

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 21st MARCH 2023

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[9:30]

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

Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter:

Before you move to order, I wonder if I could just ask a brief question with regards timing. Having looked at the Order Paper it seems that perhaps the appointment of the Scrutiny Panel chair may take a little longer than it was anticipated and this has a knock-on effect on questions without notice. I have to leave the Assembly unfortunately at lunchtime so I was going to ask the Assembly if they would be happy for me to take my questions first, if we get to that point before lunch.

The Bailiff:

So in questions without notice you would like to go first as opposed to third, Chief Minister?

Deputy K.L. Moore:

If that is possible, Sir, otherwise Deputy Morel, the Deputy Chief Minister, will oblige.

The Bailiff:

It does seem rather a hostage to fortune for Deputy Morel but this has to be a matter for the Assembly because it is a reordering of business. Do you wish to make that proposition and we will take a very quick ...

Deputy K.L. Moore:

Yes, please.

The Bailiff:

Is it seconded? **[Seconded]** Does anyone wish to speak? All those in favour of allowing the change in the order please show. Those against? Deputy Morel, you live to fight another day.

Male Speaker:

May I lift the default on Deputy Alves?

The Bailiff:

Yes, the default is lifted on Deputy Alves.

APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

1. Nomination for the Chair of the Health and Social Security Scrutiny Panel

The Bailiff:

We now come to item F, which is the appointment of a new chair of the Health and Social Security Panel, and the nomination of members to join that panel. Members will note that, as it states on the Order Paper, the timing of the appointment of members to the panel will be subject to the wishes of the newly elected chair, when that person is identified and indeed confirmation subsequently by the Assembly. Therefore it may take place immediately after the appointment of a new chair or it may take place later in the meeting, if that is possible, or indeed at the meeting in April. It will not necessarily follow straight after the election of a chair. Can I remind Members that neither the Minister for Social Security nor the Minister for Health and Social Services can make or second a nomination and neither will be able to vote, if any vote is required. In accordance with Standing Order 120(1), I therefore invite nominations for candidates to the position of chair of the Health and Social Security Scrutiny Panel.

Male Speaker:

I would like to nominate Deputy Rob Ward.

The Bailiff:

Deputy Rob Ward. Is that nomination seconded? **[Seconded]** Are there any other nominations?

Deputy B. Ward of St. Clement:

I would like to nominate Deputy Bailhache.

The Bailiff:

Is that nomination seconded? **[Seconded]** Are there any other nominations? Then we move on to a selection process. The position now is that in accordance with Standing Order 120(3), I will invite the candidates to speak and answer questions in the order in which they were nominated, hence Deputy Rob Ward first. Candidates will be able to speak for up to 10 minutes and then Members will have up to 20 minutes to ask them questions. The Greffier will ring a bell when the candidate has been speaking for 9 minutes and then again to signal when the time is up. The Greffier will also ring a bell when there has been 20 minutes of questions. Is there a bell?

The Greffier of the States:

Yes.

The Bailiff:

Having said that I thought I better check. When all candidates have made speeches and answered questions then we will take a recorded vote and the candidate who receives more than half the votes cast will be appointed. We will of course be able to use the electronic voting and I will explain how that will work. But I would ask now Deputy Bailhache to withdraw from the Chamber. A member of the Greffe staff will escort you to a room downstairs, as the Standing Orders provide, and you will withdraw to a place where you cannot hear the proceedings. Then I call upon Deputy Ward to speak for up to a 10 minutes.

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

I am standing as chair of the Health and Social Security Panel to offer my experience as a Scrutiny chair, my experience of working across this Assembly on Scrutiny Panels and my leadership skills that come from many years of leadership experience. The process of scrutiny is vital for good governance and I use the word “governance” on purpose. Scrutiny is an essential check on the work of Government and the professional connection between this Assembly and the wider decision-making processes of Government. I have chaired the Children, Education and Home Affairs Panel in the previous Assembly, which included scrutiny of 3 Ministerial roles. It was also at a time when there was significant movement of Ministerial positions for several reasons. I counted 6 different Ministers during this time. But throughout I chaired the panel and remained credible, constructive and challenging scrutiny. I am proud to have formed working relationships with every Minister in the role. I can also proudly state that I demonstrate the ability to work with Members from across the Assembly, both as chair and on several other panels with which I have been involved. I have worked with - and this is where I miss somebody out so I hope I have not - Deputy Morel, Deputy Ahier, Deputy Le Hegarat, Deputy Moore, along with Constable Vibert, Jackson, Johnson, Crowcroft, Constable Jehan as well I believe on one of the panels, and from the current Assembly I am working with Deputy Luce, Deputy Andrews and Deputy Farnham. I also worked with Members who are not in the current Assembly but from very different political backgrounds. I mention this because the key to good scrutiny is to leave political allegiances at the door and to undertake evidence-driven scrutiny. It is when this is performed well that credible reports and

recommendations are made and Government is truly accountable. The 2 Ministers this panel scrutinises have very difficult roles. I fully accept that. But the roles are also vital to the Island and need to be got right. For effective evidence-based and detailed scrutiny the panel can act as a vital check and balance. The best scrutiny happens when relationships work. Ministers must listen to credible well-researched scrutiny that produces constructive, yet challenging comments papers and meaningful recommendations. I remind the Assembly that Scrutiny has no power to force Ministers to accept recommendations, only the credibility of its work. I want Ministers to go away from meetings and hearings thinking that they have areas to think about in order that we do not pass poor legislation and make ill-informed decisions in this Assembly. It is this Assembly that will make the most of those final decisions. What is my experience? I have already mentioned the chair of the Children, Education and Home Affairs Panel. I was also a member of the Brexit Review Panel, the Future Hospital Panel, Legal Aid Review Panel, the OneGov Panel and I chaired the Safer Travel Review Panel during the very difficult times of Covid.

[9:45]

I also sat on the Scrutiny Liaison Committee and so have significant experience of the oversight of Scrutiny. With all these panels I worked with Members from across the Assembly who have very different views on many areas but throughout I found common ground. This enabled me to do some excellent work and undertake some excellent reviews and produce meaningful and focused reports. I have a keen and analytical mind. I believe that previous colleagues from panels will recognise that I prepare thoroughly and look to the detail of legislation and proposition as a key part of the process of effective scrutiny. I have chaired many meetings in Scrutiny and adopt an organised and inclusive approach. Equally I would expect panel members to adopt the same professional approach in preparing for meetings. All members can speak and lead questioning. This is vital to ensure that any perceived biased is addressed. This means that Ministers cannot dismiss recommendations, comments and amendments due to ineffective process. This gives credibility to Scrutiny and the decisions brought to this Assembly. I have a positive relationship with all Members of this Assembly. We may disagree but I hope I will take time to ask about Members' well-being, and this is certainly vital for chairing a Scrutiny Panel. I would like to address the well-being of Scrutiny officers and those from the government office. We have a duty of care to all members of our workforce. I take this seriously and no one should feel that their work and their role is undervalued or feel unhappy in the work that they do. This care adds to the effectiveness of Scrutiny as it enables skilled people to do their work and provide the vital support that the panels need. Health and Social Security are both vital and challenging Ministries. The decisions made have repercussions for many people and for many years to come. Therefore, the essential stage of scrutiny of decision-making must be effective, it must be constructive and it must have credibility in its work. I have given this credibility to all the Scrutiny work I have undertaken. I have undertaken some very challenging work in my time. The review into the repercussions of the Care Inquiry was one of the most difficult pieces of work I have ever undertaken in this Assembly. With my colleagues across the Assembly, it took a huge amount of time and a huge amount of energy from all of us and quite rightly we should invest that energy. I dealt with the pressures and the personalities that come with work across the Assembly. The key is to have clear parameters for work and high expectations of professional and considerate behaviour. Put it simply, good manners are vital. I have undertaken training in mediation as a union president and undertook many difficult conversations and meetings as a case worker throughout my time in that role. A transferable skill I bring to this position. I offer experience to the Assembly. I offer experience from my work life before I undertook my role in this Assembly and I offer the willingness to address the difficult issues, the difficult conversations and to do so with positivity and care. We all face difficult situations in our time. I certainly have recently. But we come through the other side and we move forward. Looking back is not a good idea. I was listening to the radio on Sunday and I just remembered who it was, and now it is going to be very difficult to do this without doing the

voice, but I will not. I was listening to Michael Caine reading his autobiography and he talked about what he says to his grandchildren and he says to them, and I am not going to do the voice although you will hear it in your head: "Don't look back, you will trip over." I think they are wise words indeed. So I ask the Assembly to look forward, consider the experience I have, the commitment I have shown and the skills I bring. I ask you to give me your vote. I thank you for listening and I will look forward to questions.

The Bailiff:

There are now 20 minutes of questions.

1.1.1 Deputy M.R. Scott of St. Brelade:

This situation has come about following a dispute between a Reform member and professional women on his panel, which was not sought to be resolved by independent mediation. Could the Deputy please comment on this and whether he considers professional training in ethics, conflict of interest management and respect of personal boundaries of States Members to be essential, perhaps even compulsory, for Scrutiny members?

Deputy R.J. Ward:

I thank the Deputy for her question. I think we need to look forward. Looking back on the situation is not a good idea. However, I would say a few things. I personally feel that we have a Commissioner for Standards that should be used if there are situations that arise. Then we need to listen to the outcomes from that Commissioner of Standards otherwise we, as an Assembly, are not using those facilities appropriately. In terms of training, I absolutely agree with the Deputy. I have, through my role as chair of the C.P.A. (Commonwealth Parliamentary Association), tried to push for training. I was recently in London at the headquarters of C.P.A. talking to them about what their academy offers. I know that we have some tailored training being developed for us on-Island but we should use every single resource that we can for States Members. One of the things that we need to have as States Members is the ability to develop the skills that we have further, both for our role in this Assembly and our role beyond that Assembly. So, yes, I would support that and I think it is very important. If I have missed any parts of your question please let me know because I failed to write it down.

1.1.2 Deputy M.R. Scott:

Just would he support this training being compulsory for Scrutiny members?

Deputy R.J. Ward:

That is a really good question. Compulsory is a difficult thing to have. I would say the simplest way to address this is to deal with that sort of training as a development of our own professionalism, and we should all be professional in this Assembly. I have no problem with saying there are mandatory, and I would use that phrase to the Deputy, training modules that need to be undertaken by States Members for your own well-being, for your own good. For example, safeguarding. But time has to be made for those and the facilities have to be made for those to be appropriate. I have no problem with mandatory training. However I believe that is a question for P.P.C. (Privileges and Procedures Committee) and also a question for S.L.C. (Scrutiny Liaison Committee) to work together. I believe they may already be doing that.

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

I just wondering, in his speech the Deputy quite rightly referred to the complexity of the 2 portfolios that the panel scrutinises. Would he be able to provide the Assembly with a rough overview perhaps, that might be asking too much, but what are the areas he would particularly like to review? What does he think are particularly important for the Scrutiny Panel to review over the next 3 years?

Deputy R.J. Ward:

That is a very good question and I am very pleased that the question asked about what we would look to review, not what we would look to determine or what we would like to drive forward because Scrutiny is about reviewing legislation from the Minister. It is not about replacing the Ministerial role, and that is very important. The areas to review I think that will inevitably come up will be the changes that are planned for Social Security, and I know there is a review going into social security and income support, for example. I am going to use the phrase “minefield” of legislation. I think it is something that is going to be very challenging for both the Minister and the Scrutiny Panel coming forward. In terms of Health, we obviously have what we are going to do in terms of the model of healthcare going into the community. One of the things I would say is that I do believe that the panel should have a Constable on the panel. There is a specific reason why I think that. Some of the community health that is happening is going into Parishes and requiring Parish facilities. The Constable has an overview of what the effect of using those Parish facilities will have and their availability, et cetera, and I think that is a very important link that we need to have. Those are one of the reviews. Speaking personally, if the panel would agree, I think we need to look at some of the reviews on long-term illness and the way we deal with them with screening on the Island. We certainly need a cancer strategy because I think that would be a very positive thing. There is one in the U.K. (United Kingdom) but we do not seem to have one yet. I think those are some of the areas, off the top of my head without looking at the detail there, that we can review. However, I will reassure the Deputy that the work I would do would be thorough, detailed and if I was to take on this role and I was successful today I will walk away from the other 2 panels because this needs 100 per cent focus.

1.1.4 Deputy G.P. Southern of St. Helier Central:

Could the candidate just tell us of his experience of health? Health is in crisis, it is in crisis worldwide. What does he see as a priority for health?

Deputy R.J. Ward:

I am going to say again, the priorities are to be made by the Minister. Scrutiny is about scrutinising those priorities as well. One of the issues that we see I would suggest every day, if not every week, and it is certainly every drop-in session that we have in our constituency, are people looking at the issues that they have had in accessing health, perhaps with problems with health, and more importantly, understanding their pathway. I am not going to use the word “journey” because I do not like it. Their pathway through their own healthcare. I think that is a really big issue for people. It is about control. It is not because everybody just is obsessed with control. Your health has to be under your control. We need to make sure that those pathways are clear for people to pass through in order that they have access and they have a voice. We have talked a lot about a voice in healthcare but have we seen it yet? The other thing is there is an issue with workforce. There is no point in walking away from the difficult conversations that need to be had. That will not help anyone. Recruitment, retention and, I would say to the Assembly, look back at the reports from the Children, Education and Home Affairs Panel recruitment retention, and I think we referred to health in some of those because it is a wider issue. They have to be addressed. But the culture within a workforce is something that affects that retention of workers. It has not been right. I do not think I am sticking my neck out by saying it has not been right. I see lots of nods in this Assembly. That needs to be addressed effectively as much as anything else. I hope that answers the Deputy’s question.

1.1.5 Deputy I. Gardiner of St. Helier North:

As Deputy Ward mentioned that he would welcome Constables on the panel because of their community care, what are your views on other skills across the Assembly that you would welcome

to the panel, and if you would welcome also to the panel members who worked previously to carry on with work that they have started.

The Bailiff:

“What are the Deputy’s other views?” not: “What are your other views?”

Deputy R.J. Ward:

I am going to put a reality check in here. Let us be real about this. We do not have an excessive number of people to staff panels for Scrutiny. That is not something perhaps we want to admit but it is a truth. Therefore, using the skills and resources that we already have will be essential. But this is an opportunity to press a reset button, look at where we are, look at the parameters within which we work, as I mentioned in my speech, so there is an effective panel, using the skills and knowledge of health that we have in this Assembly. Using the knowledge from a Constable, for example, and to open up to anybody else who may not have thought of a Health and Social Security Panel, because remember this is Social Security as well, which I think the vast majority of us, when we deal with constituents, how often is it social security issues that come up, and that is not to have a go at the Social Security Department. It is just a system that has developed over time in a piecemeal way. Therefore I would look for those skills from across the Assembly. I would always say, if possible, that we have a balance of experience of gender, of all of those things that we aspire to in this Assembly because it gives a more reflective view of where we are coming from. That is a challenge, as I believe the Deputy knows with any panel, because of the limitations of those who are available. But I hope that answers most of that question.

1.1.6 Deputy I. Gardiner:

Would the Deputy indicate if he would welcome back previous members of the panel if they decide to join?

Deputy R.J. Ward:

Yes, I would. I think that is important that that happens. It happens because we do not want to close the panel to anybody. But the parameters, and we need to have a conversation about the way that we work. I will be very clear about the way I believe a panel should be chaired, its inclusivity, its openness, its care for each other and for other people, and that needs to be addressed. I would like to also address something that the Deputy earlier said if I may, with regards Reform. I am going to say something which my colleagues might not like very much, but I think one of the reasons it is important that people are involved in Scrutiny, and this is me trying to say if I am successful please come and get involved, is that Scrutiny takes you away from what could be an echo chamber of your own views. We all have to be careful. It does not mean you lose your principles, it does not mean you lose the manifesto that you stood on. It does not mean you lose any of that. But what it does it means that you go into an area which is about analysis, about evidence and about looking at different ideas.

[10:00]

That is the opportunity that comes with Scrutiny. That is an opportunity that can be taken if we are inclusive in the way that we address those panels. Scrutiny should not be driven by any one political idea, any one pressure group, any one officer, any one anything. It needs to be an independent process to have credibility. I think that that is the good thing about being involved in Scrutiny in this Assembly. I hope that did not digress too much from the question but I wanted to mention that from the question earlier.

1.1.7 Deputy M. Tadier of St. Brelade:

It follows on from a theme and it is about transparency. I perceived in the last 14 years that Scrutiny has tended to do more and more meetings in private when there is no reason for doing them in private. Does the candidate believe that the underlying principle of Scrutiny, particularly for collecting evidence, is that it should be done in a public forum where it can be scrutinised by the public?

Deputy R.J. Ward:

A really good question. If there is anything positive to have come out of the last few years it is the fact that we are better with broadcasting online. So therefore a physical presence in meetings is not as necessary. That gives the opportunity to open up Scrutiny and those meetings and those evidence-gathering to a wider audience to have that public record. I think one has to be sensitive though to some Members who would not want to give evidence in public because of the nature of what they are talking about. I know, for example, when the review into mental health was undertaken there were some really challenging pieces of evidence given that would not want to be made in public. I know when we undertook the Care of Children Review Panel there was some evidence that people would not have wanted to be given in public. Also, I would say that Scrutiny cannot simply be used as a method to get a message across. There needs to be some parameters for it so that it has credibility across the Assembly and can have an influence on Ministers and Government. There is a balance to be found but, yes, I am more than open to more transparency in that arena.

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

The cost of caring for the elderly and the provision thereof is a subject of considerable concern for a lot of families who are involved. Would the candidate give Members his views on how the elderly should be better cared for in the Island?

Deputy R.J. Ward:

I say again, it is for the Minister to drive policy so I am not standing here as a Minister, I am here as a Scrutiny Panel candidate chair. In terms of care of the elderly, yes, that is an issue that we face and there are a number of issues in that arena. First of all is the cost, the provision of carers, and we get back to the recruitment and retention issue, which I think we need to look at very urgently within healthcare. We need to look at the way that income support and social security look to support those people, to provide that safety net into old age, and we need to look ... I believe one of the things that the Scrutiny Panel can do is to look at what is the genuine provision of care on this Island? What is actually available? Because I wonder whether we have a clear picture of that and an extrapolation into the next 5, 10, 15, 20 years. I think that is one of the areas for Scrutiny Panels to look at, that provision and where it will be. I think in terms of the Scrutiny Panel, that is as much as I would say at the moment. I hope that answers some of the question.

1.1.9 The Connétable of St. Brelade:

Would the candidate consider, should he be elected, that it would be a topic for review in early course?

Deputy R.J. Ward:

Yes, certainly. One of the things I think we do not use enough in Scrutiny - I think I have had this conversation with the Constable in the panel - is the review panel itself. So, if you like, a sub-review panel. That is an opportunity to draw from across the Assembly to say there is a specific topic here that we want to review. You can be seconded on to that panel to act as that review. It also gives members of the panel an opportunity to lead a review perhaps they have not done before, and that can be put back as a sub-panel under the review. That may be an ideal opportunity for that because where people might not want to be involved entirely all of the time in a panel, there may be a topic that they want to get involved in and bring knowledge, experience to that panel. That is one of the

things I think we can do. It also enables a wider expansion of the panel's work in a much more manageable way because taking on 2 or 3 reviews at the same time is simply not manageable for the panel but with a sub-panel that can be managed. We have managed to do that with the education panel previously, I think it was in the Covid response to children that was led by Deputy Doublet at the time. So there are opportunities to do that.

1.1.10 Deputy K.F. Morel:

It was just to ask, obviously Deputy Ward chaired the Education, Children and Home Affairs Panel last time and I was just wondering ... I know he picked out some pieces in the speech but during that work what did he find the most challenging and perhaps what did he think was the most valuable to the Assembly?

Deputy R.J. Ward:

I am sorry I did not vote against the ... a really good question: what was the most challenging? I think the most challenging was the Care of Children Review into address and accountability. It was a really sensitive area. It required a huge amount of work for the number of different stakeholders. If I am absolutely honest, I am not sure if the outcome was as detailed as we want because it got towards the end of the term as well. I am very proud of the work that we did on retention and recruitment and the recommendations we made there. I was also very pleased with some of the work we did with the Children's Commissioner. One of the most challenging parts was when the Children's Commissioner wanted access to particular information and what we had to do, and it was via the panel, that we managed to come with a ... now I cannot remember what it was called. It was called sort of an agreement, a protocol of how that information would be accessed, where all sides agreed, came up with a way in which that could work. I do not think it has had to be used yet, I do not know - I probably would not know - but that was a very difficult and challenging thing to be able to do but we managed it with the panel. We managed it with the panel with very different people. I did promise myself that I would not say, but to give an example, Deputy Huelin was on the panel and he is very, very different from me. Very, very different. He would say that himself. But we managed to work together and we managed to work and get outcomes from that. I think that is a really important point to be made. In terms of other challenges, there was a challenge of so many changes of Minister, some of which were really sad reasons why. So we had to build a new relationship with the Minister but again I was very proud ... I am actually most pleased with the relationship that we built with Deputy Guida who at one and the same time, I think I would like to say this. I can remember Deputy Guida sitting I think where Deputy Coles is, it might be behind, and saying that he was the archenemy of Reform. I remember this bizarre debate that went on and the next day we were in the Scrutiny Panel and we were agreeing on a way forward on a very specific piece of legislation because it was left outside. I may have had disagreements with Deputy Guida but he did leave that outside as well. That is the way Scrutiny needs to work. This Assembly is perhaps the place for us to have our disagreements but we need to do more. Those are the challenges. Some worked very well, some I think better outcomes and recommendations. The other thing I would say to Government is there are still lots of recommendations left outstanding and let us please try to look at some of those from the last Assembly because some of them were really good, particularly in the Children, Education and Home Affairs Panel. But I am biased.

The Bailiff:

Does any other Member wish to ask any question of the candidate? No other Member wishes to ask the candidate then, with about 30 seconds ago, I close the question period. I would ask if Deputy Bailhache could be invited to re-join us in the Chamber and if you, Deputy Ward, could leave the Chamber in the company of an officer of the Greffe to enter sequestration for a period. Deputy Bailhache, may I invite you to address the Assembly for up to 10 minutes?

1.2 Deputy P.M. Bailhache of St. Clement:

I am not going to make a long speech because I hope that Members will be aware from the no confidence debate 3 weeks ago what my approach to Scrutiny is and what it is not. Some things however do bear repetition. All Scrutiny Panels should at all times obey the code of conduct for States Members. The Scrutiny and Public Accounts Committee Code of Practice and the Code of Practice for Engagement between Scrutiny Panel and the Executive. All Members should treat each other and government officials and indeed anyone appearing before the panel with respect and always behave in a professional manner. I would ensure, as chair, that those rules were followed, and I will come back to that in a moment. A vote of no confidence is never a very pleasant affair but my intention, if elected, would be to put all that firmly behind us. The work of the Health and Social Security Panel is too important to be affected by disagreements of the past. I would, if elected, and subject to their agreement, intend to reconstitute the panel as it was constituted before, but without the former chair. I retract nothing of what I said during the debate, including my view that the relationship between the panel and the Minister for Health and Social Services is not broken or beyond repair. Since the debate I have met the Minister and we had a very constructive and useful discussion, in my view. I think we will have no difficulty in working together for the good of the health service and indeed for the good of the Island. I do not promise that there will never be tense moments but if everyone is committed to seeking the best solutions for Jersey one cannot go far wrong. The health service is clearly in a difficult place at the moment for a number of reasons, and the need for a strong relationship between the Minister and her officials and the Scrutiny Panel is self-evident. I hope that a Scrutiny Panel, which I chaired, would truly be a critical friend. In the sphere of Social Security there are issues that are probably of equal importance in the context particularly of primary care, and the need for a substantial increase in the level of medical benefit, which has remained static for far too long.

[10:15]

It is very encouraging that the Minister for Social Security has expressed an intention to recommend an increase in the level of benefit so that contributors to the Health Insurance Fund, members of the public, can more affordably access a general practitioner. I would hope that the panel can play a part in that process. May I just conclude by repeating the views I expressed during the recent debate about the nature of Scrutiny. Scrutiny is quite often conducted in the nature of a conversation where information is obtained through informal exchanges. But sometimes it is necessary to be a little more robust. Firm or persistent questioning is occasionally in order. Asking difficult questions of senior officials is not bullying. As the Chief Minister said on another occasion, stirring things up is a way of describing holding others to account. I hope that my Scrutiny Panel would occasionally and, if necessary, stir things up but never in a rude or disrespectful way. I submit my nomination to the Assembly.

The Bailiff:

There is now a period of 20 minutes to this candidate.

1.2.1 Deputy M.R. Scott:

Could the Deputy please comment on the use of independent mediation to help resolve disputes between members before the chairman seeks their resignation, and could he please comment on whether he considers professional training in ethics, conflict of interest management and respect of personal boundaries of States Members to have compulsory training in this for Scrutiny members?

Deputy P.M. Bailhache:

I think that mediation can sometimes be a very sensible and practical way of resolving differences. Certainly when I occupied another position I was instrumental in introducing, in the context of petty

debts, a system of mediation which has taken away much of the business of the Petty Debts Court in relation to small claims. But in relation to mediation it does generally take 2 to tango. Mediation can only be successful if both parties to the dispute enter the process with some willingness to co-operate and to compromise in order to reach a solution. In relation to training, I think was the second part of the Deputy's question. I would have hoped that most Members would not need training as to how to conduct themselves in relation to each other and in relation to officials. It seems to me, in general, to be a matter of common sense and a matter of what is reasonable. But it may be that training of some kind would be useful. I certainly would not close my mind to it, if it were suggested.

1.2.2 Connétable K.C. Lewis of St. Saviour:

It is a question of clarity from the candidate. I believe the candidate said that he would reconstitute the panel without the former chair. Was that inference meaning without the former chair as chairman or that the former chair would not be welcome on the panel? We are a very diverse Assembly. It was just for clarity there.

Deputy G.P. Southern:

A vote of no confidence is a vote of no confidence.

Deputy P.M. Bailhache:

It is clear that the former chair would not be the chair of the panel because he has not put himself forward as a candidate. But I think that sometimes in life one has to acknowledge realities and the ideal is certainly to have a Scrutiny Panel, which can work together harmoniously, and I think that for the time being it would not be my intention to invite the former chair to be a member of the panel.

1.2.3 The Connétable of St. Saviour:

I thank the candidate for the answer, that is ultimately ...

The Bailiff:

No, that is a speech, sorry.

The Connétable of St. Saviour:

I was going to come on to something else.

The Bailiff:

Sorry, you were offered a supplementary question.

1.2.3 Deputy M. Tadier:

I asked a similar question to the other candidate. I noticed this candidate talked about obtaining evidence through informal conversations with Ministers. Does the candidate accept that the basis of Scrutiny when it was set up is that it should be, wherever possible, done publicly and transparently so that not just the Minister is held to account but the panel itself is accountable? Would he ask the question, whenever there is a suggestion to have private briefings, that he and panel members ask why, briefings are public and if they could be public?

Deputy P.M. Bailhache:

It is an interesting question. Certainly the code of practice records that in general the Scrutiny Panel should sit in public. But the code of practice also records that the panel can sit in private where it is necessary to ensure a free exchange of views. I think each case has to be considered on its merits. I agree that in principle the panel, when it is gathering evidence, should be sitting in public but that cannot always be the case.

1.2.4 Deputy G.P. Southern:

Could the candidate tell us of his experience in chairing a Scrutiny Panel?

Deputy P.M. Bailhache:

I do beg his pardon but I did not hear the question.

The Bailiff:

Could the candidate tell us of his experience in chairing a Scrutiny Panel?

Deputy P.M. Bailhache:

Have I got experience of chairing a Scrutiny Panel?

The Bailiff:

That is as I understood the question, yes.

Deputy P.M. Bailhache:

Clearly I do not have much experience of chairing a Scrutiny Panel. I have chaired the panel since the debate 3 weeks ago and we had a quarterly questioning session with the Minister for Social Security, which so far as my perspective is concerned anyway, was a very successful and helpful exchange of views, and I do not think any difficulties arose during the course of that hearing. I do not anticipate having any difficulties in the course of any further hearings either.

1.2.5 The Connétable of St. Brelade:

The cost of caring for the elderly and the provision thereof in the Island is of great concern to many whose family members have to be involved. Would it be the candidate's intention if elected to conduct a review into this situation at present?

Deputy P.M. Bailhache:

I do not know whether the questioner is intending to refer to the recent events regarding the Les Amis charity but it does seem to me that something has gone wrong in that respect. I would certainly be recommending to the Scrutiny Panel, if I were elected, that a review into that issue should be conducted.

1.2.6 Deputy K.F. Morel:

Again, I asked this question of the previous candidate. Would the candidate please tell the Assembly or explain to the Assembly the areas that he feels as chair he would like to direct the panel to undertake reviews into and key areas of Scrutiny that he believes needs to be looked into?

Deputy P.M. Bailhache:

That is a difficult question because the range of issues which the Minister for Health and Social Services is having to confront at the moment and indeed, if one looks at her policy statement, the Minister for Social Security as well is extremely large. The resources of a Scrutiny Panel are limited and therefore one has to be very selective. For my part, I think that there is, in the context of health, an important area of work to be done by the Scrutiny Panel, in the context of the way in which the Jersey Care Model has been abandoned and restructured up to a point. The panel last week, or a few days ago in any event, had an interesting meeting with the former chair, or still the chair I think, of the Scrutiny Panel Independent Oversight Board, whose report was published in February, which I am sure Members will have seen, gave an extremely clear exposition of what had gone wrong with the Jersey Care Model and what he thought ought to take place in the future. That is an area which, it seems to me, with the Minister for Health and Social Services needs to be explored. In the context

of Social Security, it seems to me, and I said this in my opening speech, that the question of medical benefit and the affordability of going to see a G.P. (general practitioner) is a really pressing issue, which needs to be addressed. Medical benefit has not been increased for over 10 years now and the cost of going to see a doctor has become increasingly high. For some people that is a very grave disadvantage. That is an area which I think that, with the Minister for Social Security, the Scrutiny Panel would want to address.

1.2.7 Deputy K.F. Morel:

A slightly adapted version of a question I asked the previous candidate because that was about his previous work as a chair but, as the Deputy has already said, he cannot do that this time. Looking at the health panel's work from the last 4 years in the previous term of office I was wondering which areas of work the Deputy feels were most valuable that that panel undertook.

Deputy P.M. Bailhache:

I think that the most valuable area of work undertaken by the previous panel was in relation to the Jersey Care Model. Indeed if one reads the recent review of the Independent Oversight Board, it recognises that those things that the Scrutiny Panel were saying in relation to the Jersey Care Model have turned out to be absolutely correct. So I think that was the most valuable piece of work that they did.

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

The candidate has told us that he met with the Minister for Health and Social Services recently. Will he advise the Assembly whether that was a private meeting or whether officers were present and, irrespective of whether it was private or officers were present, will he elaborate on it please?

Deputy P.M. Bailhache:

It was a private meeting and because it was a private meeting I do not think it is appropriate for me to elaborate on exactly what was said by the Minister for Health and Social Services or by me. The purpose of the meeting was to ensure that relations between the Minister and any Scrutiny Panel which I chaired in the future was one that was harmonious and conducive to good scrutiny and good work.

1.2.9 The Connétable of St. Lawrence:

Has the candidate had a similar meeting with the Minister for Social Security?

[10:30]

Deputy P.M. Bailhache:

No, I have not had a similar meeting with the Minister for Social Security, although I would be very happy to have one if she would think it would be helpful. The purpose of meeting with the Minister for Health and Social Services was to try to get over some of the issues which had emerged during the recent no confidence debate, and those issues did not emerge in relation to Social Security.

1.2.10 Deputy I. Gardiner:

My question was prompted by the answer about training, and I would like to explore a bit more how the Deputy would bring Members with different experience together to work as an effective team and if there is any planned work to do this in his mind?

Deputy P.M. Bailhache:

I must confess that I have never found it difficult to work with people of different political persuasions, different characters and different approaches to life. As I said in answer to an earlier

question, if training can be shown to be valuable then I would certainly be willing to go along with it. But I think so often in life these things are really common sense and come down to a question of tolerance and the ability to work with other people. I do not feel - others may feel differently - but I have never felt that I have any problem in that respect.

1.2.11 Deputy I. Gardiner:

Would the Deputy consider training how Scrutiny works, how it works in other jurisdictions, how you conduct a public hearing and answering questions to get the best possible result? There are so many different options to make sure that Scrutiny works effectively. Is there any one of the optional training the Deputy could consider can benefit his panel?

Deputy P.M. Bailhache:

I am sorry if I did not really understand the Deputy's question properly in the first respect. I certainly think that gathering information about how Scrutiny works in other places is extremely valuable. The Health Scrutiny Panel under Deputy Southern had made arrangements to go to Westminster to investigate the workings of Select Committees at the beginning of March, and I was very disappointed that that came to an end because of the difficulties of which Members will be aware. But I would certainly hope to resurrect that plan and see whether a visit to Westminster can be arranged so that we can benefit from the experience of Select Committees and how they work across the political divide and involving Members from very different political persuasions.

1.2.12 Deputy L.V. Feltham of St. Helier Central:

Some of the major issues facing the Health Department in particular are around staff, some of those include recruitment and retention and also workplace culture. The candidate is currently on the States Employment Board. Does he consider that his position on the States Employment Board may give rise to some conflict of interest within this role in Scrutiny?

Deputy P.M. Bailhache:

It is true that the functions of the States Employment Board and the Health and Social Security Scrutiny Panel overlap or can overlap to a certain extent. But that does not necessarily mean that there is a conflict of interest in sitting on both bodies. What I think is important is that one maintains the confidentiality of information which is obtained in one context and does not use it in the sphere of another context so that if, for example, the States Employment Board were engaged in some work involving the retention and employment of staff that was not allowed to interfere with any work which the Scrutiny Panel was doing. But actually knowing what both bodies are doing is one very useful way of ensuring that there is no conflict and that both bodies do not get involved doing the same thing.

1.2.13 Deputy L.V. Feltham:

As chair of the panel, the candidate would also sit on the Scrutiny Liaison Committee and other chairs of panels and committees would have to discuss their work programme and how they are progressing. Some of that work may well involve the scrutiny of the States Employment Board. How would the candidate deal with that particular conflict of interest?

Deputy P.M. Bailhache:

I have no experience of the Scrutiny Liaison Committee, having sat on it only once during the last week or so. But if the Scrutiny Liaison Committee were conducting some investigation which involved the State Employment Board, then obviously I would have to declare an interest and withdraw. I do not think that is in issue.

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

Does the candidate believe in complete openness and transparency?

Deputy P.M. Bailhache:

This candidate certainly does believe in complete openness and transparency and will certainly do his very best to ensure that that precept is followed unless there is some extremely good reason for not doing so.

Deputy L.F. Farnham:

In which case could he possibly answer the Constable of St. Lawrence's question ...

The Bailiff:

I am afraid you are out of time. Thwarted by the bell, I am afraid, Deputy. Could we invite Deputy Rob Ward to the Chamber please? We now come to the point where a vote will be taken. We will be using the electronic voting system. If Members wish to vote for Deputy Rob Ward they should press the pour button. If they wish to vote for Deputy Bailhache they should press the contre button. Pour for Deputy Ward, contre for Deputy Bailhache. I ask the Greffier to open the voting and Members to vote. It is pour for Deputy Ward, contre for Deputy Bailhache. If Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. In which case Deputy Ward received 32 votes, Deputy Bailhache received 14 votes. There were no abstentions and I therefore declare that Deputy Rob Ward has been appointed as chair of the Health and Social Security Scrutiny Panel.

| Deputy R.J. Ward of St. Helier Central | of 32 | Deputy Sir P.M. Bailhache of St. Clement | 14 | Abstain: 0 |
|---|--------------|---|-----------|-------------------|
| | | | | |
| Connétable of St. Helier | | Connétable of St. Brelade | | |
| Connétable of St. Lawrence | | Connétable of Trinity | | |
| Connétable of St. Peter | | Connétable of St. Mary | | |
| Connétable of St. Martin | | Connétable of St. Saviour | | |
| Connétable of St. John | | Deputy C.F. Labey | | |
| Connétable of St. Clement | | Deputy S.G. Luce | | |
| Connétable of Grouville | | Deputy I.J. Gorst | | |
| Connétable of St. Ouen | | Deputy Sir P.M. Bailhache | | |
| Deputy G.P. Southern | | Deputy M.R. Scott | | |
| Deputy M. Tadier | | Deputy R.E. Binet | | |
| Deputy L.M.C. Doublet | | Deputy A. Howell | | |
| Deputy K.F. Morel | | Deputy T.J.A. Binet | | |
| Deputy M.R. Le Hegarat | | Deputy M.R. Ferey | | |
| Deputy S.M. Ahier | | Deputy B. Ward | | |
| Deputy R.J. Ward | | | | |

| | | | | |
|----------------------------|--|--|--|--|
| Deputy C.S. Alves | | | | |
| Deputy I. Gardiner | | | | |
| Deputy L.J. Farnham | | | | |
| Deputy K.L. Moore | | | | |
| Deputy S.Y. Mézec | | | | |
| Deputy T.A. Coles | | | | |
| Deputy B.B.de S.V.M. Porée | | | | |
| Deputy D.J. Warr | | | | |
| Deputy H.M. Miles | | | | |
| Deputy J. Renouf | | | | |
| Deputy C.D. Curtis | | | | |
| Deputy L.V. Feltham | | | | |
| Deputy H.L. Jeune | | | | |
| Deputy R.S. Kovacs | | | | |
| Deputy A.F. Curtis | | | | |
| Deputy L.K.F. Stephenson | | | | |
| Deputy M.B. Andrews | | | | |

Deputy R.J. Ward:

Thank you, Sir. May I thank the Assembly and thank Deputy Bailhache as well. I think it is always important a contest, I am sure it was done extremely well. I would like to take a little bit of time regards the ... if I am honest, I was hoping there would be something to extend this out a little bit and we may come back tomorrow but we might make it to lunchtime. If so, I would like to make myself available for some conversation regards anyone interested in the panel. Perhaps it is time for me to ask Deputy Tadier to take up a bit of time. But perhaps I will not do that. **[Laughter]**

Deputy M. Tadier:

As it stands, I was going to ask for the vote both ways.

The Bailiff:

We can read out the vote both ways, if that is not a time delay exercise.

Deputy M. Tadier:

It might be an indirect consequence but I am genuinely interested.

The Greffier of the States:

Those voting pour: the Connétables of St. Helier, St. Lawrence, St. Peter, St. Martin, St. John, St. Clement, Grouville and St. Ouen, Deputies Southern, Tadier, Doublet, Morel, Le Hegarat, Ahier, Rob Ward, Alves, Gardiner, Farnham, Moore, Mézec, Coles, Porée, Warr, Miles, Renouf, Catherine Curtis, Feltham, Jeune, Kovacs, Alex Curtis, Stephenson and Andrews. Those voting for Deputy

Bailhache: the Connétables of St. Brelade, Trinity, St. Mary and St. Saviour, and Deputies Labey, Luce, Gorst, Bailhache, Scott, Rose Binet, Howell, Tom Binet, Ferey and Barbara Ward.

The Bailiff:

You would wish to take a little time to consider whether you wish to bring forward nominations either at this meeting or at the next meeting?

Deputy R.J. Ward:

Yes, Sir. I think what may be likely is to bring forward at least a constitution of a panel but then there is also plenty of time to add members to that panel at any time. I would rather take time and get it right for the longevity, so I will come back as soon as I can. I think we do have quite a bit of business and we may well make it to lunchtime at least.

The Bailiff:

It will be a matter for the Assembly. If we finish Public Business then you will have to persuade the Assembly to come back after lunch. But if we do not then there will be a natural luncheon.

Deputy R.J. Ward:

I will make myself available in the tearoom as soon as I possibly can.

QUESTIONS

2. Written Questions

2.1 Deputy M.B Andrews of St. Helier North of the Minister for the Environment regarding regulation of Estate Agents (WQ.82/2023)

Question

Will the Minister advise whether he will seek to regulate Estate Agents, and if so, when such regulation would be implemented?

Answer

At present there are no plans to introduce new legislation regulating estate agents.

I would highlight the current regulations in place as described below.

The Consumer Protection (Unfair Practices) (Jersey) Law 2018 came into force in June 2018 which provides a comprehensive framework for the protection of consumers against unfair commercial practices. The Law extends to consumers who engage the services of estate agents, including to sell and to purchase property.

The Law enables Trading Standards to tackle unfair commercial practices, including:

- misleading advertisements and listings;
- misleading omissions where a business has failed to provide the consumer with important material information in good time;
- aggressive practices;
- banned practices; and
- failure to act in accordance with professional diligence.

The Law supports estate agents to adopt good practice in their business activities and enables Trading Standards to deal with estate agents which do not comply with the specified standards of practice.

The Minister is unconvinced that a strong need has been established for bespoke regulation of estate agents. Many estate agents in Jersey already adopt good practice. A number of estate agents are, for example, already members of representative trade bodies such as the National Association of Estate Agents and comply with industry-led standards. This includes requirements in relation to qualifications for staff members to make sure they are appropriately qualified to carry out estate agent activities. Consumers in Jersey can therefore choose estate agents that are part of the NAEA, which provides access to a client money protection scheme and an independent redress scheme.

2.2 The Connétable of St. Martin of the Chief Minister regarding food banks (WQ.83/2023)

Question

Following a report in the Jersey Evening Post on Tuesday 21st February regarding the increasing number of pensioners and children using food banks in Jersey, including a 41 percent increase between January 2022 to January 2023 in the number using the Salvation Army's Minden Street food bank, will the Chief Minister advise whether the Government intends to develop and deliver a strategy to ensure that Islanders do not face difficulty in purchasing enough food for themselves and their families; and, if not, why not?

Answer

The Government works in partnership through the Financial Impact Action Group to monitor and to support a number of organisations who operate food banks.

Work to collate food bank usage data is ongoing, which will help develop any future strategy and developments.

In addition, the Government committed to an extensive package of measures to address the cost-of-living crisis, which formed part of the Chief Minister's 100 day plan.

This ongoing package will equate to almost £42 million of support in 2023 and includes.

- An increase of 12% in Income Tax thresholds and allowances, including Child Allowances, Additional Allowance and Child Care Tax Relief, from 1 January 2023
- Income tax threshold for a single person raised from £16,550 to £18,550
- Increasing Income Support components in January 2023 to provide increases of at least 10.4% for the year with higher increases for carers and private sector tenants.
- Increasing cold weather payments to £70 a month from October 2022 to March 2023 regardless of the temperature

In addition, short term measures implemented rapidly in 2022 included

- Cost of Living Temporary Scheme (COLTS) payments to low-income households increased to £40 per person per month (£160 for a couple with 2 children)
- Social Security contributions for individuals reduced by 2 percentage points (e.g. 6% to 4% for employees)
- Doubling the 2022 Community Cost Bonus (CCB) to £516.50 and extending eligibility to include households who paid less than £2,735 tax in 2021.

The Government has also introduced the Parental Support Payment for parents or carers who are living, working and looking after their children in Jersey, but have been on the Island less than 5 years.

A range of benefits are provided to pensioners who do not pay income tax and/or have incomes below the income tax threshold. These include:

- Community Cost Bonus – an annual fixed value payment
- Pension Plus – support for dental, optical and chiropody costs
- Health Access Scheme – support for GP and primary care costs
- Cold Weather Bonus/Payment – support for heating costs
- Christmas Bonus – annual payment before Christmas

The Jersey Old Age Pension is uprated every year in October. The uprate always at least matches the increase in pensioner RPI as measured in June. In years where wages are rising faster than prices, the pension increases above the RPI increase. In October 2022, the pension increased by 7.7% to give a full rate single pension entitlement of £253.40 a week.

In addition to the measures listed above, this Government is committed to working with key stakeholders to support all Islanders, and remains ready to take further action if it becomes necessary.

2.3 Deputy G.P Southern of St. Helier Central of the Minister for Health and Social Services regarding regulation of Estate Agents (WQ.84/2023)

Question

Given that the key findings of the Jersey Care Model Review, as detailed within the Jersey Care Model, adopted under P.114/2020, state that "*There is an urgent need to change primary care payment mechanisms in the short term with an opportunity to update them in the longer term*", will the Minister advise –

- (a) what progress has been made, if any, to change primary care mechanisms; and
- (b) how she proposes to manage the transition of the funding for the preferred funding option, Option 2 –
 - (i) for vulnerable groups; or
 - (ii) universal coverage at a total cost of £14.5 million per year?

Answer

As set out in the response to WQ.174/2022 the Minister for Health and Social Services is, in accordance with the Government Plan 2022 and 2023, undertaking a wide review of the Island's health and care costs. This work is underway. Specialist health economists are currently working to estimate total health care expenditure for Jersey (including government and non-government spend) and developing options for change. This review is focusing on funding for the whole health care system, rather than only the primary care payment mechanisms as per Option 2 as described in P114/2020.

The review is examining options for ensuring that any proposed new funding system builds in equity and fairness and works to protect the health of vulnerable groups. The potential implementation of Option 2, as described in P114/2020, and any associated transitional arrangements, will be considered after the review is complete and both the public and providers have been consulted on funding options.

2.4 Deputy M.R Scott of St. Brelade of the Chief Minister regarding the role of the Minister for External Relations (WQ.85/2023)

Question

Further to the response to Written Question 55/2023, will the Chief Minister –

- (a) provide both a revised Ministerial Plan and Delivery Plan for External Relations highlighting any areas of anticipated involvement by the Minister for External Relations in promoting, protecting or otherwise representing the Island in finance industry matters;
- (b) explain –
 - (i) the apparent inconsistency in the application of ministerial standards by allowing the Minister to retain the External Relations part of his portfolio while removing the Financial Services part; and
 - (ii) the term “proportionate” in respect of the response;
- (c) expand upon the response given to part (c) by providing details of any risk assessments, consultations or accompanying procedures that were carried out prior to the decision to the

portfolio changes; and, if no such were carried out, provide an explanation as to why it was not considered necessary; and

- (d) expand upon the response given to part (d) in relation to the decision to allow the Minister to retain the External Relations portfolio by providing –
 - (i) the number of expressions of concern received from people involved or formerly involved in the finance industry; and
 - (ii) the total number of communications received in respect of this decision expressing concern?

Answer

- (a) A revised Ministerial Delivery Plan will be produced to reflect the transfer of responsibility for Financial Services to the Chief Minister. The Minister for External Relations will continue to represent Jersey overseas on the full range of Jersey's interests, in accordance with the Common Policy for External Relations. Where planned in relation to Financial Services, this is also included in their Ministerial Delivery Plan.
- (b)
 - (i) There is no inconsistency. I have explained that the transfer of financial services was a proportionate response to personal administrative issues that were highlighted, notably, that this was an issue with personal finance that felt incompatible with holding responsibility for financial services, and that further action was not required.
 - (ii) Proportionate means an action or response equivalent or consistent to the matter in hand.
- (c) The States of Jersey Law provides that the allocation of ministerial portfolios is a matter for the Chief Minister, and as previously explained, Ministers and Assistant Ministers accumulate knowledge and experience which helps inform decisions on an ongoing basis, including considering risk and reaction. In this case, that enabled me to take a rapid, and proportionate decision. I do not believe that the response to Deputy Ozouf's personal administrative issues warranted, or would have benefited from, further consideration.
- (d) On brief review, I only received less than a handful of emails relating to this matter. Decisions on this matter were not fundamentally driven by the volume of public correspondence, but my own decisions as to what was appropriate, and proportionate, in the circumstances.

2.5 Deputy R.J Ward of St. Helier Central of the Minister for Health and Social Services regarding development of a cancer strategy (WQ.86/2023)

Question

Will the Minister advise the current progress in the development of a Cancer strategy for Jersey?

Answer

The development of a Cancer Strategy has been progressed during 2022. The following progress has been made:

- A steering group was established to oversee the development of the strategy;
- A working group was established to undertake the development of the strategy;
- Data has been gathered and analysed to inform a needs analysis;
- Engagement with stakeholders has been undertaken.

Final reviews are being undertaken and I anticipate the strategy to be presented to me by end of Q2 this year.

2.6 Deputy L.V. Feltham of St. Helier Central of the Minister for Social Security regarding the transform strategy (WQ.87/2023)

Question

Will the Minister provide the following information in relation to the Transform (Systems Renewal Strategy) GP21-013-CAPITA (the “Programme”), which is referenced in her Ministerial Delivery Plan –

- (a) the purpose of the programme and its intended outputs;
- (b) the total anticipated expenditure on the programme over all years (including past years and forward estimates), broken down by year and type of expenditure;
- (c) the actual expenditure to date on the programme by year, broken down as in (b);
- (d) the secured budget for the Programme in the current Government Plan;
- (e) sources of funding for the Programme (including previous funding, secured funding and any additional anticipated funding requirements); and
- (f) any other resource requirements for the Programme that have not been identified in the answer to (b), for example staff time not paid for by the Programme, input of other departments not paid for by the programme?

Answer

- a) The purpose of the programme is to ‘transform our services and systems to make it easy for customers’. The programme has 3 primary objectives:
 - a. Deliver business change allowing the department to re-align its structure and processes to make it easy for customers and meet customer demand for the next 10-15 years;
 - b. Ensure the continuing reliability and availability of CLS’s primary business support system, to ensure it is able to discharge its statutory obligations;
 - c. Replace and modernise CLS’s benefit administration systems to develop, flex and enhance its services in a timely way, to allow the development of business support functionality in new technology to support future policy development and implementation.

The key expected outputs include a modern technology solution that allows customers to access all in-scope services online, receive pro-active notifications and improve access to their own data, as well as efficiencies and improved flexibility in the delivery of all services and associated business processes.

- b) Actuals for 2021, 2022 and 2023 to date have been included in the response to question c).

At this stage it is too early to produce a detailed forecast for 2023 and 2024. A new forecast will be produced following a tender exercise, supplier selection and completion of the Full Business Case which is anticipated to be completed this year. Underspend from the original budget may be reprofiled if necessary past 2024.

Indicative ‘rough order of magnitude’ costs and timelines obtained during market engagement activities have varied significantly (i.e. from 11 months to 3 years) but suppliers are confident that a solution can be delivered within budget.

For additional context the programme has faced challenges post-covid recruiting to permanent, fixed-term and temporary posts for technical expertise to complete specialist analysis, design and commercial activities so has had to source some roles through the professional services framework. It is expected that there will be a need for additional specialist support required for database design, data migration planning and assurance activities during 2023.

- c) Actuals to date.

| | 2021 | 2022 | 2023 | 2024 | Totals |
|----------------------------|-------------|--------------|---------------|--------------|---------------|
| Staff costs | 184 | 571 | 142 | 0 | 897 |
| Consultant costs | 48 | 247 | 130 | 0 | 425 |
| M&D recharges | 0 | 0 | 0 | 0 | 0 |
| Implementation costs | 0 | 0 | 0 | 0 | 0 |
| Computer software | 0 | 0 | 0 | 0 | 0 |
| Training | 0 | 0 | 0 | 0 | 0 |
| Marketing | 0 | 0 | 0 | 0 | 0 |
| Other expenses | 0 | 0 | 0 | 0 | 0 |
| Contingency | 0 | 0 | 0 | 0 | 0 |
| Total spend (£,000) | 232 | 818 | 272 | 0 | 1,322 |
| GP Budget (£,000) | 250 | 2,000 | 12,500 | 8,250 | 23,000 |

- d) The secured budget for the programme is £23 million. It is expected to be reforecast following the tender exercise as per b).

| | 2021 | 2022 | 2023 | 2024 | Totals |
|--------------------------|-------------|--------------|---------------|--------------|---------------|
| GP Budget (£,000) | 250 | 2,000 | 12,500 | 8,250 | 23,000 |

- e) The programme is funded by the Social Security Fund. Should the Transform solution deliver capabilities that can be re-used by other departments then alternative funding will be considered.
- f) The programme will require resources from the following departments:
 - a. Modernisation & Digital
 - b. Strategic Policy, Planning and Performance

The definitive costs of which are too early to provide at this stage, some of which will be shared with the Services Digitisation programme and will be dependent on supplier responses to the Transform tender.

It is expected that some minor input will be required from other departments to support governance activities such as amendments to data processing agreements (e.g. Revenue Jersey).

2.7 Deputy T.A. Coles of St. Helier South of the Minister for Housing and Communities regarding Andium homes’ numbers of properties (WQ.88/2023)

Question

Will the Minister advise the number of homes that Andium provide, the amount that they are in the process of building and the quantity that they have planning approval to build, breaking each category down by site into number of bedrooms and maximum occupancy per unit?

Answer

Andium Homes rental portfolio* is broken down as follows:

| Property Type | Studio | 1 | 2 | 3 | 4 | 5 | 6 | Totals |
|----------------------|---------------|--------------|--------------|------------|------------|----------|----------|---------------|
| BUNGALOW | | 39 | 6 | 3 | | | | 48 |
| FLAT | 251 | 1,830 | 1,232 | 169 | | | | 3,482 |
| HOUSE | | 27 | 189 | 622 | 111 | 6 | 1 | 956 |
| MAISONETTE | | 3 | 130 | 41 | 2 | | | 176 |
| Grand Total | 251 | 1,899 | 1,557 | 835 | 113 | 6 | 1 | 4,662 |

*Does not include charity hostels and properties managed on behalf of POSS

The following homes are under construction:

| Project | Total units | 1Bed 1Pers on Flat | 1Bed 2Pers on Flat | 2Bed 3Pers on Flat | 2Bed 4Pers on Flat | 3Bed 4Pers on Flat | 3Bed 5Pers on Flat | 3Bed 6Pers on Flat | 2Bed 4Pers on House | 3Bed 5Pers on House |
|-------------------------|--------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|----------------------------|----------------------------|
| Edinburgh House | 117 | | 58 | | 53 | | | 6 | | |
| Cyril Le Marquand Court | 85 | | 79 | 6 | | | | | | |
| The Limes | 130 | | 42 | 73 | 9 | | 6 | | | |
| The Mayfair | 201 | | 147 | 53 | | 1 | | | | |
| Northern Quarter | 169 | 12 | 110 | 34 | 4 | 2 | | | 1 | 6 |
| Total | 702 | 12 | 436 | 166 | 66 | 3 | 6 | 6 | 1 | 6 |

The following homes have planning approval:

| Project | Total units | 1Bed 1Person Flat | 1Bed 2Person Flat | 2Bed 3Person Flat | 2Bed 4Person Flat | 3Bed 4Person Flat |
|--------------------|--------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Ann Street Brewery | 249 | 0 | 162 | 82 | 0 | 5 |

2.8 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding a response to recommendations from the Deployment of Staff Resources in Health and Community Services report (WQ.89/2023)

Question

Further to her answer to [Oral Question 11/2023](#), will the Minister advise whether she is in a position to inform the Assembly of her officers' response to the recommendations contained in the Comptroller and Auditor General' Report dated 24 January 2023 entitled "Deployment of Staff Resources in Health and Community Services" (with particular reference to such issues as the harmonisation of 24/7 working practices across all of the workforce) given that a presentation was to be forthcoming no later than 7 March 2023?

Answer

The original deadline to respond to the report was 8 March 2023. An extension to the response deadline was requested and agreed by the Public Accounts Committee (PAC). The Executive response to the Report recommendations was submitted on Thursday 9 March. PAC will consider the response and publish it in due course in the usual way.

If the Deputy would like a meeting with either myself or the relevant officers to discuss the responses when they are published, this can be arranged.

2.9 Deputy M.B. Andrews of St. Helier Central of the Minister for Health and Social Services regarding headcount of companies in the Island (WQ.90/2023)

Question

Will the Minister advise the number of companies on the island broken down by headcount for each year since 2018?

Answer

| Year ¹ | Number of businesses with 1 staff | Number of businesses with 2-5 staff | Number of businesses with 6-9 staff | Number of businesses with 10-19 staff | Number of businesses with 20-49 staff | Number of businesses with 50+ staff | Total number of businesses |
|-------------------|-----------------------------------|-------------------------------------|-------------------------------------|---------------------------------------|---------------------------------------|-------------------------------------|----------------------------|
| 2018 | 4,180 | 1,980 | 540 | 410 | 290 | 190 | 7,590 |
| 2019 | 4,380 | 1,890 | 540 | 430 | 290 | 190 | 7,720 |
| 2020 | 4,430 | 1,940 | 530 | 410 | 260 | 170 | 7,740 |
| 2021 | 4,780 | 2,040 | 590 | 410 | 290 | 170 | 8,280 |
| 2022 | 4,610 | 2,100 | 580 | 430 | 290 | 180 | 8,190 |

2.10 Deputy M.B. Andrews of St. Helier North of the Chair of the States Employment Board regarding appointments with salaries exceeding £100,000 (WQ.91/2023)

Question

Will the Chair advise how many appointments have been made in each of the last five years where the employee’s salary exceeded £100,000?

¹ figures are as of June for each year.

Answer

| APPOINTMENT YEAR | NUMBER OF APPOINTMENTS WITH A STARTING BASIC SALARY EXCEEDING £100K |
|-------------------------|--|
| 2018 | 41 |
| 2019 | 33 |
| 2020 | 121* |
| 2021 | 32 |
| 2022 | 29 |
| 2023 | 1 |
| TOTAL | 257 |

*95 Primary Care Physicians were employed by Government due to Covid-19 in 2020.

2.11 Deputy M.B. Andrews of St. Helier North of the Minister for Health and Social Services regarding complaints in the department (WQ.92/2023)

Question

Will the Minister advise how many complaints have been filed against her department each year since 2018?

Answer

The table below outlines the total complaints received per year since 2018. Please note that 2023 covers the period from 1st January 2023 – 28th February 2023.

| Year | Complaints received |
|------|---------------------|
| 2018 | 232 |
| 2019 | 271 |
| 2020 | 311 |
| 2021 | 375 |
| 2022 | 372 |
| 2023 | 100 |

2.12 Deputy G.P. Southern of St. Helier Central of the Minister for Social Security regarding the regulation of zero-hours contracts (WQ.93/2023)

Question

Given the approval by the previous Assembly of [P.32/2021](#), regarding the need for regulation of zero-hour contracts, will the Minister advise –

- a) whether the estimated £50,000 funding allocated in the 2022-2025 Government Plan to undertake a review of workers' rights has been utilised, and if so, will she provide a breakdown of the spend;
- b) whether any further funding for this review has been allocated or utilised; and
- c) whether she will publish the report of the Jersey Employment Forum in relation to zero-hours contracts, and if not, why not; and if she does intend to publish the report, by what date?

Answer

- a) Although funding was made available for this project, it was not necessary to buy in external support and the work is being undertaken using the resources already available to the Employment Forum.
- b) No further funding for the review has been sought or allocated;
- c) The Minister's Delivery Plan for 2023 includes the following action:

MSS P1.4 100 Day Plan Action 5

Supporting workers through increases in the minimum wage and taking actions to improve their rights in 2023.

Complete the Zero Hour Contract review in Q1 and take actions as required from Q2 onwards.

The report of the Forum will be presented to the Minister by the end of Q1 and will be published by the Forum in the normal way. Actions following on from the review will then be scheduled from Q2 onwards.

2.13 Deputy R.J. Ward of St. Helier Central of the Minister for Health and Social Services regarding a cancer strategy (WQ.94/2023)

Question

Will the Minister advise the current position regarding development of a cancer strategy for Jersey, and will she further state what resources are committed to the development of the strategy and the estimated timescale for implementation?

Answer

In addition to my answer to [WQ.086/2023](#), the following progress has been made in the development of the Cancer Strategy throughout 2022:

- a working group was established to commence development of a draft strategy, with a steering group overseeing their work. These groups included:
 - service users

- GP's
- public health officials
- medical consultants and lead nurses (including medical oncology, radiography, palliative care and histopathology)
- service managers
- representatives of MacMillian Cancer Support
- relevant data was gathered to help understand prevalence and inform a need analysis
- current services have been mapped, including acceptance criteria and access arrangements to help identification of gaps in provision and activity, and
- a series of 11 stakeholders engagement sessions have been undertaken to support identification of key issues and inform future activity.

That work is now subject to review, and I anticipate a strategy being presented to me by end of Q2 2023.

The Government of Jersey resources committed to develop this strategy have been time and commitment from

- public health officials
- medical consultants and lead nurses (including medical oncology, radiography, palliative care and histopathology)
- service managers

2.14 Deputy R.J. Ward of St. Helier Central of the Minister for Infrastructure regarding income received from the rental of sports facilities (WQ.95/2023)

Question

Will the Minister advise the annual income received from the rental of sports facilities owned by the States of Jersey to sports groups across the island?

Answer

The Sport Division collect rents of £342,566 per annum for property privately let under licence or lease agreements with Jersey Property Holdings, on or within property managed by Sport. These agreements are not all for Sports related activity and include other activity, including, but not limited to, Child Care, Catering and Administration.

2.15 Deputy R.J. Ward of St. Helier Central of the Minister for Children and Education regarding a new education campus at Highlands College (WQ.96/2023)

Question

Will the Minister advise the current position regarding a new Education campus at Highlands College?

Answer

Feasibility funding of £330,000 is available in the Government Plan 2023. This funding has been secured to further develop plans for the creation of a new Further Education Campus.

Previous feasibility work has included a strategic review of the college estate and facilities, both of which supported the development of business cases for submission to earlier Government Plans. Ongoing work was delayed due to the Pandemic, and it was agreed that a Further Education and Skills Actionable Agenda would be commissioned to identify the need and benefits of redesigning the delivery of services for Further, Higher and Adult Skills and Lifelong Education.

In addition, given the continued need to invest in the maintenance of the existing estate, together with the increased importance of the Actionable Agenda; Highlands College in conjunction with Infrastructure, Housing and Environment commissioned a condition survey in November 2022. This has highlighted the fundamental needs to develop a fit for purpose learning environment which would be central to the development of skills for Jersey.

The next phase of work is to review the recommendations from the Further Education and Skills Actionable agenda alongside a report due on Higher Education. The outputs from these reports will assist in developing a specification for the feasibility study in consultation with the Population and Skills Ministerial Group and other stakeholders.

I anticipate that the feasibility project will commence in the second quarter of 2023.

2.16 Deputy C.D. Curtis of St. Helier Central of the Minister for Housing and Communities regarding young couples upsizing their properties (WQ.97/2023)

Question

Will the Minister advise whether he has considered the position of young couples who have managed to purchase a one-bedroom flat, but cannot afford to move to a larger property due to high prices, and wish to start a family; and will he provide details on any planned work aimed at empowering young people in this situation to upsize their property?

Answer

As Minister for Housing and Communities, I am acutely aware of the housing challenges faced by young people. Unfortunately, this issue is not a problem isolated to Jersey. Economic changes have impacted on the lending environment, creating a wider affordability gap. Nevertheless, I want to give hope to Islanders, particularly young people who want to remain in Jersey. I have, therefore, tasked officers to think creatively in proposing assisted purchase schemes. I am in discussions with our Chief Economist about such schemes; I want to ensure the policy I publish is workable within the current economic climate.

We also have housing supply identified in Bridging Island Plan of 4,000 homes, around 1,500 of which will be affordable homes on rezoned sites. These sites will provide larger, affordable family homes.

Supporting more housing options for young people is important to me. That's why I am also committed to reducing the entry age for the Gateway down to 25.

2.17 Deputy M.R. Scott of St. Brelade of the Minister for Children and Education regarding non-fee paying secondary school places (WQ.98/2023)

Question

For each of the non-fee paying secondary schools would the Minister advise –

- a) how many places are available for year 7 intake;
- b) how many applications have been made for year 7 for September 2023;
- c) how many appeals have been received in relation to allocation of places, and of these, how many have been successful and how many are outstanding;
- d) whether there is any ability to increase capacity in cases where there is over-subscription, and if so, by how much;

and will the Minister further advise whether driving distance from principal residence to school is factored into appeals for secondary school places and, if not, why not?

Answer

For the September 2023 year 7 intake:

This year’s intake is significantly larger than average years, primarily due to a high birth rate in Jersey 11 years ago. Additional forms of entry have been opened at Haute Valleé, where there is spare capacity to accommodate this.

In round one of the allocations process places are offered based on the catchment address held by the students’ primary school. In round two, requests made for schools different to the catchment school are considered and where possible allocated. 692 places at catchment school or a different school of choice have now been allocated, this equates to 95% of allocations to catchment schools or a different school of choice.

| | a) how many places are available for year 7 intake; | b) how many applications have been made for year 7 for September 2023; | c) how many appeals have been received in relation to allocation of places |
|----------------|--|---|---|
| Grainville | 182 | 195 | 10 |
| Haute Valleé | 182 | 156 | 0 |
| Le Rocquier | 182 | 176 | 0 |
| Les Quennevais | 182 | 197 | 13 |

c) how many appeals have been successful and how many are outstanding

Year 7 appeals take place week commencing 23rd March, none have been decided and all remain outstanding at this time.

d) whether there is any ability to increase capacity in cases where there is over-subscription, and if so, by how much;

Grainville, Haute Valleé and Les Quennevais are designed to provide excellent education facilities supporting a broad and balanced curriculum, for 7 forms of entry, each with 25 students, total 175 per school. It is possible to stretch this capacity by one student per form giving a total capacity of 182 students.

As part of the planning for the year 7 intake this year I received advice from officers and met with head teachers. Capacity is limited to ensure that all students receive a high-quality education with the wide curriculum offer they deserve. Stretching capacity beyond the design limits of a school results in larger classes, reduced quality of education, reduced ability to target extra support where needed and reduced access to specialist teaching spaces and associated curriculum.

Driving distance from principal residence to school is a factor of appeals for secondary school places.

2.18 Deputy R.S. Kovacs of St. Saviour of the Minister for Treasury and Resources regarding the Finance Law Delegation Report (WQ.99/2023)

Question

Will the Minister provide further explanation in relation to the following funding highlighted in the report [R.30/2023](#) “Finance Law Delegation Report for the six-month period July-December 2022” –

- a) £500,000 has been transferred from Infrastructure, Housing, and Environment to Strategic Policy, Planning, and Performance (page 3, table 2.1) with the intention that:
“The funding will be used to create a dedicated function within SPPP to lead on the development and implementation of policy options for Housing, and co-ordinate the activities of delivery agencies. The recurring transfer is included in the Government Plan 2023-2026. (MD-TR-2022-720)”,
will the Minister provide additional detail on what this function is, who will undertake it and provide a breakdown of how this funding will be used; and
- b) £245,000 has been allocated to the “Legal Advisors Reward Scheme” (page 8), will the Minister explain what this scheme intends to achieve, and how many individuals have received a reward from this scheme, with detail on how much each individual received?

Answer

The Finance Law Delegation Report is published twice yearly by the Minister for Treasury and Resources, as is required under the Public Finances (Jersey) Law 2019. The report lists decisions taken by the Minister under certain Articles of that Law. The vast majority of those decisions have previously been published in full at:

<https://www.gov.je/government/planningperformance/pages/ministerialdecisions.aspx>.

(a) As part of the previous Government’s Common Strategic Policy (CSP) priority to ‘Reduce Inequality’, £500,000 was allocated within IHE (Infrastructure, Housing, and Environment) to fund the strategic co-ordination of the Housing Policy Development Board and longer-term planning. This work was subsequently taken forward by SPPP (Strategic Policy, Planning, and Performance – now part of the Cabinet Office).

The funding provides resources to support the work of the dedicated Housing & Regeneration Unit within the Cabinet Office, leading on the development and implementation of policy options and co-ordinating the activities of other departments and delivery agencies, to support the relentless focus on housing. The resources are being used for 3 full time posts (one already in post, one under recruitment and 1 under review) and £250,000 is earmarked to help address the issue of vacant homes. Further recruitment is underway to strengthen the core team with an additional 2 full time equivalents. Key activities include the implementation of policy development and interventions as outlined in the

Minister for Housing's Delivery Plan, for example, updating the Dwelling-houses (Rent Control) Law 1946 and developing the Island's first long-term, sustainable strategy for the future of Jersey's housing market.

The relevant Heads of Finance Business Partnering, Group Directors, Accountable Officers, and affected Ministers agreed that the budget be transferred.

(b) The allocation of up to £245,000 from the General Reserve in MD-TR-2022-814 was to cover a forecast potential overspend in the Law Officers' Department. The Department's final outturn for 2022 was an underspend of £93,000, so this allocation from the General Reserve was not needed and was not drawn down.

The Government Plan 2023-206 includes a Growth allocation in each of the years of the plan to fund the Legal Adviser Reward Scheme. The approved allocation for 2023 is £469,000.

The 2023 funding covers up to 72 staff members in the Legal Adviser pay group. The business case from the Law Officers' Department includes the following:

“At the time that a Legal Adviser pay group was established in 2013 it was agreed by SEB that the new pay scale would be realigned to the market every ‘3-5 years’, however it was not until 2021 when a market review was carried out and an updated scheme was proposed. The updated scheme was implemented in 2022, having received SEB and Treasury Minister approval and following a consultation process with staff and trade union representatives in line with the Organisational Change Policy.

The updated Legal Adviser Reward Scheme realigns the pay group to the market and includes Assistant Legal Advisers and the new role of Paralegal in order to encompass the full legal job family in one pay group.

The objective of tracking the market rate is to be able to retain and recruit legal job family staff in order to achieve an ROI (Return on Investment) in staff costs by maintaining the level of expertise and experience within the Department, ensuring effectiveness against the private practice sector and achieving Value for Money. If the resources are not available in-house, it is less efficient and far more costly to outsource the work to external counsel.”

2.19 Deputy M.R. Scott of St. Brelade of the Chief Minister regarding improving transparency and accountability across Government (WQ.100/2023)

Question

Will the Chief Minister advise what specific laws, policy changes, and public employee contract changes, if any, she will be seeking to implement during her term of office to improve transparency and accountability across Government in furtherance of the priority identified within her 2023-26 Ministerial Plan?

Answer

My 2023-26 Ministerial Plan contains several measures that will, when implemented, improve transparency and accountability across Government. These include the introduction of the Jersey Public Services Ombudsperson (JPSO) which will increase transparency in the Government and across public authorities by investigating and resolving complaints made by Islanders, including whistle-blowers. The JPSO would have wide-ranging powers to enable it to carry out investigations

effectively, including powers to commence investigations on its own initiative. All investigation reports will be published.

Proposed amendments to the Statistics and Census (Jersey) Law 2018 would strengthen the accountability and independence of Statistics Jersey. These amendments will enhance the protection available to key Government statistics, improving transparency surrounding their prioritisation and production.

Following a public consultation, which concluded in February, the Government will soon be publishing a new Policy Engagement Framework. As set out in my initial proposals in a report to the Assembly ([r.145-2022.pdf \(gov.je\)](#)), the implementation of the Framework will ensure that the views of Islanders, particularly those from parts of the community that are harder to reach, will be included in key Government decision making processes. This represents just part of an overall package of actions that the Government is taking to increase the availability of information to Islanders, which was set out in the Engagement and Information Improvement Report ([r.163-2022.pdf \(gov.je\)](#)).

Regarding employment contracts, the States Employment Board has introduced a new Code of Practice on Standards in Public Service. All public service employees are required to comply with the Code which states, amongst other requirements, that States employees must take accountability for their own conduct, behaviours, and work.

2.20 Deputy M.R. Scott of St. Brelade of the Minister for Treasury and Resources regarding the Government's new invoice payment system (WQ.101/2023)

Question

With respect to Government's new invoice payment system (the "System"), will the Minister advise –

- a) how many complaints have been received regarding either –
 - i. the manner in which the change to the System was notified to suppliers of goods and services, and the manner of its implementation; or
 - ii. the System providing excessive information to suppliers of goods and services creating unnecessary administration for them;
- b) whether there was a plan in place for implementation of the System; and
- c) whether the System will be reviewed to assess its impact on suppliers of goods and services and, if so, when?

Answer

- a) Connect Suppliers Ariba/Finance is a global SAP ERP system which provides integrated functionality from procurement through to accounts payable and has been implemented to replace increasingly unsupported Supply Jersey and JD Edwards technology. The implementation of Release 1 took place in January 2023 and during the past couple of months GoJ has actively listened and responded to our suppliers during a significant transitional period. It is inevitable that a number of issues will arise from any such major transition to a new system, but we are confident that the issues raised are being addressed.
 - i) Some suppliers have highlighted they would have preferred earlier communications. The ITS Programme determined that there was an optimum time for notifying

suppliers of the change in system. To notify suppliers too soon could have meant the Connect Suppliers Ariba message was not acted upon. Suppliers were notified at what was thought the optimum time.

- ii) At implementation there were instances of suppliers receiving multiple notification emails. A small number of suppliers complained, and as a result this issue was addressed as part of Hypercare support and quickly resolved.

GoJ have actively responded to queries from Suppliers. Queries have been received by both to Commercial Services and Accounts Payable departments. As expected, there has been a peak in demand on our services and query management, however this has provided departments with key themes on areas we need to target and provide support to our Suppliers. We have published links to all of the communications and considerable training material issued to our Suppliers on Gov.Je alongside a useful list of FAQ's for additional support.

- iii) GoJ has received only 1 formal complaint through the customer feedback management system (CFMS). There have been approximately 12 informal complaints received. These have been due to a lack of supplier understanding of the new process and these have been resolved through targeted support.
-
- b) The implementation of Connect Suppliers Ariba/Finance was fully planned by the ITS Programme. This implementation plan has been managed digitally and encompasses the key components of the transition from Supply Jersey and JD Edwards to Connect Suppliers Ariba/Finance. These elements included all planning aspects to allow for a programme Go-Live of Release 1 during January 2023 and to provide structured support during the post Go-Live hyper care period. The implementation plan was developed during 2022 and is overseen by the Programme Partner alongside the ITS Project Management Office (PMO) in addition to the Intelligent Client Function (ICF) supporting with project management. There was comprehensive programme governance around the design, development and implementation of Connect. The period of Hypercare support post Go-Live of the new system is being used to resolve issues quickly as they occur.
 - c) The transfer to a new procurement and payments system will be under regular review moving forward. Following the initial transition period, there will be a period of embedment and further communications to all users will follow.

2.21 Deputy L.V. Feltham of St. Helier Central of the Minister for Children and Education regarding the operational policies and guidance used in her Department (WQ.102/2023)

Question

Will the Minister provide a list of the operational policies and guidance documents used by her department, including the following details for each –

- a) what date the document was approved for use;
- b) who approved it;
- c) the date of implementation;
- d) where the document can be accessed;
- e) what areas of the department use the policy/guidance;

- f) how staff are informed about, and provided training on, the policy/guidance; and
- g) how compliance/non-compliance with the policy/guidance is tracked and monitored?

Answer

Following discussion between Deputy Feltham and the Minister it was agreed to limit the scope and focus of the response to this question, to policies and guidance documents that relate to child protection and children in need.

There are core documents available to staff working with children and families within the early help and statutory social work services that guide the activities of triage, assessment and decision making in relation to considering the risk of significant harm to all children and to help understand their particular needs.

Documents are located in 3 main areas:

1. Publicly available documents on the Government of Jersey web pages.
2. Internal operational policies available to officers who work within the Children's Social Care Services Department only.
3. Publicly available documents on the safeguarding partnership board website:

[Jersey Safeguarding Partnership Board](#)

[Full Contents \(proceduresonline.com\)](#)

Jersey Children's Social Care Services operate according to the practice model entitled 'Jersey's Children First'. There are multiple documents available publicly that guide and support practitioners to understand the practice model and how to apply the model in direct work with families. These can be found here: [Guidance for practitioners \(gov.je\)](#)

More specific details relating to points a-g above are summarised in a table list accompanying this answer. The table sets out all of the separate documents that are used by the department relating to child protection and children in need.

The responsibility to provide services to Children in Need is not yet set out in statute, however Children in Need will be recognised as such in the new Children and Young People's Law in 2023.

The table below list the documents and details as requested by the questioner:

| Document Title | a) date the document was approved for use; | b) who approved it; | c) date of implementation; | d) where the document can be accessed; | e) what areas of the department use the policy/guidance; | f) how staff are informed about, and provided training on, the policy/guidance; and | g) how compliance/non-compliance with the policy/guidance is tracked and monitored? |
|--|--|--|----------------------------|---|--|---|---|
| Using the Jersey's Children First Guidance | Sept-18 | Group Director for Children's Social Care and the States Ministerial Group for Community | Nov-18 | Guidance for practitioners (gov.je) | Island wide services involved in working with children | During induction, GOJ staff obtain access to the Virtual College and complete the JCF Essentials modules. | Quarterly data is obtained to look at completion rates of the training for all staff. |
| Understanding the Continuum of Children's Needs | Oct-22 | Safeguarding Partnership Board | Oct-22 | Continuum-of-Need-2022-without-pre-birth-indicators-Final-Operational-updated.pdf (safeguarding.je) | Island wide services involved in working with children | During induction, GOJ staff are asked to read and understand the continuum of need. | Line managers will check during induction that the CON has been accessed and read by staff. The CON document is regularly revisited in Service Meetings and with HOS to be refreshed and updated as new needs emerge in the population. |
| Article 42 Child Protection Enquiries Under the Minister's | Mar-17 | Safeguarding Partnership Board | Mar-17 | Child Protection Enquiries (proceduresonline.com) | Children's Social Care Social Work Teams | During induction, GOJ staff are asked to read and understand the child protection | Line Managers will check during induction that the procedures have been accessed and read by staff. |

| | | | | | | | |
|--|--------|--------------------------------|--------|---|---|--|--|
| Duty to Investigate | | | | | | enquiries Article 42 procedures. | Training on the procedures can be requested from the SPB free of charge. |
| Children and Young Person Safeguarding Referrals | Oct-22 | Safeguarding Partnership Board | Oct-22 | Children and Young Person Safeguarding Referrals (proceduresonline.com) | Island wide services involved in working with children | Members of the Safeguarding Partnership Board Sub Groups ensure their respective service areas read and understand the procedures. | Line Managers will check during induction that the procedures have been accessed and read by staff. Training on the procedures can be requested from the SPB free of charge. |
| Responding to Abuse and Neglect | Jun-19 | Safeguarding Partnership Board | Jun-19 | Responding to Abuse and Neglect (proceduresonline.com) | Staff located in all Children's Social Care Teams responsible for safeguarding and promoting the welfare of children. | Members of the Safeguarding Partnership Board Sub Groups ensure their respective service areas read and understand the procedures. | Line Managers will check during induction that the procedures have been accessed and read by staff. Training on the procedures can be requested from the SPB free of charge. Each time workers identify suspected abuse and neglect; they are required to use the procedures with guidance from line managers. |

| | | | | | | | |
|------------------------------|--------|--------------------------------|--------|---|--|---|--|
| Assessment | Jun-19 | Safeguarding Partnership Board | Jun-19 | Assessment (proceduresonline.com) | Social Workers undertaking child and family assessments following Children's Hub triage and progression for statutory social work involvement. | During induction, GOJ staff are asked to read and understand the Assessment procedures along with the Social Work Practice Standards. | Line Managers Quality Assure and sign off all Child and Family Assessments and must ensure the Assessment procedures are followed in supervision of social work staff. |
| Child Protection Plans | Oct-19 | Safeguarding Partnership Board | Oct-19 | Child Protection Plans (proceduresonline.com) | Social workers, Managers and Independent Reviewing Officers responsible for chairing Child Protection Conferences. | Members of the Safeguarding Partnership Board Sub Groups ensure their respective service areas read and understand the procedures. | Line Managers Quality Assure and sign off all reports for Child Protection Conferences and must ensure the Child Protection Plans procedures are followed in supervision of social work staff. |
| Child Protection Conferences | Oct-19 | Safeguarding Partnership Board | Oct-19 | Child Protection Conferences (proceduresonline.com) | Social workers, Managers and Independent Reviewing Officers responsible for chairing Child Protection Conferences | Members of the Safeguarding Partnership Board Sub Groups ensure their respective service areas read and understand | The Manager of the Independent Reviewing Officer Service will check that the Child Protection Conferences adhere to the procedures. |

| | | | | | | | |
|---|--------|---|--------|--|---|--|--|
| | | | | | es use the procedures . Partner agencies can also use the procedures to ask for a child protection conference . | the procedures. | |
| Children's Social Care Service Practice Standards | Aug-21 | Group Director for Children's Social Care | Aug-21 | ID CSCS Practice Standards 20210920MO.pdf (gov.je) | All Social Workers and qualified social work managers working in Children's Social Care Services. | All Social Care staff are trained internally on use of the standards and all staff have a copy of / link to the standards. | Manager's sign off on pieces of work to ensure compliance with the standards. Routine Internal Audit work looks at compliance with practice standards as the measure of their use. |

2.22 Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter of the Minister for Infrastructure regarding inter-site transfers of a deteriorating patient in a multi-site hospital (WQ.103/2023)

Question

Further to the report (R.32/2023) entitled “Approach to delivering new Health Care Facilities” setting out proposals for a multi-site hospital programme to coordinate subordinate projects over a number of sites including, but not limited to; St Saviour, Overdale, Kensington Place/Gloucester Street and the former Les Quennevais School, will the Minister outline how inter-site transfers of a deteriorating patient would be managed?

Answer

Deteriorating patients will be managed in the same way that they are today.

The health department currently delivers services at St Saviours, Overdale and Gloucester Street in addition to a number of community outpatient centres, for example, La Chasse and Le Bas.

Currently, if transfer to another site is required for a patient being cared for in an inpatient facility, for example from Orchard House, Clinique Pinel, Rosewood House or Samares Ward, they are

transferred by ambulance to the required site. This transfer is arranged directly with the ambulance service.

For patients who become unwell when attending an outpatient department, they are managed via a 999 call to the ambulance service and transferred to the Emergency Department if required following assessment by the Paramedic.

The Enid Quenault Health & Wellbeing Centre will provide outpatient services only.

In developing the new facilities, the clinical service clusters will focus on caring for our sickest patients in a single location. This will reduce the need for inter site transfers, but it is acknowledged that providing care across multiple sites may increase the number of these transfers.

2.23 Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter of the Minister for Infrastructure regarding patient safety assumptions on a multi-site hospital (WQ.104/2023)

Question

Will the Minister provide details of the patient safety assumptions and the quality indicators that underpin the current project to move to a multi-site healthcare provision?

Answer

Objectives for the new healthcare facilities are currently being prepared. Improving patient outcomes and minimising clinical and operational risk are fundamental to any proposal for healthcare facilities. No proposal would be taken forward that was unsafe for patient care.

Quality Indicators for this programme will be developed in conjunction with HCS colleagues as part of the business case process.

2.24 Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter of the Minister for Infrastructure regarding efficiencies in a multi-site hospital environment (WQ.105/2023)

Question

Will the Minister advise what assumptions, if any, have been made in relation to reduced length of patient stays, changes in outpatient attendances and changes in day case procedures in order to maximise patient outcomes and efficiencies in a multi-site environment?

Answer

Reducing length of stay, changes in outpatient attendances and changes in day case procedures are all workstreams that are continually reviewed by Health and Community service colleagues.

Work is currently underway, as part of the feasibility studies, to identify those measures that can be realistically achieved to inform the revised Functional Brief. However, as with all previous programmes and projects, it is recognised that there will be several approaches to maximise patient outcomes and efficiencies over the life of the built asset; consequently, the design will always need to be flexible enough to respond.

2.25 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding the dental fitness scheme (WQ.106/2023)

Question

Will the Minister provide confirmation that the Dental Fitness Scheme still exists, and if it does, will she advise –

- (a) the take-up of the scheme by children or young people for the period January 2021 to December 2022;
- (b) what the total benefit spend by Health and Community Services was to bring children to dental fitness and then maintaining fitness;
- (c) what the fee paid to dentists under the scheme stands at and whether the monthly amount has been uprated since the creation of the scheme;
- (d) how many of the Island’s dentists provided services under the scheme in the period January 2021 to December 2022;
- (e) what progress, if any, has been made in creating the new dental strategy promised by the previous Health Minister in 2020/21, in particular the implementation of a preventative model of dental care;
- (f) how many full-time equivalent posts are filled within the department of community dentistry and how many vacancies are currently carried; and
- (g) the number of full-time equivalent posts and number of vacancies within that same department for each of the last two years?

Answer

Please note that questions a), c) and d) fall under the remit of the Minister for Social Security. I have liaised with the Minister to source a response to these questions, however if further information or clarity is required, these should be directed to the Minister for Social Security in the first instance.

- a) The number of children or young people taking up this scheme was:

| | |
|---------------------------|------|
| Jan-Dec 2021 | 594 |
| Jan-Dec 2022 | 548 |
| Total Jan 2021 – Dec 2022 | 1142 |

- b) In 2022, the total spend by Health and Community Services was £2677.65.
- c) The amount payable is £6 a month per member. This has not been changed recently but it is under review.
- d) The number of dentists who provided services between Jan-Dec 2021 was 54. This decreased to 51 in 2022.
- e) An interim Oral Health Strategy has been produced in conjunction with Public Health, which is called ‘Let’s Smile, An Oral Health Strategy for Jersey 2022-2025’. It has incorporated a broad range of stakeholder insights gained through engagement sessions, and a questionnaire that was undertaken as part of the development process. The interim strategy was completed in summer 2023 and approved by the Clinical and Professional and Advisory Forum on 10 August 2022.
- f) Currently there are 3.8 full time equivalent posts within community dental (all for dental officers), and no vacancies.

- g) Over 2021 and 2022 there were 2.8 full time equivalent posts for dental officers, and no vacancies. There was also 1 full-time equivalent post for a consultant in restorative dentistry, which was vacant at the end of 2022, and has since been repurposed into a senior dental officer role.

2.26 Deputy R.J. Ward of St. Helier Central of the Minister for Housing and Communities regarding recent rental increases for JHT tenants (WQ.107/2023)

Question

In relation to the recent rent increases for Jersey Homes Trust tenants of up to 9%, will the Minister advise –

- (a) what method of comparison, if any, to market rent was used; and
- (b) what action, if any, he is taking to support tenants facing significant increases in their rents?

Answer

(a) Jersey's officially recognised social housing suppliers, of which JHT is one, are subject to the Social Rents Housing Policy, which caps social rents at up to 80% of the market rate. It is important to note that the 80% represents a ceiling not a target. Social housing suppliers are responsible for ensuring the rents they charge comply with the social rents cap. This typically involves sourcing data from the private rentals in Jersey for a given type/size of property and then reducing rents accordingly to comply with the social rents policy.

JHT has advised that its managing agent, [Brunel Management](#), also manages a large number of private rentals, which provides a significant amount of real time data on rents being paid in Jersey's private rental sector.

(b) [Jersey Homes Trust \(JHT\) agreed to my request to delay its rent increases until 1 May](#). The request for a delay is intended to offer JHT tenants more time to get financial arrangements put in place, either by discussing options with the Housing Advice Service or Income Support. It will also offer more time for tenants to discuss their individual circumstances with JHT so that appropriate payment plans can be established.

The team responsible for benefit administration at Customer and Local Services have liaised with JHT to ensure support is available for tenants who are in receipt of Income Support. The Income Support team have already had tenants who are directly affected by the rent increase visiting the department. Officers have provided support as needed for people who are unclear about the situation.

Members of staff from Income Support and the Housing Advice Service will attend a JHT tenants forum meeting at the Town Hall, scheduled for 20 March 2023. They will be on hand to offer advice and support to tenants who have been affected, including on applying for additional financial support.

2.27 Deputy R.J. Ward of St. Helier Central of the Minister for Health and Social Services regarding PFAS exposure (WQ.108/2023)

Question

Will the Minister advise what actions, if any, are being taken following the return of blood test results from Islanders who have had PFAS exposure; and further will the Minister provide details on what plans, if any, are in place to address the PFAS levels in people's systems and the time scale for any such actions?

Answer

Islanders were provided with access to the Listening Lounge to access psychological support at the time of receiving their original results letter, if they felt that they were experiencing stress or anxiety as a result of PFAS exposure. Additionally, Islanders were advised that if they were using a private water supply that they should contact Environmental Health, should they want it tested for PFAS. Further, they were advised not to drink water that they believed had been contaminated with PFAS.

There is no international agreement about the health impacts of PFAS and research is difficult to interpret without specialist knowledge. Consequently, it was agreed to establish a PFAS Scientific Advisory Panel, which the Public Health team are presently establishing. This is an independent group who will assess the scientific evidence and make recommendations to Government about what actions are needed.

The first matter that this Panel will be addressing is clinical interventions – providing evidence-based recommendations about treatments or interventions for people with high levels of PFAS in their blood to reduce it. The first meeting of the panel is intended to be held in April, and recruitment is on track. It is intended that a first report will be available in Q3 of 2023.

2.28 Deputy R.J. Ward of St. Helier Central of the Minister for Housing and Communities regarding benchmarking of rental properties (WQ.109/2023)

Question

Will the Minister provide details of his benchmark figure for 80% of market rate for rental of –

- (a) a studio flat;
- (b) one-bedroom flat;
- (c) a two-bedroom flat;
- (d) a two-bedroom house; and
- (e) a three-bedroom house?

Answer

The Minister for Housing and Communities does not set benchmark figures for the 80% market rate for rental of the property types/sizes referenced in the question.

The social housing suppliers are subject to the Social Rents Housing Policy, which caps social rents at up to 80% of the market rate, and they ensure that the rents they charge comply with the social rents cap.

2.29 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding community alarms (WQ.110/2023)

Question

Will the Minister provide details on what targets, if any, there are for increasing the take up of community alarms amongst patients for whom such devices provide a measure of security in the event of a fall or other incident in the home and if there are no such targets, will she advise why not; and will she further advise whether she considers the increase in monthly fee for the service could have an adverse effect on take up of the alarms, and if she does not consider this to be the case, why not?

Answer

Currently, we have a total of 1003 Islanders who have a community alarm. Of these, 892 are Islanders who have transitioned from the old analogue system to the new digital UMO system. Since July 2022 there have been 202 new service users. 91 have been removed from the system due to death or admission into a care home. This demonstrates an increase in take up overall.

There is no set target for the number of Islanders having a community alarm as to have an alarm is largely a personal choice. Islanders can either self-refer for an alarm or be referred by a health professional. There is no target for increasing the take up of community alarms as the uptake of alarms is difficult to predict, this is because the number enrolled will always fluctuate due to the reasons outlined above.

We do not believe that the increase in cost will deter Islanders from taking up an alarm, as those who are eligible for income support will continue to obtain this free. The cost of our community alarm is less than that provided by our on-island competitor and the figures demonstrate that there is a continued increase in uptake of alarm systems.

2.30 Deputy G.P. Southern of St. Helier Central of the Minister for Social Security regarding maintenance income (WQ.111/2023)

Question

Given the Minister's pledge to review all benefits for which she is responsible, will she commit to an examination of the rules governing maintenance income under the Income Support system, where payments received as maintenance are included as income, but only 25% of this maintenance income is disregarded in Income Support calculation, and if she will not agree to review this position, will she advise why not?

Answer

Although not specifically mentioned, it is assumed that the question relates to the commitment in my ministerial plan to undertake "...a high-level review across all benefit areas to identify areas where action is required in 2023".

I have completed the high-level review. The next stage is to confirm the areas where action will be undertaken in 2023. This will be complete in early April. At that time, I will be able to confirm whether the treatment of maintenance income is to be included in the 2023 work schedule.

The Income Support calculation ignores a percentage of each pound of income, currently 26% (not 25% as suggested in the question).

This means that a household who gets £100 weekly income sees their benefit decrease by £74 and is therefore £26 a week better off. This system is used in most benefit systems that are similar to Income Support.

2.31 Deputy R.S. Kovacs of St. Saviour of the Minister for Infrastructure regarding consultants on highway matters (WQ.112/2023)

Question

Will the Minister confirm if any non-resident consultants have been employed from 2018 to date to advise on 'highway matters'; and if any such consultants have been employed, will she provide –

- (a) the cost of the consultants, broken down by year;
- (b) to whom these payments were made; and
- (c) for what work they were paid?

Answer

The Government's Highways Section needs to employ the services of specialist engineering professionals to help undertake highway infrastructure asset management and works. This gives the Island access to expertise that is not available on-island or within the current team. The support is currently provided by WSP Limited through the Jersey Highways Partnership Framework Contract. This is a rolling five-year framework that is procured in accordance with the Government's Public Finance Manual.

(a) The question relates to a single supplier and the contract is shortly due to be re-tendered. As agreed with the Deputy, I can confirm that the services have been provided at a cost of £3.5 million over the five-year period.

(b) WSP

(c) Over the period WSP have provided professional engineering services related to:

- Highways maintenance schemes
- Highways and cycleways
- Highway drainage
- Bridge structures
- Vehicle restraint systems
- Highway lighting
- Footway and accessibility improvements (crossings etc.)
- Traffic management schemes

2.32 Deputy S.Y. Mézec of St. Helier South of the Minister for Health and Social Services regarding the Senior Leadership Team at the General Hospital (WQ.113/2023)

Question

In relation to the Senior Leadership Team at the General Hospital, will the Minister advise whether all posts are presently filled by permanent staff members who are currently working in those roles, and, if not, which roles are currently filled by non-permanent members of staff or a more junior staff member in an acting capacity?

Answer

All roles, bar one, in the Health Senior Leadership Team are filled by permanent staff members. The one role filled on an Acting Up basis is the Director of Clinical Services role. The recruitment for a permanent appointment to this role is underway and the application date for the role closed on 16 March 2023.

As announced on 16 March, there will be two senior departures within HCS' Senior Leadership Team on the 31 March². Although these roles are not covered by an acting capacity, I can confirm that from an operational perspective deputising arrangements are in place. These will be in place until interim arrangements, which will be put in place in time for the departures, are made.

2.33 Deputy L.V. Feltham of St. Helier Central of the Minister for Social Security regarding the rent increases made by providers of social homes that receive tenants via the Affordable Housing Gateway (WQ.114/2023)

Question

Regarding the rent increases made by providers of social homes that receive tenants via the Affordable Housing Gateway, will the Minister please provide the following information –

- (a) what process of review, if any, is undertaken regarding tenants in receipt of the Income Support housing component, and does the component automatically increase to cover any rent increase;
- (b) what additional funding will be required from the Social Security fund to cover any increases;
- (c) was the Minister consulted on the matter by any provider ahead of the increases being made, if so, did she raise any concerns; and
- (d) has she attempted to contact people receiving Income Support to ensure that they know of what steps they must take, if any, following a rent increase?

Answer

The question is not specifically related to any particular provider, nor to any period in time. I am therefore assuming it refers to the increase recently announced by the Jersey Homes Trust. Like other Members, I was concerned to learn about the increase in Jersey Homes Trust rents. I am very grateful to the Minister for Housing and Communities for his prompt action in contacting the Trust and

² [Senior departures announced at Health and Community Services \(HCS\)](#), Press Notice, Gov.je. Accessed March 2023.

obtaining their equally prompt agreement to a one-month delay in the implementation of the new rents.

- a) For social housing tenants, the Income Support accommodation component will be increased as soon as an increase of rent is notified to Customer and Local Services. This can be by the landlord or the tenant. Any increase is implemented from the date it came into force. The component is increased individually for each income support tenant in respect of the particular property rented.
- b) Income support payments are not made from the Social Security Fund. The overall income support budget is set as part of the Government Plan process. The overall budget is set in line with economic forecasts which take account, at a high level, of forecast changes to IS claims during the year. This will include rent increases. At this stage it is not anticipated that any extra funding will be required across the year as a whole. Any requirement for extra funding will depend on a wide range of economic factors over the coming months.
- c) The Government has a rent review agreement with Andium Homes and there is a well established route for annual rent rises on Andium properties to be confirmed with the Housing Minister and to be advised in advance to the CLS department. The government does not have rent review agreements with other social housing providers. Different providers use a variety of methods to advise CLS of rent changes. The Minister for Social Security is not involved in this process, and therefore was not consulted or notified ahead of the recent JHT announcement.
- d) Every written communication to Income Support claimants includes advice to households about what they should do if their rent changes. Claimants can call, email or write to Customer and Local Services and changes can be made quickly and easily. With regard to the recently announced increases, Customer and Local Services are actively seeking to contact any customers who haven't already been in contact with the department directly.

2.34 Deputy L.V. Feltham of St. Helier Central of the Minister for Infrastructure regarding extending the Avanchi Access Concessionary Bus Pass Scheme for Jersey residents with a prescribed long-term disability (WQ.115/2023)

Question

Further to the response to Oral Question 109/2022, will the Minister advise whether he has undertaken any work in relation to extending the Avanchi Access Concessionary Bus Pass Scheme for Jersey residents with a prescribed long-term disability, to people whose disability does not prevent them from driving and, if so will he outline the work undertaken to date and the next steps; and, if not, why not?

Answer

The work in relation to extending the Avanchi Access travel pass scheme is due to commence during the second quarter of 2023. It is my intention that a preliminary review be scheduled as the first step to consider the existing benefits which are available and the extent to which the travel pass scheme

might be modified. The work has been affected by the availability of officers and competing pressures on their time.

3. Oral Questions

The Bailiff:

Very well, in which case there are a number of answers to written questions that have been lodged and we now come on to oral questions with notice.

3.1 Deputy M.R. Scott of the Chief Minister regarding the Connect I.T. Budget (OQ.57/2023)

Given that £57 million of the Connect I.T. (information technology) budget has been spent on consultants and staff compared to £6 million spent on licences and software for Government's new procurement I.T. system, does the Chief Minister consider that greater technical knowledge is required within the Government workforce to adequately run and procure I.T. projects, and if so, what actions are being taken to address this?

Deputy A. Curtis of St. Clement (Assistant Chief Minister - rapporteur):

The Deputy has allowed for me to answer this. Lessons have been learnt by this Government and a maturing approach has been taken to simplify procurement. What we are doing is we are looking to take more control of programmes into Government so that we can provide a greater steer and more value to the citizens of Jersey. This approach is to use more internal business resources and technical expertise and we have evidenced this in the way that we have run different programmes more recently, including the procurement of the electronic patient record system, which is using a greater amount of S.M.E.s (small and medium enterprises) expertise from health staff and specialist consultants. Recently, under my instruction, we have changed the procurement method of the record transformation programme. We have moved away from the procurement of a single consortia to an approach that allows us to run as a Government the procurement of smaller consultancies and staff to allow Government to choose what it needs and to build long-term capability in this field. Commercial services have run specific events to educate on-Island suppliers and partners in the way in which the Government of Jersey manages and procures its I.T. and we are running a service, which is a 4-hour briefing this Wednesday, to encourage and to educate local I.T. procurement to help grow that area.

Deputy M.R. Scott:

I am not sure he has answered the question, the Deputy, in terms of is greater technical knowledge required within the Government workforce to adequately run and procure I.T. systems and, if so, what action is being taken to address this?

[10:45]

Deputy A. Curtis:

I feel I did answer that but I will be more specific. I have a lot of confidence in the team we have in our technical expertise. Large programmes are more than just the ability to understand the technical but it is also understanding the business requirements of a programme and it is a lot of the programme management beyond the technical expertise that we need. There have been a lot of lessons from how the former Government's procurement of the Connect programme have taken place but it is as much about understanding requirements and running programmes as it is technical expertise. That said, we are ongoing on a range of work to grow how we standardise and understand technical delivery in Government. That includes part of looking at the restructure of the Modernisation and Digital

Department to better reflect how to run a modern technical organisation, so in that I believe we are addressing the technical need and shaping a department fit for the future.

Deputy M.R. Scott:

I had a supplementary.

The Bailiff:

I thought that was your supplementary, Deputy.

Deputy M.R. Scott:

No, that was a clarification. That was a clarification of the last ...

The Bailiff:

Well points of clarification do not arise during question time but if you had asked me for a ruling as to whether the first answer addressed your question, which you are able to do, then the answer is I would rule that probably it did not. So, yes, I will afford you a supplementary question.

3.1.1 Deputy M.R. Scott:

Could I just clarify with the Deputy in terms of his answer whether he is saying that more training of existing staff is being sought rather than recruitment of staff with more technical knowledge?

Deputy A. Curtis:

The answer is it is a bit of both. Training and the reskilling of our internal existing staff is essential, not just so that we can retain them but so that we can deliver more with the same team and a team that is really encouraged. One area where they are looking at staff training is within the area of enterprise architecture. The Government of Jersey follows the T.O.G.A.F. (The Open Group Architecture Framework) scheme. There are not many of those but there is ongoing work to skill internal resources in enterprise architecture as well as a range of other areas.

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

Is it the Assistant Minister's assessment of this project to date, given the very large amounts of money that has been spent on it, that successive Governments were ripped off?

Deputy A. Curtis:

I thank the Deputy for his question. I think the Government has not been a very mature procurer of technology and programmes, as I referenced in my original answer. What we do need, as we move forward and as we mature, is to select partners and providers who understand that, who, when we tell them we are a learning organisation, respect that and are a trusting partner and a trusted adviser into Government who do not play us, to use more blunt words. I trust that we will be looking in procurement as intelligent customers for providers who have ours and the people of Jersey's interests at heart and deliver and help us mature together.

3.1.3 Deputy S.Y. Mézec:

That sounded like a yes, I think. Can the Assistant Minister therefore explain to the Assembly what measures he will be putting in place to ensure that there is good value for money on any further spend that there is on updating the Government's I.T. infrastructure to ensure that for the money we spend on it we get results and improvements in systems and improvements in how those who use it get to experience it? Could he enlighten the Assembly as to what measures he will be putting in place to deliver on that?

Deputy A. Curtis:

I think there is more than I can answer in about 90 seconds here, and I am sure the Deputy will enjoy a briefing to the C.S.S.P. (Corporate Services Scrutiny Panel) this week. The first part is looking at what you procure and when you procure it. As part of the onward digital strategy for how we provide services, we need to, in essence, get our ducks in a row as to what are the services that are required to avoid duplication. So, building a system that uses address records, we should be building with consistency in mind so that citizens' data is commonly applied and that saves in further deployments of new pieces of software. But I think a large part of this is how Government procures. As I said, with the record transformation programme, the Government went out for a request for information on the basis that it would procure from a consortia. Now while that might feel like a low risk, I think the phrase is sometimes: "No one got fired for using a large consultancy." Being an intelligent customer means you can go to providers directly, you have a lower margin on the resources coming into Government, so there are a number of ways, whether it be through our procurement, through how we prioritise what we need as a digital service, how we build that as well, and that is all quite a large packet of work that is ongoing. Decisions have been made to avoid excess spend already.

The Bailiff:

Could I just mention to Members, Members will note from the Order Paper there are a large number of questions to get through in this period. Members will not be surprised that I will be enforcing the 90-second rule with greater firmness than I otherwise might have done so that we can try and address all the questions that Members have wanted to ask.

3.2 Deputy T.A. Coles of St. Helier South of the Minister for the Environment regarding minimum size guidelines (OQ.38/2023)

Will the Minister advise whether the minimum size standards requirement, as set down in Supplementary Planning Guidance, for new dwellings, are still appropriate; and, if they are not, what consideration is being given to increasing them?

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

I thank the Deputy for his question, particularly as I am aware of his continuing interest in and concern for the quality of accommodation in the Island, and particularly in St. Helier. The question I think refers to current minimum size requirements; however, the Deputy will be aware that in accordance with proposal 20 of the bridging Island Plan I have just recently issued revised Supplementary Planning Guidance setting out new standards for the design and specification of new homes. That is because residential space standards have not been comprehensively reviewed since 1994. Some minor changes to them were made relating to a 10 per cent increase to the minimum house sizes in 2009 but no further changes have been made since. In light of all of this, I think it is necessary and appropriate to review and revise the minimum standards, which is why I have issued the revised draft guidance. These revised draft standards have been issued for consultation with relevant Ministers, key stakeholders in the development industry and members of the public. I would be pleased to receive comment on them before I adopt new standards with or without amendment.

3.2.1 Deputy T.A. Coles:

I am trying to think how to phrase this properly. Can the Minister provide his opinion on whether the new guidance which is out for consultation for single-storey dwellings of one and 2 bedroom, 2 and 3-person occupancy, these increases, is he of the opinion that they go far enough to improve the well-being of their occupants?

Deputy J. Renouf:

I think it is interesting to put these guidelines in some kind of context. The original standards that were brought in in Jersey were based on the Parker Morris standards in the U.K. and these were initiated in the U.K. in 1967 but they were withdrawn in the U.K. in the 1980s and, as a result, the U.K. has not, until very recently, had minimum size standards. They are now reintroducing minimum size standards and they are below the levels as we are setting our standards in the revised guidance that I have issued. So, I think that is one part of the answer, I think is that we are certainly doing slightly better than the U.K. in those standards which is significant in an Island with considerable pressures on space. But I would also draw attention to the fact that the guidance includes guidance on particular aspects of the space standards, for example, relating to private open space, shared open space, storage, bicycle storage, and so on which have a cumulative effect of increasing the standards available even in those small dwellings.

3.2.2 Deputy G.P. Southern:

Could the Minister explain to us to the best of his knowledge why these U.K. limits were withdrawn? Was it pressure from developers of the time?

Deputy J. Renouf:

Sorry, I may not have been clear in my answer. The guidelines were withdrawn in the U.K. during the 1980s, and I am sure the questioner will draw the appropriate conclusions about the regime in power at that time, so they were never withdrawn in Jersey. Jersey has had minimum size standards since the early 1990s and in that respect we have consistently been able to apply higher standards than in the U.K. In fact, it is widely acknowledged that in the U.K. the removal of those standards led to a shrinkage in the size provision of new developments.

3.2.3 Deputy G.P. Southern:

Does that mean then, in the Minister's judgment, that there is no possibility that the withdrawal from the U.K. will be repeated here due to pressure from developers?

Deputy J. Renouf:

No, I do not believe there is any intention on my part, or the Government's part, to withdraw minimum space standards. Indeed, the issuing of revised guidelines of the Supplementary Planning Guidance in this area would certainly lend credence to that statement. I would not be intending to revise standards only to withdraw them. So, no, the intention is to have a consultation, a meaningful consultation, where of course developers will be able to feed into that consultation, along with the members of the public and all relevant stakeholders.

3.2.4 Deputy S.Y. Mézec:

The Minister has made reference to the proposed new residential space standards that he has put out to consultation. Could I ask him if he checks the maths on them before publishing them?

Deputy J. Renouf:

I had a pretty good look through them but I suspect something is going to be pointed out to me right now.

3.2.5 Deputy S.Y. Mézec:

Indeed. [Laughter] The very, very first one on the list which is for a one-bedroom property for single-person occupancy says that an increase of 34.5 square metres to 40 is an increase of 4.5. Does he need a calculator to work out that that is incorrect and does he think that they should go back and look at this to ensure what is being put out to public consultation is correct?

Deputy J. Renouf:

I may be looking at something slightly different. The document in front of me says: “One single-storey dwelling, one bedroom 34.5, proposed 40, and plus 5.5” which is an increase of 16 per cent. In that case I suspect there has been a printing error somewhere but certainly when it was presented to me that is what the figure was, so I apologise if the figure has been transcribed incorrectly.

3.2.6 Connétable P.B. Le Sueur of Trinity:

In terms of minimum space standards, does the Minister agree with me that Government-led schemes should be leading the way and strive to do better than the minimum to improve the health and well-being of Islanders?

Deputy J. Renouf:

I certainly would be keen to place emphasis on the word “minimum”. I would also draw attention to 2 other factors, one I have already mentioned, which is that the guidance does provide more detail in terms of provision of particular forms of space within developments, and I think that will result in a significant improvement in terms of well-being of occupants. I would also say that a significant part of this guidance is around trying to encourage the proper application of these pieces of Supplementary Planning Guidance. It has been noticeable in reviewing these guidelines, the previous Supplementary Planning Guidance, that in some developments they were not always either appropriately referenced in the planning determination process or fully applied, and I think that would be interesting if that was done. I think the final point I would make is that we do need to have some regard to the complexity of the issue, and the drive for greater space is indeed important, but we also need to understand that people have different requirements at different stages of their lives and different standards can be applied in those different circumstances within those minimum guidelines.

3.2.7 Deputy T.A. Coles:

Does the Minister believe that the comparison to the U.K. is fair when Jersey is isolated, and commuting from larger areas to provide more space for yourself is not an option?

Deputy J. Renouf:

I think the comparison is a useful starting point, no more. I used it to provide context.

[11:00]

I think in some respects you could say that, given the space pressures in Jersey, the fact that we are able to maintain a slightly more generous provision than is the case in the U.K. through our minimum space standards is quite significant. But, no, I would not want to make too much of that comparison. I would simply say that it provides some useful context to show that we are not aiming below decent standards, that is all.

3.3 Deputy M. Tadier of the Minister for Children and Education regarding complaints of former pupils of St. James’ school (OQ.52/2023)

Will the Minister advise whether she is aware of any complaints from former pupils of St. James School claiming that they were physically assaulted by staff members and, if she is, will she advise what action she is planning to take; and if she is not aware of any such complaints, will she undertake to consider the matter and to report back to the Assembly?

Deputy I. Gardiner (The Minister for Children and Education):

I thank the Deputy for his question because it took me time to look at what happened; I needed to go back to the history. So I am aware that the Jersey Redress Scheme which closed applications in August 2020 received a small number of enquiries about whether alleged abuse or harm at St. James

would fall under the terms of the scheme but it did not fall under the terms of the scheme and it was Inquiries. So in the event that I will receive complaints, because personally I am not aware about the complaints, I would seek appropriate advice and discuss this further with the Chief Minister and the Council of Ministers first.

3.3.1 Deputy M. Tadier:

I welcome that response, in particular the acknowledgement that this is not something that will simply need to be addressed potentially by her department but by the Chief Minister's as well. I will simply, I suppose, ask whether she will ... she seems to have acknowledged the fact that the Redress Scheme did not cover St. James because it was not technically a care setting but does she accept that many of those who were at St. James were not in an ordinary school and they were there because they had more complex educational and emotional needs and that they seem to have been, on the face of it, let down by the Government of the day with the provision that they ... and experiences they went through?

Deputy I. Gardiner:

The Deputy is correct. The Jersey Redress Scheme was set up to provide redress to people who as children suffered abuse and harm while resident in the Government of Jersey children's homes and the Government of Jersey's foster care placement or while accommodated at Les Chênes secure residential unit. The scheme criteria did not extend to schools and therefore children who attended at St. James were not part of the redress scheme that was previously decided by the Government. If complaints will come forward, I will take and I will discuss with the Council of Ministers.

3.3.2 Deputy R.J. Ward:

Would the Minister consider looking through the Care of Children in Jersey Review Panel report that was produced in 2021? One of the recommendations was to review historic cases, or legacy cases, and their outcomes and it does strike me that this may be an opportunity to do that. So can I point the Minister to that report and ask her to consider some of the recommendations that were produced in those reports?

Deputy I. Gardiner:

I will commit to review the report and look back at the recommendations.

3.3.3 Deputy M. Tadier:

I welcome the openness from the Minister to receive complaints from former pupils of the school. Is there a mechanism which she would prefer for those members of the public, what I would call survivors, or perhaps their representatives, to contact the Minister? If she is unable to do that now, would she perhaps consider liaising with me afterwards to provide a method of preferred contact, bearing in mind some of the individuals may not wish to contact the department directly or personally.

Deputy I. Gardiner:

I welcome to engage with the Deputy at my email address now, so yes.

3.4 Deputy S.Y. Mézec of the Minister for Housing and Communities regarding his policy in relation to landlords (OQ.54/2023)

Following the States Assembly's rejection of a rent freeze in favour of asking landlords to refrain from increasing their rents, does the Minister regard this policy as having been a success?

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

I thank the Deputy for his question. I do believe that most landlords did show restraint in rent increases. Many landlords will have voluntarily frozen rent increases as a result of this measure.

Obviously one example just recently has been the delay of an increase of Jersey Homes Trust by 4 weeks at our request. Nevertheless, I do think that we need to review rent stabilisation and doing some work in that area. I would also say that next month we are publishing a White Paper that sets out how to achieve comprehensive legislative changes to the rental sector. The White Paper will highlight how legislation could cap rent increases as well as how frequently a rise should be implemented. The Deputy sent me a letter setting out some of his ideas and I will be inviting the Deputy to discuss his ideas with me so I can take them on board as part of the developing of these policies.

3.4.1 Deputy S.Y. Mézec:

I am very pleased to hear that rent control is very firmly back on the table where it ought to be. I asked the Minister if he regards the policy as having been a success, and he referred to one instance of a very significant rent increase of 9 per cent which, albeit, has been delayed by a month. Does he think that situation could have been handled better to prevent a 9 per cent rent increase being imposed on so many tenants? Is he aware of other instances either in social housing or the wider private sector where very difficult increases are being imposed on tenants who have no agency to oppose them during a cost-of-living crisis and does he regret the way that this has been handled up until this point?

Deputy D. Warr:

I thank the Deputy for his question. I think it has become very apparent from the discussions at last night's meeting was the issue around our social housing providers, that is outside of Andium Homes, and the lack of a definition. We must recognise that there is a law in place which caps rents at 80 per cent of private sector rent levels which is currently acknowledged; however, given the discussions that took place last night, I have to say my eyes were opened as to some of the - I am trying to think of the right word - excesses - maybe that is not quite the right word - my impression of what a social housing provider's commitment should be and what they deliver. There is some gap. That is why I think it is very healthy that we are bringing in a White Paper, why we are looking to update the Residential Tenancy Law by the end of this year, and why we will be engaging with this Assembly.

3.4.2 Deputy R.J. Ward:

Can I ask the Minister what his view is of the reasons for constant rental increases? There seems to be a yearly habit, and it seems to be taken as necessary, when there was nothing being provided other than the home. So does he agree that perhaps we should look at freezing rents and stopping increases for a time in order that people can catch up a little in terms of their incomes?

Deputy D. Warr:

I thank the Deputy for his question. It sounds very plausible and very reasonable; what we have to say is there are 2 sides to that coin. There is the cost of the landlord in maintaining property, as well as obviously the tenant having to make some contribution towards that cost. My concern with rent freezing, as has been seen in other jurisdictions, is that the quality of accommodation falls because properties are not kept up to date because landlords can no longer afford to maintain properties, so this is why. Obviously we are currently living in a high-inflation time and so those increases appear to be greater now than they have been in the past.

3.4.3 Deputy R.J. Ward:

It was clear from last night that many of these so-called repairs and upkeeps are not being undertaken. Would the Minister look into a system whereby when these are not undertaken then there is a freeze in rent because it is clear that that is not the reason for increases in rents. The reason for increases in rent is simply because many people can increase their rents and make more.

Deputy D. Warr:

I thank the Deputy for his comments. My colleague here is going to be bringing in some legislation which is going to be - I would just like him to clarify for me the exact title of the piece of legislation, Licensing and Private Rental; I do not want to get that wrong in this Assembly - which will endeavour to make sure that we do monitor the standard of accommodation. I appreciate that last night, as I said to you before, was an eye opener. It highlights that outside of Andium, where we do not have control in the social housing sector, there appear to be things going on which we were not aware of, or I was certainly not aware of, which is why it is so important that the White Paper which is coming up for discussion - I am also looking to have an in-committee debate within the Assembly as well - is such an important bit of legislation coming forward and bringing the Residential Tenancy Law up to date and fit for purpose.

3.4.4 Deputy G.P. Southern:

What evidence does the Minister have for any restraint on rises in the private sector of the rental market?

Deputy D. Warr:

I thank the Deputy for his question. Can I come back to you on that one when I have some more information for you and I will answer your question directly?

The Bailiff:

“Can I come back to the Deputy on that matter.”

Deputy D. Warr:

Deputy, sorry. I will come back to the Deputy.

Deputy G.P. Southern:

Can he come back to that today or some other time? Because the question is about evidence now. I think he said ...

The Bailiff:

Deputy, there should not be an exchange. The question related the Deputy to evidence. If you have available evidence now the answer is obviously available evidence. If you do not have it now the answer is: “I do not have it now”, presumably, “and I will come back to you with it.” Or come back to the Deputy with it, I should say.

Deputy D. Warr:

I will come back to the Deputy later.

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

Following on from Deputy Southern’s question there, I can inform the Minister that just in the last week I have received and seen with my own eyes somebody who has been given a 12.7 per cent rent increase in the private sector by an estate agent obviously following the R.P.I. (retail price index) figures. Now, obviously this person is not getting a 12.7 per cent increase in their wages, so what advice would the Minister give for somebody facing something like this who will probably have to look at moving or other sources of funding to fund this massive increase in rent?

Deputy D. Warr:

I thank the Deputy for her question. I would suggest that that individual gets in touch with us directly, in touch with me directly, and we establish whether there is any support that can be given to this individual. Please can you request this particular individual to get in touch with me directly?

The Bailiff:

“Please could the Deputy.”

3.4.6 Deputy C.S. Alves:

Obviously this individual I have been able to advise and they would not fall under any kind of support from the Government due to their earnings. However, this is obviously being driven by the R.P.I. increases which estate agents seem to follow and build into contracts. So, what discussions, if any, is the Minister having with estate agents to maybe deter them from putting these increases in place, especially given that the R.P.I. figures are way above where they would normally be?

Deputy D. Warr:

I thank the Deputy for her question. I am not currently in discussion with any estate agents. Obviously it is a private sector market, they determine the increases that they are going to apply, and I do not think the Government could step in in those situations. But I just come back to the Deputy and say, please, we are always interested where extremes occur, or appear to be occurring, and I would very much like to hear the evidence of that because clearly this kind of activity will help us inform the law and get us a better law at the end of the day, which is what I think this Assembly wants.

Deputy S.Y. Mézec:

Am I not offered a final supplementary?

The Bailiff:

I beg your pardon. You are quite right, yes. Deputy Mézec, a final supplementary.

3.4.7 Deputy S.Y. Mézec:

It sounds like from the Minister’s answers that we are slowly, slowly, slowly getting there, so will the Minister take the opportunity, having heard from some of the examples like what Deputy Alves has just put to him, to say that it would be an appropriate measure to pass law that places a cap on how much rents can be increased in the private sector when there is no justification for rents going up to protect tenants from predatory behaviours when they are stuck in homes that they cannot leave and have no choice but to cough up when there is not support available for them through the income support system?

Deputy D. Warr:

I thank the Deputy for his question. I am afraid the answer is no, I am not going to step into the private sector and tell them what rents to charge.

[11:15]

This is why as a strategy we are, as a Government, building significant numbers of homes at the moment, despite some of the recent Planning Committee decisions, and that is about trying to get more homes out there to give more choice. I think by giving more choice, individuals will be able to get better offers and find themselves in better situations but, as I say, I am not about to go around capping private sector landlords.

3.5 Deputy C.S. Alves of the Minister for Health and Social Services regarding issuance of sick notes (OQ.56/2023)

Will the Minister advise which hospital professionals can issue sick note certificates to patients and how, if at all, the issuance of certificates is monitored?

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

Yes, I can advise the Deputy that any registered medical practitioner can issue a sick note certificate to patients. Each script is numbered and sent to Customer and Local Services and that department is responsible for monitoring them, as they are responsible for issuing the sickness benefits that goes alongside the certificate. If the Deputy would like any further information on how this system operates, I would like to suggest perhaps maybe the Minister for Social Security and officers in her department would be the best place to go to.

3.5.1 Deputy C.S. Alves:

I assume that the registered medical practitioners does not include things like physiotherapists. So does the Minister believe that it is fair for those who have a longstanding injury, for example, such as a broken or severely-damaged limb and are being seen by these physiotherapists or similar professionals quite regularly in the hospital to manage treatment, to have to still go to their G.P. and pay a fee to then get a sick note for something that they know they will not recover from for a number of months?

Deputy K. Wilson:

Yes, clearly in terms of the impact on the cost of accessing a certificate that is an issue that is related to the way in which we have discussed about costs of G.P. payments, but I would certainly be happy to look into this with my colleague, the Minister for Social Security.

3.5.2 Deputy R.J. Ward:

Apologies if the Minister has already answered this, I just missed it, but will sick notes be available from what one would call “specialist nurses” because there are a number of specialist nurses there who provide direct appointments and care for people with long-term conditions. So would the Minister say whether they can produce sick notes and, if not, would she look at doing that, because that will be a very effective way just to prevent the need to go and pay for a G.P. visit.

Deputy K. Wilson:

Yes, I would be happy to look at this again. I think, as we are starting to expand roles and responsibilities, that is something I think would be in the patient’s interest and would be happy to discuss that with my colleagues in Social Security.

3.6 Deputy G.P. Southern of the Minister for Social Security regarding child maintenance (OQ.45/2023)

Considering the provisions relating to child maintenance contained in the French Civil Code and the progress of the Child Support (Enforcement) Bill now on its Third Reading in the U.K., both of which target the ease with which child maintenance can be recovered, will the Minister agree to review the current means for recovery of maintenance under income support regulations with a view to improvement, and if not, why not?

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

The Deputy’s question makes reference to U.K. and French systems which in this context are not relevant in Jersey. I believe that Jersey’s legal system is fundamentally different to the U.K. and France in this area to the extent that our legal system lacks simple and effective enforcement

provisions for the payment of child maintenance. I do not believe that the income support legislation is an appropriate place to introduce such powers.

3.6.1 Deputy G.P. Southern:

Does the Minister accept that there is no mechanism existing in Jersey to bring money to maintenance awards in ... I have lost this question. Will the Minister accept that there is no mechanism for social security to register this money as missing and to recover it?

Deputy E. Millar:

I do not entirely understand or follow the Deputy's question. I believe Jersey does have a mechanism for a person who has a maintenance order to seek to enforce that: they can do so through the Petty Debts Court. They can also do so, I believe, in appropriate circumstances, through the Royal Court where the order has been made by the Royal Court. I do not believe it is necessarily appropriate for Social Security to go and seek to recover child maintenance payments on behalf of customers. That is not necessarily the best use of taxpayers' funds. It would need the introduction of very new, very far-reaching and sweeping powers to me and my department. I am not sure that would be supported by this Assembly and, again, it is not necessarily Social ... if child maintenance is not paid, there may be families who are not on income support who are not receiving maintenance that should, and income support is not an appropriate place for those powers.

3.6.2 Deputy S.Y. Mézec:

Does the Minister accept that there may well be people who are facing hardship because of the non-payments of child maintenance which either they feel unable to pursue or cannot pursue, and during the time where they are not receiving that, may face extra hardship? Does she not think it would be helpful, whether it is in legislation or some other mechanism, for income support to have an ability to assist them with chasing that payment? She talks about the costs that there may be to taxpayers from that but ultimately it could save us money if they are receiving child maintenance and not having to receive other benefits to make up for it.

Deputy E. Millar:

I think the Deputy's question possibly proceeds on a misunderstanding that people who are due child maintenance do not receive income support. Parents can access income support benefits even when they are due to receive maintenance. We do expect them to try to enforce the payment of the maintenance, whether that is informally through discussion or formally through the courts. Where someone is entitled to receive money from an absent parent, I do not think it is inappropriate to expect the absent parent to pay nor for the taxpayer to subsidise the absent parent's responsibilities in respect of their, his or her family. We do support income support and if it is quite clear that monies cannot be recovered from the other parent, that that will be taken into account in assessing the income support level payable to the non-receiving payment parent.

3.6.3 Deputy S.Y. Mézec:

I do not think I at all suggested that those in receipt of child maintenance, or who ought to be in receipt of child maintenance, were not eligible for income support. What I was suggesting is that your income support entitlement will be balanced against other income sources you may have, such as child maintenance, but if that payment is not being made to you because the person who owes it to you is not fulfilling their responsibilities there, a person can face hardship and ultimately a child will face hardship in that situation where they are not being paid and having to rely on a reduced income support payment in the meantime. Does the Minister not think it would be helpful in those situations where a person is facing hardship through someone else's non-payment of child

maintenance to help them chase it so that their household income as a whole is what it ought to be, that partial income support payment and the child maintenance that they are owed?

Deputy E. Millar:

I am not sure I do agree that if powers are needed to help people it sits with income support. Anybody who requires to enforce a maintenance order and needs support should be given that support but I think that may arise through another process. There are significant issues, as has been the case in the U.K., I believe, with things like the Child Support Agency, the Child Maintenance Agency which has been very, very controversial where that body has stepped in to try to enforce a payment for maintenance against parents, which is a very difficult area for a Government to become involved in. I do believe we could perhaps talk to the Magistrate about improving the processes down there to make it easier for people to get enforcement orders and to then enforce those orders against the non-paying parent but I am not at all convinced that this sits with me as Minister and within the income support legislation.

3.6.4 Deputy C.S. Alves:

Can the Minister comment on whether she thinks the 25 per cent disregard on child maintenance is appropriate? If so, why; if not, why?

Deputy E. Millar:

Child maintenance is treated, I believe, as any other form of income. We treat other sources of income as it is an income and we allow to incentivise people to continue to receive other forms of income. We do disregard some of that income as 26 per cent and not 25 per cent. I do not think that we should make child maintenance any different from any other source of income.

3.6.5 Deputy C.S. Alves:

Will this form part of her review at all?

Deputy E. Millar:

We are reviewing the asset and income disregards as part of the review but I cannot give any confirmation as to what the outcome of that will be.

3.6.6 Deputy G.P. Southern:

Is it the case that the resident parents, should they not be actively chasing maintenance payments, will get charged as if that maintenance was being paid and will be penalised thereby?

Deputy E. Millar:

I do not believe that to be the case. I think, as I have said before, we do expect people to try to recover maintenance. I believe, however, where it is very clear that the maintenance cannot be recovered, for example, if the non-paying parent is themselves on benefit, I think we recognise the circuitous nature of trying to enforce that. But we do expect people to enforce, I think, where it is quite clear that that person cannot enforce if the non-paying partner is out of Island, for example, that that parent is not then penalised in their income support calculation.

3.7 Deputy S.G. Luce of Grouville and St. Martin of the Minister for Economic Development, Tourism, Sport and Culture regarding financial services (OQ.39/2023)

Will the Minister advise whether he has plans to review the “bureaucracy and red tape” that Jersey businesses face and commit to reducing the red tape for non-financial sector businesses; and, if not, why not; and will he further advise how he intends to develop and stimulate the entrepreneurial spirit of Island businesses, with details of the key performance indicators that will be used?

Deputy K.F. Morel (The Minister for Economic Development, Tourism, Sport and Culture):

Reducing barriers to business in Jersey is a key priority for me as Minister for Economic Development, Tourism, Sport and Culture and I have commissioned 2 workstreams in this area. The first is a project to identify existing barriers and the quick wins that may be achieved, as well as longer-term strategic projects. This work is being supported by Jersey Business who are engaging with local companies to understand their experience of engaging with Government. The second workstream will be to work across Government to achieve quick win changes in policy or process, and to make recommendations to the relevant Minister on legislative changes which could support new and existing businesses.

3.7.1 Deputy S.G. Luce:

Does the Minister agree with me that increasing productivity is absolutely key to the future of our economy?

Deputy K.F. Morel:

Absolutely. There is no doubt in my mind that if we are - and I did state this in the speech I made before being elected Minister for Economic Development, Tourism, Sport and Culture - to avoid a massively significant increase in the population of Jersey in order to maintain funding just for the healthcare that will be needed due to the ageing population that the Island has, if we are to avoid that growth in the population, then the only way we can do so is by significantly increasing the productivity of businesses in the Island. Thank you.

3.7.2 The Connétable of St. Brelade:

Does the Minister consider that the annual payment of £75 to the Office of the Information Commissioner provides good value to businesses in the Island?

Deputy K.F. Morel:

While I am more than happy to answer the question, it does seem somewhat unrelated to the question that was previously asked, but I am not here to comment on the need of that particular organisation in terms of the payments they require. It is correct that they do charge businesses in the Island for data protection services. In an age of data passing between organisations unseen by the people who are the subject of that data, I strongly believe in the importance of privacy, individual privacy.

[11:30]

I strongly believe in the importance of therefore regulating businesses which, unfortunately, as we have seen throughout the world, but particularly focused in the United States, the abuse of people's personal data can lead to some horrendous and crippling consequences for those who are the subject of that abuse. So I will stand by the Data Protection Commission in undertaking its role to protect Islanders from the abuse of their personal data.

3.7.3 The Connétable of St. Brelade:

My view is that it is related to the previous question. I would ask the Minister to confirm that he believes that it is not just an increase in measures of red tape, as per the question.

Deputy K.F. Morel:

Sorry ...

The Bailiff:

I am not sure that I am able to understand that myself.

The Connétable of St. Brelade:

I am just clarifying the point of my question was that it is believed by many that the payment due to the Office of the Information Commissioner is purely red tape. Would the Minister confirm once again that he believes it is not red tape to pay £75 a year to that office?

Deputy K.F. Morel:

I believe that the protection of Islanders' personal data is of the utmost importance; I believe it is tantamount to a human right. The only way to maintain the protection of Islanders' personal data is to ensure that that data is regulated properly and that businesses that hold data ... and organisations, it is not just businesses; the Government obviously is one of the largest holders of personal data. I believe, therefore, it is vital that we have a regulator that has the resources to be able to protect Islanders' personal data.

3.7.4 Deputy S.Y. Mézec:

I remember instances in the past where Governments in the name of reducing red tape and bureaucracy in effect aimed to reduce employment protections for some businesses. Could the Minister assure us that he considers employment protections to be of the utmost importance and does not consider them in the same vein that the phrase "red tape" is used, as in this question?

Deputy K.F. Morel:

That is basically correct. The review that we are undertaking is looking principally at the processes, so it is not specifically looking at the regulations behind those processes. So the question we are asking is not so much is the regulation wrong, though that will be relevant from time to time. The question we are asking is: is the process involved in carrying out that regulation or imposing that regulation, is that process an appropriate process? So it can be something as simple as: why does it take 5 different visits to different web pages to secure this particular element of permission to start up a business? Why can that not be one web page instead of 5 separate web pages? Those are the areas we are looking at as opposed to the regulations themselves.

3.7.5 Deputy M. Tadier:

It is following on the issue about red tape and bureaucracy. Does the Minister have any thoughts, or is he aware of certain representations - and I will call them complaints - from some people in some sectors that find it very difficult to put on an event expediently? Does he have any thoughts on the triennial regulations which govern that, how it is constituted, and the fact that it could take maybe a 6-month lead-in period for somebody who has an idea to put on an event which could be fairly straightforward that they could be very experienced at organising? Does that constitute a form of red tape and bureaucracy that he might wish to get rid of or help?

Deputy K.F. Morel:

I agree with the Deputy that the current situation with regard to putting on events is an area of where the processes, in my view, could most likely be streamlined. Interestingly, if the Deputy was to ask a similar question to the Minister for Home Affairs on my left about the triennial regulations, I believe he would find someone who is very wanting to move beyond the situation where we bring in these triennial regulations every 3 years and, indeed, that is what we are going to be working towards. As I understand it, we want to move to a point where we do not have to renew the regulations every 3 years, and I am very happy to help in that work. I believe that the whole system for setting up events is something that we do need to look at because it is an onerous system with many different ports of call for event managers.

3.7.6 Deputy M. Tadier:

Where there is to be red tape or bureaucracy, does he think it is important that if we need it, and if it is to happen, that it should be implemented by politicians and not by the court? So does he have any concerns or comments on the fact that when it comes to things like minimum pricing of alcohol, which is a form of red tape, and maybe justifiable politically, that those kind of decisions should come from Government and politicians, not from a non-governmental body like a court official?

Deputy K.F. Morel:

I have some sympathy with that perspective but, while saying that, I am not convinced one way or the other. I am going to sit on the fence on this one for a little bit longer and understand the situation a bit longer but I do understand that line of argument, and I am very happy to look at the areas that the Deputy is referring to.

3.7.7 Deputy S.G. Luce:

When the Minister is talking about productivity and diversity, does he agree with me that we need a small Government, one that stands back rather than in the way, one that facilitates rather than dictates?

Deputy K.F. Morel:

In terms of economic policy, that is something that I do agree with in the main. One of the things that I really, really enjoy about my role as the Minister is, I believe, that I am imposed to try to make Jersey a highly investable place, a place where it is easy to do business and a place where young people can grow up believing that they can realise their dreams in this Island. That means Government providing the framework that enables business to take place in this Island but not trying to run those businesses or be those businesses themselves, so from that perspective I do agree.

The Bailiff:

Could I just mention to Members that we are at now one-third of the way through the questions and we are more than one-third of the way through the time available. At this point I would just like Members to exercise as much discipline with the formulation of their questions and the delivery of their answers to save unnecessary time. It will be a decision for me as to whether I disallow supplemental questions in order to get through all of the questions or whether or not we simply accept the fact that we will not get through all of the questions but I will take that view in the next 2 or 3 questions.

3.8 Deputy C.D. Curtis of St. Helier Central of the Minister for Home Affairs regarding the criminal justice process (OQ.49/2023)

Will the Minister commit to undertaking a review of the criminal justice process regarding rape investigations, and if not, why not?

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

I share the concerns expressed about the number of successful rape prosecutions in recent years. Clearly, something needs to change. I note the Deputy's question is specifically about investigations rather than, for example, the judicial process. We do have a robust process in place for investigating rape and sexual assaults and I am confident that allegations are being investigated thoroughly. It is unfortunate that this is therefore not leading to more successful prosecutions but of course those decisions are taken by the courts which are independent of the Executive. As the Deputy will know, we have established a taskforce to look into issues about violence against women and girls. My understanding is that the taskforce will consider the matter when developing their recommendations. They are due to report their findings and submit their recommendations to Government in July this

year. Until they have done so, and we have the benefit of those findings and experiences, I feel it would be premature to commence the kind of review the Deputy is suggesting.

3.8.1 Deputy C.D. Curtis:

I thank the Minister for her reply. Once that taskforce report is published, will the Minister consider conducting an analysis of the results and also include consideration of best practice from other jurisdictions?

Deputy H. Miles:

I thank the Deputy for her question. Yes, of course, the report that will be provided by the taskforce will comprise a series of recommendations and those recommendations will be analysed and an action plan will be developed, and we looked very broadly and internationally against best evidence to tackle the issues around gender-based violence.

3.8.2 Deputy S.Y. Mézec:

Is the Minister aware of the previous work done by a Scrutiny Panel on the Sexual Offences Law which proposed some changes that could have been made to the processes in court for sexual offences with the intention of building more confidence in that system which would of course have a knock-on effect into the investigations and people's willingness to come forward? Is she aware of the work of that Scrutiny Panel and what recommendations it made?

Deputy H. Miles:

I thank the Deputy for his question. In my previous life I was the policy director that was leading the work on the Sexual Offences (Jersey) Law 2018 and worked very, very closely with Scrutiny; in fact, hand-in-hand with Scrutiny in order to deliver that law. There were a number of recommendations that we chose not to include in that particular law but I am certainly not averse to following those up during my period of office.

3.8.3 Deputy S.Y. Mézec:

One of the recommendations that was made by that panel and I think, in fact, brought to the Assembly but defeated, was on the role of jury trials in proceedings for sexual offences. This is something that was recently brought up, I think, in the media by campaigners on this subject. Is that something that the Minister would give consideration to, looking at what other jurisdictions do to provide for systems that are more likely to give people confidence that can lead to justice?

Deputy H. Miles:

Once again, I thank the Deputy for his question. The issue about jury trials was not brought to the Assembly in 2018 but it was left for consideration. Certainly in other jurisdictions, particularly Germany, the court has a panel of experts who would adjudicate on such matters. I am waiting to see what the taskforce recommends but I certainly would consider the possibility that we might move towards Jurat trials for offences of rape and serious sexual assault.

3.8.4 Deputy M. Tadier:

How does the Minister discern whether the low prosecution rate that she referred to for sexual offences is down to a failure in the mechanism somewhere, either from reporting those instances or failure to prosecute or other obstacles, or whether it could be a reflection of lower instances of sexual offences taking place?

Deputy H. Miles:

I thank the Deputy for his question. As the Deputy will know, the issue around rape and serious sexual offences is extremely complex. One of the main challenges that we have remains victim

engagement with the criminal justice process per se. Certainly the States of Jersey Police and other agencies and voluntary organisations are trying to increase the level of trust and confidence to encourage victims of such offences to come forward.

3.8.5 Deputy R.J. Ward:

Does the Minister feel that the new facility - the newish facility now - the Sexual Assault Referral Centre, will assist in those initial investigations and the gathering of evidence to enable more prosecutions to happen when these assaults have been happening to people?

Deputy H. Miles:

Thank you for the question. The Sexual Assault Referral Centre has already had an impact on the trust and confidence of victims coming forward. As the Deputy will know, the Sexual Assault Referral Centre does not necessarily lead to police involvement. It means that people can come forward and receive the necessary support and care and also evidence gathering in order to give them time to decide whether or whether not they would like to pursue a police investigation.

3.8.6 Deputy A. Curtis:

Would the Minister agree that this is a matter of some urgency and will she prioritise this matter?

Deputy H. Miles:

Yes, we take the issue of rape and serious sexual assault very, very seriously, which is part of the reason that the Violence Against Women and Girls Taskforce has been established, so that we get a very accurate and in-depth picture of what is happening locally and how we can support the victims of that type of offending.

[11:45]

3.9 Deputy L.J. Farnham of the Minister for Infrastructure regarding the Health Care Facilities programme drop in (OQ. 43/2023)

Further to the invitation to Health and Community Services employees to receive an update and provide feedback on the new Health Care Facilities Programme at a series of drop-in workshops, will the Minister advise the Assembly the number of workshops that were held and the number of employees who attended?

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

I would like to thank the Deputy for his question. I am always delighted to take questions from Deputy Farnham about the hospital and I often feel that my life would not be complete if he failed to ask me something. Given that the nature of the question was quite narrow, I will answer it in a straightforward way and I am sure that the Deputy will have other questions for me. But I can confirm that there were 19 workshops and 59 attendees.

3.9.1. Deputy L.J. Farnham:

It is nice to receive an answer from the Deputy, for which I am grateful. That is approximately, to my working, 2 per cent of the approximately 2,500 to 3,000 employees that work for the Health Department, many of whom feel completely disenfranchised because the previous consultation advice they gave for a single-site solution has been ignored. Why does the Minister think the workshops were so poorly attended and what is he going to do to re-engage the medical staff in the process of a multisite option, given the fact that the majority of them had previously overwhelmingly supported a single-site solution? What is the Minister going to do to re-engage the staff?

Deputy T. Binet:

I am going to start by correcting the Deputy when he claims that everything that took place before has been ignored. That is not the case. Quite simply everything that has been said before has been taken into account and the fact that there was a fairly comprehensive engagement before goes a long way towards explaining why there has not been necessarily a huge turnout. This latest engagement was just part of a series of engagements. We will be engaging again with the Medical Staff Committee. That is taking place today. There is an online questionnaire for all staff concerned and part of that questionnaire relates to them expressing a view as to how they wish the engagement process to be run in the future. So there is a very healthy engagement process at work at the present time and the feedback that we have had so far has been extremely helpful.

3.10 Deputy M.B. Andrews of St. Helier North of the Minister for Economic Development, Tourism, Sport and Culture regarding relocation of business through Digital Jersey (OQ.37/2023)

Will the Minister advise how many business relocations Digital Jersey have been responsible for since 2018?

Deputy K.F. Morel (The Minister for Economic Development, Tourism, Sport and Culture):

Along with other agencies and departments, Digital Jersey has been involved in supporting 67 business licences since 2018.

3.11 Deputy B.B. de S.DV.M Porée of St. Helier South of the Minister for Health and Social Services regarding a vaccine damage payment scheme (OQ.41/2023)

Given that the U.K. has included COVID-19 within its vaccine damage payment scheme, whereby a payment can be made for a severe disability resulting from vaccination, will the Minister advise whether there is any intention to create such a scheme in the Island, and if not, why not?

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

I can advise that the U.K. Government's vaccine damage payment scheme was established under the Vaccine Damage Payments Act 1979. This provides a one-off tax-free payment to claimants who have been found, on the balance of probabilities, to have been harmed by a vaccine for a disease that is listed in the Act. Certain vaccinations against COVID-19 were added to the Vaccine Damage Payment Act in December 2020. In Jersey, there is currently no legislative basis to set up a statutory vaccine damage scheme. However, the Government have been actively engaging with the U.K. Government to explore options for enabling those who may have been harmed by a vaccination against COVID-19, which has been administered in Jersey, to access a non-statutory assistance scheme and this work is ongoing to develop that.

3.11.1 Deputy B.B. de S.DV.M. Porée:

I would like to ask the Minister that presently what would the Minister suggest a person in Jersey who is under those circumstances should do to access further support or compensation?

Deputy K. Wilson:

It is important to note that, if we provide any scheme, it would be designed to provide assistance to those who have suffered severe injury. Individuals who are suffering any injury or illness currently, regardless of the precise cause, may well be eligible for social security benefits that are already in place and I would urge anybody to have those discussions with Social Security. But I am also clearly available to listen and to consider any other support that I can provide to individuals.

3.11.2 Deputy R.J. Ward:

Can the Minister confirm that the vaccinations used in Jersey were a branch of the N.H.S. (National Health Service) supply of vaccinations?

Deputy K. Wilson:

Without checking the batch numbers, I can confirm that our procurement was through the U.K. route.

3.11.3 Deputy R.J. Ward:

Consequently, is there not a case that could be made that Jersey residents who used the same vaccinations should be part of the U.K. scheme and receive payments from it, given that we had no facility to provide our own vaccination programme without the access to the N.H.S. supply of vaccines?

Deputy K. Wilson:

Yes, as I mentioned earlier, officials are working with U.K. Government officials to gather information as to how the U.K. scheme operates in practice and to ascertain whether aspects of its infrastructure could be applied to those who received a recognised COVID-19 vaccination in Jersey. I cannot provide any more detail at the moment as these discussions are ongoing.

3.11.4 Deputy M. Tadier:

Given that Jersey and its Government is legislatively and fiscally separate to the United Kingdom and that the vaccination programmes, whether it is COVID or otherwise, were instigated and encouraged by the Jersey Government towards its Islanders, not by the U.K. Government, should it not be that, if there is any compensation scheme, it should be a Jersey scheme, which is set up, not one that we seek to delegate to effectively a foreign country?

Deputy K. Wilson:

Again, we do need to consider what the position will be for Jersey. I can mention to the Deputy that the discussions that are ongoing with U.K. officials are designed to understand what it is that would be relevant for Jersey residents. The damage payment scheme that the U.K. runs is not a redress scheme, it is an assistance scheme, and these are designed to provide a level of financial support to those who have suffered various levels of illness or injury, which is commensurate with their level of disablement. But, as I have said before, we are in conversation and discussions with U.K. colleagues to understand what it would be to arrange those responses for Jersey residents.

3.12 Deputy L.V. Feltham of the Minister for Housing and Communities regarding social housing providers (OQ.50/2023)

Further to his answer to Written Question 1/2023, is it the Minister's assessment that the Government should have a formal contractual arrangement with social housing providers; and if not, why not?

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

I thank the Deputy for her question. We obviously already have a formal contractual arrangement with Andium and the Government. I do want there to be formal arrangements for all social housing providers and last night's meeting at the Parish Hall was a case in point and proves why there is a need for that. The Deputy will hopefully be pleased to know that I have already considered this matter. My officers have already spoken to the housing trusts about some of the issues that will form part of any arrangement. I hope the Deputy is assured that this issue is being addressed.

3.12.1 Deputy L.V. Feltham:

Is the Minister aware of the recommendation by an independent review of access to social housing in 2019 that there should be a statutory framework for allocations of social housing, which would also enable performance monitoring and the establishment of an independent regulator. Will he bring forward those recommendations as proposed?

Deputy D. Warr:

I am aware that efforts have been attempted before in this respect. Once again, my view is this is overcomplication of residential tenancy laws and what I am hoping to do is, when we have our White Paper and we have our in-committee debate and we bring the legislation in December to the Assembly, we will be able to encompass a lot of what the Deputy has just mentioned there. It is going to be up for discussion but I think it is going to be much more effective if we can have one overall umbrella set of legislation rather than disparate pieces of legislation, which has been the problem in this area for many decades.

3.12.2 Deputy S.Y. Mézec:

The Minister referred to formal arrangements that are in place between the Government and Andium Homes. One of those arrangements is that, no matter how high inflation gets, Andium's rent increases are capped at 4 per cent. Does the Minister agree that a version of that arrangement at least should exist with the other social housing providers?

Deputy D. Warr:

As the Deputy is aware, we already have our social housing providers already capped with rents at 80 per cent of the market rate. In terms of the arrangement with regard to the annual increase in rents, that is an open discussion and it will form part of our review within the White Paper.

3.12.3 Deputy S.Y. Mézec:

It sounds like the Minister is open-minded on that subject, so would he confirm whether he would be content to have completely different arrangements exist for the government-owned social housing provider compared to the other providers where one would have their rent increases capped and the others would have a free-for-all so long as they remain within the overall cap?

Deputy D. Warr:

That is up for discussion. I would not like to pre-empt the outcome of the White Paper.

3.12.4 Deputy G.P. Southern:

Can the Minister tell us when we will see this White Paper? I have heard so much about it, I am riveted.

Deputy D. Warr:

I would like to think the next 2 to 3 weeks. That is my objective. So you can hold me to that one, but it is very imminent.

The Bailiff:

“The Deputy can hold me to that.”

Deputy D. Warr:

Sorry.

3.12.5 Deputy G.P. Southern:

Very imminent, it is a form of words that I do not trust. Can he say: “I will have it to you by a month’s time”?

Deputy D. Warr:

Yes.

3.12.6 Deputy L.V. Feltham:

Deputy Southern took my question but I do have another one. Given what we did hear from residents last night, is the Minister satisfied that the residents that are paying their rents to social housing providers are indeed getting good value for money and also that the taxpayer is getting good value for money for the subsidy that those providers are also getting in the form of social security payments?

Deputy D. Warr:

Are they getting good value for money? That is very difficult to determine. There is an objective assessment, without going through all the numbers and the costs and talking in depth to the housing associations, I simply do not have an answer to that question. Again these are discussions that are ongoing and obviously Deputy Southern is fully aware now that we will publish a White Paper in which those kind of discussions will be considered.

3.13 Deputy R.J. Ward of the Minister for Children and Education regarding schools inspections (OQ.47/2023)

Will the Minister outline what reviews, if any, have been carried out regarding the processes undertaken for the school inspections that were supervised by the recently convicted senior member of C.Y.P.E.S. (Children, Young People, Education and Skills), and will the Minister provide details on what that member of staff’s role was in the inspections?

Deputy I. Gardiner (The Minister for Children and Education):

Thank you for the Deputy’s question. A review of the individual’s work activity and connections to the offending behaviours was part of the police investigation. There was no evidence of any offending involving children or young people in Jersey.

[12:00]

The individual referred to in the Deputy’s question has been dismissed from his role with the Government of Jersey and served only on one school review in November 2019. For the review in question, he was part of a team of reviewers led by an external lead. The lead reviewer, who is the school senior advisor, led the safeguarding component of that review, which is on day one of the process. The dismissed individual was not present for this day. He attended day 2 and 3. The model for this day 2 and 3 is paired work with another reviewer. So at no point was the individual ever alone with the pupils.

3.13.1 Deputy R.J. Ward:

May I ask the Minister what other role the individual may have had overall given it was, I believe, a role in overseeing inspections in general, in making judgments and overall judgments of the outcomes of inspections?

Deputy I. Gardiner:

The individual worked within the office. He did not have connections with the children in day-to-day work. So if referring to the first questions, his role was overseeing in the policy but involvement with children was not part of it.

Deputy R.J. Ward:

The question was regards the inspections and what role?

Deputy I. Gardiner:

He was not part of the inspections taking place in the school, he was part only of one inspection on 2 days when he was paired with another member of staff.

3.13.2 Deputy S.Y. Mézec:

We are talking about somebody who has been convicted of a particularly disgusting crime and somebody whose entire trustworthiness has now been thrown aside because of the appalling things that this person has been convicted for. Until recently, they were working in a position where they would have been making decisions, they would have been doing work. This is somebody who was untrustworthy and whose entire work has been undermined by that. What Deputy Ward is trying to get at with his question is what has been done to go through the work that this awful, disgusting person did and what has been done to ensure that the quality of that work is examined and is looked at again to ensure that whatever arose from that work is appropriate now, given that the person involved in doing it is untrustworthy?

Deputy I. Gardiner:

It was a very difficult situation that I found myself in and we have all been shocked by the situation. It is really important to make clear that the person pled guilty in the Magistrates Court on 24th February. He has yet to be convicted and sentencing will be given on 24th March. So the second thing that we are reviewing, our safeguard procedures within the department, we are looking into the enhanced D.B.S. (Disclosure and Barring Service) checks. We are working on a department level. Apart from this, it is 2 different things, the policy that is set, and we are reviewing the policy and see what we can do, and the day-to-day involvement with children that did not take place.

3.13.3 Deputy S.Y. Mézec:

An enhanced D.B.S. check would have done nothing in this instance, but a Google search might have, to have uncovered what this person had been involved with previously, displaying a record of untrustworthiness. Would this Minister endeavour to look at all of the work that this person did on behalf of the public service and assess it and have another person with a much better record of trustworthiness to look at it and ensure that, whatever has happened as a result of that work on behalf of the public service, it can be checked and make sure that whatever resulted from it is appropriate? That is not a question about safeguarding. That is a question about all the work that civil servant will have been involved in.

Deputy I. Gardiner:

This is what the department is currently doing and this is the reason, when the news came to our attention, when we became aware of the allegation, we immediately suspended, including all the resources was taken from the individual. The department and several people within the department; it is really important that it will be a team and not one person reviewing all work. So the team that is looking into the work that the individual has been doing over the years.

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

My question has probably been answered but I was just asking that all safety and safeguarding is taken into consideration for our children.

The Bailiff:

Do you have a question for the Minister?

Deputy A. Howell:

No.

The Bailiff:

No. Thank you very much.

3.13.4 Deputy R.J. Ward:

One of the issues, the person had a senior role in C.Y.P.E.S. and was involved in what would be called value judgments on schools. Value judgments on the performance of staff. Will the Minister undertake to go back over any involvement in both inspections, appointments, et cetera, and look again as to whether those value judgments are now valid and whether they should be looked at again to give confidence to staff who may have been involved with this individual?

Deputy I. Gardiner:

Yes, absolutely. Thank you for your suggestion.

3.14 Deputy G.P. Southern of the Minister for Social Security regarding deemed income (OQ.46/2023)

Will the Minister provide an explanation of the concept of deemed income, giving reference to the example found on page 33 of the Income Support Policy Guidelines, and further advise whether the application of such deemed income to the pensioner couple example on page 36 would give rise to an interest rate of 20.8 per cent on savings?

The Bailiff:

You are not going to ask for a ruling from me whether the question has been answered, are you? I obviously cannot read the various things that you have proposed in the question.

Deputy G.P. Southern:

Sorry, I do not understand.

The Bailiff:

Let us wait and see what the answer is. This is one of those questions, which will be very difficult for the Chair to make any kind of ruling on.

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

This is quite a complex subject and I am not sure it is entirely appropriate for an oral question or indeed for an answer within 90 seconds. But I will do my best and try to give Members a simple explanation of the treatment of assets under the income support system. I am not going to refer to page numbers of the guidelines, which Members will not have in front of them. I am more than willing to answer a written question on this topic to provide more detail but I would also remind Members that I sent an email to all States Members on this subject on 23rd January 2023 following the States sitting that week. Income support is a means-tested benefit. Payments are made to households who lack sufficient income and savings to meet their current needs. Where the household has some income of its own the weekly benefit is reduced until income is at a high enough level that

no support is needed. Likewise, a household with significant savings but limited current income is expected to draw on those savings before making a claim on the public purse. In other countries, such as the U.K., no benefit at all is payable if savings are above a certain level. There is no fixed cut-off in Jersey. The system is more flexible but the benefit available does gradually decrease as the level of savings increases. Without any such decrease, a household could have a bank balance of £100,000 or more and still claim income support. The principle of deemed income is unrelated to an interest rate or to any income received from the capital. It simply reflects the principle that a person with greater savings or other assets can afford to meet some of their own costs from those savings. At present, and referring to a pensioner couple, savings of up to £22,718 are fully disregarded for a pensioner couple. If the household has savings above that level, then the income support benefit payable decreases in proportion to that extra savings until the benefit reduces to zero. One of the areas I have already identified for further work during 2023 is the question of asset limits and disregards under the income support system.

3.15 Deputy S.Y. Mézec of the Minister for Social Security regarding G.P. costs (OQ.55/2023)

Will the Minister update the Assembly on plans to reduce the cost of seeing a G.P.?

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

I thank the Deputy for his question. I will of course update the Assembly on those plans as they develop. We are presently conducting very productive talks with the G.P.s and we are all aligned on what we need to achieve and they need to conclude discussions very soon. I am looking to create a new agreement with the doctors that will both reduce the fees patients have to pay and also support G.P. practices with their operational costs.

3.15.1 Deputy S.Y. Mézec:

I would certainly be pleased if that is the direction of travel. In recent years we have incrementally made progress on this with the introduction of the Health Access Scheme and the Government Plan debate at the end of last year to see free G.P. visits for children. Can the Minister confirm whether what she is looking at seeks to maintain those particular advances that there were, including the hopefully soon to be free access to G.P.s for children and when such a new scheme will be in place? When does she anticipate fees will come down?

Deputy E. Millar:

There is more than one element to that question. I am hoping that the reduction to the G.P. costs for adults will reduce. I am hoping to be able to learn something within April. We certainly are trying to do this as quickly as we possibly can. As regards this will not affect the decision of the States regarding children, that particular project sits with the Minister for Health and Social Services and I am sure she is working on that, but that does not sit with me at present.

3.15.2 Deputy G.P. Southern:

Do the conversations with G.P.s revisit the idea of improving fees for multimorbidities?

Deputy E. Millar:

At this stage we are simply looking at reducing the cost for all adults and we are not particularly focusing on specific groups, but rather the population as a whole.

3.15.3 The Connétable of St. Lawrence:

The Minister referred to signing a new agreement with G.P.s. Will she remind us what the current agreement is please?

Deputy E. Millar:

I am not sure what the current agreement is. I think the current agreement is that medical benefit is a fixed sum, which is paid to doctors on the basis of whenever they have a consultation with a patient. We are trying to do a specific contractual agreement because if we simply increase medical benefit there is no guarantee that increase will be passed on to patients, because there is no mechanism within the Health Insurance Fund Law to guarantee that. That is why we are entering into contractual arrangements with doctors. What we do not want to do is increase the benefit to find that 2 months later the doctors all increase their charges and the patients are back to square one. Doctors are private businesses so we are trying to negotiate with them to make sure that patients do benefit, and this is the way to do it. We do however have a number of contracts with the G.P.s for the provision of services. Those include the Health Access Scheme that Deputy Southern has mentioned, and I think Deputy Mézec. We also enable doctors to now receive the payment for consultations by nurses and other healthcare professionals, which they were not able to do in the past. Also, when G.P.s see people by remote, either video or telephone, because the law as drafted only permitted the benefit to be payable when the doctors had a face-to-face consultation. We are also paying for cervical screening and the flu jab and various other things. So we do have quite a number of contracts with G.P.s at present for the benefit of both patients and G.P.s.

3.15.4 The Connétable of St. Lawrence:

So the new agreement that the Minister referred to sounds as if it is to be a collective with all G.P.s across the Island. What happens if there are those who refuse to sign?

Deputy E. Millar:

I have to confess I do not know whether this will be a single agreement with the primary care body or whether each practice will sign up. I would imagine if practices refused to sign up we would have to come to different terms with them. But we are having very productive conversations with the G.P.s. It is in their interest that the scheme will also support them because they are having the same cost-of-living pressures as every other business in terms of staff costs, premises costs, insurance costs, so this is in the G.P.s' interests as a group. That is certainly our rationale is to ensure that the G.P.s do benefit from this as well as the patients and that the increase does not simply go to the G.P.s to the prejudice of patient cost.

3.15.5 Deputy M. Tadier:

Has any consideration been given to employing some G.P.s directly at the hospital?

Deputy E. Millar:

I do not think the question sits with me. I am not engaged in employing doctors at the hospital.

Deputy M. Tadier:

It sits with the Minister insofar as I still think there is joint working between the Ministers in different departments.

[12:15]

The Bailiff:

Is this a supplemental question?

3.15.6 Deputy M. Tadier:

This is supplementary. I presume that the ultimate goal that this Minister and other Ministers are aiming at is to get access to G.P.s, which is affordable, and so that there is no barrier of cost for members of the public to access G.P.s, irrespective of where they might access them. So does the

Minister think that one option would be to work collaboratively with the Minister for Health and Social Services and look at all options including whether G.P.s might be employed by government, possibly with some funding from her department, to allow access to a wider pool of G.P.s?

Deputy E. Millar:

I can confirm that the Minister for Health and Social Services and I are very much seeking to work collaboratively together and a Healthcare Reform Group has been established, of which I am a member. We have had some very early, preliminary meetings. But the question of how healthcare is provided, whether that is through doctors as private businesses or through the hospital, is a matter for that review and I maintain the view that it sits more correctly with the Minister for Health and Social Services and funding will follow that decision later.

3.15.7 Deputy S.Y. Mézec:

When the Assembly dealt with the matter of free G.P. visits for children that was done in the context of a Government Plan debate because of the financial implications of such a move. I would presume that to reduce the cost of seeing a G.P. for all adults in the Island will come with some fairly significant financial implications. Could the Minister therefore inform us what kind of debate she anticipates the Assembly having to hold to authorise the payment for such a deal and would that come either in a Government Plan or before a Government Plan?

Deputy E. Millar:

I believe I have the powers to make the increase and that the States will not be necessarily asked to debate it. I have not got as far as considering how the changes are made but I had not assumed that the States had to approve it. The funding will come from the Health Insurance Fund. Again, I can only repeat that the review is in hand, this is being done pending the longer-term review of healthcare funding, which is being conducted under the auspices of the Minister for Health and Social Services.

3.16 Deputy S.G. Luce of the Minister for Infrastructure regarding the Bridging Liquid Waste Strategy (OQ.42/2023)

Further to the briefing given to the Environment, Housing and Infrastructure Scrutiny Panel regarding the Bridging Liquid Waste Strategy 2023-2026, will the Minister advise when he intends to publish this document?

Deputy T. Binet (The Minister for Infrastructure):

I thank the Deputy for his question. I am sure he will have further questions to ask me but, like my previous question, this is quite narrow in scope so I think I will just start by answering it by saying that we are looking to publish this as soon as possible, hopefully the first 10 days of April.

3.16.1 Deputy S.G. Luce:

Does the Minister appreciate that the Infrastructure Scrutiny Panel is waiting to start a review into this subject?

Deputy T. Binet:

I certainly do. I can only apologise, it is a little bit delayed, it is a little bit behind schedule, but I just would remind the Deputy that we have a department that is slightly under-resourced in terms of cash and human resources and that they are very competent people in there, they are working as hard as they can to get the exercise completed.

3.17 Deputy L.V. Feltham of the Minister for Social Security regarding the Social Security Fund (OQ.51/2023)

What direction, if any, has the Minister provided to the accountable officer for the Social Security Fund regarding the level and type of expenditure from the fund on administration work that is considered acceptable?

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

I believe the Deputy is referring to the fund's management charge Ministerial Decision, which I have recently signed to confirm the payment of a 2023 management charge from the Social Security, Health Insurance, and Long-Term Care Funds. This included a written report, which is publicly accessible alongside the Ministerial Decision. The M.D. (Ministerial Decision) confirmed the financial estimates, which were included in the 2023-2026 Government Plan as approved by the Assembly. The management charge for 2023 has increased compared to 2022 given the inflationary pressure seen recently but it remains at the same financial level as 2016.

3.17.1 Deputy L.V. Feltham:

Given that the Social Security Fund and administrative amounts taken out of that is not handled within the Government Plan process, what assurance can the Minister give us that funds are being used well?

Deputy E. Millar:

The management charge includes the estimated cost for this year of administering the various benefits provided from those funds. Those will include staff costs, such as customer-facing, back-office, policy, and finance staff, as well as non-staff costs such as specific I.T. contracts. I believe that C.L.S. (Customer and Local Services), the department, operates very efficiently and I have no reason to believe that those charges are not accurate and that they accurately reflect the cost of providing the benefits supported by those funds. I would just comment, the 2022 Long-Term Care Fund report by the C. and A.G. (Comptroller and Auditor General) recommended that a review of the level take place to ensure that costs are accurately reflected and the department has committed to completing this by the end of 2023.

3.18 Deputy M.B. Andrews of the Minister for Economic Development, Tourism, Sport and Culture regarding negotiations with France (OQ.40/2023)

Will the Minister provide an update on the negotiations which have taken place with our French counterparts since he took office?

Deputy K.F. Morel (The Minister for Economic Development, Tourism, Sport and Culture):

The Assembly will I hope be aware that I have committed to deepening our cultural and economic links with France, particularly with the *Départements* of Ille-et-Vilaine and La Manche, our most proximate neighbours. To that end, I have visited Brittany twice to explore greater connectivity with St. Malo and also Rennes Airport. I have also explored opportunities for local businesses and also to develop artistic and cultural links with the Brittany region. I will also be visiting Normandy next month to discuss air and sea connectivity. I would like to make particular note of the work of the TransManche Development Group, who have been very supportive of this engagement and they have supported officers from the Economy Department and also from Jersey business in establishing ties with French businesses and partners. I have also engaged directly with French counterparts on a number of occasions, including as recently as last week, when the Minister for Home Affairs and myself met virtually with the President of the Conseil de la Manche.

3.18.1 Deputy M. Tadier:

Will the Minister confirm whether he has engaged or there has been an engagement of more francophone civil servants either in his department or departments that he works with and will he also suggest whether he thinks it is beneficial and should be considered more of a norm to have bilingual French speakers working in relevant government departments?

Deputy K.F. Morel:

A very interesting question. I do consider it would be beneficial if there were more speakers of French in the Government of Jersey, particularly in areas which are likely to come in contact with France for government work. I am not sure how many French speakers there are in the Department of the Economy. I know of one whose French is okay, in my estimation, but outside of that I do not know any. So I could not say that I have been supported by French speakers from the department in any of my meetings. I have been supported by French speakers from places like Maison de la Normandie and also places like TransManche Development Group, but not so much from the department itself.

3.18.2 The Connétable of St. Lawrence:

What consideration, if any, has the Minister given to subsidising Manche Iles Express?

Deputy K.F. Morel:

Consideration has not been given yet. What I have done is signal my openness to consider that and so I hope that when I meet next month that will be a subject that I will be able to discuss with the President of la Manche.

3.18.3 The Connétable of St. Lawrence:

Is there support for that subsidy from the Council of Ministers?

Deputy K.F. Morel:

I have not yet asked the Council of Ministers because I do not know. Basically these questions are too early. I have not even got to the point of asking the President of la Manche where we would like to go with Manche Iles Express. So once I understand that in a more concrete manner I would then be able to take any developments to the Council of Ministers. But, as such, it is just too early to even ask the Council of Ministers.

3.18.4 The Connétable of St. Brelade:

Following on from Deputy Tadier's question, would the Minister consider that French speaking is an essential part of an officer's role in the States employ?

Deputy K.F. Morel:

Personally, yes, I do believe French speaking should. I mean not for every officer because not every officer will have any need to speak French. But I think there are some key roles within Government where French speaking should be an important part of the skills that certain officers bring to their roles. Yes, it should be, I believe, and I think it is a sign of Jersey having lost, or at least loosened, its relationship with France that the Government of Jersey does not have that many French speakers in the Government of Jersey.

3.18.5 The Connétable of St. Brelade:

Would the Minister be prepared to communicate with S.E.B. (States Employment Board) in this regard to ensure that, during interview processes for particular officers where it is important, that it forms part of the qualification requirement?

Deputy K.F. Morel:

I will of course be willing to speak to the chair of S.E.B. and the vice-chair of S.E.B. about that. I would also like to say that I think one area where we really do need to strengthen our French speaking is in the area of communications, the Communications Department. The reason I say that is because, if anyone seeks to look at *Ouest-France*, the regional French newspaper with 30 million readers, so it is effectively a national newspaper, they will see that there are many, many articles about Jersey and their genuine interest in Jersey. It is not negative about Jersey, they are not seeking to down Jersey, they are just reporting on things that happen in Jersey in a way that you do not get from the U.K. media, who tend to perhaps take a more negative view if they ever cover Jersey. So, in my view, if people in the Communications Department were able to engage with the French media, that would really help this Island in developing its identity, not just in France, but in Europe and also the U.K.

3.19 Deputy M. Tadier of the Minister for Home Affairs regarding the Criminal Injuries Compensation Scheme (OQ.53/2023)

Will the Minister advise what recommendations, if any, have been made by the consultants that were instructed by the Government to review the Criminal Injuries Compensation Scheme, and what plans the Government has for reform of the scheme to ensure that it is fit for purpose and compliant with Jersey's domestic and international obligations towards the victims of crime?

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

Thank you for the question. I understand the shortcomings of the Criminal Injuries Compensation Scheme were highlighted in 2018. Subsequent internal review commenced but was disrupted when officers were abstracted to support the pandemic response in 2020. At that time, the Council of Ministers authorised expenditure for consultants to continue this work and make proposals for improving the scheme. The findings were broadly consistent with previous observations and included that the application process was seen as intrusive, there were significant delays in the process, the possibility for compensation to be reduced through the applicant's own behaviour, that anecdotally victims felt shame and embarrassment at having to seek compensation, and that the 3-year period of victims to claim compensation was no longer in line with many other jurisdictions, particularly where this affected children who suffered abuse in childhood and did not make claims within 3 years of turning 18. As a consequence, I intend to redevelop the scheme to ensure that it is victim-focused, accessible, fair, timely, and in line with international standards. I have already had initial meetings with officers to set out that direction and work is scheduled to commence once the Taskforce Against Violence Against Women and Girls has reported in July and staff become available.

3.19.1 Deputy M. Tadier:

I thank the Minister for that answer. I am particularly glad that she mentioned the time-barring issue, especially when one is dealing with events that may have occurred a long time ago where there have subsequently been societal changes and victims may feel more empowered now to speak out than they did in the past. The time-barring factor will be very welcome for review and I would encourage her to be strong on that. Can she give a definite timeframe of when these changes are likely to happen? Do they need to be brought back to the Assembly, for example, as well?

[12:30]

Deputy H. Miles:

Yes, I agree. As far as I know the 1990 Act that set up that C.I.C.S. (Criminal Injuries Compensation Scheme) is not retrospective and those time limits are problematic for victims. In respect of the other

question, I am hoping that it would probably be the first quarter of 2024 by the time we would have a draft scheme for probably scrutiny by the Scrutiny Panel. But I think I am right in saying it does not have to come before the Assembly for debate.

3.20 Deputy R.J. Ward of the Minister for Health and Social Services regarding facilities for adults with learning difficulties (OQ.48/2023)

Further to the decision by Les Amis to abandon their plans to build a new facility at the Hampshire Hotel, what actions is the Minister considering, if any, in relation to the provision of facilities for adults with learning difficulties?

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

The Health and Community Services Department and also the Customer and Local Services Department have been working closely with Les Amis since November last year in relation to the provision of services for people with a learning disability. The joint work has included a review of current and future need as well as discussions about the current residential model provided by Les Amis, some of the challenges relating to this, and potential future service models. The departments have also been working with Les Amis to ensure that the way we commission services for people with a learning disability is financially stable and sustainable. During this period of joint working, additional financial support has been provided to Les Amis. So the position is that the work is ongoing. We are exploring a range of potential models to meet future needs, including a bespoke model of care for people who have specific needs in relation to dementia and learning disability. Importantly, we intend to ensure that people who use services and their carers are central to this work and actively engaged in it and that we develop a range of services that can meet the needs of the population and I think we have already alluded earlier in various discussions, so that this is an evidence-based approach to what the need is. One of the things that we do want to do is to improve our commissioning model, which stabilises the current model of residential care. We do not have at the moment a learning disabilities strategy and that is something that I will be seriously considering as we go forward and an issue to come out of these discussions. I know officers are meeting with members of the Les Amis board following their announcement today and any outcome from that we will of course take into consideration as we go forward.

3.20.1 Deputy R.J. Ward:

I am trying to word this very carefully but there is a lot to it. The Les Amis project would have been the first of its kind in the Channel Islands and it recognises both recognition that laws are being passed elsewhere that those, for example, with Downs Syndrome are entitled to lifelong care and it is expected that the number of people with dementia will double in the next 20 years. Can I ask, what facilities are planned that will offer and guarantee lifelong care to the people who, in the long term, and in the next few years, will desperately need that and, in my opinion, are entitled to that care?

Deputy K. Wilson:

Yes, and I agree with the Deputy that we do need to take a more holistic and systemic and longitudinal look at the needs of people with learning disability. I think we are dealing with the immediacy of the situation at this moment in time to help Les Amis get to a place where they can sustain their service offer at the moment. We are in discussions with them about different ways to meet some of the need that the Deputy has identified. Again, if I could just assure people that, because this is work in progress, we cannot provide any definitive answers to the number of units or the kind of model that we are going to provide, but will do going forward.

3.20.2 Deputy S.Y. Mézec:

Les Amis will presumably have put a lot of time, energy, and resources, into getting this far and they must be hugely disappointed to now feel that they cannot go ahead with it and to be in this situation. What can the Minister say to this Assembly and the wider public about how they engage with third-sector providers of these kinds of things that we clearly so desperately need so that they do not find themselves in situations where they dedicate so much to a new endeavour only to then, in the latter stages of it, feel that they cannot go ahead with it. Because that really is a waste for them and such a shame for the possibilities that they could have been enabling to provide for those people in that community.

Deputy K. Wilson:

Yes. What we are inheriting is a decision that was taken previously and, in my view, what I would want to provide assurance to the Assembly about is that where we are entering into discussions and negotiations and partnership work with the independent and third sector across the Island that we do so with intelligence and information that supports the support for financing and the cost of those models more appropriately. It is in the public domain, there have been longstanding issues with the sustainability of the service that is on offer. We are committed to working with Les Amis to provide a really good, comprehensive service for people with learning disability and that is certainly our commitment going forward.

3.20.3 Deputy R.J. Ward:

Can I ask the Minister to confirm that she does consider that there is a need to have specialist nursing and end-of-life care for those with learning difficulties?

Deputy K. Wilson:

Yes, I can confirm, and this is all part of the needs assessment that we will be looking at as part of the future model development.

3.21 Deputy L.J. Farnham of the Minister for Infrastructure regarding the purchase of land at Kensington Place (OQ.44/2023)

In relation to the land at Kensington Place purchased by Andium Homes for £7.8 million in December 2021, will the Minister explain the rationale for purchasing the same parcel of land on behalf of the public of Jersey for more than double the original price in 2023?

Deputy T. Binet (The Minister for Infrastructure):

Members of the Assembly have had much of this explained already, but I am certainly happy to go through it all again. I have made a couple of notes because I want to be specific about each of the stages. Firstly, we need to bear in mind that the original £7.8 million transaction process involved the purchase of 3 separate properties. The combination of these 3 sites enabled a more substantial development and this in itself added value to the overall site. Furthermore, and as the Deputy is aware, plans were drawn up, planning permission for more than 100 flats was obtained, and the site was cleared, all the demolition work was done ready for construction. These 3 exercises involved considerable expenditure and all of this added further value. Shortly thereafter the development was halted, as we know, and the developer was compensated, adding more cost. The details of that transaction are commercially sensitive but I would like to inform the Assembly that those details have been made available to the Deputy. Subsequent to this, 3 valuations of the Kensington Place site have been undertaken and this has been undertaken by 3 valuers that are part of the Royal Institute of Chartered Surveyors and all 3 of them have agreed that this price is a fair and reasonable price for that site. So returning to the first part of the question, and just in case the Deputy is still confused,

the rationale for purchasing the site at market value is to provide an area for the creation of new hospital facilities.

3.21.1 Deputy L.J. Farnham:

I am not sure the Deputy answered the question fully. Does he agree that paying £8.2 million more, notwithstanding that there has been some work done on it, and the costs of demolition and other aspects that he mentioned come nowhere close to that figure. Does he agree that the extra £8.2 million paid amounts to a penalty payment for the taxpayer because he has decided to cancel a project for much-needed homes without obtaining the go-ahead from this Assembly to proceed with the development of a multisite facility. I know he mentioned the compensation paid to the developer was commercially sensitive, but it is taxpayer money and can I ask him to reconsider sharing that with the public?

Deputy T. Binet:

I am afraid once again I have to take issue with the substance of the claims made when the Deputy suggests that the combination of events that I described here quite carefully came nowhere near to the sum that is now involved, and I would be happy to answer that question if the Deputy could substantiate that.

3.21.2 Deputy S.Y. Mézec:

Never again I hope. Could the Minister confirm, for the avoidance of any doubt whatsoever, that Andium Homes have not been left a single penny worse off for being the victims of this debacle?

Deputy T. Binet:

It seems I am taking issue with everybody today. I take exception to this being described as a debacle. It is a perfectly orderly process and, to the best of my knowledge, Andium will not be left any worse off.

3.21.3 Deputy S.Y. Mézec:

To the best of his knowledge does not sound very reassuring, especially given that this has been brought up on the floor of the Assembly before where he offered his assurance that they would not be any worse off. So can the Minister check so that there is no doubt whatsoever that Andium Homes, for having been led down one path only to be told later on, no, they could not go ahead with that, that they will not have been left financially worse off because that of course would have an effect on their ability to deliver new homes elsewhere. Can he give us that 100 per cent assurance?

Deputy T. Binet:

I can only repeat what I have said: to the best of my knowledge, at this point in time, they have not been left worse off and I shall make inquiries and let the Deputy know as soon as I can confirm.

3.21.4 The Connétable of St. Lawrence:

Will the Minister remind us of the number of homes that have been lost and will he advise us whether that loss was supported by the Minister for Housing and Communities?

Deputy T. Binet:

I think I am correct in saying it is either 103 or 104 homes. Having seen the plans, I can confirm that they were not particularly well designed and in many respects in that regard it does not constitute quite such a serious loss. I can confirm that the Minister for Housing and Communities and the rest of the Council of Ministers were in full support of the action.

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

Minister, given the increased land value of the Kensington Place site, would you be able to tell us what value you would put on the entire Gloucester Street hospital site as it is now?

The Bailiff:

“Would the Minister be able to tell us?” Connétable.

Deputy T. Binet:

I do not want to be facetious but the simple answer to that is no. But if the Constable would like me to obtain some form of evaluation I am happy to do that. It would probably come at some cost, I have to say.

3.21.6 The Connétable of St. Clement:

Given that that value might mitigate the cost of a new hospital as a one-hospital site, I think that that might be very worthwhile, therefore, I would ask the Minister to go forward with that.

3.21.7 Deputy L.J. Farnham:

If the project to build 106 much-needed new homes had not been stopped, does the Minister accept that the Government would not have to be paying out an additional £8.2 million? We would indeed be getting 106 much-needed homes and that £8.2 million could be used for such things as subsidising nursery fees, helping with significant rent increases to tenants and assisting victims of flooding in Grands Vaux who are still living in hotel rooms and temporary accommodation.

Deputy T. Binet:

Yes, we have another statement for which the Deputy is famous. Yes, it is a statement of the obvious and I think I need say no more than that.

Deputy L.J. Farnham:

I am sorry, Sir. Could the Minister just clarify, was that a yes or a no? **[Laughter]**

The Bailiff:

I think the Deputy thinks that you perhaps do need to say a little more than that.

Deputy T. Binet:

If the Deputy wants more yes or no answers from me he will certainly get them; that is for sure.

The Bailiff:

Perhaps he could get one ...

Deputy L.J. Farnham:

That is much clearer, Sir, thank you.

Deputy M. Tadier:

Sir, is that not a breach of the Standing Orders which requires Ministers to answer ...

The Bailiff:

I was about to raise with the Minister, you have said that you will offer a yes or no answer. I was just wondering whether in the light of the Deputy's question, is it a yes or a no?

Deputy T. Binet:

It is a yes, Sir.

The Bailiff:

Thank you very much. Very well. Is the adjournment proposed?

[12:45]

LUNCHEON ADJOURNMENT PROPOSED

The Bailiff:

It is a matter for the Assembly obviously. We will continue afterwards with the periods of questions to Ministers without notice. I see by the smile on the Minister for Economic Development, Tourism, Sport and Culture's face that he will be in the hot seat for the Chief Minister. Is that correct?

Deputy K.F. Morel:

That is correct, Sir.

The Bailiff:

Then did you propose that we reverse the order, which the Assembly only changed for the purposes of accommodating the Chief Minister? I would suggest, if the Assembly agrees, we go back to the normal order where the Chief Minister speaks last, in effect.

Deputy K.F. Morel:

As the Assembly sees best.

The Bailiff:

Yes. There seems to be general positive response to that. After the question period then Deputy Tadier has a statement to make to the Assembly. Very well. We stand adjourned until 2.15 p.m.

LUNCHEON ADJOURNMENT

[14:16]

4. Questions to Ministers without notice - The Minister for Social Security

The Bailiff:

We resume now for the first period of questions for Ministers without notice and the first Minister is the Minister for Social Security. So far no one has indicated the desire to ask any questions of this Minister.

4.1 Deputy L.J. Farnham:

I will get things rolling. Some time ago I asked the Minister whether she would consider reviewing the disregard figure which will enable Islanders on income support perhaps to work a few more hours without receiving a financial penalty, and I wondered if she managed to give any thought to that.

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

I thank the Deputy for his question. The subject of disregards for income and assets will be part of my overall review this year. That is all I can say at the moment. We will be considering all of those aspects over the course of the year.

4.2 Deputy S.Y. Mézec:

Following the announcement from the Jersey Homes Trust of increasing rent for many of their tenants, a proportion of whom will have their rent paid for by income support, has the Minister had any chance to analyse how much extra her department is likely to pay out as a result of those rent increases?

Deputy E. Millar:

No, we have not done that work. The department may have done but I am not aware as yet.

4.3 Deputy L.V. Feltham:

With reference to the Minister's answer to Written Question 87/2023, which contains information about a £23 million I.T. project, which is being funded from the Social Security Fund, what work has she been doing with the Assistant Chief Minister with delegated responsibility for digital to ensure that the work being undertaken with that money fits within any overall government digital and technology strategy and also does not repeat the mistakes that were referred to earlier with regard to other I.T. programmes?

Deputy E. Millar:

I thank the Deputy for her question. I cannot find the answer to question 87 but a political oversight group has been established. Deputy Curtis is a key member of that group and they will be working both to design and develop that system, which meets this other department and the public going forward.

4.3.1 Deputy L.V. Feltham:

In the answer to the written question, it suggested that if work undertaken on that project could be reused by other departments then, potentially, other sources of funding might be made use of for that. What work has the Minister done with other Ministers to ensure that work is not duplicated across departments and the work that is being undertaken within that project is giving the best possible value for money across Government?

Deputy E. Millar:

Work is ongoing. I think at this stage the system is still in the design phase. We will be tendering for development over the course of this year. Design will be part of that, so that work is ongoing. We will need input from other departments and that will be sought in due course - Revenue Jersey - because certainly we are trying to achieve a much more effective means of collecting contributions and tax. We will certainly be working with Revenue Jersey. Then, I think, as we develop the system and see what the system is designed to do, it will be at the forefront of everybody's minds how it can be adapted to work to support other departments as well.

4.4 Deputy G.P. Southern:

Will the Minister inform Members what progress has been made in terms of zero-hours contracts? If none, will she say when we are likely to see any report from the economic forum.

Deputy E. Millar:

I thought this was the subject of a written question this week or last week. The Employment Forum have been asked to conduct a review of zero-hours contract. They will be reporting in quarter one, so I am expecting their report by the end of this month. I believe they are on track. Then once we have the Employment Forum's view and their analysis on zero-hours contract, we will then in quarter 2 look to see what work is required in terms of legislative changes or adaptations to our systems of zero-hours contract. The work is on track and in line with the plan.

4.5 Deputy L.J. Farnham:

In her capacity as chair of the newly formed Financial Services Committee, if that is the correct terminology, I wonder if the Minister could update the Assembly as to the progress in the transfer function, if that is allowed, Sir. It is not directly related to her role as Minister for Social Security.

The Bailiff:

I think the Minister is before the Assembly to account for her portfolio and not necessarily, I think, for that. There may well be another mechanism for providing that information. Does any other Member have a question for the Minister?

4.6 Deputy L.V. Feltham:

When was the last time that the Minister visited one of the venues where free period products are available for people to take, as and when they need them? Can she give the Assembly assurance that there are enough products available of the right type for people to take enough that they need to last for a time so they do not have to visit that place on a daily basis?

Deputy E. Millar:

I have not personally visited any of those venues for some time. The last time I was in the C.L.S. offices and there were some items available. I have to confess the stock was not huge but there were some items there. The provision is in the case of need, so short-term immediate need and for longer term so the Deputy is quite right that we need to make sure there are sufficient stocks. I think when we have looked and found stocks have gone down; that indicates that people have done just as the Deputy suggests and have gone in and stocked up for a time. Work is ongoing, the pilot phase of the free period product exercise has completed. We are now doing some analysis on that to see what the take-up has been, what type of products have been most popular and we will also be looking at the consultation. I do somewhere have a figure but I will not try to find it. I believe we had something like almost 15,000 items were collected during that pilot phase. We will be going through the consultation. I would like to say we had 800 responses to consultation but I do not want to waste your time while I find it. But we have had a very sensible response to consultation and we will be using all that data to then develop the scheme going forward. Source of delivery is certainly something I can assure the Deputy that I am very concerned about, making sure that we have that as effective as possible for individuals.

4.7 The Connétable of St. Brelade:

In questions to candidates for the Scrutiny Panel earlier, I asked their views on the provision of elderly care in the Island. Would the Minister confirm that she considers the funding being provided to the elderly of the Island for care, either at home or in residential homes, is sufficient to meet their needs at this time?

Deputy E. Millar:

I thank the Constable for his question. Long-term care is one of my major projects for this year, looking into the long-term care scheme to see just that very issue. I think where an individual is in a care home the benefit works well. I think it is less clear where people are being supported by domiciliary care providers. The domiciliary care sector was in its infancy when the long-term care scheme was launched and the home care sector has grown quite dramatically since then. We will be conducting a market review of the domiciliary care providers to see how that mechanism is working and whether the funding is sufficient. I do think it is a case that our long-term care scheme is one that many other jurisdictions would envy. It is remarkably generous in some ways, particularly in terms of the assets that people can retain. But we do have a huge piece of work going on this year over long-term care and it is absolutely a key priority for me for this year.

4.7.1 The Connétable of St. Brelade:

Would the Minister be able to give Members an idea of how much domiciliary care is being provided by on-Island versus off-Island suppliers?

Deputy E. Millar:

I do not have that data in front of me. I am not sure that we would necessarily collect it. We may do because it depends on whether payments are made to the individuals or directly to the carers. I think off-Island care is a relatively low proportion because people have to be in the Island to provide the care, whether they are travelling in or out I do not know. I am aware there are some agencies bringing people in on a short-term basis but that is not necessarily within the Social Security portfolio, the actual provision of care.

4.8 Deputy L.J. Farnham:

In light of the ongoing high cost of living, can the Minister advise the Assembly as to when the complete review of benefits is to be expected?

Deputy E. Millar:

I thank the Deputy for his question. The initial benefit review has been conducted and I have had several meetings with my team in the last 2 weeks to look at the outcome of that and to identify areas where we would like to make changes over the course of this year. We have identified quite a number of aspects, including - I have mentioned already - the asset and income disregards but there are individual benefits that we do want to review. We will be trying to do that on a basis throughout the year; I am not going to wait until the end of the year. We have identified a few things that we can do very quickly and I will be looking to do those things just as soon as I can. Other items will need to be scheduled because I have to recognise both of the resources within the department to do additional work because, as I have said, we do have some significant projects this year. The happy fact, perhaps the outcome of the review is that it means I want to increase a lot of benefits, the rates; that will cost money. We do also have to ensure that we have a sustainable funding for these increases that I would like to make. That may be as little as increasing rates that have not changed for some time, to just redoing certain benefits altogether, so it is very much on track.

4.8.1 Deputy L.J. Farnham:

If I could just push the Minister slightly, and it is welcome news that progress is being made, but when can she estimate that she will be able to get support to those who desperately need it, given the ongoing economic circumstances?

Deputy E. Millar:

Many of the initiatives in the Government's mini-Budget last year remain in place. The Community Costs Bonus remains open for claims.

[14:30]

The parental support payment has not had the take up that we hoped but we extended the claim period for that to the end of March. Families with under 5 years' residency just about have time to come forward and make a claim for that payment. The quick things we will do, for example, in terms of helping, I am aware that Home Carer's Allowance, just for one example, at present if a family has one child who has a relatively significant disability at level P3, the parent may receive a Home Carer's Allowance for that child. If the parent has 2 children at P2 for whom the care needs may be even more significant than one child at P3, at present the parent will not receive Home Carer's Allowance. We will be looking to amend that so that where a family is caring for 2 children with disabilities - that may come in to older relatives - we will give them Home Carer's Allowance, so that is one example. We will also just keep an eye on our benefits and we will be asking the Employment Forum to review the minimum wage in the coming months from January. We are also working on a new version of the Community Costs Bonus, which will come into play in the autumn of this year.

The Bailiff:

An extremely, potentially, quick question, Deputy Southern.

4.9 Deputy G.P. Southern:

Has the Minister examined the Ethical Care Charter with a view to its application in Jersey?

Deputy E. Millar:

I am not aware that the Ethical Care Charter sits with me. I think I am responsible for funding but not the performance of the carers. I think that really sits with the Minister for Health and Social Services.

The Bailiff:

Very well, I am afraid that brings the period of question to this Minister to an end.

5. Questions to Ministers without notice - The Minister for Treasury and Resources

5.1 Deputy R.J. Ward:

Is the Minister responsible for signing off the payments for the 2 health staff leaving senior positions recently?

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

The Deputy will be aware that the agreement required for any payments would first go to S.E.B., but he is also probably aware of findings of previous Comptroller and Auditor General's reports which say that they should be consulted upon with the Treasurer, so it does not need my agreement.

Deputy R.J. Ward:

Thank you, Sir, no further ...

5.2 Deputy L.J. Farnham:

At the last sitting I asked the Minister for Infrastructure if he knew how much of the £28.5 million allocated in the Government Plan to the development of the revised multisite healthcare facilities had been spent to date. He did not know, so could I ask the same question, please, of the Minister for Treasury and Resources? Does he know how much to date has been spent?

Deputy I.J. Gorst:

The Deputy will be pleased to know, not very much. If he wants a detailed figure then I am more than happy to provide it. But, as he knows, when the Assembly took the decision that they did in the Government Plan, large amounts of that team were stood down. We are now recreating a team or the Ministry is recreating a team, which is substantially less cost than was previously in place. Of course the money must be allocated in the budget but very little has been spent to date.

5.2.1 Deputy L.J. Farnham:

I think I missed the actual amount but the Government Plan did allocate £51.5 million, it is a lot of money, to be spent on this new scheme. Could the Minister for Treasury and Resources just advise the Assembly now - so the exact amount - although it is small to date that has been spent? Would he undertake to provide regular updates to the Assembly - I would say monthly or at least bimonthly - to keep Members informed of the expenditure as we get through the year?

Deputy I.J. Gorst:

While I enjoy these little tête-à-têtes in the Assembly with the Deputy, as I just said to him I am more than happy to provide him with an update on spend to date but it is in that regard very little. There will be a profile of spend throughout the course of the year. I do not think that it is anybody's interest to provide a monthly update and I do not see the argument for doing that.

Deputy L.J. Farnham:

But I did ask the Minister, I know it is a small amount but does he know the amount?

The Bailiff:

I think we must assume the Minister is not able to give you the specific amount now but has undertaken to do so in the future.

5.3 Deputy L.V. Feltham:

As the Minister responsible for public finances, is the Minister confident that the States Employment Board has followed all necessary processes and procedures to ensure that unnecessary expenditure on payments to staff leaving the organisation are not made?

Deputy I.J. Gorst:

Did the Deputy mean to say are not made at the end of her question?

The Bailiff:

Yes.

Deputy I.J. Gorst:

I am not quite sure what she is asking, other than to reiterate what I said in answer to Deputy Rob Ward, that as the Comptroller and Auditor General quite clearly pointed out, when the States Employment Board, if indeed they are making additional payments outside of contract, then they are required to consult with the Treasurer to make sure that they are appropriate and that they are value for money. I have got every confidence that the Treasurer is doing his job appropriately within the requirements of the Public Finances Law.

5.3.1 Deputy L.V. Feltham:

Just to put some more clarity to that, as a Minister around the table of the Council of Ministers, is he confident that his colleagues on the States Employment Board have undertaken all necessary processes and procedures to avoid unnecessary payments?

Deputy I.J. Gorst:

I am confident that they would not do anything other than that, yes.

5.4 The Connétable of St. Lawrence:

Will the Minister tell us why the States of Jersey Development Company has changed its name to Jersey Development Company and was it approved by the Minister, as shareholder?

Deputy I.J. Gorst:

I know I am getting a bit long in the teeth but I was not aware that they had and I still refer to them as the States of Jersey Development Company. I am not sure that any law change or change in this place has taken place. They maybe, as companies do, changed their working title from time to time but, as far as this Assembly and the processes here are concerned, they are the States of Jersey Development Company.

5.4.1 The Connétable of St. Lawrence:

I am pleased to hear the Minister acknowledge that. I would like to ask his view on the fact that the recent planning application submitted for the South Hill site, which was submitted by the Jersey Development Company on behalf of the Government, what is his view on the fact that that application had just under 13 per cent of the units below required planning standards?

Deputy I.J. Gorst:

I am not sure whether the questioner was sitting on the panel when that decision was made. I do not think it is appropriate for us to get into an argument about planning panel decisions in this Assembly. I do concur with the Minister for Housing and Communities that supply is an important element of dealing with the cost of housing. Equally, of course this Assembly agrees the Island Plan, the Minister goes away and is currently consulting on minimum standards and that to me seems to be the appropriate process, not for me in my shareholding functions to second-guess or criticise the planning panel who have legal obligations around the decision-making that is expected of them.

The Connétable of St. Lawrence:

Sir, if I may, I was not referring to the planning decision that was made last week, I am referring to the fact that a government-owned company has submitted an application for development which falls below the current building standards and 15 per cent of those units are to be allocated to first-time buyer homes. My concern is that that 15 per cent will include the substandard.

The Bailiff:

In fact it does have to be a question.

The Connétable of St. Lawrence:

I would like the Minister to say whether or not he shares my concern.

The Bailiff:

I think as representative shareholder that is a legitimate question for you, Minister.

Deputy I.J. Gorst:

I am being put rather in an impossible position when I know that government officials have recommended approval for an application. But Members of this Assembly, as is their legitimate or lawful ability, have made a decision. I would and I think this is why the Minister for the Environment is now consulting on minimum standards. Because as a general policy position, the Government would like to see larger units but there are consequences to larger units, as the Minister for Housing and Communities has said, and that is that they generally, as a general rule, cost more. We are trying to keep in tension those 2 elements.

5.5 Deputy S.Y. Mézec:

I had a planned question but I am going to scrap it, so we can keep on this line because the Minister simply has not answered the question that was put to him in the vein that the Constable intended it to. The planning application request from the S.o.J.D.C. (States of Jersey Development Company) contained 13 per cent of homes that fell beneath minimum standards. He, as shareholder representative, could if he wanted to say to that entity: "I do not want you to propose any apartments that fall beneath those minimum standards"; that is a separate matter to what the Planning Committee does or does not decide. Is he prepared to issue that instruction to the States-owned body that exists to pursue the aims that we set it to produce homes that are fit for purpose to live in by the planning rules that this Assembly has created?

Deputy I.J. Gorst:

We now are entering somewhere which you have ruled is perfectly legitimate but I am happy to go there. I am happy to say, as a general rule, I think that government-owned entities should be complying with the minimum standards. But of course in this instance the States of Jersey Development Company had an application which was previously rejected by the then planning panel. They were instructed to go away and remove height from that building; there were consequences of making those decisions. There are consequences to developers, whether they are government-owned or not, of the decisions that a planning panel make. Perhaps it is a little bit difficult for Members now to criticise S.o.J.D.C. when they responded to the decisions of the then planning panel and they will now have to respond to the planning decisions of the now planning panel. I am prepared to work with them around trying to ensure that they do meet those minimum requirements, which may indeed be increasing, and if that is the case we will work on those as well. But there are consequences to housing supply, to the cost of housing of the decisions of the planning panel and we cannot avoid that.

5.5.1 Deputy S.Y. Mézec:

This is not about the Planning Applications Committee, this is about the instructions that he, as the shareholder representative, gives to this publicly-owned developer. Will he take this as an opportunity, as that shareholder representative, to go into the officers of the S.o.J.D.C. - I presume he is welcome there, given that it is the States of Jersey Development Company and not a private company - and say to them: "Now that this application has been rejected can you go back to the drawing board,? You must come back with proposals in which not one single property should fall beneath the minimum space standards that this Assembly has approved"?

Deputy I.J. Gorst:

Of course I am more than happy to do that. Normally the S.o.J.D.C. would attend upon the Minister, not the other way round. It is very important that these companies understand who it is that is the shareholder representative and not the Ministers who are running around attendant upon them, rather the other way round. But let us be clear of the consequences of such decisions, which I am happy to make on behalf of shareholder in this Assembly; no problem at all. But we must hold in tension that space costs money and that feeds directly into the cost of those units.

5.6 Deputy G.P. Southern:

Is it the case that the Minister for Treasury and Resources wishes to ignore our wish to create living spaces which are the right size to improve people's well-being and improve their health because that has been proven before?

[14:45]

Deputy I.J. Gorst:

I am not sure how the Deputy reaches that conclusion from the answer I just gave, which was that I would go back to the States of Jersey Development Company, say that the expectation of myself, as shareholder representative, and this Assembly is that they meet minimum standards.

5.6.1 Deputy G.P. Southern:

Is he prepared to go back in and say meet greater standards?

Deputy I.J. Gorst:

Sir, I do not know if you are enjoying this but I certainly am. **[Laughter]**

The Bailiff:

You can tell by the frown on my face ...

Deputy I.J. Gorst:

Yes, I think I can. As I have already said, the Minister for the Environment is consulting upon increasing minimum standards. If that consultation says that minimum standards should be increased, then of course I will revert back to both of those arm's length bodies that are involved in providing housing, at least we hope they are both involved in providing housing. From some of the questions today I suspect that some Members do not want one of them to provide any houses but we will deal with that on another occasion, that they meet the requirements that are expected by the Minister for the Environment and by this Assembly and, therefore, by the shareholder.

The Bailiff:

I am afraid there is only about 15 seconds to go, so that brings the period of questions to this Minister to an end.

6. Questions to Ministers without notice - The Chief Minister

6.1 Deputy S.G. Luce:

Members of the public can access the States Assembly website and if they do that today they will note that so far this year we have had 41 reports lodged under the report section but for some reason we have only had 11 propositions and of those 11 only 6 are from Government. Is the Deputy Chief Minister concerned about this statistic?

Deputy K.F. Morel (Deputy Chief Minister - rapporteur):

I thank the Deputy for his question. I think when things are mentioned by numbers alone then a poor representation of reality can be gained. It is not the number of propositions, whether it is by non-Executive Members of the States or Ministers that determines whether the States of Jersey is doing good work. It is the outcomes and the deliverables. Government can deliver in many ways, not just by lodging propositions. Government can deliver by, first of all, writing strategies and then executing on those strategies. It can deliver by reorganisation. It can deliver by funding other external organisations to deliver the Government's wishes on the public's behalf, and that is the work that this Government has been doing and it has been working to deliver. We have seen that throughout the work in this Government, starting with the mini-Budget, where we got to grips with and worked to help Islanders with the cost of living. That is something that matters to Islanders, it is not necessarily something that always has to be brought before the Assembly. I say it is not the numbers that matter, it is the delivery that counts.

6.2 The Connétable of St. Saviour:

Further to reports that the operating platform TikTok may be banned on States of Jersey devices or computers and servers for alleged data harvesting, would the Minister update the Assembly on this and whether there are any other platforms that are under consideration?

Deputy K.F. Morel:

A very topical question from the Connétable. It is my understanding that following the U.K. Government's decision to ban this particular application from government-issued phones that the Government itself ... we have looked at the issue within the Government of Jersey. But the decision has been taken at this time not to prohibit them from the phones, principally the matter is being assessed and a prohibition may come in force in the future. But the Government itself uses TikTok to communicate with Islanders because, as the Connétable will know, there are many thousands of Islanders, particularly young Islanders, who use TikTok regularly and, therefore, it is a really

important communication platform for the Government when wishing to speak principally to young Islanders. As politicians, we all know how difficult it is to communicate with the younger people in our society and so it is an important platform for that communication. The Government is assessing the situation and will continue to maintain an assessment of the way apps are used on government-issued phones, where that is the case or government computers. Because the Government also, importantly, takes cybersecurity very, very seriously and so we work with the United Kingdom Government and its agencies to ensure that this Island is secure from cyberattack in many ways and so this is all work that is being undertaken at the moment.

6.3 Deputy L.J. Farnham:

I am one of those young Islanders that uses TikTok and I find it very good. **[Laughter]** But my question is not about that, my question is in relation to the resignations of 2 senior health staff. Is the Deputy Chief Minister satisfied that the States Employment Board adhere to their own 6 codes of practice, particularly on performance and accountability and engagement with the employee during the process?

Deputy K.F. Morel:

While I personally do not sit on the States Employment Board and so have not been privy to any meetings about this or any other meetings of the States Employment Board, I have no reason or cause to be concerned about the way the States Employment Board undertakes its activities. I believe, and the Chief Minister, I believe, has full confidence in the States Employment Board to undertake its activities properly and in accordance with the proper processes.

6.3.1 Deputy L.J. Farnham:

I thank the Deputy Chief Minister and wondered if he was aware of any possible future resignations that we could expect.

Deputy K.F. Morel:

Apart from my own, depending on the performance of this particular question time, I am not aware of any.

6.4 Deputy R.J. Ward:

Let us see if we can help. **[Laughter]** Apologies, Sir. Written question 270/2020 suggests a digital register of properties is complete and with Ministers and it will be shared with Scrutiny Panels. Has this happened and where are we with the digital register of properties?

Deputy K.F. Morel:

First of all, I thank the Deputy for his question but I think it is a very good question, which is one I was asking just minutes ago. Personally, I do not know and so I will undertake to find out that information for the Deputy because I was asking that very question myself. Yes, I believe I need to go and find out.

6.4.1 Deputy R.J. Ward:

Given that there are many ways for Government to succeed, can we give a timescale as to when that will be found out?

Deputy K.F. Morel:

I will put that into the I do not know column as well but I will attempt to do it as quickly as possible.

6.5 Deputy M. Tadier:

The Chief Minister was on record before Christmas saying that she had ordered an independent review into the illegal police searches carried out at properties allegedly linked with Roman

Abramovich. Is the Deputy Chief Minister in a position to give us an update as to whether this independent review has been started, who is doing the review and when it is likely to conclude?

Deputy K.F. Morel:

I am not in a position to be able to speak about that here, as a matter of legal proceedings going on, et cetera. But what I will say is that it is on my shoulders to take any review forward, et cetera. I would be more than happy to update him in private rather than in public, so it is not something I can speak easy about in the Chamber.

6.5.1 Deputy M. Tadier:

I find that answer strange because the Chief Minister was public about the fact that she was going to order an independent review; this has been reported in the media. I am simply asking the Deputy Chief Minister to confirm whether that operation, that investigation has started or not. I do not think that is in anything *sub judice* that the Minister should not be able to answer. If he cannot answer because he does not have the information that is fine and I will accept that and ask him to go back and find out. But would he be able to answer the first part of my question?

Deputy K.F. Morel:

I have to stick by my previous answer. I do not believe that is something I can speak about publicly and, therefore, I do not want to endanger any legal proceedings by doing so. Because, as I say, that is on my shoulders, I take responsibility for a new review that goes forward, as opposed to the Chief Minister but I will happily update the Member after.

Deputy G.P. Southern:

Is that something you can rule on?

The Bailiff:

No, it is a legitimate answer to a question for a Member to say I am not prepared to answer that question; the consequences can only be political.

Deputy G.P. Southern:

I think his statement was that: "I do not believe I ..."

The Bailiff:

It is not for me to provide legal advice to the Assembly; that would be a job for the learned Attorney but I do not think that that is something that can be dealt with in this context. If it is the Minister's belief that there are reasons why he cannot answer, then that is a sufficient answer in the Assembly, it seems to me.

6.6 Deputy S.Y. Mézec:

Is the Deputy Chief Minister able to confirm how much has been agreed to be paid out in golden handshakes as a result of the recent resignations from Government?

Deputy K.F. Morel:

That is not something I am able to confirm or speak to at all. One reason is I am not on the States Employment Board, so I have no idea whether any payments have been made, et cetera. But, equally, even if I was privy to that information, what I would say is that we are talking about employees of the States of Jersey and these people are currently employed by the States of Jersey and, therefore, there is a matter of confidentiality with regard to current employees of the States of Jersey. Equally, there is a duty of care that the Government owes to its employees. For those reasons - and there are many, as I have just outlined - I am unable to answer that question.

6.6.1 Deputy S.Y. Mézec:

History shows that in these incidents the truth always works its way out there somehow and we do inevitably almost always find out details of those golden handshakes. In the interests of the open and transparent Government we have been promised, would the Deputy Chief Minister endeavour to ask the Chief Minister that when that information is possible to be made public that it is done so very quickly?

Deputy K.F. Morel:

I thank the Deputy for that suggestion and I will indeed do that. But I think it is very important that Members of this Assembly appreciate that we are talking about people who are currently employed by the States of Jersey and, therefore, we should act as good employers and not divulge anything with regard to employment details within this Assembly.

6.7 Deputy L.V. Feltham:

The Government's organisational change policy states that: "The employer will ensure that employees are treated fairly, consistently and with respect in an open manner." How confident is the Deputy Chief Minister that both the performance management and organisational change policies are being applied fairly and consistently throughout all levels of the organisation?

Deputy K.F. Morel:

Assuming that the Deputy is speaking about the whole organisation and not any specific departments, then I have no reason to believe that the Government, as an employer, is acting in any way contrary to the way the Deputy has suggested. But if the Deputy does have examples or instances where she believes that that is not the case, I would be really grateful if she can bring them to my attention or the Chief Minister's attention.

6.7.1 Deputy L.V. Feltham:

It is on public record that the former chief operating officer took what was referred to as a voluntary redundancy during a consultation process. It is my understanding from being a former union representative that during a consultation process no other member of staff has been able to leave the employment. Indeed, many members of staff have had to take other jobs, they have been redeployed to jobs on lower pay grades up to 2 pay grades, many of whom will be taking a pay cut this year. How can the Deputy Chief Minister explain that inconsistency?

Deputy K.F. Morel:

I am unable to explain that inconsistency, as much as anything. Because, as I have said already, I am not on the States Employment Board, I am not a member of the States Employment Board and, therefore, I am not in a position to oversee or understand what processes have or have not been gone into. I suggest that the Deputy addresses her questions to the States Employment Board.

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

Would the Deputy Chief Minister explain what conversations have happened within the Council of Ministers in relation to the crisis that we have in our sewerage works?

[15:00]

Deputy K.F. Morel:

I would have to ask, I am afraid, and this is not just rebutting, if the Deputy could be a bit more open with her description of the crisis within our sewerage works.

Deputy M.R. Le Hagarat:

It is a well-known fact that we cannot really build any further developments. Yes, it is, it is a fact, that we have got a problem with our sewerage works. At the moment we would not be able to provide further housing and people are being stopped from having connections in relation to it. I am asking, what discussions have happened within the Council of Ministers about the sewerage and drain works that we currently have?

The Bailiff:

Does that assist in clarifying?

Deputy K.F. Morel:

That does, Sir, thank you.

The Bailiff:

There may be time for just the one answer.

Deputy K.F. Morel:

The Council of Ministers have been briefed on drainage from the Infrastructure Department but I must admit that I would prefer to contradict the Deputy's assertions that there is this crisis and it is not possible to build because of such a crisis. I believe very strongly that the Minister for Infrastructure is working with his department to make sure that Jersey has the infrastructure it needs. Infrastructure though, I have to say, has not been invested in properly by previous Governments but this Government is trying to rectify that and deliver an infrastructure for this Island that enables the population to live properly and enables the economy to grow properly. I do not accept the assertion by the Deputy but if she would like more information about sewerage and drainage works in the Island, I believe the Minister for Infrastructure will be very pleased to brief her on that.

STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

7. Deputy M. Tadier will make a statement regarding the 'Mois de la Francophonie 2023'

The Bailiff:

That brings the period of questions to the Chief Minister to an end. We now move to item K. *Le Député Tadier a une déclaration à faire au sujet de l'Assemblée Parlementaire de la Francophonie. Monsieur le Député.*

7.1 Deputy M. Tadier:

Merci, Monsieur le Président. Chaque année le mois de mars est marqué comme le Mois de la Francophonie; et hier, le 20 mars, c'était la Journée Internationale de la Francophonie. En tant que Président de la Section de Jersey de l'Assemblée Parlementaire de la Francophonie, je voudrais donc profiter de cette occasion de souligner l'importance de notre adhésion à cette organisation internationale et de nos liens au monde francophone. Vu l'importance historique et culturelle du français à Jersey, l'Assemblée des Etats de Jersey fait partie de l'APF depuis 1980. Cette organisation internationale engage et met en œuvre des actions dans les domaines de la coopération interparlementaire et du développement de la démocratie. La promotion de la francophonie (même le multilinguisme) et l'enseignement du français font partie aussi de ses objectifs. On a vu que le Gouvernement actuel s'est engagé à renforcer nos liens avec le monde francophone et surtout la France, notre voisin. A cet égard, je voudrais saluer la décision récente qui permettra aux touristes français de visiter l'Île en utilisant leur carte d'identité. Pour ma part, et avec mes collègues du comité exécutif, je continuerai à promouvoir notre adhésion à l'A.P.F. et nos liens avec le monde francophone. Pendant ce Mois de la Francophonie, j'invite donc tous les membres de cette Assemblée

à faire pareillement et à s'engager au renforcement de ces liens avec la France, l'APF et le monde francophone et à la promotion des principes démocratiques qui nous lient.

Now in English, each year March is celebrated as a French-speaking day or Francophonie, and the month is the month of the Francophonie. Yesterday, 20th March, was International Francophonie Day. As President of the Jersey branch of the Assemblée Parlementaire de la Francophonie, I would, therefore, like to take this opportunity to highlight the importance of our membership to this international organisation and our links with the French-speaking world. Given that the historical and cultural importance of French in Jersey and the States Assembly as being a member of the A.P.F. (Assemblée Parlementaire de la Francophonie) since 1980, this international organisation initiates and implements actions in the areas of inter-parliamentary co-operation and democratic development. The promotion of French-speaking and indeed multilingualism and the teaching of French also forms part of its aims. We have seen the current Government undertake to reinforce links with French speaking countries in the French speaking world and in particular our neighbour, France. In that regard I would like to pay tribute to the recent decision that will allow French day-trippers to visit the Island using their identity cards. As for me, with my colleagues of the Executive Committee I will continue to promote our membership of the A.P.F. and our links with the francophone world. During this Mois de la Francophonie I will, therefore, invite all Members of the Assembly to do likewise and to commit themselves to strengthening our links with France, the A.P.F. and the French speaking world, and to the promotion of democratic ideals that bind us.

The Bailiff:

Thank you very much, Deputy. There is a period now of 15 minutes in which any Member can ask questions of the Deputy on the subject matter of his statement.

7.1.1 Deputy K.F. Morel:

Merci. Je voudrais poser la question au Président de l'APF à Jersey ; pourquoi est-ce qu'il pense que la francophonie est importante pour l'Ile de Jersey ? Parce qu'il y a beaucoup de personnes qui pensent que, oui on parle anglais et ça suffit. Pourquoi est-ce que c'est si important de parler français ici à Jersey ?

For other Members I was just asking why does the Deputy feel that French speaking is important in Jersey, because there are many people who just think: "Well, we just speak English now, so be it." So why is it important to be able to speak French in Jersey?

Deputy M. Tadier:

J'estime que de nos jours on entend de plus en plus l'anglais qui est une langue universelle presque. Mais par contre pour Jersey ça reste une langue très importante non seulement linguistique, sociale mais culturelle et historiquement et aussi ça sert à nous rapprocher avec la France parce que nos cousins, je vais dire nos cousins et cousines, qui habitent juste à côté en Normandie, ou plus loin, ils apprécient beaucoup Jersey et le fait qu'on n'est pas anglais ; on est un peu différent ; on n'est pas tout à fait français non plus mais ils apprécient ça chez nous et il faut qu'on développe ça.

I would say in English that there is a utilitarian argument as well that is put forward that if you have a universal language you might as well just use that. But I think that does not take into account that Jersey has been a trilingual Island for many centuries, and now we are a multilingual Island and we need to celebrate all language, including French. If we are not protective of our history and culture, which includes French and Jèrriais alongside English, then we cannot expect others to do that.

7.1.2 Deputy K.F. Morel:

Et aussi si on pense au Parlement du CPA, Commonwealth Parliamentary Association et l'APF est peut-être le voisin secondaire du CPA. Est-ce qu'il pense qu'il sera possible de rectifier cette inégalité.

I am just asking, the C.P.A. (Commonwealth Parliamentary Authority) is often seen as the primary kind of international body for this Assembly, but the A.P.F. we have been members of for many years and so does he see it as useful and important to address this inequality between the 2?

Deputy M. Tadier:

Oui, je suis tout à fait d'accord. Moi, j'ai dit pendant mon discours quand j'ai postulé pour ce poste que je voulais plus de parité entre le CPA et l'APF. Les deux organisations, tout à fait, sont important pour notre Assemblée et pour les parlementaires parce que ça nous donne des liens avec les deux mondes si vous voulez : le monde anglophone et le monde francophone.

It is really important - and I have said it previously when I was standing for this position - that this is not about competition between the Commonwealth Parliamentary Association and our organisation, but I want to see more parity. The membership of the A.P.F. gives us access to a whole new francophone world includes countries in most continents, so not just France but obviously beyond, and not just francophone countries either, they are many observer countries and associate members which include 25 on top of the 56 section members. It means we can broaden our horizons about what they do in those parliaments and in those countries.

7.1.3 Deputy R.S. Kovacs of St. Saviour:

Can the Deputy please say what is the value provided by organisations such as the Alliance Française and Maison de la Normandie?

Deputy M. Tadier:

I thank the Deputy for the question. It provides me with an opportunity to thank organisations like the Alliance Française and Maison de la Normandie et de la Manche, to give it its full title. But of course la B.I.A.N. (Bureau des Îles Anglo-Normandes), who I know that the External Relations team and the Chief Minister may work with more closely who are based in Normandy because they go over and above in our Island with the support that they help with unofficially, informally often, but in putting on events in the Island that simply would not happen. So later on in the year we have got something called The French Festival, or Le French Festival. I know it grates with Deputy Morel to call it that. But those kinds of events are so important for the culture of the Island, for tourism and for economic development as well, and we simply would not be able to do those things without those organisations. Lastly as well, the teachers, I think it is important to thank the teachers throughout all of our schools who promote language learning generally, including French teachers.

7.1.4 The Connétable of St. Brelade:

Merci Monsieur. Suite à une visite j'ai faite il y a quelque mois au Canada, est-ce que le Président croit que nous avons des leçons à prendre au niveau de bilinguisme avec Canada où ils pratiquent le bilinguisme dans quelques départements de ce pays.

I should just translate. I am just asking the president if - following a visit I made to Canada with the C.P.A. - whether he considers that we could learn lessons from Canada with regard to their bilingual approach.

Deputy M. Tadier:

Je sais que déjà ils ont une piste de départ qui est un peu différent parce que déjà c'est un pays complètement bilingue mais je pense que nous avons un atout aussi c'est qu'on est à la base une

société, une communauté, multilingue ; déjà pas forcément en français ou anglais mais il y a plusieurs langues qui existent déjà dans l'île et ça veut dire qu'il y a beaucoup d'étudiants par exemple des élèves qui ont l'habitude de parler en plusieurs langues ou en deux langues et on pourrait utiliser ça à la base pour notre système éducatif dans le futur.

I was just saying that Canada obviously have a different starting point. They are a properly bilingual country and they have that in their statute and their legislation, so you can expect to use both languages. But Jersey has got another ace up its sleeve, that we are a multilingual society whether we know it or not, and we look at the fact that historically we know that half of the people in Jersey were not born in Jersey. We have got so many languages that are spoken in our schools, and certainly as home languages as well, and that can serve as a springboard for maybe looking at our education system and looking at things like bilingual schools, immersion schools. There is something called translanguaging as well; I am not going to say it is a new phenomenon, it is something that exists in many places where you teach in a multitude of languages and you compare languages, and there are those much better placed than me to talk about how that works. So I think the Constable is certainly on to something about that.

7.1.5 Deputy L. Stephenson of St. Mary, St. Ouen and St. Peter:

I thank the Deputy for providing an English translation to his statement. I think it is great to celebrate our French links but really important for transparency and accessibility for all that it is on the record in English as well. My question for him is: does he see opportunities to strengthen links with the French speaking world through sport?

Deputy M. Tadier:

Indeed. I have had a conversation with the Assistant Minister who has got a passion and also a portfolio in sport and for sport on this subject because there is an element of soft diplomacy that exists in any of the interactions we have when we go to conferences and seminars. I will give one example. So the tie I am wearing today, I specifically chose it, not because the television were coming in today and I wanted to wear my brightest red tie which might compete with your gown - and it could never do that - but because I was given this tie when I was sitting next to a Georgian rugby player. That rugby player is an international who still plays for his country, he is involved with that.

[15:15]

He was telling me how he would be playing around about now in Nantes - I think the World Cup is coming up and France are hosting it - and the city where they are based is going to be in Nantes which is only a couple of hours away from Jersey. He is also a Member of Parliament for Georgia. I must admit I am not a big rugby fan in the sense that I do not know a lot about it, but I like it in terms of the same way I like all sports, and I did say I would make a point of speaking to our Minister for Sport when I got back because I think in the future there are certainly areas of collaboration that we could work on in all sports. So very much in the way that I also think there is a synergy between arts, culture and sport and economy, I think that it is very much the same when it comes to languages. I know Deputy Kovacs, for example, knows about the Dance World Cup et cetera ...

The Bailiff:

I am afraid, Deputy, I am going to have to ask you to speed up the answer because there is time for perhaps one more question.

7.1.6 Deputy P.M. Bailhache:

Given that the Deputy has very helpfully reminded us of the bilingualism which lies at the root of our culture and heritage, would he agree that the Minister for Children and Education ought to be

encouraged to ensure that as many children in our primary schools as possible grow up speaking the languages of our Island?

Deputy M. Tadier:

I do not think there is a lot I could disagree with, with that statement, certainly with my A.P.F. hat on. I would simply say, maybe for 2 reasons, first of all I would not want to tell the Minister the best way to do that because I think that multilingualism in general is a good thing and having multiple languages is a good thing. Also it is quite close to me personally with my home situation so my wife is involved in the Education Department so I would declare that as an interest. But certainly I think anything we can do as an Assembly to promote French, to promote Jèrriais; I do not think we need to necessarily promote English because it is always there, but we want to make sure that we encourage proficiency in language generally and also make sure that French is never lost but is increased. I think we set that example as an Assembly.

The Bailiff:

Thank you very much. That brings the time available to ask questions of the statement to Deputy Tadier to an end. Normally that would bring us on to Public Business, however, you have given me notice, Deputy Kovacs, that you have something you would like to inform the Assembly about.

7.2 Deputy R.S. Kovacs:

As per Standing Order 137.2(a) I would like to announce my decision to resign from the Economic and International Affairs Scrutiny Panel as I feel I cannot continue to work in an effective manner in the current panel format. I would like, with your permission, Sir, just to say a few thank you words.

The Bailiff:

Well, if it is part of the indication to the Assembly you have resigned, yes, I do not see any difficulty.

Deputy R.S. Kovacs:

Firstly, thank you to the Ministers and officers from across the Economic Development Department and the organisations that are linked and accountable to the Minister, and to the other Ministers whose operational issues come within the scope of the Economic and International Affairs Scrutiny Panel for sharing their future plans, providing lots of interesting background information, answering any questions raised with them, and for making presentations and briefings in a professional and understandable manner over the last almost 9 months. Because of it I am now much better informed about the variety of issues and aware of the many challenges that we all face in the future. I also appreciate the professionalism and support from Scrutiny officers and the contribution that each colleague in the panel brought to the panel work. I wish them all the very best in their future endeavours to serve and meet the high level of expectations of the Jersey public. Thank you.

7.3 Deputy M.B. Andrews:

Sir, I would just like to formally announce my formal resignation from the Economic and International Affairs Panel as well.

The Bailiff:

Very well then, the Assembly has been notified of those 2 resignations. Obviously steps will be taken, or not as the case may be, presumably at the next hearing to see if other Members wish to be put forward for that panel, but that is something that will be dealt with in due course. Deputy Ward, you were saying you might like to propose members of the panel to which you have been elected?

Deputy R.J. Ward:

Yes, I have got a referral, if I could sort of join in a little and announce my ...

The Bailiff:

Yes, you are going to announce your resignation?

7.4 Deputy R.J. Ward:

I would like to announce my resignation from the Environment, Housing and Infrastructure Panel and Corporate Services Panel, purely because of workload. I have informed both chairs of the panel and I would like to thank all the members of those panels, it has been very enjoyable, and in particular the officers. I would like to reassure publicly it was not simply because I have now had my tour of the sewage works and the highlight has been and gone; so that is quite important. If I can indulge, should I announce members of the panel who are nominated?

The Bailiff:

Well, you have now communicated your resignation and you would like the Assembly to deal with election of your ...

Deputy R.J. Ward:

Yes, sorry, yes.

The Bailiff:

No, that is all right. I thought you were going to make a speech about your resignation ...

Deputy R.J. Ward:

No, absolutely not, no.

The Bailiff:

... which would have been pushing it a little bit.

Deputy R.J. Ward:

The joke about the sewage works was enough, Sir.

APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS - resumption

8. Nominations for members of the Health and Social Security Scrutiny Panel

The Bailiff:

It seems to me that it was possible we would have dealt with it this morning, we have afforded Deputy Ward an opportunity and, therefore, if you wish to deal with the election of members of the panel to which you have been elected as chair I do not see any difficulty at this point.

Deputy R.J. Ward:

If I can indulge in that, Sir?

The Bailiff:

Yes, please do.

8.1 Deputy R.J. Ward:

I would like to nominate the following members: Deputy Barbara Ward, Deputy Beatriz Porée, Deputy Andy Howell, Deputy Carina Alves, and the Constable of St. Clement.

The Bailiff:

That is 5, therefore, you are entitled to nominate 5 I think. Are those nominations seconded? **[Seconded]** Are there any other nominations for membership of the panel? If there are no other

nominations for membership of the panel then Deputy Barbara Ward, Deputy Porée, Deputy Howell, the Connétable of St. Clement and Deputy Alves are elected to the panel. **[Approbation]**

PUBLIC BUSINESS

9. Draft Sanctions and Asset-Freezing (Amendment No. 3) (Jersey) Law 202- (P.4/2023)

The Bailiff:

I think we now do come on to Public Business and we come to the Draft Sanctions and Asset-Freezing (Amendment No. 3) (Jersey) Law, P.4, lodged by the Minister for External Relations and Financial Services. The main respondent will be the chair of the Economic and International Affairs Scrutiny Panel, Deputy Scott, and I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Sanctions and Asset-Freezing (Amendment No. 3) (Jersey) Law 202-. A law to amend further the Sanctions and Asset-Freezing (Jersey) Law 2019. The States, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following law.

9.1 Deputy I.J. Gorst (Assistant Minister for External Relations and Financial Services - rapporteur):

I am standing in for the Minister, if that is acceptable, as the Assistant Minister for this area. This law amends the Sanctions and Asset-Freezing Law that we refer to as S.A.F.L. It is to improve its compliance with current international standards set by the Financial Action Task Force, and there are a number of changes in part 2 and 3 which do that. It also removes the power to implement E.U. (European Union) sanctions provisions by Ministerial Order, and that is in part 1. The sanctions law together with the sanctions and asset-freezing implementation of External Sanctions Jersey Order 2021 are the Island's key pieces of sanctions legislation under which all United Nations and autonomous U.K. sanctions are implemented. I will start with the shortened version there, if I may, in regard to the principles. I am grateful to the work of the Scrutiny Panel who undertook a very short consultation. The department had not, because of pressures of time, been able to do that and I think that the Scrutiny Panel's comments ... and I hope Members find them very useful and helpful in regard to these amendments. I know that were the Minister here he would undertake to ensure where at all possible, and we should not be in this situation again, that he would on this type of amendment deal with consultation in a more formal manner, but he is grateful to the Scrutiny Panel for the work that they have undertaken. So I propose these amendments and I will seek to answer any questions and give a much fuller round up if Members wish for in summing up.

The Bailiff:

You have proposed the principles, Minister. 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. All those in favour of adopting the principles kindly show. Those against? The principles are adopted. Deputy Scott, does your panel wish to call this matter in?

Deputy M.R. Scott (Chair, Economic and International Affairs Scrutiny Panel):

No, Sir.

The Bailiff:

Very well. We move then to Second Reading. How do you wish to propose in Second Reading, Minister?

9.2 Deputy I.J. Gorst:

I will propose it *en bloc* and, as I said, part 1 removes the power to implement E.U. sanctions provisions by Ministerial Order. Part 2 and 3 provide amendments to the S.A.F.L law to allow compliance with the Financial Action Task Force purposes and to provide greater reporting abilities. They also provide amendments to the extraterritorial extent which, if Members have read, I think they will see as perfectly reasonable. As I have said, I will seek to endeavour to answer any questions that Members may have.

The Bailiff:

Are the articles seconded for Second Reading? [**Seconded**] Does any Member wish to speak on the articles or any of them in Second Reading? If no Member wishes to speak then I close the debate. Those in favour of adopting ...

Deputy I.J. Gorst:

May I call for the appel, Sir?

The Bailiff:

The appel is called for. I invite Members to return to their seats. The vote is on the adoption of the articles in Second Reading, and I ask the Greffier to open the voting. If Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. The articles have been adopted in Second Reading: 43 votes pour, no votes contre, no abstentions.

| POUR: 43 | | CONTRE: 0 | | ABSTAIN: 0 |
|----------------------------|--|------------------|--|-------------------|
| Connétable of St. Helier | | | | |
| Connétable of St. Lawrence | | | | |
| Connétable of St. Brelade | | | | |
| Connétable of Trinity | | | | |
| Connétable of St. Peter | | | | |
| Connétable of St. Martin | | | | |
| Connétable of St. John | | | | |
| Connétable of St. Clement | | | | |
| Connétable of Grouville | | | | |
| Connétable of St. Ouen | | | | |
| Connétable of St. Mary | | | | |
| Connétable of St. Saviour | | | | |
| Deputy G.P. Southern | | | | |
| Deputy M. Tadier | | | | |
| Deputy S.G. Luce | | | | |
| Deputy M.R. Le Hegarat | | | | |
| Deputy S.M. Ahier | | | | |
| Deputy R.J. Ward | | | | |
| Deputy C.S. Alves | | | | |
| Deputy I. Gardiner | | | | |
| Deputy I.J. Gorst | | | | |
| Deputy L.J. Farnham | | | | |
| Deputy S.Y. Mézec | | | | |
| Deputy Sir P.M. Bailhache | | | | |
| Deputy T.A. Coles | | | | |
| Deputy B.B.de S.V.M. Porée | | | | |
| Deputy D.J. Warr | | | | |
| Deputy H.M. Miles | | | | |

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

Do you propose the articles in Third Reading, Minister?

Deputy I.J. Gorst:

If I may, Sir, thank you.

The Bailiff:

Are the articles seconded for Third Reading? [**Seconded**] Does any Member wish to speak on the adoption of this law in Third Reading? If no Member wishes to speak then I close the debate. All those in favour of adopting the law in Third Reading kindly show. Those against. The law is adopted in Third Reading.

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

The Bailiff:

That concludes the Public Business and we move now to the Arrangement for Future Business, and I invite the chair of P.P.C. to propose that arrangement for future meetings.

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

The arrangement of public business; currently there are only 3 items on the Order Paper for the next sitting on April 18th. That is the Draft Endangered Species (C.I.T.E.S.) (Amendment) (Jersey) Law, Channel Islands Lottery Distribution of Proceeds, and Land Transaction under Standing Order 168(3) - Andium Homes Ltd Site, Kensington Place - sale to the public: deferral of approval. The sitting should take no longer than 2 days, however, please ensure that you keep the rest of the week as continuation days in case they are needed. Deputy David Warr, the Minister for Housing and Communities, has asked for an in-committee debate at the next Assembly and I ask for Deputy Warr to address the Assembly.

The Bailiff:

So we will not propose the adoption of Public Business until we know what the Deputy is going to ask of the Assembly. All right, please carry on then.

10.1 Deputy D. Warr:

I have referred today to the White Paper. I would like to request an in-committee debate on housing legislation for the first sitting after the Easter recess. I hope the Assembly accepts that.

The Bailiff:

That will be at the next sitting, which will be 18th April, yes. Do you wish to offer any further explanation? I mean, presumably this awaits the coming of a White Paper before there is going to be a debate; is that correct?

Deputy D. Warr:

Yes, Sir, and we are presenting the White Paper to our Scrutiny committee, I believe it is next week. I think we have made arrangements to show that to them and we will be having some meetings with Members as well over the coming weeks ahead of this debate.

The Bailiff:

Very well, so you are proposing that there is an in-committee debate on housing legislation?

Deputy D. Warr:

Yes, it is. It is to do with the Residential Tenancy Law.

The Bailiff:

Is it specifically on the Residential Tenancy Law?

Deputy D. Warr:

Correct.

[15:30]

The Bailiff:

So an in-committee debate on the Residential Tenancy Law for the sitting starting 18th April. Is that your proposition?

Deputy D. Warr:

Yes, please.

The Bailiff:

Is that seconded? **[Seconded]** Does any Member wish to speak?

10.1.1 Deputy G.P. Southern:

Just briefly, but could we have some reason as to why it is an in-committee debate because it seems to me that it is an unusual step to take and I do not see that the topic is that important that we should give up our right to vote on something because an in-committee debate has no vote. So why is the Minister proposing that approach when we have rarely seen such an approach before?

The Bailiff:

If I can assist Members simply with information relating to in-committee debates. Obviously an in-committee debate, as the Deputy quite rightly says, is not put to the vote. There is no proposition on

which to vote. Members are in a position to speak on more than one occasion and I would, as presiding officer, set a time limit for the in-committee debate but I will consider that later on.

10.1.2 Deputy R.J. Ward:

I would just ask if making law and legislation, which is the Minister's role, which can then go to Scrutiny and then come back to the Assembly when finalised, if we are going to sit and talk about that with no vote and just have a discussion shop in public I would ask the Minister to give some really clear guidance on his intentions and his ideas for this White Paper, some real clarity in order to guide this in-committee debate. Otherwise we are just going to end up with what is effectively a very strange situation, a talking shop around a possible piece of legislation. I think we had a similar thing with the population and I do not know what constructively came out of that. We are using our time ... and I would say to the Minister, why is it you cannot develop the White Paper from everything you have seen and is blatantly obvious to people living on this Island, bring that to Scrutiny, bring that to the Assembly and let us talk about something that we can vote on as opposed to just a simple 3 or 4-hour talking shop which has no guarantee of achieving anything at the end. I hate to appear cynical but there are people out there who need action now and another afternoon of us just talking about it in this Assembly is not going to go down well.

The Bailiff:

Does any other Member wish to speak on the proposition that there is an in-committee debate on 18th April on the Residential Tenancy Law?

10.1.3 Deputy K.F. Morel:

At risk of speaking for the Minister for Housing and Communities, but please contradict where you feel it is broken, but I believe that the Minister is suggesting this precisely because the Minister knows that this is an important set of laws which he knows that particularly Deputy Ward and his colleagues in the Reform Party are particularly interested in this law, and so he wants to make sure he gets it right and, therefore, wants to consult with the States Assembly first. That I believe is why he is doing this but I do ask him to contradict me if I have got that wrong. But he knows he does not want to go out there and bring back something which will face fierce resistance; he would prefer to bring back something which will be acceptable to those in this Assembly who feel it is very important. I believe this all comes from a point of very good intentions.

10.1.4 Deputy S.Y. Mézec:

The Minister has on many occasions referred to a White Paper and he said that it will be presented to Scrutiny next week. I am not sure if I heard him say that this will become a public document in time for that debate, and with us having had enough time as Members to digest it fully before taking part in a debate on it, so I would be interested to know that. I might also say I have been invited to come and speak to his officers about the contents of this but he says it is ready to present to Scrutiny next week which does make that meeting feel like somewhat of a *fait accompli* if it has already been written before asking for my input on it. If I may say, whether the Assembly considers it a worthwhile exercise to have a debate without a conclusion at the end of it is one thing, but just to inform the Assembly I can assure them there will be an opportunity to have a debate and a say and a vote on something in short order that will not necessarily involve the Minister.

10.1.5 Deputy M.R. Scott:

I just wanted to say how much I appreciated the Minister for External Relations and Financial Services, having had an in-committee debate of the Common External Policy which in fact my panel - the former version of my panel, the Economic and International Affairs Panel - had recommended.

So I believe that it is a collaborative approach and can provide useful discussion so I thank the Minister for Housing and Communities for thinking in this way.

The Bailiff:

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

10.1.6 Deputy D. Warr:

The purpose of the in-committee debate has been the issue around getting up-to-date legislation through this Assembly. I have experienced some rather interesting moments in my first 6 months in Government and what I want to do is, as has been highlighted, there is a huge amount of complexity in the housing laws which go back to 1946. What I want to do is I want to bring forward ideas around a fit-for-purpose piece of legislation which we can bring to the Assembly at the end of this year. I think it is really valuable that the Assembly has the opportunity to have some input into the ideas that we are putting forward in that White Paper. I do not want to be in a position, as I have found myself to date, whereby nobody quite understands what the debate is about, what is going on, and all the rest of it. So I am very, very keen that we have a debate which is informed. Deputy Mézec, I have to assure you your input will be valuable this week. Only some headlines have been written so you do have some value. I am actually quite disappointed to have this kind of response because you are super keen on housing issues and all those issues around supporting tenants ...

The Bailiff:

Deputy, that is the third time you have referred to Deputy Mézec as “you”.

Deputy D. Warr:

The Deputy, I apologise. But I am disappointed with the Deputy’s response because the reality is we all want to achieve a better outcome for tenants and landlords in this Island and the whole point of a fit-for-purpose law is that we better the people of this Island, so that is why I am bringing this to this Assembly for further debate and more consultation.

Deputy G.P. Southern:

Sir, I did ask for a reason why the Minister should bring this proposition. I have heard no reason.

The Bailiff:

Minister, will you give way for a point of clarification I think was the interjection from Deputy Southern?

Deputy D. Warr:

No, Sir.

The Bailiff:

Right, there we are. Then do you call for the appel?

Deputy D. Warr:

I call for the appel.

The Bailiff:

Very well, I invite Members to return to their seats. The vote is on whether or not the States will have an in-committee debate on the Residential Tenancy Law at the sitting commencing 18th April, the first sitting after Easter, and I ask the Greffier to open the voting. If Members have had the

opportunity of casting their votes then I ask the Greffier to close the voting. The proposition has been adopted: 31 votes pour, 13 votes contre, no abstentions.

| POUR: 31 | | CONTRE: 13 | | ABSTAIN: 0 |
|---------------------------|--|-------------------------------|--|-------------------|
| Connétable of St. Helier | | Connétable of St. Brelade | | |
| Connétable of Trinity | | Deputy G.P. Southern | | |
| Connétable of St. Peter | | Deputy M. Tadier | | |
| Connétable of St. Martin | | Deputy R.J. Ward | | |
| Connétable of St. John | | Deputy C.S. Alves | | |
| Connétable of St. Clement | | Deputy L.J. Farnham | | |
| Connétable of Grouville | | Deputy S.Y. Mézec | | |
| Connétable of St. Ouen | | Deputy Sir P.M. Bailhache | | |
| Connétable of St. Mary | | Deputy T.A. Coles | | |
| Connétable of St. Saviour | | Deputy B.B.de S.V.M. Porée | | |
| Deputy S.G. Luce | | Deputy C.D. Curtis | | |
| Deputy L.M.C. Doublet | | Deputy L.V. Feltham | | |
| Deputy K.F. Morel | | Deputy R.S. Kovacs | | |
| Deputy M.R. Le Hegarat | | | | |
| Deputy S.M. Ahier | | | | |
| Deputy I. Gardiner | | | | |
| Deputy I.J. Gorst | | | | |
| Deputy D.J. Warr | | | | |
| Deputy H.M. Miles | | | | |
| Deputy M.R. Scott | | | | |
| Deputy J. Renouf | | | | |
| Deputy R.E. Binet | | | | |
| Deputy H.L. Jeune | | | | |
| Deputy M.E. Millar | | | | |
| Deputy A. Howell | | | | |
| Deputy T.J.A. Binet | | | | |
| Deputy M.R. Ferey | | | | |
| Deputy A.F. Curtis | | | | |
| Deputy B. Ward | | | | |
| Deputy K.M. Wilson | | | | |

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|--------------------------|--|--|--|--|
| Deputy L.K.F. Stephenson | | | | |
| Deputy M.B. Andrews | | | | |

Deputy D. Warr:

Could I ask for who voted contre please?

The Deputy Greffier of the States:

Those Members voting contre: the Connétable of St. Brelade, Deputies Southern, Tadier, Rob Ward, Alves, Farnham, Mézec, Bailhache, Coles, Porée, Catherine Curtis, Feltham and Kovacs.

The Bailiff:

In the light of the Assembly's decision for the 18th, Connétable, do you propose the Public Business in the way you have described with the addition of the in-committee debate?

The Connétable of St. Martin:

Yes, I do propose the arrangement of business including the in-committee debate, thank you.

The Bailiff:

Do Members approve the conduct of business as set out by the chair of P.P.C. In which case that concludes the business of the Assembly and we stand adjourned until 18th April.

ADJOURNMENT

[15:39]