connétable of St. Brelade		
Connétable of Grouville		
Connétable of Trinity		
Connétable of St. Mary		
Connétable of St. Martin		
Connétable of St. John		
Connétable of St. Clement		
Deputy J.A. Martin (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 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 K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

Does the Corporate Services Panel wish to call this matter in? You cannot, sorry, it is a finance matter. We could have suddenly derailed the wheels of Government.

Senator K.L. Moore:

In fairness, Sir, there were some elements we could have.

The Bailiff:

Do you wish to propose the Articles in Second Reading, Minister?

3.2 Deputy S.J. Pinel:

Yes, please. Would the Assembly agree to me proposing the Articles in groups?

The Bailiff:

I think it is a matter for you. Obviously any Member can ask any questions or make any points as we go.

Deputy S.J. Pinel:

I think it would be sensible to do that, so on that basis I would like to propose Articles 1 to 7 and then Articles 8 to 13. Then Articles 14 to 18, then Articles 19 and 20, and then to propose Articles 21 to 27, and then Articles 28 to 39, then 40 to 42, then finally 43.

The Bailiff:

I am sorry, 28 to 29 and then what?

Deputy S.J. Pinel:

28 to 39 and then Articles 40 to 42 and finally 43. It just gives the opportunity to give a brief outline.

The Bailiff:

You want to propose 1 to 7 first and then have those put to the vote, is that what you want to do?

Deputy S.J. Pinel:

If that is what the Assembly wishes, it does not need to be.

The Bailiff:

Or you can propose them all and deal with them in blocks and then if Members wish votes to be taken on separate Articles they are entitled to require that to happen under Standing Orders. You might like to propose all of them and we can split the votes, if it is necessary.

Deputy S.J. Pinel:

Yes, Sir. Thank you. I will propose them all then.

The Bailiff:

Very well. Are they seconded? [**Seconded**] Does any Member wish to speak on any of the Articles?

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

If this is in the wrong place, please correct me. I think this covers the change to the *de minimis* level regarding the G.S.T. rates and I would like a separate vote on that Article when we get there.

The Bailiff:

Which Article is that one, Deputy?

Deputy J.M. Maçon:

That is a very good question and I do not quite know at the moment. I was hoping the Minister might be able to help.

The Bailiff:

Perhaps the Minister can when she sums up.

3.2.2 Senator K.L. Moore:

There are some Articles, I would have suggested 8 to 18, that perhaps do not fall under the same situation as the majority of them, which are time-bound due to the adoption of the Government Plan. I wondered if the Minister could describe to the Assembly why these have been included in the draft Finance Law, particularly the new rules in relation to residency.

The Bailiff:

So you would like the Minister to answer that point. Does any other Member wish to speak on the Articles in Second Reading?

3.3.3 Senator S.Y. Mézec:

Very briefly, just to ask that Articles 19 and 20 be considered to be taken separately as well. Those are in relation to the personal tax thresholds.

The Bailiff:

Does any other Member wish to speak on the Articles in Second Reading? No other Member wishes to speak then I close the debate and call upon the Minister to respond.

3.3.4 Deputy S.J. Pinel:

In answer to Deputy Maçon, I am not quite sure, I think he said that he wanted a separate vote on the G.S.T. *de minimis* level.

The Bailiff:

Yes, he did.

Deputy S.J. Pinel:

Which is what we are proposing to reduce from £135 to £60 with - and I have made clear in several speeches - that I would like that eventually to extend to a nil *de minimis* level. If he would like to vote on that separately I am happy to do that.

[14:45]

Senator Moore asked for Articles 8 to 18, but I am not quite sure I have those broken down but if she wants a separate vote on that, I do not know, for clarification please.

Senator K.L. Moore:

Correct.

Deputy S.J. Pinel:

Senator Mézec asked for the personal tax thresholds to be taken separately, was it?

The Bailiff:

I think we will have to suspend matters just for the moment, Minister. Apparently there were some texts that you needed to bring which deals with the amendments that have been adopted by the Assembly, and you would have been proposing those Articles as amended by those documents. We do not have them in front of us. I think in the circumstances we cannot really proceed until they are otherwise the Assembly will not be voting on the position. The Greffier has advised me that we were waiting for the documents to come through, they have not. I am afraid I was not sighted on that at all. But it means that ...

Deputy S.J. Pinel:

Neither was I, Sir.

The Bailiff:

Presumably you have officers who are preparing the necessary documents and amendments to put before the Assembly. The principles have been adopted but I am not sure that we can carry on and deal with the Articles until we have the complete text in front of us. Minister, I think the position is that documentation is normally provided to reflect the changes made, that has not as yet been provided. I understand it is in the pipeline inasmuch as it is on its way. It is being provided at some stage to the Greffe but it has not found its way in front of Members. I wonder if a Member would like to propose that we adjourn the debate in Second Reading until later on in the afternoon and we can then move on to deal with the other legislation, which is not dependent upon those particular documents. That is a sensible way of dealing with the business of the Assembly. Would someone propose that?

Senator L.J. Farnham:

Yes, Sir.

The Bailiff:

Is that seconded? [**Seconded**] I would assume that we do not need a discussion on it. I will take that as a standing vote and we will revisit this later in the afternoon, after we have the necessary documentation. We cannot deal with the next matter, which is the acte opératoire because that is dependent upon the first one.

4. Draft Social Security (Amendment of Law No. 16) (Jersey) Regulations 202- (P.101/2021)

The Bailiff:

So we come to the Social Security (Amendment of Law No. 16) Regulations lodged by the Minister for Social Security and I ask the Greffier to read the citation.

The Greffier of the States:

Draft Social Security (Amendment of Law No. 16) (Jersey) Regulations 202-. The States make these regulations under Article 50 of the Social Security (Jersey) Law 1974.

4.1 Deputy J.A. Martin of St. Helier (The Minister for Social Security):

To implement the decisions we have just made by endorsing the Government Plan for 2022 I am bringing these regulations to amend the Social Security Law. The Government Plan 2022-2025 sets out the States grant will be zero for 2022. These regulations make a small change to part of the Social Security Law that makes this happen. The States grant helps to create a regular level of total income into the Social Security Fund each year. Removing the grant for 2022 means the Minister for Treasury and Resources will have an extra £76 million available in the Consolidated Fund. The Government Plan also sets out a planned direction for the States grant to be zero for 2023 with a full repayment of £82.5 million starting again in 2024. These regulations do not stop the States grant for 2023. The next Minister for Social Security will bring forward those proposals next year should this be needed. The fund has significant reserves of £2.3 billion to £2.4 billion in there, 8 years’ worth of spend from the fund. I would be glad to answer any questions that Members have and I propose the principles.

The Bailiff:

Are the principles seconded? [**Seconded**] Does any Member wish to speak on the principles? No Member wishes to speak on the principles then I close the debate and ask the Greffier to place a vote into the link. I open the voting and ask Members to vote. Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The principles have been adopted.

POUR: 36		CONTRE: 6		ABSTAIN: 0
Senator S.C. Ferguson		Senator S.Y. Mézec		
Senator T.A. Vallois		Deputy G.P. Southern (H)		
Senator K.L. Moore		Deputy M. Tadier (B)		
Senator S.W. Pallett		Deputy M.R. Le Hegarat (H)		
Connétable of St. Lawrence		Deputy R.J. Ward (H)		
Connétable of St. Saviour		Deputy C.S. Alves (H)		
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Deputy J.A. Martin (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 K.F. Morel (L)			
Deputy G.C.U. Guida (L)			
Deputy of St. Peter			
Deputy of Trinity			
Deputy of St. John			
Deputy S.M. Ahier (H)			
Deputy K.G. Pamplin (S)			
Deputy I. Gardiner (H)			

The Bailiff:

Does your panel wish to call this one in, Senator?

Senator K.L. Moore (Chair, Corporate Services Scrutiny Panel):

No, thank you.

The Bailiff:

Do you propose the regulations in Second Reading, Minister?

Deputy J.A. Martin:

I propose the regulations, yes, Sir, in the Second Reading.

The Bailiff:

Is that seconded? **[Seconded]** Does any Member wish to speak in Second Reading? No Member wishes to speak then I close the debate and ask the Greffier to place a vote into the link. I open the voting and ask Members to vote. Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. The regulations have been adopted in Second Reading.

POUR: 36		CONTRE: 6		ABSTAIN: 0
Senator L.J. Farnham		Senator S.Y. Mézec		
Senator S.C. Ferguson		Deputy G.P. Southern (H)		
Senator J.A.N. Le Fondré		Deputy M. Tadier (B)		
Senator T.A. Vallois		Deputy M.R. Le Hegarat (H)		
Senator K.L. Moore		Deputy R.J. Ward (H)		
Senator S.W. Pallett		Deputy C.S. Alves (H)		
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. Mary				
Connétable of St. Ouen				

Connétable of St. Martin			
Connétable of St. John			
Connétable of St. Clement			
Deputy J.A. Martin (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 K.F. Morel (L)			
Deputy G.C.U. Guida (L)			
Deputy of St. Peter			
Deputy of Trinity			
Deputy of St. John			
Deputy S.M. Ahier (H)			
Deputy I. Gardiner (H)			

Do you propose the regulations in Third Reading, Minister?

Deputy J.A. Martin:

Yes, Sir, I would like to propose the regulations in the Third Reading?

The Bailiff:

Are they seconded for Third Reading? **[Seconded]** Does any Member wish to speak in Third Reading? No Member wishes to speak in Third Reading then I close the debate and ask the Greffier to place a vote into the link. I open the voting and ask Members to vote. Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. The regulations have been adopted in Third Reading.

POUR: 36		CONTRE: 6		ABSTAIN: 0
Senator L.J. Farnham		Senator S.Y. Mézec		
Senator S.C. Ferguson		Deputy G.P. Southern (H)		
Senator J.A.N. Le Fondré		Deputy M. Tadier (B)		
Senator T.A. Vallois		Deputy M.R. Le Hegarat (H)		
Senator K.L. Moore		Deputy R.J. Ward (H)		
Senator S.W. Pallett		Deputy C.S. Alves (H)		
Connétable of St. Lawrence				

Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Deputy J.A. Martin (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 S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy S.M. Ahier (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

5. Draft Health Insurance Fund (Miscellaneous Provisions) (Amendment No. 3) (Jersey) Law 202- (P. 102/2021)

The Bailiff:

The next item is the Draft Health Insurance Fund (Miscellaneous Provisions) (Amendment No. 3) (Jersey) Law 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. 3) (Jersey) Law 202-. A draft law to amend further the Health Insurance Fund (Miscellaneous Provisions) (Jersey) Law 2011. 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 as amended by the Health and Social Security panel's amendment 15. I fully support this amendment, which

confirms the checks and balances we have in place for the Health Insurance Fund and the Jersey Care Model and digitisation projects it is paying for. There will be an actuarial review of the Health Insurance Fund next year and I think again Scrutiny reminded me that, and it is going to happen. As well as the social security and long-term care funds, which will include long-term income and expenditure projections on the basis of agreed policy and recent experience. The legislation will make an amendment to the Health Insurance Fund (Miscellaneous Provision) Law to transfer up to £13 million from the Health Insurance Fund to the Consolidated Fund in 2022. The Health Insurance Fund has a balance of £92 million and the transfer will not affect the ability of the fund to fulfil its legal obligation. I would like to propose the law.

The Bailiff:

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

5.1.1 Deputy J.H. Young:

I would like some clarification on Article 1, because there is only one Article I think in the law because obviously it sets out the purposes of which the health funds can be used. The new Article in passing this law change would mean we need up to £9.1 million for funding the redesign of Health and Community Services and also £3.9 million for the purposes of funding the modernisation and digitisation of health and care services.

[15:00]

I would like to have it clarified that this is a one-off because obviously this is an ongoing law and what we are doing here is ascribing purposes which the fund, which is a ring-fenced fund and the only purposes it can be used for things that are in this law. I can see an argument for getting things done as a short term but I would like the clarification of whether this law change is enduring or whether it is just a one-off change. I raise that point because the accompanying report sets out on page 7 a lot of sort of very complex I.T. (information technology) stuff where the £3 million, and I think we discussed this earlier. I think I voted against that transfer and I have to accept the democratic decision to go with it. But nonetheless I think that list does include ... I note that list on page 7 are we binding ourselves to that list in view of passing the new Article 2D. I have some reservations about this, as obviously people will know.

5.1.2 Deputy K.G. Pamplin:

I speak as main responder, as vice-chair of the Health and Social Security Scrutiny Panel on this particular item as I alluded to in my previous speeches. What a joy it is to be standing on my feet again in the Chamber, not that it makes any difference with my height level. This amendment is all about the continuing funding of the Jersey Care Model, which was first introduced to the Assembly as the Jersey Care Model, P.114/2020, and debated on 3rd November 2020 and was approved as amended by 39 votes to 7. Our panel was supportive of the Jersey Care Model proposition but lodged an amendment, which was further amended by the Minister for Health and Social Services that would have seen, and I quote from the proposition: “The establishment of an independent non-executive board that will keep under continuous review the delivery of the Jersey Care Model and report to the Minister and the Health and Social Security Scrutiny Panel, and that will be responsible for agreeing monthly progress reports and the publication at the end of tranche 1 of a detailed analysis of progress against set targets and a detailed looked ahead to delivery of tranche 2.” The panel received regular updates from the department about the progress of the J.C.M. (Jersey Care Model) work in 2021 but continue to be concerned to note the time taken and the lack of urgency, despite challenges, to progress the establishment of the independent non-executive board. In a letter we received on 20th September 2021 in response to our query, the response said: “The process has taken longer than anticipated due to the lengthy process that had to be undertaken to keep the recruitment independent to ensure independent officers and Scrutiny Panel members agreed to ask the Jersey Appointments

Commission to oversee and lead on recruitment. The resulting process was longer than anticipated.” That process is still to be completed. Which is why in the Government Plan the panel brought our concerns in the form of amendments, which again, as we stated in my previous speech, we are grateful to both Ministers for accepting them but we did not want to but we had to find a way to show our concern. But, like we did last time, hopefully not derail and make sure the Jersey Care Model can continue. That of course is in the hands of Members in this debate, if they want to approve the funding as the Minister has proposed. Just for a bit of background, further to our concerns, when the proposal was lodged there was a commitment from Ministers to undertake a review of the social security schemes of which the Health Insurance Fund is a part: “Ministers are determined to make sure that the Social Security Fund continues to serve future generations and, as a priority, will undertake a full review of the various components of the social security scheme ahead of the next Government Plan to ensure that further balance is maintained at a fully sustainable level. During a hearing with the Minister for Social Security on 13th October 2021 the panel had advised that no reviews had been undertaken, especially while focus of the H.I.F. fund, as the Minister quite rightly said, and then as we have been saying all the way through, there has to be under law an actuarial review of the Health Insurance Fund next year, which is again why we put more of an emphasis in our amendments accepted by the Government in the previous vote. However, again, during the opening speeches and closing speeches of P.114/2020 on 3rd November 2020, the Minister for Health and Social Services stated: “The Government Plan we will be debating in a few weeks [back in 2020] recognises the need for quick action. It brings forward the need to deliver a solution to make sure that the health costs are funded sustainably and it commits to undertaking a full review, which will be including taking proposals to this Assembly ahead of the 2022 Government Plan.” During his closing speech the Minister for Health and Social Services also stated: “Each year we will have a Government Plan, each year there will be a need to put money into the Government Plan for up to 2025”, which is part of the original proposition we know of course. “Each year up to 2025 Members will be able to debate the vote proposed. There are plenty of opportunities of reviewing this and I have no doubt Members will continually ask me questions and, of course, I have the opportunity or any future Minister has the opportunity to bring a debate to this Assembly.” Of course we look forward to the soon-to-be-established independent board to report independently on the work undertaken. Finally, in the closing speech: “Yes, there is concern about we will not be in a position to debate sustainable funding but we are going to be working on a sustainable funding measure over the next 9 months and the commitment is to bring it forward in the 2022 Government Plan. That is what the proposition asks for, that is in the present Government Plan that commitment to do so.” Unfortunately that did not happen. We stand today as a panel, that is why we brought those amendments and that is why I am contextualising them now in this, because it is about the approval of the tranche 2 payments. To cover, the establishment of the independent oversight board that was originally intended to be put in place as a safeguard during the establishment of the Jersey Care Model for tranche 1 before tranche 2 has to be delayed but has been promised to us by March. That cannot fail. The Jersey Care Model digital systems and the digital care strategy workstreams have not progressed and we have concerns there. Again, that is why our amendments are there and we will be following closely after Christmas. But again, despite assurances provided in 22, the reviews of healthcare funding and the Health Insurance Fund that were due to be debated and undertaken, has loosely promised, and we are aware of course of the pressures put on Government this year with COVID, which is why we brought our recommendations and not a proposition. However we have to note this today because of the risks assured. Again, I restate the panel’s position that we were supporting of the Jersey Care Model, we cannot stop, we have to go forward, we do not want to go backwards and waste even more of taxpayers’ money but we have to state on record this is a concern and it is a shame. I have to also say the last 2 nights in my role, as well, I have been going through all the detail of the work presented so far and pay special recommendation to the lead of the Jersey Care Model for her work to get that information to us. There is a progress and we are not concerned. We hope they will get the full support needed to fulfil all that is required for the continuation of the

Jersey Care Model but I think it was only right and proper that we as a Scrutiny Panel brought this to Members today and hopefully whoever is standing in this position next year will be in a better position. We have seen the detail, we have seen the independence of reporting to back up what we are seeing but when we are using money from this very ring-fenced protected Health Insurance Fund, which is used for all sorts of things as I have said previously, especially our concern of the high costs of prescription charges and other things, but I thought it was only right and fair that I state that today.

5.1.3 Deputy G.P. Southern:

I think what we are witnessing here is the start of the rot, £13 million in 2022, £12 million in 2023, £11 million further in 2024. By 2025 the Health Insurance Fund will have one year's expenditure in its coffers and that is it. I think we risk the entire future of our Health Insurance Fund, the way it operates, if we go ahead with this, which I will be arguing against.

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

I am pleased to follow the previous speakers, Deputy Young and Deputy Pamplin. Members may well recall that at the beginning of this term I was regularly questioned on what progress is being made with regard to essential changes needed in the delivery of care, because those changes have been recognised as needed for very many years. Years ago the States Assembly agreed P.82, which should have delivered so many changes but it was recognised over time that there was insufficient investment in providing the resource for the change that is needed. This is changing now as a result of the Jersey Care Model and the financing agreed through the Health Insurance Fund that we are now in a position and we have good resource and good teams around redesigning Health and Community Services. Now, that is not the department called Health and Community Services, that is the Island's health and community services incorporating all services delivered by primary care, secondary care, the voluntary sector and commercial entities. It includes very necessary work to upgrade our digital information and services because without a good digital base, it is going to be almost impossible to deliver modern healthcare services. So the use of the Health Insurance Fund for Islander's health, and a very large part of that will be delivered in primary care, is a proper use of the fund here. It is the case that throughout this past year there has been substantial progress made in embedding, setting the foundations with all other providers for the work that is to follow. There has been delivery in intermediate care of overnight care and planning for the work that will happen next year. Deputy Pamplin rightly expressed his panel's frustrations at the time it has taken to appoint the independent non-executive board, and it is the case that when this was proposed, and I was very happy to accept the Scrutiny Panel's recommendation that we have such a board, neither the panel nor I understood fully just how long this would take, because to achieve that independence it was needed to use the Appointments Commission. The panel have always been fully and regularly briefed on the progress but it has been clear that the processes of the Appointments Commission have taken their time, as they need to to ensure independence, but it is not something that either the panel or I understood when we first started discussing this. We have each expressed some frustration but it is the case that a panel interviewed a short list of candidates this month and the chair of that panel will be appointed very shortly and then progress will be made in conjunction with that chair in appointing other members of the panel. We are on the last stages of getting that in place and it will be in place early next year. So that is why we have been able to ... and I am always grateful to my Scrutiny Panel who have carried out excellent scrutiny on the Jersey Care Model and I have been happy to accept their amendments which reinforce the work behind the Jersey Care Model. Otherwise, matters have progressed as planned this year and this funding is necessary to continue that good progress. As stated earlier in this Government Plan, to date we have started a major review of all the future costs of health services that we will need in the future and how those services will be paid for. Yes, there is frustration in that we could not have done that earlier or that we do not have the sufficient data to just bring a solution to the States, but this work must be carried out comprehensively and we are involving the panel in it as well as all partners delivering healthcare.

[15:15]

It is a vital piece of work which must be carefully researched and solutions worked up knowing the implications for all parts of our community. I hope that Members will support this essential funding to allow us to transform our health and care services and put it in a situation where it can meet the needs, which are undoubtedly very quickly coming down the track, and we do not want to be in a position where we are stuck with old ways of working when we know we have to do better. This work is being done and I would ask that Members support the Minister for Social Security.

The Bailiff:

Will you give way to a point of clarification from Deputy Young?

The Deputy of St. Ouen:

Yes, I will.

Deputy J.H. Young:

I appreciate the Minister's explanation, which is extremely helpful. I am afraid my eye has gone off the ball on this one, could he give the amendment where the safeguards Deputy Pamplin outlined have been recommended? The safeguards to any work to monitor and keep on track this project. Where would that be embodied? Will that be embodied in this law or somewhere else? I would welcome that clarification from the Minister, please.

The Deputy of St. Ouen:

The safeguard is that only the Minister for Social Security agrees by Ministerial Decision to transfer the funding when she is fully satisfied that monies have been expended in the delivery of the programme for which it is intended. That is the safeguard, it lies with the Minister for Social Security but in addition we have the Scrutiny Panel who, as I have said, are excellent at scrutinising this work, the independent non-executive board will also have as a standing item, I am sure, and I know it is required to, to monitor the progress of the programme - the Jersey Care Model programme - and to report as independent members on its progress to Ministers. Those reports will be provided to the Assembly also. As a further safeguard, the amendment put in by the Scrutiny Panel, which I was happy to agree is that the major review on the future costs of healthcare will consider whether the Health Insurance Fund should continue to be used, to be supplemented, to be topped up, all options are open as to how the Health Insurance Fund is used in the future and whether it should be replenished in part or at all. So there are a number of safeguards in place as well as continuing reporting to States Members, questioning and scrutiny.

5.1.5 Deputy K.F. Morel:

I thank the Minister for his explanation about the independent panel, although I am speaking to express my extreme disappointment that it seems to be some administrative issue or process which has caused that panel not to be created so far. I voted for the Jersey Care Model with deep reservations because there was so little ... I remember the proposition, it was essentially the States having to say: "Okay, Minister, we trust you that this work is going to happen and it is going to be worthwhile. We will do this." I did not like voting for that because there was not enough detail, there was not enough information. But the reason why I was able to vote for it was because of the Scrutiny Panel amendments, principally the independent panel that the amendment brought in and the Minister's acceptance of it. It seemed to say to me that, okay, we know that this is an unclear journey but with independent oversight and open communication, et cetera, the Health Department and the Minister can be trusted to get on with that work. So throughout the year I have been checking in with the Health Scrutiny Panel and asking has this independent panel been set up yet? The answer, including today, is no, it has not. I understand that perhaps the Appointments Commission refused to prioritise it. That is appalling. The Appointments Commission should not be choosing to prioritise

or not to prioritise something. This was a priority. Millions and millions of pounds of public money is being spent on this Care Model; I want it to succeed. I am also of the opinion, as Deputy Pamplin is, that we do not want this to be another hospital debacle where suddenly funding stops, a future Government has to go back to square one and many millions of pounds is wasted. I know very well that the officer in charge of this work, I appreciate their incredibly hard work and I know they are a very capable officer. I certainly would not want to suggest or stop their work at all. Many times in this Assembly, particularly with regard to COVID restrictions, I have expressed my trust in this Minister and him keeping to his word. Therefore, I am putting on record my great disappointment that he has not kept to his word in regard to this independent panel. That was the reason I voted for the Care Model in the first place. It has not been delivered. If by March this has not been delivered then I think we as an Assembly will need to look very closely at that situation and ask how we are going to go ahead because this is not acceptable. They have had a year to bring this in and it has not happened.

5.1.6 Senator S.C. Ferguson:

The innate animosity of an inanimate object, I think it is. It seems to me that the Jersey Care Model is a bottomless pit or a magic money tree, depending what you are thinking about. We start with an annual expense of £1 million worth of civil servants to design it, we had a 400-page proposition trying to explain it to us but no costings. Now we have an extra £1 million of civil servants designing it. The H.I.F. is not being used for the purposes for which it was intended. It was set up to make sure that middle Jersey could afford to visit the G.P. (general practitioner) and dentist and get the free prescriptions. It provided a subsidy to keep costs down. The doctors have not had an increase in their subsidy for 12 years and the dentists have not had an increase for 28 years, I understand. The Minister says it is a proper use of the fund what they are planning to do but it is not what we set it up for. H.C.S. (Health and Community Services) needs to run more efficiency before raiding a fund which was set up using taxpayers' money. I am extremely sceptical of this scheme which requires 17 civil servants at a cost of £1 million before the J.C.M. (Jersey Care Model) can be designed. We need to make management of health efficient before we raid the fund belonging to taxpayers. I object very strongly to the misuse of taxpayers' money and will not support this proposition.

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.

5.1.7 Deputy J.A. Martin:

I think Deputy Young's concerns were similar to Deputy Southern's and then the Minister for Health and Social Services tried to explain some of the reasoning. Deputy Southern and Deputy Young are concerned about what the H.I.F. will look like in X amount of years. I have openly said to Scrutiny, you have a pot of money over here and you have a new healthcare model where you want to do much more work out in the community, you want the doctors with you, and that is why the Minister for Health and Social Services is doing this review. We are not saying that doctors do not need more, we are not saying there are other people out there that do not need more help, and this will look at all of that. The fund is very rigid, it has been there for a long time, it pays out some money to a doctor when you go when you are ill. We do not want that, we want people to be able to go, that is why we do things for free, we make sure child inoculations are free, we make sure women's smear tests are free. You are not going to the doctor when you are ill. We want you to go to the doctor, and that is the base of the healthcare model and do it in places that are much more convenient to you. You do not have to come down to the big shiny new building on the hill. The H.I.F. is there and I do see where Deputy Southern says you have a certain amount of money. If, when we have had this review everyone said: "That is the way it has to stay" we will find a way. We will come to the Assembly. We know we only get 2 per cent out of the whole of what is collected for social security. If we want

to get it up again and carry on doing it as it is, I am personally not thinking it will go that way but it is not running out of money today, it has enough money to do exactly what it wanted to do. Deputy Morel, again, obviously things have been going on. You cannot have a chance to hear from the Minister for Health and Social Services but I think he was saying that he is trying and it will be up and running and that will be one of the other safeguards that Deputy Pamplin was looking for from me, my Assistant Minister and officers. I meet with Scrutiny, there is nothing to hide. The money that goes across, we do not go: “Here you go, there is £13 million go and do your worst.” We literally go line by line and they do not get it until they tell me what they are paying for. It is done line by line, and that is directed to Senator Ferguson as well. We have to move forward, health is moving. Deputy Southern made some points, there are people above the people I am helping already with a brilliant scheme, does not necessarily need to be that scheme, it might be different, but they are just struggling and we know it has to come out next year, all the actuaries will be done so the people making up the new Council of Ministers, the new Scrutiny, the new P.A.C. (Public Accounts Committee) will have all the up-to-date figures on the population. I think we have put in a few different scenarios on population as well. They will have the most up-to-date figures to work on but I can honestly say I have kept these funds, I have tried to help the healthcare model. I was fully, fully supportive of it. I was fully, fully supportive of new directions. That was about 2009. We have to change the way we deliver healthcare to make it better for the people who it is being delivered to. I think that is all I can say. I maintain the principles.

The Bailiff:

Thank you. I ask the Greffier to place a vote into the link. 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.

[15:30]

The principles have been adopted.

POUR: 33		CONTRE: 10		ABSTAIN: 0
Senator I.J. Gorst		Senator S.C. Ferguson		
Senator L.J. Farnham		Senator T.A. Vallois		
Senator J.A.N. Le Fondré		Senator S.Y. Mézec		
Senator K.L. Moore		Connétable of St. Saviour		
Senator S.W. Pallett		Deputy G.P. Southern (H)		
Connétable of St. Lawrence		Deputy M. Tadier (B)		
Connétable of St. Brelade		Deputy M.R. Higgins (H)		
Connétable of Grouville		Deputy of St. Martin		
Connétable of Trinity		Deputy R.J. Ward (H)		
Connétable of St. Mary		Deputy C.S. Alves (H)		
Connétable of St. Ouen				
Connétable of St. John				
Connétable of St. Clement				
Deputy J.A. Martin (H)				
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 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 K.G. Pamplin (S)			
Deputy I. Gardiner (H)			

Does your panel wish to call this one in, Deputy?

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

No, thank you.

The Bailiff:

Do you wish to deal with them in Second Reading, Minister?

Deputy J.A. Martin:

Yes, I would like to propose the law *en bloc*, please.

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 ask the Greffier to post a vote into the link. 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 provisions have been adopted in Second Reading.

POUR: 31		CONTRE: 10		ABSTAIN: 0
Senator I.J. Gorst		Senator S.C. Ferguson		
Senator L.J. Farnham		Senator T.A. Vallois		
Senator K.L. Moore		Senator S.Y. Mézec		
Connétable of St. Lawrence		Connétable of St. Saviour		
Connétable of St. Brelade		Deputy G.P. Southern (H)		
Connétable of Grouville		Deputy M. Tadier (B)		
Connétable of St. Mary		Deputy M.R. Higgins (H)		
Connétable of St. Ouen		Deputy of St. Martin		
Connétable of St. John		Deputy R.J. Ward (H)		
Connétable of St. Clement		Deputy C.S. Alves (H)		
Deputy J.A. Martin (H)				
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 K.G. Pamplin (S)			
Deputy I. Gardiner (H)			

Do you propose in Third Reading, Minister?

Deputy J.A. Martin:

Yes, Sir.

The Bailiff:

Are they seconded in 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 and ask the Greffier to post 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. The provisions have been adopted in Third Reading.

POUR: 32		CONTRE: 11		ABSTAIN: 0
Senator I.J. Gorst		Senator S.C. Ferguson		
Senator L.J. Farnham		Senator T.A. Vallois		
Senator K.L. Moore		Senator S.W. Pallett		
Connétable of St. Lawrence		Senator S.Y. Mézec		
Connétable of St. Brelade		Connétable of St. Saviour		
Connétable of Grouville		Deputy G.P. Southern (H)		
Connétable of Trinity		Deputy M. Tadier (B)		
Connétable of St. Mary		Deputy M.R. Higgins (H)		
Connétable of St. Ouen		Deputy of St. Martin		
Connétable of St. John		Deputy R.J. Ward (H)		
Connétable of St. Clement		Deputy C.S. Alves (H)		
Deputy J.A. Martin (H)				
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 K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

6. Draft Finance (2022 Budget) (Jersey) Law 202- (P.100/2021) - resumption

The Bailiff:

We return now to the debate in Second Reading on the Draft Finance (2022 Budget) (Jersey) Law. As Members will have seen, the amendments have been sent to Members electronically and they appear both by email and will shortly appear in the link. I should point out to Members that there is a typographical error in the amendment, which is it is expressed as being lodged on behalf of the Corporate Services Scrutiny Panel, whereas in fact it is lodged in the name of the Minister, which is the requirement under the law and therefore it should be read as that line at the very bottom. It was simply the wrong identity was put when the paperwork was prepared. Minister, you will need to propose in Second Reading those Articles as amended and then we can carry on with any further debate in Second Reading before I might ask you then to sum up. Would you propose in Second Reading? We are still in Second Reading, you are proposing those specific amendments to the Articles.

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

Thank you very much. Thank you to the Greffier for clearing up the confusion over all of this and I apologise to the States Members present and those listening for the confusion. I propose in the Second Reading.

The Bailiff:

Very well, the Articles therefore proposed are incorporating the amendments in the documentation before Members. The amendments are always brought by the Minister in the light of the various amendments to the Government Plan. This is the standard way of doing it and therefore those are what Members may debate and vote upon. Does any Member wish to speak in Second Reading? I will let Members who have already spoken speak in Second Reading in connection with these new amendments that were not before Members at that time, but generally speaking.

6.1.1 Senator K.L. Moore:

Simply on the point of Articles 22 to 26, I would like to express the gratitude of the Corporate Services Panel to Members who have supported the amendment to the Articles, which we believe bring some relief to the hospitality industry and also a dose of common sense in terms of public health.

Deputy J.H. Young:

I do not think I have spoken on Articles 28 to 39.

The Bailiff:

No, you have not.

Deputy J.H. Young:

Can I speak to 28 to 39?

The Bailiff:

You have not spoken on anything in secondary reading yet.

6.1.2 Deputy J.H. Young:

Thank you, Sir. I think it is in relation to the point that Deputy Maçon raised in the earlier debate about the G.S.T. changes, Articles 28 to 39. I would request that the Minister allows a separate vote on these because I see that 28 to 29 in the report says this is a completely new regime for G.S.T. goods coming into the Island. I would like the Minister, in response, to just give us some little explanation or at least comfort of the new law positions that we have got here which require offshore retailers to register with the States, as it were, and collect this tax at source. Are we in a position where that has been agreed and we can be confident that putting this law into place is definitely going to be achieved? The dating is a little bit confused, I think. We are talking about voluntary registration before January 2023 and clearly I think there seems to be some suggestion that there will then be compulsion afterwards. Could the Minister deal with that Article? I do think that as a principle we should have a separate vote on that part of the law. I think it is all part 4 in the law to make it easy.

The Bailiff:

You would like Part 4 of the law voted on separately?

Deputy J.H. Young:

Yes, please.

6.1.3 Senator T.A. Vallois:

I am just speaking on behalf of the Corporate Services Scrutiny Panel report which flagged a particular area within the Finance Law in our report. I am aware that Members have been extremely busy with the Government Plan but this is something that was not flagged in the Government Plan and so is an addition to the Finance Law. It particularly refers to tax relief for interest on borrowing to purchase commercially let properties. I just want to make Members aware of what the panel stated in their report so that they can determine whether they feel comfortable supporting this Article. Under Article 10 of the Draft Finance (2022 Budget) (Jersey) Law facilitated through the Government Plan this relief will be provided: "if in the year of assessment all or part of the land or building concerned is let or available to let on open market terms to a third party." The panel is concerned that no clear justification has been provided in either the Government Plan 2022-2025 or the draft Finance Law to support either the current commercially let property tax relief regime or the proposed amendments to it. In addition, no reporting was provided during its introduction as part of the Income Tax (Amendment No. 23) (Jersey) Law 2004 and the minutes of the respective debate on this proposition provide little insight into its justifications. The panel is of the conclusion that the maintenance of

commercially let property tax relief and the proposed amendments to it represent an unnecessary and outdated form of support for those in a position to let property for commercial reasons. Instead the panel believes that it would be in the best interests of both the Government of Jersey and the Island to abolish this relief altogether. The panel further understands that Article 90AA of the Income Tax (Jersey) Law 1961 relating to marginal income production in respect of interest payments on personal allowances for only or main residence is currently being phased out with 2025 as the final year to claim relief. The panel believes this timing represents a prudent opportunity to remove commercially-let property tax relief. I thought it was appropriate to inform Members just in case they had not had the opportunity to read our report in full.

6.1.4 Deputy K.F. Morel:

I was going to ask along the same line because I have been taken slightly by surprise by the inclusion of these interest tax reliefs for business loans. I would like the Deputy, the Minister, to explain the reasons for these, how they came to be in this particular piece of legislation and similarly with those regarding residency. They do not seem to me to be ordinarily the types of provisions that you would have in the Government Plan in this way and I am seeking an explanation. However, unless she splits the Articles, I will be forced to vote against this because I do not understand why these are in there.

6.1.5 The Connétable of St. Brelade:

I am not sure if I am a bit ahead of myself. I wanted to talk to Articles 24, 25, 26.

The Bailiff:

You can talk to those. You can talk to any of the Articles.

The Connétable of St. Brelade:

Thank you. In that case I shall, really just picking up on the tobacco Articles. While I am not a smoker, I am cognisant that there are many residents who are hooked on tobacco and cannot step out of this situation easily. So I would urge that we continue to consider those individuals and smoking cessation programmes. Much the same with regard to hydrocarbon oil, we have not given people alternatives yet. People drive cars, as we all know, and they are compelled, for reasons of work and so on, family reasons, to utilise them, and they have no way of getting out of the petrol consumption or fuel consumption without alternatives.

[15:45]

I look forward to more emphasis being given. I know it is threatened but we have not seen the evidence of the alternatives being given to motorists at this point. That is all from me.

The Bailiff:

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

6.1.6 Deputy S.J. Pinel:

As I said in my opening remarks, I think we have all had a very long week. In answer to several queries here, I will not go into detail in all of them, but to Senator Vallois and Deputy Morel, this law has been lodged for quite a while along with the Government Plan and had there been the wish for explanation or amendments this could have been done beforehand instead of during very valuable States debating time. Also the latest speaker, the impôts duties have been amended, which is agreed in the proposed Finance Law, Article 24 for the alcohol side of thing, and again that could have been amended had the Connétable wished to do it. So on that basis I think ... sorry, to answer the G.S.T. I think somebody asked, it is not proposed as law in 2022. It is for further discussion with E.U. (European Union), U.K. and C.D.s (Crown Dependencies) as to when it will come in as to a change but not in 2022-2023. I propose the Articles *en bloc* in the Second Reading.

The Bailiff:

There was a request that you take part 4 separately, Minister.

Deputy J.H. Young:

I am happy to withdraw that now I have had the explanation, unless anybody else ...

The Bailiff:

No, that is absolutely fine, in which case we will deal with them *en bloc* and I ask the Greffier to put a vote into the link.

Deputy R.J. Ward:

Did we not say that we were going to do 19 and 20 separately?

The Bailiff:

You are entitled to ask for 19 and 20 separately. You can ask for anything separately.

Deputy R.J. Ward:

I just thought that is what the Minister said originally. Sorry, Sir.

The Bailiff:

The Minister most recently said she is going to take them *en bloc*, which she can.

Deputy R.J. Ward:

Okay, thank you, Sir.

The Bailiff:

At the moment there is no request from any Member to take any particular Article separately, given that Deputy Young has withdrawn his request for Part 4 to be taken separately. If anyone wishes things to be taken separately they need to say so now.

Deputy R.J. Ward:

I should type it. Sir, can I ask for 19 and 20 to be taken separately, please?

The Bailiff:

You would like 19 and 20 to be taken separately. Can 19 and 20 be taken together but separately?

Deputy R.J. Ward:

Indeed, Sir. Senator Mézec said exactly the same thing just as you, Sir.

Deputy K.F. Morel:

Articles 8 and 13 to be taken together but separately.

The Bailiff:

Articles 8 and 13, 8 to 13. And you would like Article 10, Deputy Higgins, yes? You want Article 10, so it will be 8 to 9 and then 10 and then 11 to 13; is that what you want? Sorry, Deputy Higgins, could you say that again?

Deputy M.R. Higgins of St. Helier:

Sorry, I am just confirming Article 10 for me, Sir.

The Bailiff:

Yes, very well. And it is Articles 14 to 18 to be taken separately. Very well, the first vote is on Articles 1 to 7 and I ask the Greffier to put a vote into the link. I open the voting and ask Members to vote. If Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. Articles 1 to 7 have been adopted.

POUR: 40		CONTRE: 5		ABSTAIN: 0
Senator I.J. Gorst		Senator S.Y. Mézec		
Senator L.J. Farnham		Deputy G.P. Southern (H)		
Senator S.C. Ferguson		Deputy M. Tadier (B)		
Senator J.A.N. Le Fondré		Deputy R.J. Ward (H)		
Senator T.A. Vallois		Deputy C.S. Alves (H)		
Senator K.L. Moore				
Senator S.W. Pallett				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Deputy J.A. Martin (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 K.G. Pamplin (S)			
Deputy I. Gardiner (H)			

We now do Articles 8 and 9. I ask the Greffier to put a vote into the link. I open the voting and ask Members to vote. If Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. Articles 8 and 9 have been adopted.

POUR: 35	CONTRE: 10	ABSTAIN: 0
Senator I.J. Gorst	Senator S.C. Ferguson	
Senator L.J. Farnham	Senator K.L. Moore	
Senator J.A.N. Le Fondré	Senator S.Y. Mézec	
Senator T.A. Vallois	Connétable of St. Saviour	
Senator S.W. Pallett	Deputy G.P. Southern (H)	
Connétable of St. Lawrence	Deputy M. Tadier (B)	
Connétable of St. Brelade	Deputy K.F. Morel (L)	
Connétable of Grouville	Deputy M.R. Le Hegarat (H)	
Connétable of Trinity	Deputy R.J. Ward (H)	
Connétable of St. Mary	Deputy C.S. Alves (H)	
Connétable of St. Ouen		
Connétable of St. Martin		
Connétable of St. John		
Connétable of St. Clement		
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. 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 G.C.U. Guida (L)		
Deputy of St. Peter		
Deputy of Trinity		
Deputy of St. John		
Deputy S.M. Ahier (H)		
Deputy K.G. Pamplin (S)		
Deputy I. Gardiner (H)		

We now deal with Article 10. Allowing the Greffier an opportunity to catch his breath, I ask him to place a vote into the link. I open the voting and ask Members to vote.

Deputy M.R. Le Hegarat:

Sir, can I register a contre vote, please? My computer has crashed again.

The Bailiff:

Yes, indeed, Deputy Le Hegarat. If Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting . Article 10 has been adopted.

POUR: 28		CONTRE: 17		ABSTAIN: 0
Senator I.J. Gorst		Senator S.C. Ferguson		
Senator L.J. Farnham		Senator T.A. Vallois		
Senator J.A.N. Le Fondré		Senator K.L. Moore		
Senator S.W. Pallett		Senator S.Y. Mézec		
Connétable of St. Lawrence		Connétable of St. Saviour		
Connétable of St. Brelade		Connétable of St. Martin		
Connétable of Grouville		Connétable of St. John		
Connétable of Trinity		Deputy G.P. Southern (H)		
Connétable of St. Mary		Deputy M.R. Higgins (H)		
Connétable of St. Ouen		Deputy L.M.C. Doublet (S)		
Connétable of St. Clement		Deputy K.F. Morel (L)		
Deputy J.A. Martin (H)		Deputy M.R. Le Hegarat (H)		
Deputy of Grouville		Deputy S.M. Ahier (H)		
Deputy K.C. Lewis (S)		Deputy R.J. Ward (H)		
Deputy J.M. Maçon (S)		Deputy C.S. Alves (H)		
Deputy S.J. Pinel (C)		Deputy K.G. Pamplin (S)		
Deputy of St. Martin		Deputy I. Gardiner (H)		
Deputy of St. Ouen				
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 G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				

The Bailiff:

We come to Articles 11 to 13. I ask the Greffier to put a link into the chat. I open the voting and ask Members to vote.

Deputy M.R. Le Hegarat:

Sir, can I also again do a verbal vote of contre as I am rebooting my system? Thank you.

The Bailiff:

Indeed. If Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. Articles 11 to 13 have been adopted.

POUR: 32	CONTRE: 12	ABSTAIN: 0
Senator I.J. Gorst	Senator K.L. Moore	
Senator L.J. Farnham	Senator S.Y. Mézec	
Senator J.A.N. Le Fondré	Connétable of St. Saviour	
Senator T.A. Vallois	Connétable of St. Martin	
Connétable of St. Lawrence	Deputy G.P. Southern (H)	
Connétable of St. Brelade	Deputy M. Tadier (B)	
Connétable of Grouville	Deputy M.R. Higgins (H)	
Connétable of Trinity	Deputy M.R. Le Hegarat (H)	
Connétable of St. Mary	Deputy S.M. Ahier (H)	
Connétable of St. Ouen	Deputy R.J. Ward (H)	
Connétable of St. John	Deputy C.S. Alves (H)	
Connétable of St. Clement	Deputy I. Gardiner (H)	
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. 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 K.G. Pamplin (S)		

We come now to vote on Articles 14 to 18 and I open the voting and ask Members to vote.

Deputy M.R. Le Hegarat:

Sir, again can I have an oral vote for 14 to 18 contre, please?

The Bailiff:

Yes. If Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. Articles 14 to 18 have been adopted.

POUR: 28		CONTRE: 10		ABSTAIN: 0
Senator I.J. Gorst		Senator K.L. Moore		
Senator L.J. Farnham		Senator S.Y. Mézec		
Senator T.A. Vallois		Deputy G.P. Southern (H)		
Connétable of St. Lawrence		Deputy M. Tadier (B)		
Connétable of St. Brelade		Deputy J.H. Young (B)		
Connétable of Grouville		Deputy K.F. Morel (L)		
Connétable of Trinity		Deputy M.R. Le Hegarat (H)		
Connétable of St. Mary		Deputy R.J. Ward (H)		
Connétable of St. Ouen		Deputy C.S. Alves (H)		
Connétable of St. Martin		Deputy I. Gardiner (H)		
Connétable of St. John				
Connétable of St. Clement				
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. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy G.J. Truscott (B)				
Deputy L.B.E. Ash (C)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy S.M. Ahier (H)				
Deputy K.G. Pamplin (S)				

We now move to Articles 19 and 20. I open the voting and ask Members to vote. If Members have had the opportunity to cast their votes, then I ask the Greffier to close the voting. Articles 19 to 20 have been adopted.

POUR: 39		CONTRE: 0		ABSTAIN: 0
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Lawrence				

Connétable of St. Brelade			
Connétable of Grouville			
Connétable of Trinity			
Connétable of St. Mary			
Connétable of St. Ouen			
Connétable of St. Martin			
Connétable of St. John			
Deputy J.A. Martin (H)			
Deputy G.P. Southern (H)			
Deputy of Grouville			
Deputy M. Tadier (B)			
Deputy M.R. Higgins (H)			
Deputy J.M. Maçon (S)			
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)			

We can now deal with the rest of the matters as parts, and therefore the next vote is on part 3. I ask the Greffier to open the voting and Members to vote.

[16:00]

Part 3 is Articles 21 through to 27. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. Part 3 has been adopted.

POUR: 40		CONTRE: 6		ABSTAIN: 0
Senator I.J. Gorst		Senator S.Y. Mézec		
Senator L.J. Farnham		Connétable of St. Brelade		
Senator S.C. Ferguson		Deputy G.P. Southern (H)		
Senator J.A.N. Le Fondré		Deputy M. Tadier (B)		

Senator T.A. Vallois		Deputy R.J. Ward (H)		
Senator K.L. Moore		Deputy C.S. Alves (H)		
Senator S.W. Pallett				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Deputy J.A. Martin (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 K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

We now vote on part 4. The Greffier has posted a link. I open the voting and ask Members to vote. If Members have had the opportunity of casting their vote, I ask the Greffier to close the voting. Part 4 has been adopted.

POUR: 36		CONTRE: 9		ABSTAIN: 0
Senator I.J. Gorst		Senator S.Y. Mézec		
Senator L.J. Farnham		Connétable of St. Brelade		

Senator S.C. Ferguson		Deputy G.P. Southern (H)		
Senator J.A.N. Le Fondré		Deputy M. Tadier (B)		
Senator T.A. Vallois		Deputy M.R. Higgins (H)		
Senator K.L. Moore		Deputy J.M. Maçon (S)		
Senator S.W. Pallett		Deputy M.R. Le Hegarat (H)		
Connétable of St. Lawrence		Deputy R.J. Ward (H)		
Connétable of St. Saviour		Deputy C.S. Alves (H)		
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
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 S.M. Ahier (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

We now vote on part 5, which is the final part of the statutory provisions. 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 final part has been adopted.

POUR: 40		CONTRE: 4		ABSTAIN: 0
Senator I.J. Gorst		Senator S.Y. Mézec		
Senator L.J. Farnham		Deputy G.P. Southern (H)		
Senator S.C. Ferguson		Deputy R.J. Ward (H)		
Senator J.A.N. Le Fondré		Deputy C.S. Alves (H)		

Senator T.A. Vallois				
Senator K.L. Moore				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Deputy J.A. Martin (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 K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

Do you propose the law in Third Reading, Minister?

6.2 Deputy S.J. Pinel:

Yes, please, Sir.

The Bailiff:

Is it seconded for Third Reading? [**Seconded**] Does any Member wish to speak in Third Reading?

6.2.1 Senator K.L. Moore:

The previous debate on the Articles I think identified perhaps some of the good that can come from scrutiny but perhaps sometimes the work of Scrutiny is not always fully recognised. It was unfortunate that the Minister when questioned about the Articles sought to suggest that we had all had ample opportunity to raise points and to suggest that we had not at any point done so in the Articles that were brought under question. Of course, Scrutiny Panels have been quite across the Government Plan and I would like to pay tribute to all panel members and their teams. The officers have particularly worked extremely hard to produce reports with great depth and consideration in a shorter than normal timeframe and also we have been slightly hampered by unfortunate circumstances that some departments have been extremely slow to answer questions about parts of the Government Plan when they have been asked, which has hampered yet further our attempts to deliver proper and thorough scrutiny. As Senator Vallois rightly pointed out in the debate on the amendments, the Corporate Services Scrutiny Panel did in fact deal with all of the Articles that we were bringing to the Minister's attention in that debate and the matter is unfortunate, but we will continue to do our very best. I appreciate Members have had an awful lot of reading to do to get across this debate and to prepare for it. So perhaps we can land on some of our own recommendations. One of those was for the Government to produce a summary paper of their own Government Plan and perhaps at Scrutiny we should in future consider a summary document of all of those. We have tried that with the Government Plan Review Panel, which has worked, I think, extremely well, but if I could remind Members sometimes, if nothing else, if they can read the findings and recommendations of each report it would be extremely helpful and might assist them in their consideration of the finer points of each and every debate.

6.2.2 Deputy J.H. Young:

The legislation we have just been through in the first 2 readings is headed "22 Budget" and yet I think as we discussed, in going through the Articles, they go much further than that. They include a lot of new technical matters, personal income tax residency being a very significant one for anybody who has lived or spent any period or split a period outside the Island. There are a lot of complications potentially about tax residency. At the moment our income tax law relies on very much the old-fashioned light touch approach where what used to be called the Comptroller of Income Tax - under the new regime I think it is ... I cannot remember the title, apologies - has a voluntary power to do that. They can have discretion to do that. There is tax relief on businesses that other Members have raised and a lot of changes to the rules on I.T.I.S. (income tax instalment system) determination. All of this is very technical, a lot of new technical stuff embodied now in the law, in the bureaucracy. I noticed it says under "Financial and manpower implications": "The financial and manpower implications associated with this draft law are identified within the draft budget proposals in the Government Plan." I would like the Minister to be explicit, please, in her reply to Third Reading that these are not going to lead to a further growth in the resources required in the Revenue Department, or the Income Tax Department as those of us in the more traditional view of things call it. Certainly I think anecdotally everybody knows that department is under extreme pressure and I certainly would like to know the impact of imposing yet another swathe of new technical requirements within the law.

6.2.3 Senator J.A.N. Le Fondré:

It was just to record my thanks to the Minister for Treasury and Resources, to her Assistant Ministers and to all of the Council of Ministers, the Treasury team, all other Assistant Ministers as well and in particular all the officers on the Executive side who have helped bring the plan together and have helped in liaison with Scrutiny in getting the responses to Scrutiny in as swift a fashion as they could, particularly hopefully in as detailed fashion as was requested. Particularly can I express my thanks to Members of the Assembly for their support thus far on the Government Plan and the associated legislation.

The Bailiff:

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

6.2.4 Deputy S.J. Pinel:

I thank the chair of the Government Plan Review Panel for their help and their considered responses to our propositions for the plan. Also to Deputy Young and thanks to the Chief Minister. I reiterate his thanks to the Treasury team especially who have spent so many long days, nights and weekends putting together this Government Plan. So I give a huge thank you to everybody involved and thanks to States Members for seeing it through. I propose it in Third Reading.

The Bailiff:

I ask the Greffier to post a vote into the link. I open the voting and ask Members to vote.

Deputy M.R. Le Hegarat:

Sir, my computer does not like this side of the Assembly. It has crashed again. Can I vote pour, please?

The Bailiff:

You would like to vote pour. I will record a pour vote for you. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting and the law has been adopted in Third Reading.

POUR: 39		CONTRE: 6		ABSTAIN: 0
Senator I.J. Gorst		Senator S.Y. Mézec		
Senator L.J. Farnham		Deputy G.P. Southern (H)		
Senator S.C. Ferguson		Deputy M. Tadier (B)		
Senator J.A.N. Le Fondré		Deputy M.R. Higgins (H)		
Senator T.A. Vallois		Deputy R.J. Ward (H)		
Senator K.L. Moore		Deputy C.S. Alves (H)		
Senator S.W. Pallett				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
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 K.G. Pamplin (S)			
Deputy I. Gardiner (H)			

7. Draft Finance (2022 Budget) (Jersey) Law 202- (P.100/2021) - Acte Opérateur

The next and final item of legislative business before the Assembly is the draft Act declaring that the Finance (2022 Budget) (Jersey) Law has immediate effect and that is lodged by the Minister for Treasury and Resources. The main respondent is again the chair of the Corporate Services Scrutiny Panel and I ask the Greffier to read the citation.

The Deputy Greffier of the States:

The draft Act declaring that the Finance (2022 Budget) (Jersey) Law 202- has immediate effect. The States make this Article 12 of the Public Finances (Jersey) Law 2019.

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

Sir, I propose the Acte Opérateur.

The Bailiff:

Is the proposition seconded? **[Seconded]** Does any Member wish to speak on the proposition? If no Member wishes to speak, then I close the debate and ask the Greffier to place a vote in the link. I have not opened the voting yet for those who are wanting to record votes, so I shall be asking Members to indicate after I have opened the voting how they are voting. I open the voting and ask Members to vote.

[16:15]

If Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. The Acte Opérateur has been adopted.

POUR: 41		CONTRE: 4		ABSTAIN: 0
Senator I.J. Gorst		Senator S.Y. Mézec		
Senator L.J. Farnham		Deputy G.P. Southern (H)		
Senator S.C. Ferguson		Deputy M. Tadier (B)		
Senator J.A.N. Le Fondré		Deputy C.S. Alves (H)		
Senator T.A. Vallois				

Senator K.L. Moore				
Senator S.W. Pallett				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
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 K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

QUESTIONS

8. Urgent Oral Question

The Bailiff:

Very well, that concludes the legislative matters before the Assembly. As I indicated at the beginning, I have allowed an urgent oral question to be asked of the Chief Minister by Senator Moore. Had this question been lodged within the ordinary oral question period it would have had about 10

minutes allocated to it. I propose in the light of the nature of the subject to allow 15 minutes of supplemental questions in the particular circumstances and I invite the Senator to ask her question.

8.1 Senator K.L. Moore of the Chief Minister regarding ...

Thank you for allowing the question. Please could the Chief Minister explain the rationale and scientific advice for imposing new rules in relation to the Omicron variant?

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

In common with other jurisdictions, the Omicron isolation policy is designed to contribute to slowing the spread of the variant. It is intended as an early initial intervention to help give time for the crucial third dose to be delivered. If the U.K.'s rates were to be replicated in Jersey, we would reach an infection peak much higher than experienced last winter. I am talking about a timescale of January and February here. The latest published vaccination statistics suggest that less than half of Islanders have received the third dose so far and we have been very clearly advised by S.T.A.C. (Scientific and Technical Advisory Cell) that enabling protection by vaccination should be a priority. Currently we have only 25 direct contacts in self-isolation, many of whom are required to isolate for less 10 days, given the period begins at the point of their contact with a positive case. The situation continues to evolve and Members will have seen the revised position today based on medical advice in relation to the 2 hours of exercise. It was always our intention to step down the isolation requirement when it is clear it serves less purpose in delaying the spread and more harm by virtue of the Island's workforce resilience and personal well-being. I have also instructed S.T.A.C. to review the overarching policy on Omicron direct contacts on Monday, 20th December, and further updates will be provided next week. It is right that the expertise and evidence is brought to bear on this subject and Ministers are advised accordingly.

8.1.1 Senator K.L. Moore:

The Chief Minister is now almost 2 years into the ever-changing pandemic experience and should be well-aware of the various reactions of the public-to-public health indications. Therefore, I would ask him to describe to us the thought process that has led to these particular rules that were introduced yesterday afternoon in consideration that Christmas is a week away tomorrow and people will make decisions about the threat of isolation and that, therefore, has a bearing upon the livelihoods of others.

Senator J.A.N. Le Fondré:

Can I just clarify when the Senator refers to "these particular rules", which rules is she referring to?

The Bailiff:

You can clarify that but really we must keep this as succinct as we can. Other Members wish to ask questions.

Senator K.L. Moore:

I am referring to the notice that was shared yesterday afternoon. He should be quite aware of them, the isolation rules.

Senator J.A.N. Le Fondré:

The reason I say that is because if it was in relation, for example, to the policy around direct contacts, that was published on 30th November. I just make the point that it is 3 weeks today since the Omicron variant was identified as a variant of concern and, therefore, on this particular area we still continue to respond accordingly. The scientific advice continues to emerge on a quite swift basis. That is why we have been putting out messages for a long time about the mask wearing and the vaccinations and I will just say, as I said, it continues to evolve. C.A.M. (Competent Authorities Ministers) will continue to meet regularly. We are meeting again on Tuesday. S.T.A.C. are meeting again on

Monday. There will be more variants that come down the line in dealing with the pandemic and we, therefore, need to respond in a calm and controlled manner and not to go for knee-jerk reactions.

8.1.2 The Deputy of St. Martin:

As just was mentioned, yesterday afternoon at 4.00 p.m. we were told and confirmed that Omicron had moved to Jersey and the isolation rules would apply. On Wednesday afternoon, some 24 hours earlier, Deputy Pamplin had asked a question of the Chief Minister about the planning to prepare for and deal with a surge of infections. The Chief Minister informed the Assembly that on Wednesday afternoon he did not know that Omicron was confirmed and he did not know the isolation rules that would apply.

Senator J.A.N. Le Fondré:

On the first part I can absolutely assure the Deputy that we had not been told categorically or had not been told of any cases in the Island. Members will recall that I think in my responses to it we said it was very likely that there were cases on the Island but at that point we had not been notified, so that is absolutely the case. As I said in relation to the direct contact scenario, that was announced on 30th November and was in the press release of that date and was in the press conference.

8.1.3 Deputy I. Gardiner of St. Helier:

It has been announced that direct contacts of Omicron positive cases need to isolate. We know that the U.K. recorded the highest ever daily number of positive cases. I understand that we cannot test Omicron on arrival but we can test if a person is positive or negative with COVID. Will the Chief Minister explain why we are not testing on the border and creating direct contacts which will put a huge amount of the population in possible isolation during the festive time?

Senator J.A.N. Le Fondré:

Firstly, just to be clear, there is still testing happening at the border but it is, in particular, under the present regime, which is in essence people who are not fully vaccinated under the previous definition. As I said to Members in the Assembly when I made my statement, firstly in anything to do with travel we have learnt our lesson, I would hope, over the last 2 years about making sure we give sufficient advance notice otherwise it does cause significant problems and, therefore, creates angst in a whole range of other areas. Secondly, as I have said on a number of occasions, and I have gone back to officers and verified it again, the technical changes that are required to amend the systems to allow an orderly testing regime at the airport will take a few days longer than we had hoped, and that is why we are bringing them in on 4th January. I think that answers the Deputy's question.

8.1.4 Deputy I. Gardiner:

It is clear from the U.K. statistics that Omicron, the double vaccination does not protect from COVID. Our testing regime at the airport currently, as students and other people coming to the Island will not be protected, will create direct contacts, why do they not bring it earlier than 4th January?

Senator J.A.N. Le Fondré:

I think I have just explained that. It is just logistics.

The Bailiff:

Can I just remind Members that their questions should be as succinct as possible in order that we get through as many as possible?

8.1.5 Deputy R.J. Ward:

Can I ask the Chief Minister, can he confirm that one in 10 positive cases may be sequenced for the Omicron strain, and if that is the case is there not an increased risk given its increased transmissibility of transmission through the population if we are only catching one in 10?

Senator J.A.N. Le Fondré:

Two things: the sequencing is on this basis; I do not have the ratio, we were seeking to increase it and increase the speed and I did say I was going to come back to Members on that. I have not had a chance in the last few days with the Government Plan but I have asked officers to make sure I respond to all the questions that were asked if I said I would come back to Members. Secondly, do not forget, to be captured as it were under the Omicron sequencing those individuals will have tested positive anyway for COVID so they will, therefore, be isolating, and that is 100 per cent of those who test positive will be isolating, if that makes sense.

8.1.6 Deputy R.J. Ward:

I think it is the direct contacts; given that direct contacts of Omicron, that additional variable, does that not increase risk? Is there an issue around that?

Senator J.A.N. Le Fondré:

There are 2 sides to that. Bearing in mind that one of the issues that is coming out as well is the fact of the regime being too stringent and the consequences that has in other contexts, including mental health. So as we put those measures in place, as I said, it was in advance of Omicron being detected on the Island formally and, therefore, was an initial measure and in fact that is consistent with what I believe the U.K. did. Then subsequently the U.K. has released those measures over the short period of time. The intention, therefore, is just to try and slow that initial spread and once it is in the community there is no question it will spread. What we are also in the position of wishing to assess is obviously the scientific evidence is not quite bedded down yet. We know it is transmissible but it then comes down to what are the consequences, so we are adopting a precautionary approach, the evidence is coming forward every day and, as I said, we rely from that perspective on S.T.A.C. and S.T.A.C. will be meeting on Monday again. I think I have answered the questions hopefully.

8.1.7 The Connétable of St. John:

Could lateral flow tests be introduced in the short term at the airport, or at the very least offer arriving passengers lateral flow test kits?

Senator J.A.N. Le Fondré:

I think I did answer that same question on Wednesday and I think my response is the same. But I do agree and I apologise, I cannot remember if the officers have picked up on it; yes, I would certainly look into getting the tests up there. But obviously lateral flow tests are available to anybody coming on to the Island anyway.

The Connétable of St. John:

I welcome the removal of the 2 hours exercise that has now been reintroduced. Can you confirm who authorised the introduction of no exercise?

Senator J.A.N. Le Fondré:

I would have to say not immediately; I would have to go back and verify, but I will come back to the Connétable on that.

The Bailiff:

I have questions from Deputy Pamplin, Deputy Higgins and a final supplementary, Senator Moore. I will not be able to take any further questions.

8.1.8 Deputy K.G. Pamplin:

I would like to thank the Chief Minister and those who responded to my emails overnight about the communication of the update. Will he ensure going forward that any sensitive communication like that is vetoed by one or more Minister and also, if possible, shared with States Members before it is

publicised, because there were certain elements - and I hope my contribution was helpful - that caused certain alarm in the public.

Senator J.A.N. Le Fondré:

Yes, ordinarily they are definitely circulated to the relevant Ministers and ordinarily - in fact I would hope they were - they should have been circulated to Members in advance. We do try and do that and that is the general protocol. But I do thank the Deputy for his helpful suggestions.

8.1.9 Deputy K.G. Pamplin:

As a follow up, will the Chief Minister ... as soon as that S.T.A.C. meeting is concluded the information will be passed to us in a much sooner process so we can help and assist and scrutinise if possible, especially where it comes to the public's point of view for reassurance that we can move swifter if need be.

Senator J.A.N. Le Fondré:

It will be, I suggest, after C.A.M. on Tuesday. Certainly what I would be expecting - as I think all Members would expect it - is that we will be offering I am sure an update to all Members remotely obviously, obviously before Christmas Eve. We will work out the timing on that, according to what the output from S.T.A.C. is.

8.1.10 Deputy M.R. Higgins:

It is possible the Chief Minister may have answered this. I got distracted earlier. I asked in a previous one whether we could acquire our own sequencing machine - Guernsey have one - and if necessary, the technician to be able to analyse the data. Has the Chief Minister had the opportunity to go back and speak to the appropriate people?

[16:30]

Senator J.A.N. Le Fondré:

Not directly. I had asked officers to make sure that any questions that I had not been able to answer in that statement that I would go away and look at, that somebody did a wrap-up to make sure that nothing had been missed. I am assuming that has been done and, as I said, now that we are out of the Government Plan I can then turn my full attention to this.

8.1.11 Deputy M.R. Higgins:

Can I just ask again, given the importance of this, is the fact that there are going to be other viruses, other than Omicron, that are going to be much worse? Thank you.

Senator J.A.N. Le Fondré:

I think the important thing here is - and in fact I did say this earlier on - this is obviously not the first variant and it will not be the last and, therefore, the important thing is that we tackle this calmly, in a considerate way and based on the advice that we receive. So we do not do knee-jerk reactions, we do move swiftly if we have to, and we always look at the context we are operating in Jersey and not any other jurisdictions, although we do try and learn from the other jurisdictions and their reactions. But at the moment the view is it is more appropriate to dial down the restrictions on the 25 people who are direct contacts in this instance rather than inflicting them too much more on the other 100,000 people. That is always the balance of risk that we have to take account of in dealing all the way through this pandemic.

8.1.12 Senator K.L. Moore:

The Deputy Chief Minister has this afternoon written to the hospitality industry, and I think his letter has been circulated wider, to reassure that industry that support will be put in place, but also to reassure the public that the isolation requirements for Omicron cases is likely to be lifted in the early

part of next week. Will the Chief Minister reassure members of the public and the hospitality industry that those restrictions will be lifted in the early part of next week?

Senator J.A.N. Le Fondré:

What I can say is that we have asked S.T.A.C. to consider the matter and they will come back to us after Monday. What I can assure the public is that we will keep this very much actively under review. The whole principle is about slowing that early stage of the variant and it is at what point we, therefore, consider that the balance of harms is better to lift the restrictions versus maintain them. I do make the point, as I said, those restrictions were announced on 30th November and it is 3 weeks today since the World Health Organization declared this as a variant of concern. But we do want to do it calmly, we do want to keep it in proportion to the Jersey context, and as we said - and I think Senator Farnham has acted absolutely appropriate - but we have all had this in mind and I think I made it in the statement again earlier this week that if business support is required it will certainly be given.

The Bailiff:

Thank you very much. That ends questions to the Chief Minister. We now come to that traditional time of year; Senator Gorst.

CHRISTMAS GREETINGS

9.1 Senator I.J. Gorst:

Thank you. Normally we are joyous at Christmas but I want to start on a not quite so joyful note. It will not have escaped your notice, sir, and it certainly has not escaped the notice of those of us on the Senatorial benches, that this is the final Christmas message from the Senatorial benches. That brings with it for me a certain element of sadness this Christmas. I believe that the office of Senator has served this community well. We know that it was introduced as part of the democratic reforms in 1948; that means by the time it is removed from our parliamentary system it will have served Islanders for 74 years. It was the intention back then in 1948 that Senators would provide some of the continuity and stability in this Assembly that had previously been provided by Jurats. There were of course at that point 12 in 1948; they became 10 in 2011 and sadly 8 in 2014 and will be no more after the election in 2022. Interestingly of course, in 1948 all of the Senators were elected at the same time. The top 4 candidates were elected for 9 years, the next 4 candidates were elected for 6 years, and the remaining 4 candidates were elected for 3 years and that changed over the years. Every Chief Minister of Jersey has been a Senator; as has every President of the Policy and Resources Committee before that. The office has been the heart of Jersey's political leadership in the post-war period. There were greats and I cannot go into all of them; Senator Le Feuvre introducing social security; Senator Le Marquand, the founding father, the modern education system here; Senator Cyril Le Marquand gave political leadership for establishing financial services; Senator Ralph Vibert of course led the negotiations into the common market. But there have been many others, both male and female, who have left an indelible mark on this community. So on behalf of all of those Senators, previous and present, we give to the Assembly our Christmas greetings. Because Christmas is about hope; it is about peace on earth and goodwill to all. The Christmas story tells us that Mary and Joseph, because of the census, had to journey to Bethlehem and that they did so on a donkey. We can be in no doubt, knowing that journey, how tired and weary they would have been when they reached Bethlehem and found there was no room for them. As we reach the end of this year, I think that we all recognise that as individuals, as families and as a community we are tired and weary. We are tired and weary of the effects of 2 years of the pandemic. Yet as we are tired and weary and ready for it to be over, another variant rears its ugly head, and we must gird our loins and we must prepare ourselves for another onslaught. So we rightly should ask ourselves: how can we spread goodwill this Christmas? The answer is a simple one. We can have our third vaccination jab. We can do our lateral flow tests before we meet our family and our friends. But most importantly, we can take care

of each other. We can take care of our family, we can take care of our friends, we can take care of our neighbours, and we can be thankful for all that they bring to our lives. The Senators are thankful to all of those across our community who have worked together to keep the Island open and operating during 2021, whether that is Islanders that work in retail, whether that is Islanders that have worked in schools, in our health service, our officials across government. Every Islander has played their part, from those who were paid to do so to those who carry on that great tradition of this community of volunteering. It is not Government that has kept this Island hopeful and working through this pandemic. Of course, we have played our part, but it has been the coming together of each and every individual Islander. We are grateful to them and they have our heartfelt thanks. So, Sir, I wish you and your family and all in your chambers a very, very happy Christmas. To His Excellency and Lady Dalton, to the Dean and Mrs. Keirle, to the Greffier, his family and all who work in the Greffe Office, to the law officers, the Attorney General, the Solicitor General and all of their families, we wish a happy Christmas. To our colleagues in this Assembly, present and remote, we wish the Connétables and the Deputies a happy and joy-filled Christmas and a new year filled with peace and hope. Thank you.

9.2 Connétable D.W. Mezbourian of St. Lawrence:

It is some years since a Madam Connétable had the privilege of presenting the compliments of the season to all States Members. In fact, that was in the last century. In case Members are wondering, I am following in the footsteps of Madam Connétable Iris Le Feuvre, who was also Connétable of St. Lawrence and who last conveyed greetings as chairman of the Comité des Connétables in December 1999. In those days, what perhaps some may now consider to be the good old days, the proceedings of the States Assembly were recorded in the minutes but there was no Hansard. I cannot then refer back to what was said, but I can guarantee that there would have been no mention of COVID-19. Also at that time, of course, there was certainly no broadcasting of this Assembly's meetings. Much else has changed in the intervening years and I will start with the Comité des Connétables. Since the election date for the Connétables was brought into line in 2008, when all Connétables were elected on the same day, I think there has only been one other occasion of a new Connétable joining mid-term. That was in 2013, but exceptionally we end this year with 2 new faces among our number. The Connétable of St. John joined us in April, followed in late July by the Connétable of St. Clement. Sadly, our dear colleague Len Norman passed away in June and the Bailiff paid tribute to him at the time saying: "He was honoured to be Connétable of God's own Parish, as he called it, and was heavily involved in all aspects of Parish life and considered the Parish staff to be members of his extended family. He served this Island tirelessly for almost 38 years and was one of the few Members to have occupied each of the 3 States Members benches, although he was perhaps most proud of being Connétable as his father had been Constable of St. Saviour before him. He has been described by a number of those expressing tributes as a true statesman."

[16:45]

I know of no one who has disagreed with those sentiments. Notwithstanding that, Len had served already as both Senator and Deputy and, therefore, had a vast amount of political experience, the role of Connétable is, as we know, politically similar yet uniquely different to the other elected roles within this Parliament. He and I were both elected as Connétable of our respective Parishes in December 2008 and it was personally reassuring for me to be able to call upon his States experience and ask for his advice whenever I felt the need, advice that was given without hesitation. Conversely, it was satisfying for me when Len picked the phone up to run something past me and to get my thoughts on it. We shared our ideas on how to be a Connétable, learning the role at the same time, and I know I am not the only one to miss the late Connétable Len Norman. As we have just heard from Senator Gorst, it has also been another challenging year for the Island as a whole. COVID-19 continued from 2020 and we started 2021 in a second lockdown. Many continued to struggle and suffer through the pandemic and our hearts go out to each and every one who has been impacted,

particularly by way of bereavement but also by the impact of COVID on our normal lives, on our family, friends, leisure, work or business. Despite the rollout of vaccinations in the spring of this year, we continue to be vigilant. Our local communities have continued to show their immense value in supporting the vulnerable in our Parishes. People across the Island, in government and businesses, in the voluntary and within charitable organisations have continued to work together to support those in need. They have kept in touch with those living alone, helping with delivering groceries and medicines, assisted, as we in the Parishes know, by many good and caring neighbours. I must particularly pay tribute to all those in the Honorary Police, who as part of the emergency services have also played their part during the pandemic. We as the Comité have recorded our appreciation of their outstanding work throughout the Parishes during this exceptional time and it is a pleasure for me to now acknowledge this publicly on behalf of the Comité. We were delighted that His Excellency was recently able to present medals for long service and good conduct to a number of Honorary Police officers from across the Island. This time last year we had hoped that life would return to normality in 2021. Clearly, that has not been the case, but we hope, as Senator Gorst has said, that as we move into the new year and our successful vaccination programme continues to be taken up by the public, we will avoid the worst of the predicted new wave of COVID cases and we will see signs of improvement as we look ahead to 2022. Celebrations of the 75th and 76th anniversaries of the liberation were curtailed, but we hope that the 77th will be different on 9th May next year. We will also be marking Her Majesty's Platinum Jubilee and the visit to the Island of the 2022 Commonwealth Games baton in June, shortly before the Island elections, which as we know will be only for Connétables and Deputies as the office of Senator has now been abolished. 2022 will be a busy year for the Parishes and I must pay tribute to all Parish staff, who continue to work quietly and efficiently to deliver parochial services. Parish Halls have maintained services throughout the pandemic, including in person, and we have looked for ways to support and, indeed, to enhance the services we provide. This has included online arrangements for Parish meetings and we have recently improved our Parish websites, which now provide an accessibility menu and options to translate the English into Portuguese and Polish. As the Comité, we continue to review best practice and this year we have agreed and introduced a standards in Parish service to guide all elected officers, as well as the comments, compliments and complaints process for adoption by all Parishes. In conclusion, as Madam Chairman of the Comité des Connétables, it gives me great pleasure to extend Christmas greetings from all the Connétables. Those greetings go to His Excellency the Lieutenant Governor and Lady Dalton, to you, Sir, the Deputy Bailiff, the Attorney General and Solicitor General and to your respective families, to the Dean and Mrs. Keirle and all church and faith leaders, to the Greffier, his team and their families, to the ushers and to Jan and their families. Best wishes to the Deputies and their families and on behalf of the Comité I send for the last time ever best wishes for Christmas to our colleagues on the Senatorial benches. As a body, they have been entitled to sit on those illustrious benches since only 1948 or, as Senator Gorst has just reminded us, for only 74 years, not as long as the Deputies on theirs, nor indeed as long as the Connétables on ours. But they are going and this time next year those benches will be vacant. They will be missed by some of their States colleagues as well as by the many Islanders who have expressed their regret at the loss of the Island-wide mandate. It is to all Islanders that I address my closing words as I thank them for keeping our Island running in 2021 and to whom I send warmest greetings for Christmas and best wishes for 2022 from the 12 Parish Connétables. Thank you.

9.3 Deputy J.A. Martin:

It is really a pleasure to start where the Constable of St. Lawrence finished. It is about the Islanders, what they have done over the last ... well, it is now coming up for 2 years, unfortunately, but they have been absolutely fantastic. Myself and the Deputy of Grouville - and we worked very closely with the Constable of St. Lawrence - set up the community taskforce. I think within hours we had 2,000 volunteers. We just could not find enough for them to do. Our teachers, perhaps we did not get everything right, but I did not realise until someone said yesterday that we have literally been

able to keep our schools open and that is so ... for parents but for the children mixing with children their own age, they have just loved it. Again, the people who are out there, and they are low-paid workers, kept our supermarkets open, kept deliveries coming, kept everything, and then when we were ... whoever got COVID or was ever ill, there are our health workers. But then at the same time we have to remember people were suffering from mental health and people were having lifesaving chemo, having to go off. We managed to keep that through Southampton. I cannot thank enough all the people, and they are the people of Jersey. I think that is what really upsets me when I hear that everybody wants to leave. It is such a beautiful Island to live. It is not what it was 37 years ago when I came here with a 5 year-old, but I was made welcome. I knew the rules. I knew I did not get this and did not get that, but I was welcomed and I would never want to go back. It is what it is. I absolutely love it. Senator Gorst was also right, things are changing and we are going to see the end of the Senatorial benches. I have voted for this and I have not voted for it. I think we might end up like Guernsey. It might go away for a few years and, like Arnie: "I'll be back." It is one of those. People are upset. It just makes it much more democratic and much more ... the 3 did not work. But we will see. We will see. I say party politics so I am not going to talk about the party that I am in. I do not have to answer to Senator Mézec to say anything like that, but I will put out a little warning. I know every party and other States Members want to see a much more diverse Assembly, young women, different ethnicities. Well, what you do not do, you do not bully them and you do not put things on social media about them because it really does not help your cause. It does not help your cause at all. The last year or 2 I have lost conversations ... I have worked so closely with Deputy Southern, Deputy Montfort Tadier. I do not know the other 3 members of Reform so well. I have worked with them over the years well, never ever agreed, have been asked to join the party - it was not called, I do not think, Reform then - but I held back. I was never quite signing up to everything. But we do need to work together. We do need to get to know each other. We need to do things and not do things that just makes the job harder. The social media can ruin you overnight and everybody believes it. It is just not good. On that note, I will just say from all the Deputies' benches that we do wish His Excellency and Mrs. Dalton a fantastic Christmas, Sir, along with you, and the Deputy Bailiff, the Greffier of the States, the Deputy Greffier, and all the Assistant Greffiers, the Dean, the Attorney General and the Solicitor General and the Viscounts - I have to write this down because I always forget somebody - and their staff, the ushers and all the States Greffe and the ones behind the scenes, the people who have actually kept this going with one foot in and one foot out. I have been doing the karaoke, am I in, am I out, bring your computer, do not bring your computer, but the staff have managed it brilliantly and most people think we are all here together, even with your little app now you can put behind you that has the States picture on it so that I am like: "Is he really there or is he not? He is behind me." All brilliant. I cannot finish without saying this year we lost one of our best Deputies. I worked with him very well. He sat behind me, Deputy Duhamel. He was a fantastic Deputy and, again, somebody came along then and thought: "I can do a better job." Did not like the job much but ... we lost the Deputy and then sadly we actually lost him this year and my thoughts go out to his family. They are a lovely, lovely family and he was a lovely, lovely man. Environmentally, he was 30 years ahead of his time. He was brilliant. So I could not finish without saying that. So it is a very, very merry Christmas from all the Deputies' benches to all the Islanders, the Senators who will all sadly be going but some of them will be back in some form or the other, and all the Constables. Thank you very much.

9.4 The Bailiff:

Senator Gorst, the Connétable of St. Lawrence, Deputy Martin, everybody here and remote, thank you very much indeed for your kind words and collective good wishes and I am very happy indeed to have this chance to reciprocate them in the traditional way. The challenge of being the fourth speaker is that everything pretty well has been said, but even so, it is not possible to allow Christmas greetings to pass without reflecting just a tiny bit on the last 12 months. I am not going to speak for

any great length at all and Members will be pleased to hear that at this time of night on a Friday. But this has been an arduous week at the end of, from the Assembly's point of view, an arduous year.

[17:00]

Our lives and our presence in this Chamber have still to a very considerable extent been dictated by the vagaries of the pandemic and our necessary response to it. All our fellow Islanders have been affected and while some restrictions have been until now eased and our freedoms have increased, nonetheless we all have had to be careful and, indeed, must continue to be. We are now facing another challenge in the form of the Omicron variant and our understanding of this variant is not yet complete enough to form other than relatively cautious judgments. You have heard only this week, and again today from the Chief Minister, about the consideration that has been given to protection of our citizens at this time. One of the advantages of having the Assembly broadcast is that it allows me to say that I appreciate the challenges that Islanders have faced over the last 12 months and even though things have been significantly better perhaps than they were a year before, nonetheless they have not been without their difficulties. We must assume that that will continue for a while at least as we learn to live with this new variant and continue to learn to live with COVID more generally. But I am absolutely confident that the Jersey people will do what is necessary to keep themselves and each other safe. We have not shied away from doing those things up to now and we will not do other than to continue to do what is right for ourselves, our loved ones and our fellow citizens. I would like to take this opportunity to echo, if I may, the gratitude of those who have worked so hard and continue to work so hard and will unstintingly work so hard over many months to keep us safe, to keep our Island functioning, to do those things which are necessary both generally and particularly at this time of year which is so important to us. Although COVID has occupied much of our bandwidth, if I may put it that way, this Assembly has also grappled with important issues. It has quite literally dealt with matters of life and death and, as I said at the time, brought what I feel to be Members' best reflective selves to that debate. Members approached it in a different way from each other, but that is part of the richness of this Assembly. People do think in different ways and by listening to all of the ideas that people put forward from the unique perspective that each of us has, we will reach the best decisions that reflect the nature of the Island that you represent. You do not need me to remark upon the tough week that we have just experienced and how challenging it has been, or the other debates that the Assembly has had in recent weeks. I am sure as we move into the last months of this Assembly the work will continue to be tough and will only get tougher, so a rest at this time of year is very strongly indicated. But by and large the debates in this Assembly have been conducted with good grace and good humour and when those things have occasionally slipped, they have been quickly recovered. I have spoken a little bit about the hard work, but both I and all of the Members of this Assembly have relied upon the Greffier and his team. That we could function at all is entirely down to them and their collective commitment and dedication. I would like, therefore, to pay a tribute [**Approbation**] to the enormous contribution to the work of the Assembly made by the Greffier, the Deputy Greffier and their team this year. I am particularly aware of their contribution because I am grateful for the level of support and guidance that I have received in the day-to-day functioning of my office. Of course, one of the ways in which the Greffe has helped us is in the use of technology and it is without doubt the case that Members have become more and more skilled in the use of the computer. There are many fewer occasions than when we started off of Members forgetting to turn off their microphones when talking to third parties or turning on their camera in inopportune if not memorable occasions. There may have been some slippage in observing the appropriate rules of debate. Interventions should be made through the Chair, for example, and Members should be addressed by their correct title. But as we come to the end of the year and there is a chance for new year resolutions, I am conscious that Members will, as one of their new year resolutions, resolve to brush up on Standing Orders and how the rules of the debate should really proceed. I say that with the enormous optimism that sometime fairly soon we will all be back here together and Members may be absolutely certain that the rules of debate will in those circumstances

be rigorously enforced. The statistics that it is traditional to mention at this time is the amount raised for the Christmas charity appeal. The fines levied this year, I am afraid, amounted to £70 until a recent contribution by Senator Moore took the princely total to £80. That is a significant reduction on previous years but obviously because we have all become tolerant of the extraneous noises as Members coped with being online. But I think Members should feel a sense of real pride that they have been able in the course of the last 12 months to operate within a fully functioning Assembly, doing all of the things that legislators do, making propositions, bringing amendments, holding Government to account and accounting, if you are Government, for the portfolios that you hold. All of those things have been achieved in challenging and difficult circumstances and, as I say, I believe that the Assembly is entitled to feel proud of its achievements over the last 12 months. But in any event, it is time now to pause for a while and for everyone to take a very well-earned rest. No matter what Christmas may mean to you, I would like very much for myself, for the Deputy Bailiff and on behalf of His Excellency, the Crown officers and the Dean, the Greffier, the Viscount, the chief usher and all members of their respective teams to thank you all for your kindness and support over this last year and to wish you and your respective families a peaceful and happy Christmas break. Stay safe and thank you.

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

The Bailiff:

Now I call upon the chair of P.P.C. to propose the arrangements for future business.

10. Deputy C.S. Alves of St. Helier (Chair, Privileges and Procedures Committee):

There has been one change to the arrangement of public business for the next sitting since the Consolidated Order Paper was published, and that is the debate on the Draft Children and Young People Law, which has been moved to the meeting on 8th February. I also believe that the Minister for the Environment will be proposing to move P.76 to a later sitting as well. There are a number of items listed for the next sitting on 18th January, a lot of which is legislation so it is hard to tell exactly how much time will be needed, but I would expect us to sit until the end of Wednesday at least. So, with that, I propose the arrangement of public business for future meetings.

The Bailiff:

Does any Member wish to speak on the arrangements for future business? Could I remind Members that the next meeting of the Assembly is in the new year and, therefore, starts with the traditional church service?

10.1 Deputy J.H. Young:

Just to confirm that I have given notice and written to the Scrutiny Panel and to the Greffier that I shall be asking for the debate which was originally scheduled at the next sitting on the Planning and Building (Amendment No. 8) Law to move that to later on, potentially into April. The reason is that there is work to be done for the Scrutiny Panel so I want to give notice to Members of that, please.

The Bailiff:

Thank you very much, Deputy. If there are no other comments on public business, I will take it that the arrangements of public business are approved and the Assembly accordingly stands adjourned until Tuesday, 18th January.

ADJOURNMENT

[17:09]