

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 16th JANUARY 2024

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[9:30]

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

COMMUNICATIONS BY THE PRESIDING OFFICER

The Bailiff:

Does anyone want to raise the défaut on Deputy Alves? The défaut is raised on Deputy Alves.

1.1 Welcome to His Excellency the Lieutenant Governor

On behalf of Members, I would like, in the traditional way, to welcome His Excellency the Lieutenant Governor to the Chamber this morning. **[Approbation]**

QUESTIONS

2. Written Questions

2.1 Deputy M.B. Andrews of St. Helier North of the Chair of the States Employment Board regarding staff redundancies in 2023 (WQ.474/2023)

Question

Will the Chair provide a breakdown by department of the number of staff made redundant across Government during 2023?

Answer

There were three redundancies to date in 2023:

Department	Individuals
Cabinet Office	3

2.2 Deputy M.B. Andrews of St. Helier North of the Minister for Social Security regarding the statutory minimum period of notice for employees (WQ.475/2023)

Question

Will the Minister advise whether any consideration has been, or is being given to increasing the statutory minimum period of notice for employees; and if not, why not?

Answer

The statutory minimum notice periods to be given by both employees and employers are set out in the table below:

Time since employment contract began	Notice period
Less than 2 years	1 week's notice
More than 2 years but less than 3 years	2 weeks' notice

3 years or more	An additional 1 week's notice per year of continuous service, up to a maximum of 12 weeks
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Where a contract of employment requires a period of notice greater than the minimum required by the Employment Law, then the contractual period of notice applies.

The above notice periods have been in place since 2005 and I am not aware of any concerns being raised about them.

I have seen no evidence that the current statutory provisions are creating difficulties for employees or employers. The statutory provisions in Jersey are in general alignment with those in other jurisdictions. I have no plans to review them.

2.3 Deputy M.B. Andrews of St. Helier North of the Minister for Treasury and Resources regarding Corporate Income Tax (WQ.476/2023)

Question

Will the Minister state the annual revenue from Corporate Income Tax as a percentage of the Government revenue for the period 2018 to 2022?

Answer

	2018	2019	2020	2021	2022
Total corporate income tax (£m)	100	115	120	85	122
Total government revenue (£m)	1,244	1,305	1,290	1,435	1,528
Corporate income tax as % of government revenue	8.0%	8.9%	9.3%	5.9%	8.0%

Notes

1. Total corporate tax revenue has been taken from [Government of Jersey tax receipts](#) on Gov.je.
2. Corporate income tax is accrued for based on company returns' assessable income. Revenue therefore relates to the previous year of assessment and includes adjustments from earlier years.
3. Government revenue has been interpreted to mean total income of the States in the Consolidated Accounts, before gains/losses on financial assets, as reported in the Annual Report and Accounts. This is consistent with the position taken in the response to the Deputy's previous Written Question 425/2023.

2.4 Deputy M. R. Scott of St. Brelade of the Minister for Treasury and Resources regarding revenue expenditure growth bids (WQ.477/2023)

Question

Will the Minister advise whether the list of revenue expenditure growth bids provided in his response to [Written Question 371/2023](#) includes bids relating solely to inflation costs of Government departments and Arm's Length Organisations, and if it does not, will he provide a list of these bids and the outcome of their consideration by the Council of Ministers?

Answer

Inflation costs are addressed centrally as part of the process to develop the Government Plan. A provision is established in the Reserve for Centrally Held Items to fund pay awards for public employees and the Council of Ministers agrees the amount to be assigned equally to all Government departments to meet non-pay inflation.

The list provided in Written Question 371/2023 relates to all requests for additional revenue funding submitted by departments as part of the Government Plan process. It includes two that related purely to inflation. These are Process Chemicals submitted by the Department for Infrastructure and Environment, and Extraordinary Inflation submitted by the Department for Children, Young People, Education and Skills. Neither of these requests was progressed. The former was already provided for in the Reserve and the latter was addressed in line with the process outlined above to provide additional budgets for inflation to all departments.

As part of the Government Plan 2023-26, funds for 'excess inflation' were provided to be held in the Reserve. This was to meet costs where the rate of inflation for products or services materially exceeds the general rate implied by the Retail Prices Index and a department's exposure to such costs would have a significant impact on their budgets. Where relevant, those provisions have been transferred into departmental base budgets. In the case of inflation related to hydrocarbons, funds remain in a central provision as there may be deflation as international wholesale prices return to levels prior to key events such as the outbreak of war in Ukraine that sparked inflationary pressures.

2.5 Deputy M. R. Scott of St. Brelade of the Minister for Treasury and Resources regarding ITIS (Income Tax Instalment Scheme) payments (WQ.478/2023)

Question

Regarding ITIS (Income Tax Instalment Scheme) payments by employers, will the Minister detail –

- (a) the total amount of payments that the Government allowed to be deferred during the Covid-19 pandemic;
- (b) the total amount of payments that continue to be deferred;
- (c) the number of employers involved;
- (d) the highest number of employees of any single employer for which deferral of payments were agreed; and
- (e) the total cost of all deferred payments to date?

Answer

- (a) There was no option to defer ITIS (Income Tax Instalment Scheme) payments during the COVID-19 pandemic.
- (b) Not applicable
- (c) Not applicable
- (d) Not applicable
- (e) Not applicable

2.6 Deputy M. R. Scott of St. Brelade of the Minister for Infrastructure regarding facilities management (WQ.479/2023)

Question

Further to [R.170/2023](#), and the establishment of a consolidated Soft Facilities Management (SFM) team under the Cabinet Office, will the Minister advise what consideration, if any, has been given to integrating this team with the existing Government Hard Facilities Management (HFM) function; and what efficiencies and holistic approach to facilities management could be gained by such a transfer?

Answer

Soft Facilities Management (Soft FM) and Hard Facilities Management (Hard FM) represent two distinct aspects of overall facilities management.

Jersey Property Holdings are configured for and responsible for Hard FM across the entire public estate. The remit is considerable, comprising responsibility for the physical infrastructure and fabric of the premises and it was concluded at an early stage that there was no significant benefit to combining the two.

The Cabinet Office have taken on the responsibility of Soft FM across some of the Government's shared buildings. Others, such as Philip Le Feuvre House, remain the sole responsibility of Customer & Local Services.

1. Different Skill Sets and Expertise:

- Soft Facilities Management:
- Involves managing non-physical assets and services.
- Requires skills in relationship management, communication, and coordination.
- Encompasses areas like internal cleaning and hygiene services, security, and health and safety.
- Hard Facilities Management:
- Deals with the physical infrastructure and assets of a facility.
- Requires technical expertise in areas such as engineering, maintenance, and equipment operation.
- Encompasses activities like HVAC maintenance, plumbing, electrical systems, and structural maintenance.

2. Vendor Specialisation:
 - Soft facilities management services are often outsourced to specialised vendors with expertise in areas like cleaning or security.
 - Hard facilities management may involve in-house teams or specialised contractors for tasks requiring technical know-how.
3. Budgeting and Resource Allocation:
 - Soft services and hard services often have different budgetary considerations.
 - Separating them allows for more precise budgeting and resource allocation, ensuring that both aspects receive the attention and funding they require.
4. Regulatory Compliance:
 - Soft facilities management often involves compliance with regulations related to health, safety, and environmental standards.
 - Hard facilities management deals with compliance in areas such as building codes, regulatory and statutory testing and compliance and equipment safety standards.
5. Efficiency and Focus:
 - Separation allows each department to focus on its core functions, improving efficiency.
 - Soft facilities management can concentrate on enhancing employee experience and well-being, while hard facilities management can focus on maintaining and optimizing physical infrastructure.

By separating soft and hard facilities management, we can tailor our strategies, teams, and resources to the unique demands of each aspect, ultimately contributing to a more efficient and effective overall facilities management service.

2.7 Connétable of St. Martin of the Chief Minister regarding joint working with Guernsey on healthcare matters (WQ.480/2023)

Question

Will the Chief Minister provide details of the opportunities for joint working with Guernsey that the recently appointed Assistant Minister for Health and Social Services will explore, including those relating to –

- (a) the Public Health Alliance launched in March 2023;
- (b) the Public Health discussions held with Deputy Ferbrache at the British-Irish Council Summit in June 2023;
- (c) remit of the Minister for External Relations;
- (d) the Government of Jersey's New Healthcare Facilities Programme; and

and will she further advise whether the Government of Jersey and the States of Guernsey intend to enter into a Memorandum of Understanding regarding joint working on healthcare matters, to be presented to both Island Assemblies?

Answer

Since July 2022, the Jersey Public Health function has been working much more closely with our colleagues in Guernsey. This working relationship was formalised by launching the Public Health Alliance in March 2023. Cross-Island meetings are held twice a year with informal contact in between meetings. The purpose of the Alliance is to promote effective working on public health matters between public health teams in the Channel Islands to improve islanders' health outcomes.

The new Assistant Minister for Health and Social Services will support the continued development of this work, as well as potential new and extended areas of cooperation with Guernsey, including around the delivery of services, collective contracting for services, recruitment, and governance frameworks. To this end, the Assistant Minister will support the Minister in working with the relevant Committees and colleagues in Guernsey.

This can build on the work of the Minister for Health and Social Services, and the discussions at the British-Irish Council, which showed a keenness from both Islands to work together.

The experience of Deputy Ozouf as Minister for External Relations, and the relationship that the External Relations Ministry has built, will assist in this.

At this time, the delegations to the new Assistant Minister do not include the new healthcare facilities.

This joint working is especially important as health services become more complex and more technologically driven, and as demands rise as our populations age. It is the Minister's intention to formally establish a joint working group between officers on health and social care matters with Guernsey. A Memorandum of Understanding setting out principles of collaboration in respect of health and care matters, agreed in 2018, is already in place.

2.8 Deputy R.J. Ward of St. Helier Central of the Minister for Children and Education regarding the use of agency teaching staff from the UK (WQ.481/2023)

Question

Further to her response to [Written Question 18/2023](#), will the Minister state the total spend on agency teaching staff from UK agencies from 18th July 2023 to date, including –

- (a) travel to and from Jersey for staff;
- (b) accommodation;
- (c) daily rate of pay to staff; and
- (d) daily rate paid to agency?

Answer

Further to responses to Written Question 18/2023 and Written Question 313/2023 since the end of July to end of November 2023 there have been seven teachers employed from teaching agencies, some for only one or two months, others for the term who have completed three months.

- (a) £1,200 (based on an average of £150 per flight; unable to confirm actual cost within timeframe)
- (b) £30,823
- (c) This is a private arrangement between the teacher and their agency.
- (d) The average day rate paid per teacher this term has been £296.71; range is between £283.00 and £330.00

The total spend for travel and accommodation is £32,023 - 01 September to 30 Nov 2023.

The total spend with agencies for staff is £96,092 – 01 September to 04 December.

The total cost for the above is £128,115.

It continues to be the Minister's preference to employ substantive permanent teachers wherever possible. Overseas agency teachers are only used for vacancies that have been unsuccessfully advertised on and off island and, for a variety of reasons, it has not been possible to make an appropriate substantive appointment.

2.9 Deputy R.J. Ward of St. Helier Central of the Minister for Children and Education regarding the Education Reform Programme (WQ.482/2023)

Question

Will the Minister provide details of the funding for the Education Reform Programme over the next 3 years, including how much is allocated for head teacher pay awards in 2023 and 2024; and clarify the key measurable outcomes of the Education Reform Programme for 2024 and 2025?

Answer

£221,000 has been allocated to the Education Reform Allowance payable to school leaders in 2023, no similar funding has been allocated for 2024. More details on the allowance are available [here](#).

The Education Reform Programme is a three-year programme due to complete in the first half of 2024. During this three-year period additional funding was approved in Government Plan 2023 – 2026 of £6.1m for Inclusion. Consequently, the significant focus on inclusion in education will continue into future years as part of a new programme of change to be established in education. The objectives and outcomes for inclusion are aligned with the recommendations from the Independent Review of Inclusion and include:

- Establishing an Inclusion Charter for Jersey, due in quarter 1 2024.
- Implementing new and strengthening existing provisions for children and young people with additional needs. The outcomes include the establishment of new and expanded additional resource centres (ARCS) in primary and secondary schools and increased capacity in our special schools.
- A Continuous Professional Development (CPD) programme including continued NASENCo master's level accreditation for SENDCOs, and neuro affirming practice.

- Supporting increased school attendance (as measured by attendance, timetable and exclusion data) and improved transition between phases.
- Developing new paediatric speech and occupational therapy support models for schools, outcomes to be determined by the pilot activities currently underway.
- A new assessment of schools against an inclusive education framework, completed for all schools by end 2025.
- A revised Jersey School Review Framework, with increased focus on inclusive education, implemented for academic year 24/25.
- All underpinned by increased and sustained funding for inclusion allocated to schools through the school funding formula. This is measured by the increase in funding allocated to schools, the additional resource this funding enables and the continued publication of the funding formula for inclusion (we will publish the 2024 formula in the first quarter of 2024).

This seeks to ensure that all children and young people in education in Jersey can reach their full potential.

2.10 Deputy R.J. Ward of St. Helier Central of the Minister for Social Security regarding child maintenance payments from separated parents (WQ.483/2023)

Question

Will the Minister advise what Departmental assistance, if any, is available to pursue unpaid child maintenance payments from separated parents no longer living in the household, and explain how these unpaid payments are taken into account by the Department when calculating Income Support levels for single parents?

Answer

The Department does not assist in the recovery of maintenance but will advise the customer to seek support from agencies such as Citizens Advice Jersey or Family Mediation Jersey. It is not the role of Government to pursue maintenance payments through the courts and attempts to do so could be highly controversial, as shown by experience in other jurisdictions. Where one party does not make payments due under a formal maintenance agreement it is possible for the other parent to take them to the Petty Debts Court.

In cases where a person claims Income Support and there is no maintenance received in respect of a child, officers will ask them to make reasonable efforts to secure maintenance. If the parent does not make reasonable efforts to secure maintenance, it is possible to add a “notional income” on their claim, meaning that the parent is treated as if they did have this income. This happens in only 2% of cases.

If the single parent demonstrates that they have made reasonable efforts and are unable to get maintenance from an ex-partner, this will not have any negative effect on their entitlement to benefit. No notional income is added, and they will receive the full entitlement to Income Support.

2.11 Deputy M. Tadier of St. Brelade of the Minister for the Environment regarding the provision of grants for the restoration of listed buildings (WQ.484/2023)

Question

Further to the response to OQ.225/2023 ([Hansard](#)) in which the Assistant Minister stated that the fund relating to Article 56 of the [Planning and Building \(Jersey\) Law 2002](#) (“the Law”), which permitted grants to be given for the restoration of listed buildings, had not been replenished, will the Minister –

- (a) explain why this funding was stopped, including whose decision it was to cease the funding;
- (b) advise when the last time such a grant was made under Article 56 of the Law;
- (c) state when the powers available under Article 84 (1) and (2) of the Law were last used and for what reason; and
- (d) explain his vision for the protection of listed buildings in prominent public areas which are currently falling into disrepair, including but not limited to, the former ‘La Folie Inn’ site?

Answer

- (a) The Historic Building Repair Grant Scheme was approved by the States in 1995 in recognition of the perception of additional responsibilities which the owners of registered buildings (the precursor to listed buildings) carry. The Historic Building Repair Grants scheme introduced in 1997 was targeted specifically at proposed Sites of Special Interest and Sites of Special Interest (now referred to as ‘listed buildings’ which numbered around 800 buildings at that time) and received an annual budget of £100,000 funded from the then Planning and Environment revenue budget.

The budget available to the scheme was reduced to £75,000 by 2001 because of pressures on revenue funds. In 2002, the scheme was extended to include buildings of local interest (BLIs), which expanded the number of potentially eligible properties to over 4,000. An additional £60,000 was allocated specifically for BLI grants giving a total Historic Building Grant budget of £135,000 in 2002. In 2003, the schemes were combined into a single budget with a total annual allocation of £75,000; this was reduced to £60,000 the following year. The award of grant monies is discretionary spend and the amount of money to support historic building grants continued to be reduced in the face of the need to make budget savings across the public sector.

In 2010, the Minister for the Environment embarked on a fundamental review of the island’s historic environment protection regime ([Review of the protection of heritage regime - consultation response \(gov.je\)](#)). In essence, this involved the replacement of the two-tier structure of designation and protection (involving SSIs and BLIs) with a single designation for buildings and places (listed buildings and places). The Minister for the Environment proposed that an integral part of the review was a comprehensive re-survey of all of the Island’s existing and potential heritage assets, to re-assess and evaluate their heritage value. This comprehensive re-survey was undertaken between 2010 and 2013, where this work was funded from monies previously used to support the award of historic building grants.

Upon and since completion of the comprehensive re-survey in 2013, there have been insufficient professional and discretionary financial resources available within the Historic Environment team and associated revenue budgets to re-establish an historic buildings grant scheme.

- (b) It is believed that the last grants to be offered, under the auspices of Article 56, were for repair works to [Ashley Court](#), St John (LBG2), for the repair and restoration of the bell tower and weathervane; and to [Samarès Manor](#) (LBG1) for works to the roof of the colombier. These granted-assisted works were completed in 2009.
- (c) The last Notice issued pursuant to Article 84 of the Planning & Building (Jersey) Law 2002 was issued on 2 September 2022. This was a combined Land Condition Notice including reference to Articles 84, 86 and 89. The Notice was issued for the following reasons: It appears to the Chief Officer that the amenities (visual or otherwise) of the land known as ‘Le Côtîl de Délà’ is being adversely affected by its condition or use. ‘Le Côtîl de Délà’ lies within the; ‘Green Zone’ as defined in the Bridging Island Plan 2022 (Policy NE3), ‘Water Pollution Safeguard Area’ as defined in the Bridging Island Plan 2022 (Policy WER5) and ‘Strategic Countryside Access Site’ as defined in the Bridging Island Plan 2022 (Policy C19) and is therefore given a high level of protection. The current condition and use of ‘Le Côtîl de Délà’ is considered to have a significant adverse impact upon the landscape character of this sensitive rural area.

Notice link: [LD Enforcement Notice -ENF-2022-00006 -02.09.2022.pdf \(gov.je\)](#)

The Section of the Notice relating to Article 84 required the removal of eight ruinous and dilapidated wooden and metal structures and associated paraphernalia.

- (d) Retaining historic buildings in viable use is key to their retention and maintenance. This is of the utmost importance to ensure their long-term presence and care; and in ensuring their continued contribution to the island’s sense of place, character and identity. This principle applies to all historic buildings and not just those that are in prominent public areas, such as La Folie Inn.

Change in the historic environment is inevitable and adaptation or development will often be the key to securing the future of historic buildings and places. Managing change to historic buildings is regulated through the planning process. The planning policy regime set out in the bridging Island Plan, together with associated supplementary planning guidance, supports the objective of seeking to ensure viable uses for historic buildings.

Officers endeavour to work constructively with owners of listed buildings to enable their beneficial viable use and change, to best protect their significance. Some successful examples of this include the former [Le Seilleur Workshop¹ \(Oxford Road\)](#); [Sion Methodist Church](#) (La Grande Route de St Jean); [Hope Villa](#) (La Grande Route de la Cote); and [37-39 King Street](#) (formerly “Hamon’s” now “Collins”).

One of Jersey’s great challenges is how we adapt the old – in terms of historic buildings and places – to make them relevant to our modern needs. I regard that challenge as an opportunity. Our historic built environment is part of what makes Jersey unique and in seeking to repurpose historic buildings we therefore reinforce our special island identity, whilst modernising our built environment for contemporary purposes.

Historic environment officers already work with owners of listed buildings, vacant or not, to enable repairs and restoration of key parts of these buildings to keep them wind and watertight. Ensuring that vacant buildings are maintained in a watertight condition is critical to enable future proposals to bring them back into viable uses.

For owners of large, complex buildings such as the grade 1 listed former [Odeon Cinema](#) in Bath Street, historic environment officers have worked with the owners and their agents to facilitate works to repair and change the building. Works to repair the roof and gutters have protected the integrity of this building to enable internal changes to bring parts of the building back into a new use. Some works to the façade have also been agreed to help ensure that the integrity of the built fabric is secured. Ongoing discussions continue to help manage changes to support the current uses within the building. As shown by this particular example, work can be undertaken to listed buildings to ensure the integrity of the built fabric, which is not always evident in public views, but which is essential to ensure the long-term viability of listed buildings.

Maintenance of listed buildings owned by major landowners, such as Ports of Jersey, Andium Homes and Jersey Property Holdings, is part of established and ongoing discussions with historic environment officers.

Work is currently being undertaken to explore options to proactively support and deliver the viable re-use and appropriate restoration of more listed buildings, including vacant homes. This will include consideration of all mechanisms that might be potentially available, including persuasive compliance and the potential use of legislative powers, with a view to the development and adoption of policy and guidance. This work is underway and will be progressed into 2024.

2.12 Deputy M. Tadier of St. Brelade of the Minister for Sustainable Economic Development regarding alcohol duty rates (WQ.485/2023)

Question

Will the Minister advise –

- (a) whether he supports the proposed increase in duty on alcohol set out in the draft Government Plan 2024-2027, and if he does, provide his rationale for such support, and if he does not, confirm whether he made these concerns known at the Council of Ministers; and
- (b) whether he supports the framework that prohibits promotions on alcohol sales, including happy hours, and if he does, provide his rationale for such support, and if he does not, confirm whether he made these concerns known at the Council of Ministers?

Answer

- (a) The Deputy will be aware that the Council of Ministers have proposed an amendment to Amendment 25 which I support.
- (b) As the Deputy will be aware, I have committed in my Ministerial Plan to review and progress amendments to the licensing law during 2024 following the completion of the Visitor Economy Strategy this month. This review will be undertaken alongside businesses and relevant stakeholders and will consider a range of changes to the sale of alcohol including drinks promotions. My aim is for this to be an objective review and my position will be formed on the basis of the evidence collected.

2.13 Deputy M. Tadier of St. Brelade of the Minister for Sustainable Economic Development regarding capital bids submitted by Jersey Arts Centre (WQ.486/2023)

Question

Will the Minister advise whether –

- (a) any applications for capital bids were submitted by Jersey Arts Centre, including for the maintenance of the building and, if so, provide details of the bids and whether they were accepted or declined; and
- (b) any work is required to the Jersey Arts Centre building and, if so, provide an outline of the work together with details of the cost, how it will be funded and when it will be completed?

Answer

a) No application for a capital bid was submitted by Jersey Arts Centre Association ('JACA') as part of the 2024 Government Plan process.

A business case was submitted in February 2021 to the Fiscal Stimulus Fund panel for the renovation of Jersey Arts Centre at a cost of £2.96m. This followed a number of condition surveys undertaken in 2019. The bid was successful, and a tendering exercise was completed for a Project Manager/Quantity Surveyor. The initial completion date for Fiscal Stimulus Funds projects was the end of 2021, however after a request to the panel, this was extended to 30th June 2022. Despite best efforts after to secure a design team, it became apparent that it would take time to update the feasibility studies and tender for the enabling works and therefore the deadline would not be met. The project was therefore withdrawn from the Fiscal Stimulus Fund.

b) The JACA entered into a 99-year full repairing lease with the Government of Jersey in 1982. Over and above JACA's annual revenue grant, the Association received an additional £35,000 for repair of the air handling system, through the Government's Investment Advisory Board in 2019 and I granted JACA an additional £150,000, over and above their annual revenue grant for 2023, towards additional building works and to have the 2019 condition surveys updated. The full cost of the renovations are unknown at present.

2.14 Deputy L.V. Feltham pf St. Helier Central of the Minister for Social Security regarding Child Personal Care Benefit (WQ.487/2023)

Question

Will the Minister provide the following annual information regarding applications for the Child Personal Care Benefit for the last 5 years –

- (a) the number of applications received;
- (b) the number of successful and unsuccessful applications;
- (c) the reasons given to applicants for unsuccessful applications;
- (d) the number of unsuccessful applicants who appealed the decision, and of those, the number of applicants who subsequently received the benefit or an alternative special payment; and

- (e) the number of unsuccessful applicants who appealed to the Minister, and of those, the number who went on to receive the benefit or an alternative special payment?

Answer

The following information is taken from departmental computer records but it should be noted that the recording of claim information does not match exactly with the questions being posed. Claims would need to be reviewed on a manual basis to address all the details set out in the question.

- (a) and (b)

Year	Number of CPC claims starting in this year	Estimate of number of CPC applications disallowed in this year	Estimate of total number of applications in year
2019	43	5	48
2020	39	3	42
2021	53	5	58
2022	85	5	90
2023	81	8	89

This table shows the number of claims that started in each year shown. These are successful applications. It also shows an estimate of the number of applications that were unsuccessful. This is likely to be an under estimate. If an application was made and was not successful but a subsequent application led to a successful claim (i.e. the care needs of the child increased over that time) the unsuccessful initial claim may not be included in the table above. If an application is made in respect of a family already receiving Income Support and the application is unsuccessful, this information is only available by manually examining each claim history to provide fully accurate information.

- (c) Applications are normally only refused if the assessment of the child’s care needs does not meet the level associated with level 2 or level 3 of the personal care impairment assessment as set out in Income Support legislation. This information is provided to the parents at the time of the unsuccessful application.

- (d) If an applicant challenges a decision, the first step is to request a redetermination. In 2023 three applicants have requested a redetermination. One case is still outstanding and the other two cases resulted in an award being made after extra information was provided by the applicant. In 2022 two applicants requested a redetermination. Both cases resulted in an award being made after extra information was provided by the applicant. This information cannot be extracted from departmental systems for previous years other than by a manual search of individual records. This process cannot be completed in the time available to provide the response.

(e) Between 2019 and 2023, there have been 5 Ministerial Decisions to support cases of this type. Support provided under a Ministerial Decision typically applies when there is a strong case for support, but the circumstances of the case are not covered by legislation.

2.15 Deputy L.V. Feltham of St. Helier Central of the Minister for Social Security regarding the Home Care's Allowance (WQ.488/2023)

Question

Further to her answer to [Question Without Notice on 28th November](#), regarding extending Home Carer's Allowance to families with more than one child with a level 1 or 2 impairment will the Minister –

- (a) clarify the process that families in this situation should follow to gain access to the Home Carer's Allowance;
- (b) state if it is the intention of the Department to contact families in this situation and inform them of this policy; and
- (c) provide a timeline for the legislative changes required to extend the Home Carer's Allowance?

Answer

At present, families of children with significant care needs are able to claim a Child Personal Care benefit if the child has care needs meeting level 2 or level 3 of the personal care component as set out in Income Support legislation. A Home Carers Allowance may also be available to a parent if the child has the highest needs (level 3). These benefits are not means tested.

I can confirm that my policy intent is to extend access to Home Carers Allowance to a parent who has caring responsibilities for two children who both have level 2 needs. At present a family in this situation would receive Child Personal Care at level 2 for each child but would not receive a Home Carers Allowance. At present Home Carers Allowance is only paid when the child is assessed at level 3.

In my answer to the question posed without notice on 28 November, I referred by mistake to level 1 and level 2 care needs. I apologise for this oversight - Child Personal Care benefits are available at 2 levels, but these levels are identified as levels 2 and 3, rather than levels 1 and 2.

- (a) Until such time as legislation is in place the department will ensure that any family receiving child personal care at level 2 for more than one child will be identified and will be offered non-statutory support from January, equivalent to the financial value of Home Carers Allowance.
- (b) Yes.
- (c) Subject to the outcome of the Government Plan debate this week and the finalisation of my delivery plan for 2024, I have asked officers to prioritise this work for completion as early as possible in the New Year.

2.16 Deputy S.Y. Mézec of St. Helier South of the Chief Minister regarding the completion of the new Government building (WQ.489/2023)

Question

Regarding the plans to relocate Government operations from the office on Broad Street to the newly built office on the old Cyril Le Marquand House site, will the Chief Minister provide –

- (a) an estimated date for completion of the new premises;
- (b) an estimated date for the opening of the new office to the public;
- (c) the total allocated budget for the move; and
- (d) confirmation whether the facilities and equipment currently in use in Broad Street will be relocated to the new office, or whether entirely new facilities and equipment will be purchased?

Answer

- (a) The estimated date for practical completion is the end of July 2024.
- (b) The estimated date for the opening of the office to the public is December 2024, following phased occupation by Government of Jersey personnel between September and December.
- (c) The total allocated budget for the move is £510,000, which includes the transfer of staff and team storage items and the decant of other equipment, including monitors, workstations, printers, recycling bins, safes and other office items.
- (d) Fixtures and fittings, such as desks and chairs, etc, will be returned to the landlords on termination of the occupation, as required by the Broad St offices lease. Any additional items that the Government of Jersey has purchased for departments in Broad Street will be offered to other Government of Jersey colleagues in other buildings and then offered to charities or disposed of carefully and as sustainably as possible. Specialist items, such as photocopiers, are leased by the Government of Jersey and will be transferred to the new building together with Government of Jersey owned audio/visual equipment. The fixtures and fittings in the new office building will be provided new under the Development Agreement.

3. Oral Questions

3.1 Deputy M.R. Scott of St. Brelade of the Chief Minister regarding expenditure of public funds (OQ.2/2024)

Given the Government’s focus on “prudent and effective allocation of public funds”, will the Chief Minister explain how the former chief people and transformation officer was able to approve expenditure of a reported £11,000 of public money on entering public service employees in the U.K.’s (United Kingdom) Personnel Today Awards 2023, including flying 10 employees to London, providing them with accommodation, a 3-course meal with wine and an afterparty?

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

It is important, of course, that we recognise the achievements of staff across our organisation and we should acknowledge that our H.R. (human resources) team won the team of the year award at this event. The decision to enter these awards was taken by the former chief people and transformation officer, who held accountable officer responsibility at the time. I can confirm that the decision was taken in accordance with the business travel policy and travel bookings were made using HRG in line with that policy. I recognise the public response to the decision to enter these awards, and I am in no doubt that this will be taken into account when similar decisions are taken by officials in future.

3.1.1 Deputy M.R. Scott:

Was the Chief Minister surprised by the public response, given the cost of this self-congratulatory exercise?

Deputy K.L. Moore:

No.

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

Can I ask the Chief Minister what role the members of this winning H.R. team had in producing the letter to teachers, which has been so disappointing to our profession on this Island?

Deputy K.L. Moore:

I do not believe that the same ... I am not aware of the exact composition of that team. It is, as I stated in my opening comments, a personnel matter, a decision that was taken by an accountable officer. I have opportunities later to address the issue of the position that we are in with teaching unions and the way that we are trying to find a way forward through that.

3.1.3 Deputy R.J. Ward:

I assume that they did take a role in producing the letter that has upset so many professionals on this Island. Can I ask the Minister whether this is the future of H.R. in this Island; this threatening approach to employees?

Deputy K.L. Moore:

I disagree that there is a threatening approach being taken, but there are a number of people working in our H.R. team, and looking after the people in our organisation, which, as Members know, is an organisation which runs to some thousands. Therefore, there is a large team of people supporting them.

The Bailiff:

Deputy Barbara Ward.

Deputy B. Ward:

My apologies, Sir. My papers just touched the light.

The Bailiff:

Just as well it was not a vote then.

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

Is the Chief Minister aware of what, if any, legal advice the appropriate department has sought over the 2-handed issue and treatment of its teaching force?

The Bailiff:

I am sorry, Deputy, that is, I think, far too far outside the ambit of the question. The question relates to the payment of public money for some form of celebratory event. **[Aside]** You will have the opportunity perhaps to do so then.

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

Following the public discomfort with this expenditure, what instructions has the Chief Minister or her Ministers given to officers about any future expenditure such as this?

Deputy K.L. Moore:

We have not had an opportunity to consider at the moment the spending limits for accountable officers. But I think the sums given in this example are acceptable sums for an accountable officer to have and therefore it is unlikely that any change will be made. As I referenced in my opening answer, I am sure that officers will be most aware of the public response, and that will have

necessarily an impact upon any decision-making in future, which of course may have positive and negative implications.

3.1.6 Deputy L.V. Feltham:

While the amount of money may be appropriate for an accountable officer to be able to spend, I think the public is dissatisfied by the way in which this money was spent and whether it met the Government's view about value for money. Could the Chief Minister tell us whether she considers this type of expenditure on this type of award to be good value for money?

Deputy K.L. Moore:

I think my personal views have been made quite clear already. What I would like to say in these circumstances is that my experience of dealing with officials in the public sector is that they are motivated by public service. They want to do right for the Island and for the public. They use public money wisely and take decisions carefully. This issue is a regrettable one, and I am sure it will not happen again.

3.1.7 Connétable D. Johnson of St. Mary:

I, myself, received in the last 2 weeks an email kindly advising that I had been nominated for the best small legal practice of the year, notwithstanding that I ceased to be in practice for 10 years, would I like to accept that nomination and donate £800 towards it?

[9:45]

Will the Chief Minister accept that most of these organisations - and I am not saying this was the matter in our discussion is one of those - organising conferences are effectively money-making enterprises and nothing more?

Deputy K.L. Moore:

I think it would be rather complicated to go into the ins and outs of such processes, but I wish to congratulate the Deputy on his achievements and recognition that has clearly been found in some corners of the legal world, and I am sure it has not been the first time either. There will always be opportunities for recognising service, and some people do turn that into something of a business enterprise. But it is also important that people are given opportunities to recognise their hard work and dedication in various industries. I am sure that this experience will not have a chilling effect on the whole industry.

3.1.8 Deputy M.R. Scott:

Noting that the Chief Minister does not seem to think that officers should have been aware of the public response to the expenditure on what has been perceived as a jolly, could she explain, given its motives, what measurable effect has this perceived jolly had on the morale of the public sector?

Deputy K.L. Moore:

We have not yet taken a pulse of the public service since this particular incident, so I would be unable to answer that specifically. I am not sure the Deputy has perhaps heard me right in the first part of her question, which I think suggested that the ... sorry. I think the first part of her question suggested that there was some acknowledgement. I simply disagree with the first part of her question.

3.2 Deputy M. Tadier of St. Brelade of the Chief Minister regarding the pay dispute with teachers (OQ.3/2024)

Can I apologise for not being here at roll call, and thank Members for excusing me? I appreciate the Assembly's indulgence. Will the Chief Minister commit to ensuring that the pay dispute with teachers is resolved in 2024 and, if so, will she explain on what basis the Assembly can have confidence the dispute will be resolved; and if not, why not?

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

The Government Plan seeks to ensure that public finances are sustainable, balancing, competing objectives, which of course includes fair pay for staff. The pay dispute with the N.A.S.U.W.T. (National Association of Schoolmasters Union of Women Teachers) is resolved, with confirmation that the pay offer for 2024, 2025 and 2026 should be implemented. This offer includes an 8 per cent consolidated award for 2024 and a guaranteed R.P.I. (retail price index) consolidated for 2025 and 2026. We have also offered a minimum of 2 per cent rise, even if R.P.I. falls lower in 2025 or 2026. The N.E.U. (National Education Union) have rejected the pay offer. We continue to offer and recommend binding arbitration to settle the dispute with the N.E.U., which we consider as the most sensible and pragmatic approach to settle the dispute. The S.E.B. (States Employment Board) continue to support the terms and conditions review, which began in September last year, and continues with weekly subgroups and a steering group meeting every third week.

3.2.1 Deputy M. Tadier:

Just to clarify, this question was submitted before the announcement on Friday after the question deadline. I would question the Chief Minister's statement that the current pay talks are now resolved. They seem to be far from resolved. There is also a question about the legality of the course of the Government. Would the Minister perhaps comment that she is completely satisfied that the legal position is watertight? I will leave that question there. Is the Chief Minister content that the legal position is watertight?

Deputy K.L. Moore:

Firstly, I would point the Deputy to my initial response, which identified that the dispute is resolved with one teaching union and not with the other. We received, of course, as Members would expect, advice prior to sending a letter to all teachers. We also sought advice from the Jersey Advisory Conciliation Service. Therefore, I think, appropriate measures were taken. What we are trying to achieve is a payment to those teachers who agree with the pay offer. As the employer, we do not hold information that tells us which teacher belongs to which union, and we are simply trying to find a way to pay those people who wish to be paid.

3.2.2 Deputy R.J. Ward:

Can the Minister confirm that the offer made to the N.A.S.U.W.T. - 48 per cent of which the members rejected it - also included a deal to not strike for the next 3 years, and that was made clear to members when they voted?

Deputy K.L. Moore:

I think given the disruption that has been caused to children's education, and let us not forget the public sentiment around this issue as well, it was a relevant question in the previous question from Deputy Scott, and it is a relevant question on this topic also. We are trying to find a way forward to ensure that teachers are valued in our society. The greatest value will be found in delivering the terms and conditions, which is something that teachers asked us to do when we met with them, as we meet with every union on a periodic basis. We are tackling that. We are making excellent progress, I am told, in dealing with this issue. That will make a real difference to teachers' workloads, and that is what we want to achieve. What we also want to achieve is enabling our children to have a good education, an excellent education in this Island, and we are focused on achieving that.

Deputy R.J. Ward:

Before I ask my supplementary, can I have my first question answered, which was whether a no strike deal was made clear, because that was not addressed?

The Bailiff:

Are you able to answer that specific part of the question, which was very clear from the Deputy: was there a no strike requirement in the deal?

Deputy K.L. Moore:

I do not recall, I am afraid.

3.2.3 Deputy R.J. Ward:

Let me ask this question. From the letter that was sent in the supposed deal, what happens to somebody taking a job in May or June or July? Will they be asked also to sign away their right to strike in order to get on, which will be a differential pay scale now for those who have not accepted the deal and those who have? So which pay scale would new members of the profession go on from May or July? I ask the Minister, will they be asked to sign away that deal before they are employed?

Deputy K.L. Moore:

I certainly hope that we will have been able to resolve this matter before May, June or July.

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

This is a very, very specific question. Could the Chief Minister inform the Assembly whether or not the Government took legal advice from a legally qualified practitioner on the legality of whether the Government is able to put together a database of how people voted in a secret ballot, and if they do not take part in that process unilaterally revoke their right to strike?

Deputy K.L. Moore:

As I have previously said, we took advice. We have also considered data protection issues and therefore that is, on balance, our reason for writing in the terms that we have.

3.2.5 Deputy S.Y. Mézec:

The Chief Minister said she took advice. Was that legal advice from a legally qualified practitioner?

Deputy K.L. Moore:

Yes.

3.2.6 Deputy M. Tadier:

We have a scenario where the Government is saying it cannot give R.P.I. for the current dispute, but it has promised it for future years when it has no idea what that R.P.I. will be. Maybe there is a magic money tree. But the question is: is this not an indictment of the Chief Minister's leadership that this dispute has been going on for so long now, and we come into yet another calendar year, and it is still hanging over her head and the Assembly's head. Would she take that as her personal responsibility that this dispute is not resolved and that is yet another argument that undermines her leadership?

The Bailiff:

Well, that is two questions.

Deputy M. Tadier:

I think it is related, Sir. I will let her choose.

The Bailiff:

I am not sure. I think the Chief Minister can answer whether she believes she is personally responsible or takes personal responsibility but I think the rest ...

Deputy M. Tadier:

I will leave it there then, thank you.

Deputy K.L. Moore:

The largest teaching union has resolved their ... sorry, I am being a little distracted by gesticulations in my direction. The largest teaching union has resolved this issue. We are trying to find a way forward now that will resolve for all teachers. What is important is that the children of our Island receive an education. An education of the highest standards. We remain committed to finding a solution to the terms and conditions issue, which will therefore impact positively upon the workload of teachers, and we remain committed to moving forward in that regard.

Deputy R.J. Ward:

Sir, may I ask at what point, if one believes the Assembly may have been accidentally misled, one might raise that even during questioning? Can I raise that now?

The Bailiff:

No, Deputy, unless you can ... to raise a point that the Assembly believes to be misled, I think in most circumstances that should occur on a different occasion, on a different proposition. But you could ... well, I will leave it at that. Deputy Tadier, that was your question.

Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter

Could we raise the défaut on Deputy Farnham, please?

The Bailiff:

The défaut is raised on Deputy Farnham.

3.3 Deputy S.Y. Mézec of the Chief Minister regarding the introduction of a statutory living wage (OQ.10/2024)

Will the Chief Minister state whether it is the position of the Council of Ministers that introducing a statutory living wage rate is “not feasible or desirable” and advise whether it is her intention to abide by the decision of the States Assembly in adopting paragraph (a) of P.98/2021 and ensure the minimum wage reaches two-thirds of median earnings by the end of this year?

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

Ministers remain fully committed to the existing target of raising the minimum wage to two-thirds of the median, subject to economic conditions. The Minister for Social Security has confirmed to me that she will instruct the Employment Forum to take the two-thirds target into consideration in their 2024 review. This Government has already taken decisive action by raising the minimum wage by more than 26 per cent since June 2022. The Council of Ministers does not hold a position in respect of the partial and incomplete quote provided in the question. The Council of Ministers is proud to maintain the accreditation of the Government as a living wage employer, and fully supports those local employers who have made a commitment to be living wage employers. Ministers are also fully committed to creating a thriving economy. This is how, as an Island, we create the economic activity that funds good wages and good public services.

3.3.1 Deputy S.Y. Mézec:

Why has the Government published a report saying that introducing a statutory living wage is neither feasible nor desirable when the Chief Minister now stands in this Assembly and says they actually do not take a view on that statement?

Deputy K.L. Moore:

As I suggested in my original answer, I do believe that the Deputy is slightly misquoting the report. If I could read the full sentence that he is referring to, and I will have to put my glasses on. It says: “It is not feasible or desirable to introduce a statutory living wage rate for Jersey based on a calculation of minimum income standards.” It is the minimum income standards part that is the critical part of this point. I would ask the Deputy to consider that sentence in its entirety.

3.3.2 Deputy M. Tadier:

Would the Chief Minister clarify whether there is a caveat on support for the living wage, which is subject to economic conditions, and will she explain, if that is the case, what “subject to economic conditions” means?

Deputy K.L. Moore:

Every Member of this Assembly is fully aware of the current economic conditions. As an Island, we are facing them. Most of the western world is in a similar position. There are many impacts that are causing that. Of course, one has to approach this issue in a careful fashion because we have businesses who have bills to pay and are dealing themselves with rising costs. We take a careful approach to that as one that is reasonable and one that does not stifle progress. We want to see our economy grow. We are committed to encouraging growth in our economy largely through greater productivity. We have increased minimum wage by 26 per cent since taking office.

[10:00]

We have gone from £9.22 to £11.64 today. That is through reasonable steps, taking into account the economic circumstances that employers who have to pay wages are operating within. It is a competitive environment, and one that of course every good employer will be doing its utmost to pay its employees the very best wages that it can. But we walk carefully in these economic times and take all of these matters into consideration.

3.3.3 Deputy M. Tadier:

I do not think the Minister addressed exactly why a living wage should be subject to economic conditions. But does she agree that those on the lowest hourly rates of pay are the ones who need guarantees? That whatever the economic conditions are out there, that they will be given a living wage that they can afford to live on reasonably in an increasingly expensive Island, not subject to what the economic conditions may be for those who do have money.

Deputy K.L. Moore:

I would simply remind the Deputy that if wages are uncompetitive, if the cost of doing business in the Island is uncompetitive, there will not be the employers there to pay those wages. We have to take a balanced approach and respond to those conditions and ensure that businesses have confidence in doing business in our Island and employing people. That is why we take a balanced view and move carefully and cautiously but respectfully in this important area. We all agree that we want to see those on the lowest pay being paid as much as they can be, but we do that mindful of the conditions in which we are operating.

3.3.4 Deputy R.J. Ward:

Can I ask the Chief Minister, does the Minister understand that without a living wage as the basis for our society we are expecting significant numbers of people to go out and work full time for a wage that they simply cannot make ends meet with?

Deputy K.L. Moore:

I believe in a living wage. Personally, I have committed to that previously. We have also a system that provides support for people. Not all people work a full-time job in a week for various reasons. There is a system and we have benefited that system and changed ... sorry. We have taken a holistic approach ever since we entered office, by ensuring that our policies covered all the bases for those who are in work, for those who are unable to work, and for those who receive income support while in work. We have covered our bases. We are mindful always of those people and we are doing our very best to make that balance.

3.3.5 Deputy R.J. Ward:

Can I ask the Minister to confirm that doing their very best includes the necessity of foodbanks, which have become an integral part of our society? It seems an increase in reliance upon income support, even for those who are working in full-time roles or those who have some sort of impairment. Is that the better way forward that we are looking at?

Deputy K.L. Moore:

The use of foodbanks is nothing short of tragic in this modern environment, which is why we have to make sure, as politicians, that our systems are in place to support all Islanders in all circumstances. Of course, people should not have to revert to foodbanks. That is not the kind of Island that we want, but we are grateful to those who are making them available, and we continue to work towards ensuring that that is not a necessity that Islanders seek.

3.3.6 Deputy M.R. Scott:

With reference to the Chief Minister's previous response regarding concerns about the minimum wage and its role in competition and employers, does she not accept that the minimum wage is intended to promote fair competition? Why has she not referred to inflationary impact on basic consumer products as a consideration at all?

Deputy K.L. Moore:

When I talk about economic circumstances, of course, inflation is part of that. Rising inflation is something that we all ... and I have spoken about this in the Assembly previously. We all have a duty to help curb the rise of inflation. That means balancing price increases and anything that contributes to the rising cost of living and doing business in the Island.

Deputy M.R. Scott:

That sounded a bit like word salad to me, so I have not got anything else to say.

The Bailiff:

A supplemental question should be just that, it is not an opportunity for comment.

Deputy M.R. Scott:

Sorry. So, no, Sir.

3.3.7 Deputy G.P. Southern:

In her support for the living wage, does the Chief Minister recognise that a minimum wage is about the prevention of exploitation, whereas a living wage represents a figure which can provide a decent living for our workers?

Deputy K.L. Moore:

I believe there are a number of different measures for describing a living wage. Yes, it should be a wage that does not cause a person to seek further support over and above their role in paid work. But there are, as I said, a variety of different descriptions for that, and it could be said that the current one

that is in use in the Island, which is simply to take the London figure and add 2 per cent to it, is not an accurate reflection of what the living wage could and should be in the Island. That is what we are working to currently. But what we are, through the Minister for Social Security and the Employment Forum, going to do is go and ask them to consider how we do what we have agreed as an Assembly to do, which is to get to a position of two-thirds of median wage as our measure.

3.3.8 Deputy S.Y. Mézec:

The Chief Minister has referred to economic conditions multiple times in her answers. Why is it the case that there is not a single statement or piece of evidence offered in this report to back up the statement that it is not the right economic time to raise the minimum wage to the living wage? Why is there no reference whatsoever to the economic conditions of people who are living in poverty pay despite being in full-time work? If it is not about a statutory living wage based on minimum income standards, which definition will she be recommending to the Assembly instead then?

Deputy K.L. Moore:

I did not write this report. This is a report provided to us as a piece of advice. We take advice, we consider it and we make decisions. I believe that I have outlined today how the Minister for Social Security will make progress and enable herself to take further decisions later in the year with the support of the Employment Forum, which is the device that we have in operation. I simply do not think I can add any more.

3.4 Connétable M.K. Jackson of St. Brelade of the Minister for the Environment regarding the support of the repair of traditional roadside granite walls damaged in recent storms (OQ.4/2024)

In light of the numerous traditional roadside granite walls that have been damaged in recent storms, will the Minister advise how his department is supporting their repair, and if there is no such assistance in place, whether consideration is being given to providing support for their reinstatement?

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

I am aware that there are still many people struggling with the aftermaths of Storm Ciarán in many respects and, of course, the Connétable is right to highlight that we have spoken a lot about trees, but there was a lot of damage caused elsewhere to other structures in the Island, and that is very important. So in response to the impact of Storm Ciarán, the number of officers available to provide assistance through the planning and building duty service to Islanders with damaged buildings and structures, including traditional roadside walls, was increased and their hours of operation were extended. Assistance was and remains available from officers in the historic environment team to provide specialist advice and assistance for all historic buildings and structures about their repair and restoration as a result of storm damage. Of course, there is also detailed advice available about the repair and maintenance of the Island's roadside walls, fosses and banques available on the gov.je website through the standard supplementary planning guidance and other guidance notes.

3.4.1 The Connétable of St. Brelade:

I think the Minister is missing my point to a degree in that the bottom line is the cost of repairing roadside walls, and particularly granite walls, of which there are many in the Island. The Minister's answer did not indicate whether there would be any financial support for that in any shape or form. If I may refer him to a former Member of the Assembly, the late Deputy Norman Le Brocq, who I think I am right in saying, and I have not researched the detail, created a fund to maintain the traditional roadside walls. I would ask him if he would dig out the information on that, with a view to reinstating it for the repair of our walls in perpetuity.

Deputy J. Renouf:

I do not know if it was Deputy Le Brocq, but certainly in 1994 the States allocated £100,000 to roadside walls and banques in a capital vote. However, that money was long spent and there is no money currently in the Government Plan for this kind of thing. What I would say is that this is obviously a matter that would depend to a considerable degree on the extent to which insurance might cover repair works. In the same way that buildings are covered by insurance, it may be that in many cases walls are covered as well. I think we should be cautious about simply making unfunded commitments without knowing the scale of the problem. I will be very happy to engage with the Constable in terms of discovering if there are particular cases of which he is aware that might merit further investigation, and we can help to build up a picture of this as an Island-wide issue to see whether, indeed, the scale of the issue and uninsured losses is something that we should look at further. But I would urge caution in that in the first instance.

3.5 Deputy R.J. Ward of the Minister for Justice and Home Affairs regarding the recording of a death by suicide (OQ.6/2024)

Is it the Minister's assessment that the recording of death by suicide is adequately and accurately undertaken by the appropriate authorities involved; and if not, why not?

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

The decision as to whether a death is recorded as a suicide is made by the viscount as coroner, or the deputy viscount or relief coroner, following an inquest hearing at which evidence is heard and a finding of inquest made, all in accordance with the Inquests and Post-Mortem Examinations (Jersey) Law 1995. Essentially there are 2 elements which must be proved on the balance of probabilities: (1) that the deceased took their own life, and (2) that they intended to do so. Suicide is never presumed. Findings of inquest in Jersey and narrative conclusions, rather than the short-form conclusions used in England and Wales, such as suicide, accident, unlawful killing and open verdict, alcohol/drug-related, et cetera. The superintendent registrar uses the information provided in the finding of inquest, known as the particulars in the law, to populate the required fields in the death register. The superintendent registrar is required to register the death using all the information provided by the Viscount's Department in the finding of inquest. This process and death certification are requirements in law under the Marriage and Civil Status (Jersey) Law and the laws that govern the statutory function of the viscount. I have no reason to consider that it is not sufficiently robust.

3.5.1 Deputy R.J. Ward:

I thank the Minister for her answer because I know it is a complex subject, which is why I asked the question. May I ask the Minister whether, given that there are - and the word has gone out of my head now - processes to try and lower suicide, is the data accurate enough to get a real idea of the extent of suicide - demographics, et cetera - so that any plan can be targeted effectively on the Island. That is what I am trying to get out.

Deputy H. Miles:

I thank the Deputy for his follow-up question and I think this answer will help. Information relating to all deaths in Jersey is gathered by the Public Health Intelligence Unit and an annual report presented. In particular, the Jersey Mortality Report 2022 at page 16, where a wider definition of suicide is used.

[10:15]

That states: "Deaths are included here where the cause of death was recorded as intentional self-harm or undetermined intent." I think I am happy that the Public Health Department are taking accurate and reasonable steps to understand the extent of suicide and obviously use that information to inform their public health campaigns.

3.5.2 Deputy B.B. de S.DV.M. Porée of St. Helier South:

Can the Minister please explain how the death of those who do not live permanently in the Island, such as migrant workers and work permit people, is logged, if different at all?

Deputy H. Miles:

While I am not responsible for the Viscount's Department, I understand that it is irrelevant as to the nationality or the status of the person that resides in the Island. The death will be recorded in exactly the same way.

3.5.3 Deputy B.B. de S.DV.M. Porée:

My understanding is that work permit workers are the most vulnerable group in our Island at the moment and understanding those issues, the death, especially when it comes to suicide, it would really help because we could improve our work permit policy and understand how to look after migrant workers.

Deputy H. Miles:

I thank the Deputy for her question, but I understand the issues regarding the initial question from Deputy Ward and that of Deputy Porée to be entirely separate. The question was really directed at how the act of suicide is recorded in the Island. Certainly I have made my thoughts known regarding the special care of permit workers in a different forum.

3.5.4 Deputy M. Tadier:

I think the Minister answered partly a question I would have asked. So I think the follow up is to do with the fact that, say, an F.O.I. (freedom of information) request is put in asking about the rates of suicide in the Island, which figures will the questioner be given, given the fact that there seem to be a conservative estimate, which perhaps has a high bar for the definition of suicide, and the other definition which the Health Department may use for its stats purposes?

Deputy H. Miles:

I thank the Deputy for his question. When it comes to freedom of information, I think the obligation is for the appropriate agencies to provide all the information. I think it is likely that both sets of figures would be presented in that question.

3.5.5 Deputy R.J. Ward:

I am sure the Minister is sensitive to this issue, as the rest of us are. Can I ask the Minister, would she perhaps agree that there may be a difference in the public and private expression of the numbers of suicide, because families and cultures may want to not have that in the public domain, but that data is essential for us to make public health decisions? Is the Minister aware that that dichotomy between those 2 is a challenge, but it is something that will be taken on?

Deputy H. Miles:

Yes, again, I thank the Deputy for his question. As a result of this question coming forward, I have done a little bit more research. One of the issues that I think is potentially problematic in Jersey is not having the short form of death certificate, which means that the death certificate that is presented to the family, perhaps for probate purposes to take to the bank, to take to D.V.S. (Driver and Vehicle Standards), contains the narrative verdict of the circumstances of the suicide. I can understand that that would be very, very distressing for families. Indeed, earlier this morning, I did have the opportunity to discuss this with the viscount, and I can give the Deputy my assurance that actually we will be looking at this. Obviously, there has to be an official record of death but that does not mean to say that the certificate that proves a person is deceased necessarily has to contain all the information pertaining to their demise. So I hope that satisfies the Deputy.

3.6 Deputy M. Tadier of the Minister for Social Security regarding a review of Home Care's Allowance (OQ.8/2024)

Will the Minister commit to reviewing the eligibility requirements for home carer's allowance, including the rules around a claimant's contribution record and non-qualification if the claimant is in receipt of an old age pension; and if not, why not?

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

I thank the Deputy for his question. One output of the high-level review of social security benefits undertaken last year was a recommendation to investigate potential changes to contribution rules for all benefits, including home carer's allowance. This work is scheduled to take place later this year. Home carer's allowance was the subject of a discussion with Deputy Barbara Ward at a Health and Social Security Panel Scrutiny hearing in September 2023. As Deputy Ward recognised then, the rules in relation to overlapping benefits, which do not allow someone to receive more than one contributory benefit from the Social Security Fund, are a fundamental principle of the social security system, and I have no plans to change those. However, as I explained to the Deputy then, I am committed, during my time of office, to looking in more detail at the support that is offered to carers and how that support is delivered. That will include those claiming home carers allowance. In addition, a review of the sustainability of the Long Term Care Fund is also included in my delivery plan for 2024. All carers play a vital role in our Island and since taking office, myself and the Assistant Minister for Social Security have worked to have a better understanding of the challenges they face. This year I will be implementing the new care needs at home benefit, which will look to provide extra financial support to low-income families where care is being provided at home. Following the Assembly's decision in December, we will develop a new scheme to provide financial support to parents who have children with terminal and life-limiting health conditions. I will also be lodging changes to extend home carers allowance to parents who are caring for more than one child at a care level lower than the current H.C.A. (home carer's allowance) threshold. In my discussions with carers and care-focused organisations, recognition and practical support, such as respite, appear highest on the list of things which carers want. To that end, I will continue to work with other Ministers to improve practical support available to the Island's carers. I am aware that many Members are interested in this issue. However, it is a very complex issue and one that will take time to properly investigate.

3.6.1 Deputy M. Tadier:

I thank the Minister for the full answer. I take that as a yes in the roundabout that she will commit to reviewing it. Does the Minister agree that we should not really be classing social security pensions as ordinary benefits but contributory benefits, because they are something that an individual has paid into over many years? So it is effectively largely their money. Does she therefore also agree that it would be wrong to say that if somebody is a carer and happens to be a young pensioner looking after perhaps an older pensioner, that they should be treated any differently to somebody who is still in work?

Deputy E. Millar:

I think there is a continuing misunderstanding about the nature of the social security pension. In paying into the Social Security Fund, nobody is creating a pot of money that is reserved for them. It is effectively an insurance scheme you pay in during the course of your working life, and at the end your years of contribution record then develops your pension. When we pay in, we are paying for a whole number of things. We are paying to fund other pensioners' pensions. For example, monies that we are paying in now will go to paying pensions. We pay for long-term incapacity, sickness incapacity benefits, short-term incapacity benefits, and things like home carer's allowance. As I say, it is a complex area and the issue with pensioners, if you become a carer, once you receive pension age there is no question that you will not receive home carer's allowance because that is a working-

age benefit. There are concessions available for people who are already receiving home carer's allowance when they become pensioners, and they do not lose any funding. They receive the funding that they would have received and the basic rules apply to everyone that only one benefit is payable. The issue about no carer, very few carers are asking me or telling me that they want payment for looking after their relatives.

3.6.2 Deputy C.D. Curtis of St. Central:

My understanding is that the care needs at home benefit has been worked on for a number of years. Could the Minister tell us when that might be in place and give us some details?

Deputy E. Millar:

I thank the Deputy for her question. Yes, I agree that the care needs at home project has taken longer than we would all have liked. However, after some delays, it has really taken on ... it has been a focus of last year, continues to be a focus. We will be rolling it out by quarter 3 this year at the latest, but we certainly aim to have it rolled out much sooner. We had initially proposed a small pilot version but we have decided that rather than add an extra pilot into the process supporting a small number of people, we will go straight to the benefit ... we will go straight to launching the scheme. I consider that to be a positive. The care needs at home benefit will aim to support lower income families by meeting the additional costs of caring for someone at home. So, for example, if someone is being cared for, there may be extra fuel costs because they need more heating. There may be extra costs such as regular washing. They may need more consumables. They may need speciality foods. So the care needs at home project will aim to cover those costs or some of those costs for relevant families. My team really are working very hard to bring that in as soon as we can.

3.6.3 Deputy C.D. Curtis:

I thank the Minister for answering that. Just to confirm, this will be a means-tested benefit?

Deputy E. Millar:

Yes, it will target particularly lower-income families.

3.6.4 Deputy M. Tadier:

There are members of the public out there who do believe that a carer's allowance should be paid even when you are a pensioner in receipt of a social security pension. I have a constituent who has not left the Island for 7 years. I do not know if we can imagine quite a thing, not having left Jersey for 7 years. She says, quite simply: "I think that home carer's allowance should continue when you receive your pension, as nothing has changed and you are still caring for that person." Does the Minister not agree that if somebody is providing care for another person, they should be eligible for carer's allowance and it should be that simple? Would she commit to be open-minded in that respect during the course of her review?

Deputy E. Millar:

I am open-minded, but I think we have to remember that it is not just about home carer's allowance. The Social Security Fund has developed over decades that people pay in one set of contributions and receive one benefit. To give pensioners 2 benefits because they have caring responsibilities, would put them in a preferential position to someone, for example, of working age who is not working but is caring, and they will receive more money than that person who only receives home carer's allowance. We have to consider all sectors of the community and all carers, and it is a very difficult thing simply to focus on pensioners. I would also emphasise that any pensioner who is caring for another pensioner, for example, if the person cared for meets any of the personal care requirements, they will themselves qualify for long-time care. I would encourage anybody caring for a relative who is older to speak to the long-term care team at C.L.S. (Customer and Local Services) to make sure that they are receiving long-term care where that is applicable to them. Long-term care does

cover things like respite, it covers carers' respite, so it would enable a person such as the Deputy's constituent to have support to leave the Island by providing respite for the person that is being cared for. There are multiple sources of support and anyone in that position I really can only encourage to speak to the Pensions and Care team at C.L.S. Thank you.

3.7 Deputy S.Y. Mézec of the Chief Minister regarding the recent report from Jersey charities on foodbank usage (OQ.11/2024)

Has the Council of Ministers accepted the conclusions of recent reports from Jersey charities that foodbank usage has reached record levels; and what plans, if any, does the Government have to resolve this situation?

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

Ministers acknowledge that local foodbanks have reported high levels of demand in recent months. It is not possible to confirm if foodbank usage has reached record levels, as there is no agreed method for recording usage and each foodbank runs independently. The 2022 and 2023 Jersey Opinion and Lifestyle Surveys included questions for Islanders receiving charity support of all kinds. In 2023 this section specifically asked about foodbank usage for the first time, with 2 per cent of respondents replying that they had used a foodbank at some point. Local charities play a valuable role in providing practical support to Islanders in many ways. The Deputy Chief Minister and I visited the Salvation Army just before Christmas to see first hand the services offered and to discuss areas where Government can support charities. We will continue to work closely with foodbanks and other local charities to understand and support the needs of their clients.

[10:30]

3.7.1 Deputy S.Y. Mézec

Is that really the Government's strategy that it will help foodbanks to continue to provide support for these people rather than eliminate the need for them to need that support in the first place?

Deputy K.L. Moore:

The Government's strategy since the beginning of our term of office has been to meet the needs of Islanders and to focus on the cost of living. That is why we brought a mini-Budget. That is why we brought forward measures in our Government Plans to support Islanders. I can list a number of them, if Members need reminding. We have a temporary reduction in social security contributions of 2 per cent, we brought that in in September 2022. The Community Costs Bonus was doubled to £516.50 and we have continued that through into this year. We guaranteed a £70 a month cold weather payment for 2023 and 2022, and minimum wage, of course, increased in September in our mini-Budget to £10.50. That support continued in 2023. Income tax thresholds and allowances increased by 12 per cent. Alcohol and fuel duty was frozen for 2023. A 10.4 per cent annual rise in income support components from January 2023 gave extra help for private sector tenants. A £20 reduction in G.P. (general practitioner) surgery visits. I go on. Changes to G.P. prescribing rules to reduce the number of visits needed to receive regular medication. Free G.P. surgery visits for all under-18s. Health Access Scheme £12 for G.P. surgery visits for low-income groups. The expansion of the Pension Plus scheme, which helps pensioners with dental, optical and chiropody costs. Additional support for winter 2023 and 2024 with £70 a month guaranteed cold weather payment to low income pensioners and some income support claimants. We have increased the Christmas bonus to £114 in 2023 and the Community Costs Bonus, as I mentioned earlier, was maintained at £516 per household. For this year, income tax thresholds have increased ...

The Bailiff:

Chief Minister, we have reached 30 seconds longer than the normal 1 minute, 30 seconds allowed for an answer so I might just ask you to bring your answer to a close.

Deputy K.L. Moore:

Yes, Sir, I have 3 more points to make. Our measures for 2024. We increased income tax thresholds to £20,000 for single people and to £32,050 for married and civil partners. Income support rates increased by 8.6 per cent, which is just under a 20 per cent increase in 2 years. Minimum wage rate went up to £11.64 on 1st January, that is a 26 per cent increase since June 2022. Finally, the Health Access Scheme, £12 fee for G.P. visits maintained for the whole of this year. I thank Members for their patience.

3.7.2 Deputy R.J. Ward:

It is good to see so many Reform policies being quoted there. Can I ask the Minister, if there is a situation where because of a repayment of an overpayment caused by a delay in social security or an element of social security, those people have then been driven to foodbanks, is not a simple solution to simply not recover those payments because it is counterproductive?

Deputy K.L. Moore:

I believe that that particular matter is the subject of a Scrutiny review and one that we need to ... we are grateful for the recommendations, we are and we will work to improve on that response.

3.7.3 Deputy R.J. Ward:

Indeed, it was a recommendation that was rejected by the Government. I would ask the Chief Minister to look again at that recommendation and to act upon that, because that is one of the reasons that foodbanks are becoming an integral part of this Government's policy for those who are least able to pay and survive on the Island. Will the Minister look again at that and perhaps act on that particular issue?

Deputy K.L. Moore:

I will, yes.

3.7.4 Deputy L.V. Feltham:

Could the Chief Minister confirm whether or not staff at Customer and Local Services are referring people to foodbanks when the States benefits do not meet their needs?

Deputy K.L. Moore:

That is not a question that I can answer from my role, I am afraid.

3.7.5 Deputy L.V. Feltham:

Given the high numbers of people that are using foodbanks, would the Chief Minister concede that that is proof that the current benefits system is not fit for purpose and needs immediate attention?

Deputy K.L. Moore:

I referred earlier in my rather lengthy answer to the increases in income support payments that have been met over our terms of office. Those are increases of 20 per cent over the period. We have been doing our best to respond to the needs of Islanders. We continue to do that. We are fully focused on it. The cost of living is an issue for all Islanders. It was one of our areas of relentless focus and it remains a priority for this year and beyond.

3.7.6 Deputy S.Y. Mézec:

Can the Government provide an explanation as to why, with all of the things that the Chief Minister listed in response to an earlier question, charities are reporting a rise in the usage of foodbanks? Is that not a sign that the cumulative effect of those policies is not working?

Deputy K.L. Moore:

In any situation, and particularly when under strain and difficulty as we can see many Islanders are in, of course we do our best. We implement proposals, policies and changes. That is what we have done and we continue to review those, to consider those and if they are not meeting the needs of Islanders in any way, then of course we revert to that, we respond, we continue to improve. One of our values as a public service is always improving and we are committed to doing just that.

3.8 Deputy R. J. Ward of the Assistant Chief Minister with responsibility for Digital regarding contracts with Fujitsu (OQ.7/2024)

Will the Assistant Chief Minister state whether there are currently any projects under development or that are contracted to Fujitsu who are currently involved in the Post Office scandal in the U.K.?

Deputy A. Curtis of St. Clement (Assistant Chief Minister with responsibility for Digital):

There are no projects currently under development by the Government of Jersey that are contracted to Fujitsu.

3.8.1 Deputy R.J. Ward:

Just one supplementary question. Are there any existing projects or historic projects that were taken out with Fujitsu that are currently being paid for by the Government?

Deputy A. Curtis:

We have no record of projects being delivered by Fujitsu historically. We do have records between 2005 and 2015 of a small spend of £50,000 with Fujitsu. As we are aware, there are scanners and hardware such as laptops in our estate but that is as far as our records go and we have no projects historically that we can find.

3.9 Deputy M.R. Scott of the Minister for Sustainable Economic Development regarding a consultative group for policy development in relation to the medicinal cannabis industry (OQ.9/2024)

Will the Minister advise whether his department has, within the last 2 months, contacted any businesses in the Island with an interest in the medicinal cannabis industry with a view to forming a consultative group for policy development in this area; and if so, what mechanisms are being used by his department to ensure that all businesses in the Island with such an interest are contacted and are fairly represented?

Deputy K.F. Morel of St. John, St. Lawrence and Trinity (The Minister for Sustainable Economic Development):

I thank the Deputy for her question. The department has not formed a consultative group for policy development in this area. I have set up such consultative groups in the past, for example, the formation of the Visitor Economy Steering Group but I have not in the case of medicinal cannabis. However, officers were approached by a local medicinal cannabis company requesting an introductory meeting between myself, officers and producer representatives of the newly constituted Jersey Cannabis Advisory Board. The Jersey Cannabis Advisory Board is an independent, industry-led producer group comprising of businesses currently licensed to cultivate medicinal cannabis in Jersey. It is not funded by Government, therefore current and future membership and terms of reference are a matter for the members of the Jersey Cannabis Advisory Board.

3.9.1 Deputy M.R. Scott:

To what extent is the Minister aware of policy officers consulting with the Jersey Cannabis Advisory Board in making its policy.

Deputy K.F. Morel:

I am not aware of officers in Government making policy for the Jersey Cannabis Advisory Board. The Jersey Cannabis Advisory Board's policies are their own to decide.

3.10 The Connétable of St. Brelade of the Minister for Justice and Home Affairs regarding the use of facial recognition systems at Jersey ports (OQ.5/2024)

Given that the U.K. is developing electronic gates which will use facial recognition to process arrivals into the country, will the Minister advise whether any consideration has been given to implementing such systems in Jersey ports; and if not, why not?

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

I thank the Connétable for his question. The Jersey Customs and Immigration Service have already been liaising with the Home Office, who are leading this as part of the future border immigration system going to be known as F.B.I.S. (Further Border and Immigration System). The development of a digital border is a key component of F.B.I.S, and facial recognition is an element of this. In an Island environment, we need to consider the security of our border but also the customer experience of the travelling public and the financial implications of this, and indeed other digital initiatives that will contribute to a future digital border. Any implementation in Jersey of F.B.I.S. will reflect good practice of biometric privacy concerns and also compliance with applicable data protection legislation.

3.10.1 The Connétable of St. Brelade:

I would be interested to know if the Minister considers whether this system would ease the passage of French nationals coming to the Island for short trips, which he presently has an exemption but it would seem to be a more permanent solution.

Deputy H. Miles:

I think we have to think very carefully about which bits of F.B.I.S we introduce into Jersey. We are actually a very small jurisdiction. It is not only security but it is passage of passengers that has led to sort of electronic gates in the United Kingdom. So I think all I would say to the Connétable is that we would keep this under advisement.

3.10.2 Deputy B.B. de S.DV.M. Porée:

This may actually be a bit of a premature question to the Minister, but has the Minister at this moment in time got any idea of how much it would possibly cost to implement such a system in the Island?

Deputy H. Miles:

At this point in time, I do not have any indication of what the cost may be but we do need to bear in mind that as we are part of the Common Travel Area. Much of the digital technology is provided to us by the Home Office, and it may well be the case that elements of the F.B.I.S programme go the same way.

3.10.3 Deputy M.R. Scott:

Will the Minister be publishing the policy regarding the protection of such data and its potential use in other aspects of surveillance?

Deputy H. Miles:

I thank the Deputy for the question. There is no doubt in my mind that we are considering facial recognition for the future border immigration system and not for wider C.C.T.V. (closed circuit television) or facial recognition use. So alongside the implementation of that particular system, as I have already said, there will be a policy that will reflect good practice for biometric privacy concerns.

3.10.4 The Connétable of St. Brelade:

I would just ask the Minister to confirm what she said earlier on, whereby she confirmed that she will continue to press the English Home Office to pay for an electronic system, which we may implement in the Island?

Deputy H. Miles:

As part of the Common Travel Area, we share common technology and there are processes and procedures in place for sharing that cost.

The Bailiff:

Very well, that brings questions with notice to an end. We now move on to the 3 periods of questions without notice.

4. Questions to Ministers without notice - The Minister for the Environment

4.1 Deputy S.G. Luce of Grouville and St. Martin:

It was recently announced by Government that it is bringing to an abrupt halt the subsidies for electric vehicles car parking. Did the Minister agree with this decision?

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

Yes, I did and I, in fact, consulted with the former Minister for Infrastructure. We had considerable discussions around this. The question that we have to face here is a complex one and it relates to the fact that as we increase the uptake of electric vehicles then the tax take will change according to different ... as we reduce our dependence on fuel duty and so on.

[10:45]

It would also be the case that in the case of car parking that if we keep paying for the free car parking for all electric vehicles under all circumstances then the Car Parking Trading Fund, which pays for redevelopment of the car parks and so on, will get less income. We did not, however, rule out the possibility for having further incentives in terms of car parking for electric vehicles. We simply said that it would no longer be paid for out of the Infrastructure budget. The opportunity still exists for us to come forward this year with an alternative scheme paid for out of the Climate Emergency Fund. That is something we will consider, but we will obviously consider it in the light of all the other competing demands on the Climate Emergency Fund.

4.1.1 Deputy S.C. Luce:

Given the urgency and need to reduce carbon emissions, did the Minister think this was sending out the right message? I mean, he has mentioned the Climate Emergency Fund; I agree that in some way that should certainly be looked at. It is there to be a source of expenditure for projects tackling the climate emergency. Did he also consider the option of phasing out or reducing the subsidy?

Deputy J. Renouf:

We looked at various options, and this is indeed a phase out because we have agreed one more year for this scheme. As I say, it keeps open the option for us to consider extending the scheme or perhaps having more targeted schemes. There have been interesting suggestions to me since we made the announcement about how we might target the scheme, particularly on, say, particular car parks that are underused or whatever and use that to change behaviour. I think that would be good. Does it send the right signal? Well, I think we have that difficult balancing act when we are encouraging a transition like this of when do we start withdrawing subsidies. When is a critical mass reached where the change we are asking for may begin to happen anyway? I think that is something we keep under review. We still have other incentive schemes in place in regards to electric vehicles, and those also need to be kept under review. So I think this is a balancing act. I will continue to listen to

representations and to the debate on this. I think it is a good debate to have and I will be more than happy to continue that debate, because we do have this year to potentially put in place another scheme.

4.2 Connétable A.N. Jehan of St. John:

Has the Minister sought any assurances from the Chief Minister that he will retain his current responsibilities for planning matters if P.1 is not successful and, if so, has that assurance been forthcoming?

Deputy J. Renouf:

The Chief Minister has, of course, the perfect right to consider the distribution of portfolios between Ministers and the responsibilities that accrue to them. These things are debated in the Ministerial team. I can say that I know there are no current plans to move the portfolio and the matter, I am sure, will remain under review. I would also say that the way that we try and resolve these things is through discussion, and those discussions happen. I also would say that I am committed to trying to find collective ways forward on this. I know that we have agreed that we will have a Council of Ministers' session on planning to look at all Ministerial inputs into that so that we come to collective positions. This is not just a matter for me and the Chief Minister. I think I can give those reassurances to the Connétable.

4.2.1 The Connétable of St. John:

Has the Minister had to make any concessions to retain the support of the Chief Minister?

Deputy J. Renouf:

I would not say concessions because that implies that I had been under some kind of pressure. I think we have had constructive discussions. How you want to characterise those is a matter of linguistics. I have outlined the position we have at the moment. I think it is a position that shows that in Ministerial Government we engage in constructive discussions. That will always be my preference to try and find a constructive way forward. I believe in this case we have found a constructive way forward and I am very happy to support it on that basis.

4.3 Deputy M. Tadier:

Will the Minister clarify whether or not the home energy service or the home energy audits are still being offered by his department; and, if not, why not?

Deputy J. Renouf:

I hope the Member will forgive me for looking through my notes because it is something that I have to get the actual position correct. So, yes, the home energy audit subsidy has actually been very, very successful. It has seen a dramatic increase in uptake and it remains the case that, for example, a valid energy performance certificate is needed to be eligible for the low carbon heating incentive. It has now exceeded the target of 800 incentives that were planned to be delivered under that subsidy. So we have to consider what we are going to do with it. In fact, there have been 1,360 home energy audits under that scheme, so considerably above the target. So we will gradually decrease the funding available until the energy performance certificates become mandatory. The first decrease will happen on 1st March this year, where the amount will decrease from £200 to £100 for one to 2-bedroom properties and from £250 to £150 for properties with 3 or more bedrooms. We plan to reduce it by a further £50 on 1st January next year..

4.3.1 Deputy M. Tadier:

So on the one hand there is a partial subsidy for getting your home audited to see if it is efficient for energy but in 2012 there was a rollout of a free home insulation scheme, which was means tested, that allowed actually people to be able to insulate their homes. Could the Minister clarify, currently

if you get an audit done for your home and you realise that the home is very energy inefficient and it leaks heat, what does one do then if one has no money to fix the home? Is there an insulation scheme that you can apply to?

Deputy J. Renouf:

Through the carbon neutral roadmap, we have been providing incentives to decarbonise homes, the electric heating incentive, and that can include measures for insulation as well. In fact, that is the point of doing the energy performance assessment before you do allocate the grants is to work out what is the most cost-effective measures that can be put in place. Obviously that will hopefully include decarbonising the boiler but it will also include the energy performance measures in many cases because in order to make the value proposition work, in other words in order to make sure that the consumer gains lower bills, the insulation is also important and that is included to ... I am afraid I do not have the figures off the top of my head, the exact amounts, but there are many amounts in that heating incentive to do that.

4.4 The Connétable of St. Brelade:

Developing on from the point made by the Connétable of St. John regarding portfolios just now, it has been suggested that the transport element of the infrastructure portfolio would move to the Minister for the Environment's area. Could the Minister tell the Members if that is the case and what will be the advantages?

Deputy J. Renouf:

As I have said, the Chief Minister is in charge of moving portfolios, not me. I will say this, it is certainly not something I have requested. I do not think there is a current plan to do so. You are probably best off directing that question to the Chief Minister, but the portfolio I have is one with which I am comfortable. But, as I say, I think that these things should be kept under review; it is sensible to keep them under review. These things should be considered not just in the case of one portfolio but they should be considered in the light of all the portfolio responsibilities, and that is a sensible way to do it.

4.4.1 The Connétable of St. Brelade:

Notwithstanding personalities involved, would the Minister agree that the synergies with his department are less attractive than those of transport with the Infrastructure Department, whereby a lot of the Island's infrastructure is under the roads and they seem to be inexorably linked? Would he agree that it is probably not the best idea to split it out of infrastructure?

Deputy J. Renouf:

I think, as with all these things, there are arguments both ways. Certainly at the moment the transport portfolio is integrated well into the Infrastructure Department and that should be a significant factor. It is also the case that we have a sustainable transport policy that is designed to have significant impacts in terms of net zero and so on, and that might be considered to be something that is an environmental issue. My own view is that these 2 things sit at the moment in the same department, Infrastructure and Environment, therefore there is already the capability to work reasonably well together in those overlapping areas. But, as I say, I think it is something that should be reviewed all the time. Those sorts of questions of delivery of services and of policy are live discussions. We should always be keeping a relatively open mind about how we organise those portfolios.

4.5 Deputy M.R. Scott:

Has the Minister done any work in terms of addressing the potential conflict of having the Environment and Infrastructure Department combined under one chief officer?

Deputy J. Renouf:

I think this question, if I may make an assumption, refers to the planning element of the portfolio. When that department was created, my understanding is that very clear boundaries were put in. The group director of regulation post was created and walls were put in place to ensure that the chief officer did not and could not instruct or influence the group director on issues of planning decision-making and related matters. So the issue has been addressed. If the wider question is addressed, should there be separate portfolios anyway? I think, on balance, my view at the moment would be that they should be separate. However, I am not racing to make that change. My experience of organisational changes in my previous life was that by far the most important thing to achieve efficiency and delivery was to have the right people following clear policies and motivated to do so. That, rather than organisational change, was the best method of achieving success. But if you were asking me whether I would support that, on the balance at the moment I would support splitting the departments and having separate departments but I remain reasonably open-minded about that and would listen to the arguments when we came to consider it.

4.5.1 Deputy M.R. Scott:

What knowledge does the Minister have with respect to the working of ethical walls? To what extent does he believe that the public itself has confidence in the current arrangement?

Deputy J. Renouf:

Two very different questions there. I have some knowledge of those walls, because it frequently comes up that we have issues where, say, the Infrastructure Department is an applicant in a situation and obviously the Planning Department will be determining that application. In my experience, those walls work. They work well and I do not have concerns around them. The question of whether the public has confidence is a good one. There are many aspects ... planning is, of course, highly controversial in many different respects and there is a continual need to explain the situation with regard to all different aspects of planning policy, planning determinations and so on. It is possible that that is something that, as Minister, I should give more attention to. I cannot answer whether the public have confidence in that particular aspect of the split between environment and planning determinations. My guess would be that it is not something the public consider on a regular basis.

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

Please could the Minister remind us of the timetable for energy performance certificates?

Deputy J. Renouf:

I think, with the greatest of respect, I did that. I am slightly reluctant to use up question time repeating myself but the home energy ... sorry, I should seek clarification. Does this question relate to the home energy audit subsidy that I spoke about?

Deputy A. Howell:

No, it was just about whether we are going to carry ... the intention is to have energy performance certificates for everyone who is intending to buy or rent and what the timetable is, please?

Deputy J. Renouf:

We announced last year that we were removing or, sorry, postponing the intent to require energy performance certificates. Sorry, yes, I will have to clarify that actually. I am getting confused in my mind between the energy performance certificates and meeting the standard. I think what I can say is this. The ...

The Bailiff:

I am afraid the time has run out for questions to you, Minister. It is not generally I have started so I finish, I am afraid.

Deputy J. Renouf:

I apologise. If I may say, I will clarify the matter with the ...

The Bailiff:

Yes, you are indicating you will clarify it further outside the Assembly. Yes.

[11:00]

5. Questions to Ministers without notice - The Minister for External Relations

5.1 Deputy M.R. Scott:

Could the Minister please provide an update on the position of the Island with respect to pressure from the U.K. for the Island to make registers of beneficial ownership public and whether the European Union have confirmed Jersey's data protection laws are acceptable to it?

Deputy P.F.C. Ozouf of St. Saviour (The Minister for External Relations):

I am delighted to answer the first question that I have done in 6 months since coming back, and I am grateful for Members and the Scrutiny Panel. The chair asks really 2 important questions on beneficial ownership. The position the Island has taken is a leadership position. We are the only and first jurisdiction with a vetted and verified beneficial ownership register accessed by law enforcement agencies. It was, as the Deputy rightly says, the subject of a parliamentary discussion in the House of Commons by Dame Margaret Hodge. Some issues were raised. What I can say is that the position, the Island's position, on beneficial ownership registers is that we should not make them public. However, we will and have committed to allow potentially legitimate interest. Legitimate interest is an important issue both for relations with the U.K. and the E.U. (European Union). It is something that Ireland and Luxembourg have followed and we will be working, and I will be working, with the Minister for Financial Services on that and the Minister for Treasury and Resources in relation to that issue. On that data protection issue, I can say to the chair that I understand that we received yesterday, or in the last couple of days, compliance of E.U. data protection across the E.U., which is of huge benefit to the Island after a number of years.

The Bailiff:

Supplemental question, Deputy Scott.

Deputy M.R. Scott:

No, Sir, I will let others speak.

5.2 Deputy M. Tadier:

On 18th February 2003, the States Assembly debated and approved P.12/2003, which agreed that the Assembly would oppose the then imminent invasion of Iraq by the British and American forces. Does the Minister for External Relations envisage a scenario ... just to add that, of course, that was considered in order. Does the Minister for External Relations envisage a situation where the Assembly could be asked to make a similar decision about the Israel attack in Gaza, which is killing tens of thousands of civilians, including women and children, which some are calling a genocide?

Deputy P.F.C. Ozouf:

I am grateful for the Deputy's question. I recognise absolutely that we are living in a world of conflict. We are living in a world of conflict when we say about Israel and Palestine and we have seen recently the issues in Yemen, which are linked to that. Members will be aware, as stated in our

common external relations policy, that we seek to promote Jersey's international identity, we seek to be a responsible community but we are under the U.K. position in relation to foreign policy. We can make our views known and we do so, but, ultimately, the constitutional position is one that the U.K. Government is responsible for our international relations and military action, such as been taken recently. We can express a view and we do so forthrightly, and I do so in my role in various places. In fact, I did so in Rwanda over the weekend on a private visit.

5.2.1 Deputy M. Tadier:

While that is true, Jersey is increasingly wanting to find its international voice and speak for itself. Of course, we know that the Assembly can make its own voice heard. We have a situation whereby we do live in a world of conflict but the U.S. (United States) seems to side with one particular party and it is the only country in the whole of the U.N. (United Nations) that has voted against a ceasefire, with the U.K. abstaining and therefore tacitly supporting U.S. foreign policy. Is it satisfactory that Jersey, with its own Assembly, with potentially its own voice ...

The Bailiff:

Could you pause, Deputy, I am not sure we are quorate. Twenty-four, we are not.

Deputy M. Tadier:

Are we counting online, Sir?

The Bailiff:

Oh, and we have a number online. Thank you for that, Deputy. Yes, very well, please do continue. Trouble is out of sight, out of mind sometimes.

Deputy M. Tadier:

The question is, given the fact that the U.S. and the U.K. cannot speak for us in Jersey, is it legitimate, and even desirable, but certainly, is it legitimate that this Assembly should have a say on what we think the U.K. should be doing in the region?

Deputy P.F.C. Ozouf:

I absolutely understand what the Deputy has said and I respect that individual Members of this Assembly and our community may hold different views. That is why we have concentrated locally ... having said those constitutional positions that we focused very much on the local message of solidarity and peace and the importance of that. That is why the unity statement that we did very visibly ... I attended the mosque and the Jewish community at their weekly event as well as Christian communities. What I would say is that in supporting a ceasefire we would go beyond the U.K. Government policy and indeed that of the opposition party in the U.K. who have decided to support the humanitarian pauses. I am well aware that these issues are of personal interest to many Members. We can express our views but ultimately the constitutional position is as I said. That does not stop us from having the freedom of speech and Members asking questions, as the Deputy has rightly done.

5.3 Deputy M.R. Scott:

Thank you for allowing me to have just another one. I just would like to ask the Minister, has he been looking into these media reports about potential loss of A.T.O.L (Air Travel Organisers' Licensing) protection for Jersey residents when holidaying abroad?

Deputy P.F.C. Ozouf:

Yes, that is a very relevant question to External Relations because I am advised ... and the chair would expect me and indeed other Members to be on the case. What I have found out last night is that this is a civil aviation matter. It falls within the Department of Transport in the U.K. The scheme of A.T.O.L is under a U.K. regulation passed in in 2012, it has been updated and it does say that the

A.T.O.L scheme, at a fee of £2.50, is available to U.K. residents currently. So that means inbound arrangements for the majority of people that are buying package holidays are secure. What is not clear, and has not been for some time but we will now clarify, is the position of the C.D. (Crown Dependencies) residents. It was assumed that they were included in it. It is a good example of a U.K. law, a U.K. regulation that affects Jersey and that interpretation is that it is not covered. We now know that situation. Officials met yesterday and I will be working with the Minister for Sustainable Economic Development in order to understand that issue, because it seems as of today that C.D. residents who are paying the £2.50 might not be in future covered by package holiday if a business went bust. I will keep Members updated on what I find out, but that is the news that I have of yesterday.

5.4 Deputy M.B. Andrews of St. Helier North:

Can the Minister for External Relations confirm whether he is in communications with any other state regarding bilateral investment treaties?

Deputy P.F.C. Ozouf:

It is a good job I have my notes because that is a very good question. We have a number of agreements that this Minister for External Relations, with other Ministers, is dealing with. Bilateral investment treaties are being, I can say, advanced with ... we are the only Crown Dependency to actually have the ability to do bilateral investment treaties and there are a number of them being advanced. I am looking for the list of them. If I cannot find them, I will give them ... Rwanda is one. There are a whole range of issues. I think probably the best thing I can do is I publish the list. I think it is in the department's annual plan of exactly which ones have F.T.A.s (free trade agreements), bilateral investment treaties, D.T.A. (double taxation agreements) that we actually are dealing with. I know that we have a D.T.A. with Ukraine underway. Israel has one. Also there are a number of these agreements and bilateral investment treaties are an important signal of confidence between 2 jurisdictions about investment. I will publish the list after today.

The Bailiff:

Does anyone else have a question for the Minister for External Relations? If no one else has any questions for this Minister, then this period of questions is over and the remaining question time is allocated to questions to the Chief Minister.

6. Questions to Ministers without notice - The Chief Minister

6.1 Deputy C.D. Curtis:

Could the Chief Minister provide some details to the States Assembly on the £30 million of cuts which she announced to the Chamber of Commerce last week?

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

It is important as a Government that we ensure that our spending is balanced and wise, but sometimes our appetite to do things and deliver is bigger than our ability to achieve them. We are therefore taking a look at our list of particularly capital projects and ensuring that we have both the ability to deliver them and that we can, where possible, return money to our Stabilisation Fund to ensure that our finances are secure and sound in the current global situation.

6.1.1 Deputy C.D. Curtis:

That is a no, then. Does the Chief Minister think it is good practice to announce changes, potential changes, to the Government Plan to outside organisations before informing the States Assembly?

Deputy K.L. Moore:

This is a commitment to put money back in our Stabilisation Fund and we are confident that we have a way of doing it. For years and years, the successive Governments have set out plans to deliver large projects and they have not been achieved. We are simply being realistic about what we can achieve and ensuring that we maintain stable finances.

Deputy S.Y. Mézec:

Sir, can I raise a point of order, please? That question did not directly address the ... sorry, that answer did not directly address the question that Deputy Curtis had asked, which is about the appropriateness of these announcements coming outside the Assembly. The answer the Chief Minister gave was a justification for the policy, not how the policy was transmitted. So it was not relevant.

The Bailiff:

Thank you very much for that. That is true, Chief Minister, you were asked about the mechanism for delivery of the information as opposed to the content and justification of the information itself.

Deputy K.L. Moore:

Of course, Sir. I was simply pointing out that for years and years there has been a cycle of listing projects and not always completing them. I am happy to brief Members when we have a firm position and I would like to do so. In fact, I look forward to being able to do so.

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

My colleague asked a part of the question I wanted to ask so I will switch. In the statement made to highlight the priorities for the next year, the Chief Minister said that she would want to bring the funding to Fort Regent. How is she intending to do that?

Deputy K.L. Moore:

When we entered Government there was a plan for Fort Regent. It was a plan that was unaffordable, unachievable and undeliverable so we have spent some time considering, firstly, the condition of the building, its structure and its soundness. Those are the first things to do and once we are assured of that then we are considering the way forward to ensure that this vital piece of infrastructure, a place where Islanders enjoyed fun activities for a variety of reasons, a place where visitors to the Island could find entertainment on wet weather days. We want to get back to that position and we believe that working with our partners we can find a simple opportunity to improve that piece of infrastructure and revive it so that it can be that place of fun that it once was for so many Islanders.

6.2.1 Deputy R. Kovacs:

When does the Chief Minister think would be the soonest Fort Regent would be in full use again?

Deputy K.L. Moore:

That will be dependent upon achieving the plans, ensuring that the structure is sound. We are still waiting for the final report and then being able to deliver it. There is not a fixed date at the moment, but what is important is having a plan and then working out how one can deliver it.

6.3 Deputy S.Y. Mézec:

The Government Plan made it barely a week into its time before being unilaterally changed by the Chief Minister without reference to the Assembly that had only approved it just days before. Could the Chief Minister inform the Assembly very specifically when she decided that the spending in capital projects and funding allocated to the Strategic Reserve, which this Assembly had approved just days previously, was not her intention to abide by?

[11:15]

Deputy K.L. Moore:

The Government Plan was supported by a majority of the Assembly, a strong majority of the Assembly, and I hope that we will continue to hold that majority today. The finances are a constant source of our interest and as the year comes to an end it is an opportunity to take stock of our position and that is what we are doing, and through not carrying forward monies we believe that we should be able to shore up our Stabilisation Fund and provide the public with reassurance that our public finances are being well cared for into next year and beyond.

The Bailiff:

I think the question, Chief Minister, was as to the timing of the announcement you made outwith the Assembly and when you had formed the view that that was an announcement that could be made in light of the adoption of the Government Plan. Can you assist with that?

Deputy K.L. Moore:

It is an ongoing process of considering our position and considering how we move forward. There are quarterly reports and everybody will have noticed the year came to an end. That is a time to take stock of our financial position and how best we move forward as the year begins.

6.3.1 Deputy S.Y. Mézec:

I guess it will just be a repeat of the first question because we are still none the wiser on when that decision was made. Can the Chief Minister give us a date?

Deputy K.L. Moore:

We conducted a discussion in a Council of Ministers meeting last Tuesday.

6.4 Deputy M. Tadier:

Will the Chief Minister confirm whether at any point in the last few weeks she had considered changing her Minister for the Environment and Assistant Minister and in fact will she confirm whether she had been in talks with other Members of Cabinet to offer that job to somebody else?

Deputy K.L. Moore:

Part of my role is to keep a constant watch that we are meeting our priorities and that we are progressing on what is both important to Islanders and what we have committed to do in our delivery of plans. That sometimes means flexing the team, ensuring that they are well positioned, and that is something that we talk about openly and we consider. It would be wrong if I did not.

6.4.1 Deputy M. Tadier:

Does flexing the team mean maybe sacking somebody and getting somebody new in, and could she clarify what that word means?

Deputy K.L. Moore:

It means simply that. That is something that is a matter for consideration in all areas, all of the time, and I am very comfortable with the team I have around the Council of Ministers' table. I think we have a talented group of people. I think Islanders generally see that we have the most talented, it is often said publicly, group that the Island has had for a very long time. We have 2 PhDs (Doctor of Philosophy), we have one M.B.A. (Master of Business Administration), we have 2 accountants, one lawyer, a considerable talent, and my job is to ensure that they are all both meeting their talents and delivering on our agenda for the public.

6.5 Deputy L. Feltham:

Could the Chief Minister explain to the Assembly what went wrong within the government planning process that meant the Government put forward a Government Plan that only weeks after its approval they are now saying is unachievable?

Deputy K.L. Moore:

That is not the case. We do not think that the Government Plan is unachievable. We think the Government Plan is a good blueprint for managing our finances and moving forward as an Island and navigating these difficult times. What we now consider, having passed the year end, is that we may be able to put more money back into our Stabilisation Fund, and we are committed to looking at how we best do that.

6.5.1 Deputy L. Feltham:

Could the Chief Minister then perhaps enlighten the Assembly as to how the value-for-money programme will ensure that the right decisions are made about where those savings are made?

Deputy K.L. Moore:

The value-for-money programme continues within the Treasury with a talented team of people working on it. We are committed to delivering value for money. We are committed to productivity in our wider economy and productivity in our public service too.

6.6 Deputy M.R. Scott:

Did the Chief Minister support the shelving of the value-for-money review of arm's length organisation by the Minister for Sustainable Economic Development?

Deputy K.L. Moore:

This is a matter that I would like to sit down and perhaps address with the Minister for Sustainable Economic Development, the Minister for Treasury and Resources, and the chair of the Scrutiny Panel. I think that somewhere wires have been a bit muddled. One thing that we are committed to doing as a Government, and we set out to do in the beginning is to ensure that our work with our A.L.O.s (arm's length organisations), is delivering the best value for Islanders. I know that those cut across different areas, both in the Treasury and in the Department for the Economy. Just as I am looking and ensuring that we are all politically moving in the right areas, I think this is an area of focus and an area that we have committed to focusing on, and ensuring that we are holding those teams to account, that they are delivering for the public and I would happily sit down with the chair of the panel to discuss that.

6.6.1 Deputy M.R. Scott:

Does the Chief Minister, with respect to the review, accept that having established it initially as an in-house review is the best way to proceed in the circumstances?

Deputy K.L. Moore:

I believe that we have talented people in-house who are able to do that review and that work. They are there to support us and advise us politically and I look forward to seeing the fruits of that discussion with both the Treasury and the economy teams.

6.7 Deputy G.P. Southern:

Once again the Chief Minister refers to increasing productivity and no matter how talented her advisers and economists might be, does she not accept that the process of trying to increase productivity is only going to lead to 20 more years of flatlining?

Deputy K.L. Moore:

I most certainly hope not. What is important in the next 20 years is that Jersey remains a competitive jurisdiction, an outward-looking jurisdiction, and a strong economy. We have many competing challenges. We have a declining birth rate and we have many challenges. We have to look at those challenges, we have to consider how best we put our feet forward, and I believe we have the right plan to do that.

6.7.1 Deputy G.P. Southern:

What specific plans does the Chief Minister have to improve productivity in the Island?

Deputy K.L. Moore:

Under the guidance of our interim chief executive, we are looking at how we make a more efficient public service. That means harnessing the technology that the previous Government invested in, ensuring that people spend their time focused on what they are doing, and that we are being productive, efficient, and focused, so that we can do that.

Deputy G.P. Southern:

That was nowhere near an answer to the question as to what specifically she had in mind. It was just vague waffle.

Deputy K.L. Moore:

The role of a Chief Minister is to set a political agenda, to set the path, and it is a role for officials to manage and to deliver upon that agenda. I believe that we have a good team of officials who understand that we need to deliver efficiency, but we need to do that while still investing in our critical services and ensuring that we can treat our sick, we can teach our kids and we can keep people safe.

6.8 Deputy S.Y. Mézec:

The Chief Minister referred earlier to Jersey being competitive. The Statistics Jersey report recently showed that in each of the last 2 years Jersey had suffered a net loss of 900 locally-qualified people, which sounds to me like somewhere else might be a bit more competitive when it comes to living standards and opportunities for working people than Jersey. Have the Government done any analysis of these figures to understand why there has been such a jump in the amount of locally-qualified people leaving the Island to seek better futures elsewhere?

Deputy K.L. Moore:

We are constantly looking at the figures and this is why we have committed to making the Island a community where everyone can thrive. It may sound like a high principle, but it is about ensuring that people have quality of life, and here comes the politics. One of our areas of relentless focus and one of our 5 priorities for this year is housing. We can see that that is one of the key factors, because it is one of the highest costs in a household budget that we have to address, and we have been bringing forward measures to enable Islanders to best manage those costs. We have increased stamp duty rates for first-time buyers to £700,000 to help young Islanders get on the property ladder. We have released that £10 million for a shared equity scheme to help Islanders get on the property ladder. We believe in home ownership. We also believe in supply, and as we discovered at the beginning of our term, one of the things that was holding back supply was the lack of infrastructure. We now have a plan to upgrade our sewage system so that we have the drainage available so that we can build more homes.

6.8.1 Deputy S.Y. Mézec:

Does the Chief Minister ever wonder why nobody is convinced by what she has said and why when we see opinion polls that were done in the run-up to today's States debate and the feedback we have had from constituents, has been one of despair at the lack of action undertaken by the Government? Has she done any introspection on that in advance of today?

Deputy K.L. Moore:

One always reflects on the position. Part of my job is to listen. I listen and I understand that there will be people who are frustrated, but there are also people who are very supportive. I have been really comforted by the many messages of support I have received from people I know, people I do not know, people who I have supported in my constituency and across the Island over the years. I will not please everybody all of the time. People have different opinions. What I understood early on in my career is that you have to be true to yourself, you have to do what you believe is right, and I believe that the public, when they go out to vote, they vote for people who they believe will exercise judgment, judgment that they identify with. I respect and value the role of the Reform party, who have their politics, who have their principles and their approach. Mine is different, but people also appreciate and value that different approach. We have long-term issues to deal with. Renewing infrastructure that has been left for many years is a long-term approach, but we are focused on delivering it and we have a plan to do so.

6.9 Deputy R.J. Ward:

Earlier on the Chief Minister stated that the largest teaching union accepted the offer. Can I ask the Minister how she gathers data on the size of union membership?

Deputy K.L. Moore:

As I stated in my earlier answers under Oral Questions, the organisation is not able to hold that specific data, but what we have received is indications of numbers of membership, and that is all I know; a high-level figure. We are aware that there are some teachers that belong to both unions and it is important that we continue to work towards finding a solution so that our children can be educated and not disrupted in their education.

6.9.1 Deputy R.J. Ward:

May I ask the Minister if it should turn out that the data have changed and that the largest union is the one that has rejected the pay offer would it change the approach of the States Employment Board, the somewhat draconian approach that they are taking to teachers on the signing?

Deputy K.L. Moore:

I do not believe we have taken a draconian approach. I believe that we have written to teachers because we want to pay those who have agreed with our approach and our offer to them. We want to be able to make that payment and we have sought advice to figure out the best way to approach that.

The Bailiff:

That has brought this period of questions to an end.

Deputy R.J. Ward:

Sir, the second part was not answered. That was the first part.

The Bailiff:

Well, there would not be time to answer it in any event now.

Deputy P.F.C. Ozouf:

Sir, may I just answer the question that Deputy Andrews asked me?

The Bailiff:

No, I am afraid not. The period is over. You can of course convey that information outside the Assembly.

Deputy P.F.C. Ozouf:

I will do so, Sir.

PUBLIC BUSINESS

7. Vote of No Confidence: Chief Minister (P.1/2024)

The Bailiff:

Very well. That concludes the period for question time. There is nothing under J. and K. We therefore come on to Public Business. The first item of Public Business listed in this meeting is the vote of no confidence in the Chief Minister, P.1, lodged by Deputy Binet of St. Saviour.

[11:30]

Before I ask the Greffier to read the proposition, can I remind Members of a couple of matters that apply to this debate? In line with Standing Orders, once Deputy Binet has made the proposition the debate will open in the usual way. The Chief Minister will have the opportunity to speak, as will all Members. Once all Members who wish to speak have spoken, unusually for other debates, the Chief Minister will be given a second opportunity to speak. Once she has given that second speech then Deputy Binet will be invited to reply and sum up, after which the Assembly will move to a vote, for which a simple majority applies. In line with Standing Order 104A neither of the speeches given by the Chief Minister nor the making of the proposition or in the summing up by Deputy Binet are subject to the time limit of 15 minutes. That time limit applies to all other speeches though in the usual way. If Members will forgive me, I might also add that while it is generally the case that this sort of debate gives rise by its very nature to greater discussion of an individual Member than might usually be the case, Members should ensure that comments they make in speeches do not fall foul of Standing Order 104 regarding the content of speeches, particularly in the use of language employed about a Member, the imputation of improper motives or the reference to the private affairs of a Member, unless those items are of direct relevance to the subject matter under discussion. With those words, I will ask the Greffier to read the proposition.

Deputy M. Tadier:

Sir, before you do that, I know I was not here at the very beginning. Have we established whether or not we will be sitting late tonight? I think it is important that Members can organise their timetables and I think it is important that we have clarity, not least for the mover of the proposition and the recipient of the vote of no confidence.

The Bailiff:

Well, we are now at 11.30 a.m. It may be that that is a matter that can be considered by the chair of the P.P.C. (Privileges and Procedures Committee) as we see how the debate goes, but if it is the case that you wish to bring a proposition about sitting late, or the chair of P.P.C. wishes to make any observations, then that would be possible.

Deputy M. Tadier:

Sir, I would like to propose. I am speaking from a personal point of view. If we were to sit late tonight I would have to make arrangements and let people know, because I have an appointment which obviously I can change, but it is important to let people know as far in advance as possible. I

am sure I am not the only one in that situation. I would like to make the proposition that we do finish at 5.30 p.m. today. We have got 3 days of sittings if we need them and to come back tomorrow and finish this, but of course it does not stop us from finishing this item today if we need to. I am not sure that is in order, Sir, given the fact that we normally finish at 5.30 p.m. anyway.

The Bailiff:

I think you are simply making a proposition that we do what we have always done, Deputy, or almost always done, and, no, I do not think you can make a proposition. The fact is that the Assembly in Standing Orders finishes at 5.30 p.m. and of course at any point a Member can stand up and wish that time brought forward or indeed pushed back, and so any decision made now would not be binding on the Assembly in the light of a later decision. Can I assume that what you are really asking, if I may put words in your mouth, is that urgent consideration is given to whether it is necessary to stay late and perhaps that that can be communicated to Members perhaps by the chair of P.P.C. in order that they can make the necessary arrangements? I am afraid as of now the Assembly will finish at 5.30 p.m. or thereabouts as soon as the adjournment is proposed.

Deputy M. Tadier:

Sir, I do have a proposition I could make, which I think may be in order. Can I propose that we do not sit any later than 6.30 p.m. today?

The Bailiff:

Yes, I think that is a proposition that you can make. Is that proposition seconded? **[Seconded]** Does any Member wish to speak on the proposition? The proposition is the Assembly does not sit later than 6.30 p.m. today irrespective of the stage in which business is reached. I have to inform Members, even if adopted, it will be amenable to another proposition brought on another occasion to change that timing, but it is nonetheless something on which the Assembly can legitimately vote. Those in favour of adopting the proposition, kindly show. The appel is called for. I invite Members to return to their seats. The proposition is that the Assembly shall not sit beyond 6.30 p.m. this evening. A vote pour will mean that that is the current decision of the States Assembly. A vote contre will mean that it is not and Standing Orders continue to obtain.

Connétable K. Shenton-Stone of St. Martin:

As Chair of P.P.C. we thought that it was only right that we ask the mover of the proposition and the Chief Minister whether they would like to conclude business today and they both have found that they would rather stay late. I spoke to the Greffe and we were going to make a proposition after lunch to see how ... because we were not sure what time the debate was going to start today.

The Bailiff:

Yes, it would ...

Deputy K.F. Morel:

A point of order, please, Sir.

The Bailiff:

Yes, it is right the chair of the P.P.C. should have made those observations during the course of the speech, however we are dealing with arrangements for the States own business and trying to be flexible in what is arguably a challenging situation, but I take the point, Deputy, and it is not wrong to make it. The position is we have a vote, it is duly seconded. The vote is that the Assembly does not continue beyond 6.30 p.m. A vote against will simply leave at the moment Standing Orders obtaining, which is a 5.30 p.m. finish. A vote pour will enshrine that as the current decision of the Assembly, but it is always open to the chair of the P.P.C. to bring another proposition immediately after lunch and indeed that proposition has been foreshadowed now by what the chair of the P.P.C.

has said. The appel is called for. I invite Members to return to their seats 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 defeated: 18 votes pour, 28 votes contre, 2 abstentions.

Accordingly, as things currently stand, the Assembly will adjourn at the normal time of 5.30 p.m. but that is subject to any proposition that might be brought to different effect during the course of the day. Very well. I ask the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion that they have no confidence in the Chief Minister.

7.1 Deputy T. Binet of St. Saviour:

There is no easy way to open a debate of this sort. By its very nature it is evidence of a situation that has become untenable, in this case a crisis of confidence in our leadership. As the person responsible for crystallising the position I must say from the outset that I take no pleasure whatsoever in bringing this proposition to the Assembly. Indeed, the entire process and the lead up to it has been a depressing affair. No doubt that is the case for all concerned, especially the Chief Minister herself. That said, after 18 months in office and having witnessed a great many things that I believe to be wrong, misguided, or inappropriate, I feel an absolute obligation to seek the Assembly's approval for change. Accordingly, this proposition seeks to provide the Assembly with the opportunity to review the quality of our leadership in this term of office and to decide whether a change might be of benefit to the future well-being of the Island. It is also a response to a request for action by several other Members of the Assembly. In advancing this debate myself there are a number of important points that I would like to make clear from the outset. Firstly, I come to it with what I would refer to as a clean pair of hands. By that, I mean that I have not done any deals with or made any promises to anyone. I have not asked a single Member to speak in favour of the proposition, nor have I sought to arrange the order in which they may choose to speak. In short, any comments in favour of the proposition will be the thoughts and feelings of each individual, unfettered by me. With regard to the timing of, and reasons, for this debate I have come under considerable criticism from several Ministers and Assistant Ministers in recent days, so I would like to address these before proceeding, if I may. On social media, Deputy Stephenson had this to say: "Timing and this context speaks volumes in my view, designed to personally attack, stress and disrupt." In a recent BBC interview the Deputy Chief Minister, Deputy Morel, stated the following: "The idea of upending an entire Government because somebody does not like someone else's style is a really poor place to be." Then this offering from the Minister for External Relations, Deputy Ozouf: "It is upsetting to see that there is still misogyny at work in politics" adding: "The Chief Minister has suffered from allegations that would not be made against a man." Finally it would appear, albeit very cautiously, the Chief Minister herself has gone on to endorse the misogyny claim several times in her *Jersey Evening Post* Saturday interview. Apart from being rather rude and quite unnecessary, these comments suggest that the Chief Minister and her closest advisers are reluctant to face reality. With regard to the timing of this debate, it had absolutely nothing to do with wanting to cause stress to anyone or to disrupt anything. The reasons were quite simple and could easily have been deduced with a little thought. Having had serious and long-running concerns about the Chief Minister's continuing support for the Minister for Health and Social Services, both Deputy Rose Binet and I did consider resigning in November at the same time as Constable Andy Jehan. However, we took the view that it would not be in the public interest to do so before the Government Plan had been agreed and the £52 million secured for the next phase of the new hospital project. Although a final decision had not yet been made, I could have announced a vote of no confidence immediately after the Government Plan debate, but that would have done nothing more than cast a dark shadow over the entire Christmas and New Year period, not only for the Chief Minister but for the Council, the Assembly and the public at large. As it happens, after months of careful consideration the final decision to lodge the proposition was only taken on

30th December and, as Members will know, a 2-week lodging period is required, meaning that if the matter was to be determined at the first available opportunity everything had to be submitted to the Greffe by Tuesday, 2nd January. It struck me that the timing of this decision was also in the public interest insofar as it would deal with the unpleasant but necessary event before the business of 2024 commenced, leaving a full 2 years-plus before the next election. As for the reasons for this debate, I believe that the vast majority of the Assembly will not need me to explain that they run a lot deeper than wanting to launch a personal attack on the Chief Minister or a simple dislike of her style. As for the claims of misogyny, I think Members are quite capable of making up their own mind. Moving to the substance of the debate, and the real reasons for its submission, I must confess that I do not relish the prospect of articulating the details contained in my report, and I do hope everybody has had the opportunity to read it. I am reliably informed that it will be essential to do this in order to inform Members of matters that may not have come to their attention. So with that in mind, I will share my experiences and observations reluctantly in the order in which they presented themselves to me. In relation to the conduct of the Chief Minister, it will come as no surprise to Members that my earliest concern was the treatment by her of our previous chief executive officer. While the saga may have ended many months ago, it does not change the facts. In case Members suspect that I am acting on hearsay, I can confirm that I have seen the former C.E.O. (Chief Executive Officer) leaving the Chief Minister's office in tears. I also witnessed the Chief Minister addressing her in a disgraceful manner in front of her team. The same thing was done to the project leader of the new hospital project, another lady, as it happens, in front of her team, in my presence. On both occasions I attempted to intervene because in both cases the Chief Minister was wrong in her assertions but on both occasions I was told in most unpleasant terms that I was to wait until she had finished. Between the formation of this new Government and the time the former C.E.O. decided to depart I watched her deteriorate, not through pressure of work, of which there was a great deal, but due to poor treatment, and this is not just pure conjecture. Indeed, such was my concern that I had several private conversations with her on the subject. In no small part, some of the animosity appeared to stem from the Chief Minister's dislike of working with senior people employed by the previous Chief Minister; a point that the Chief Minister articulated very openly in front of me. Some other Ministers did share my concerns and I recall one in particular who appeared deeply upset after a visit to the former C.E.O.'s office on the day of her resignation. I recall one of the comments that that person made to me in a lengthy conversation shortly after, that being: "It is not right, is it?" and of course it was not. Having employed a good many people over the years and served for about 4 years on our local Employment Forum I can comfortably say that should the former C.E.O. have taken her full case to the Commissioner for Standards our Chief Minister would have been asked to step down. It may well be that this particular incident came to a close months ago, but these are important matters and wholly indicative of an individual's culture and *modus operandi*. Leaving aside the all-important moral aspects of the situation, what of the practical and financial consequences? Well, we managed to lose a very well-respected and much liked chief officer with 15 months' experience in the job.

[11:45]

Given the fact that the underlying circumstances were brought to public attention, correctly in my view, it will have done nothing for our reputation or our ability to recruit again for the long term. There will be a cost involved, both financial and operational, for the interruption of much needed change management, first through having to employ an interim, then a new long-term appointment, each needing a reasonable period of time to acquaint themselves with a complex organisation. With almost 9,000 people employed and a major job to undertake to repair the damage, certainly damage that I consider inflicted during the Parker regime, the unnecessary and timely loss of a C.E.O. should have been viewed as something of a calamity. That was certainly my opinion. Sadly, having no experience of leadership or management it is not surprising that this crucial point may not have even been recognised by our Chief Minister. For my part, I think these things really matter. There can be no doubt that along with the rest of the world Jersey is heading into very difficult times, and we carry

with us a number of specific problems, not least of which is demographic change. The ratio of working to non-working people is set to decline and more people are leaving the Island. We are heavily reliant on the finance industry, which in turn is reliant upon the stability of world markets, all of which are under great pressure, the likes of which we have not experienced in our lifetime, not least of which is the effect on international trade and finance of various geopolitical challenges and associated military activity. Small as we may be, good leadership will be vital if we are to meet the challenges that await. All too often in recent times the quality of leadership that these challenges will require has not been evident. Some failings may have been apparent to the general public and to Members, but many more will only be known to those who have worked in close proximity, hence this proposition. One has to be cautious to avoid revealing matters in the public interest that would usually be best left unsaid, however my own leadership and management experience suggests to me that a failure to identify and address the continued recurrence of seriously worrying traits eventually results in disaster. It is for this reason and this reason only that by way of example I have to mention what I consider to have been the 2 highest risks that I have had to deal with in progressing the new hospital facilities project. I am sad to say it has been the poor and inconsistent leadership of the Chief Minister and her reluctance to ever challenge the Minister for Health and Social Services, technically the client, whose attitude towards the hospital project and whose conduct throughout has been negative at best. In both cases an example of bad judgment by the Chief Minister. Aside from the Chief Minister's long-running refusal to deal with the problems caused by the Minister for Health and Social Service's lack of constructive engagement, the first major direct sign of trouble came last summer when I was summoned to head office and told in no uncertain terms that I was not to reveal our intended spending for the hospital project in the upcoming Government Plan. This in my opinion went very much against the apparent open and transparent policy that our Chief Minister promised when she took on the job. Instead, we were going to keep things quiet and request £52 million to see us through until next summer, at which point we would reveal our future intentions. That was completely opposite to the course of action that I had been taking, given that I had already explained to Scrutiny and others my intention to reveal the total intended spend for the remainder of the Government term and explain as much as was commercially responsible what that money would be spent on. To my absolute horror, this coincided with suggestions by the Chief Minister the decision to site the inpatient unit at Overdale and the outpatient unit in Gloucester Street should be reversed. This, despite all the evidence pointing very clearly to the contrary, an agreement having been reached by everybody else involved. Under the circumstances, I had no choice but to challenge the Chief Minister's decision and set about arranging a series of meetings with the Minister for Treasury and Resources and others to gain acceptance of my intention to be open and transparent, just as the Chief Minister had promised voters during her election campaign. I got permission eventually but a state of total indecision remained. Everything was grinding to a halt because the Chief Minister was still having second thoughts about the entire project and the Minister for Health and Social Services continued to be awkward and unhelpful. Either way, neither was prepared to endorse a course of action that had been agreed unanimously by them and everyone else up until that point. In an effort to solve the problem we, the hospital team and I, arranged a meeting of the full oversight board to try to persuade them both of the need to provide some certainty, but even this failed to get the full endorsement required. Indeed, during that meeting both Ministers spent much of the time looking at their mobile phones under the table, which was highly discourteous and certainly did not go unnoticed. That is something that gives rise to a lack of eye contact as well. It is difficult to get eye contact from people when you are looking at your phone. It is difficult to describe the danger that is posed by this type of inconsistency. When a leader contemplates doing a complete *volte-face* 15 months into her own £700 million project, following 10 years of aborted schemes and almost £100 million of spending, it simply beggars belief. This is something that should trouble everyone in this Assembly; indeed, it should trouble everyone everywhere in the Island, because if this is the sort of judgment that has been made on this project, what exactly is going on elsewhere? I can only apologise to Members for being so long-winded on these particular points, but I think it is vital for

them to know how this leadership is working out in practice. Wavering, unfocused, indecisive, ill-disciplined and all too often rude and thoughtless. More and equally unfortunate errors of judgment were apparent in November when it emerged that the Minister for Health and Social Services intended to extend the contract of the chair of the Health and Community Services Advisory Board. Following profound reservations about the cost of the board, it had long been understood that this would prove to be the last straw for the Assistant Chief Minister, Constable Andy Jehan. His intended resignation was made known to the Chief Minister by Constable Jehan himself, in plenty of time for the Chief Minister to alter the situation to his satisfaction, yet instead of standing by a man renowned for his support for her, she accepted this principled resignation, which must have been a very painful personal blow to him. It may only be speculation but I was left with the impression that the resignation of a highly capable and trustworthy supporter was easier to manage than the difficult business of taking a decision to remove and replace a controversial Minister. Moving to other more recent matters, and purely by way of additional example, one needs look no further than the conduct relating to the Les Sablons planning application where the issue was personalised rather than being dealt with procedurally. The decision may not have been that which was desired, but perhaps an early meeting with the Assistant Minister responsible for it after the event and before public comment would have been the right behaviour for the leader of the Council of Ministers team. Unfortunately that did not happen. Most recently it has emerged that the Minister for Health and Social Services has been found by the Commissioner for Standards to have abused the powers of her position. While this comes as no surprise to some Members, the issue that gave rise to that finding provides yet another example of the Chief Minister's poor judgment and lack of leadership. It is clear from the commissioner's report that the untruths contained in the letter from the Minister for Health and Social Services to the chair of the Scrutiny Panel were made known to the Chief Minister during the course of the saga, yet not only did the Chief Minister fail to intervene in order to bring the matter to a more seemly and just conclusion, she stepped back completely and recommended to her Council of Ministers that they abstain in the vote of no confidence. It is just fortunate that the matter was referred to the commissioner otherwise the injustice created by the Minister for Health and Social Services and condoned by the Chief Minister would never have been highlighted or brought to public attention. In areas outside of my direct influence I have been troubled by the complete lack of progress in sorting out what appears to me to be the muddled and bloated internal workings of the Broad Street operation. All too often the civil service is blamed for being inefficient or too numerous, but it is not their fault; it is ours. From my own experience the structure needs fairly substantial revision. Various functions, H.R., finance and policy appear to have been overcentralised. In addition to this, the Council of Ministers meetings continue to be a case of Ministers accepting policy by drip feed and suffering death by PowerPoint. Enormous policy documents continue to roll off the press and take their place on the shelf with all the others that Ministers could not possibly find the time to read, let alone digest. This is not the way to lead a Government and if the Chief Minister is not removed from office it will continue, because there is no sign that the problem has even been recognised, let alone dealt with. I could go on, but surely this is enough. Other instances and details could be made available but I hope the points already made will suffice to provide at least some indication of the current lack of clarity in leadership and the absence of judgment about the consequences of indecision and/or poor decision making. Sadly, for many of us working close to the centre of power, the last 18 months has been a fairly miserable, depressing experience and this includes our hardworking and dedicated staff, who through no fault of their own get drawn into the less than happy atmosphere that persists. I believe that if Members are really honest with themselves they do not need to look too far to realise how disappointed the people of Jersey are. Today we, the Members of the Assembly, have the opportunity to change that. Finally, I am aware that recently I have come in for criticism from some Members for not revealing my thoughts on how the future might look in the event that the job of Chief Minister was to fall to me. That might well be a fair point, but I would just remind those Members that this debate is not about me. As I have made clear from the outset, it is simply an opportunity for Members to review our current leadership. That said, it would be dismissive of me

to ignore completely what is not an unreasonable enquiry. As Members will know, the structure of this debate requires that I speak again at the end and with that in mind I will reserve my few comments on this point until then. In the meantime, I look forward to hearing what other Members have to say.

The Bailiff:

Is the proposition seconded? [**Seconded**]. The proposition is seconded. It is now open for debate.

7.1.1 Deputy K.L. Moore:

I believe it is my turn to speak first. I am of course disappointed to be facing this vote of no confidence today, if not entirely unsurprised. Indeed, a number of Members will be aware that Deputy Tom Binet has been threatening to lodge a vote such as this almost from the outset of Government. In early last year, for example, he declared in a Council of Ministers meeting that he was talking to States Members and trying to secure the numbers required to win a vote of no confidence. I think all Ministers were taken aback by that particular declaration. To achieve success we have worked as a team. I am aware of the historic precedents for this vote today. Every Chief Minister in Jersey's history has faced a vote of no confidence at some point during their tenure, but I am not sure if any Chief Minister has faced a vote in quite the same circumstances. The public want to hear us debating policy direction issues today, policies that will deal with the challenges that they experience in their lives. They do not want us to spend our time critiquing style and personality. In the report accompanying the proposition, Deputy Tom Binet makes some points on which I am pleased to say that we can all agree. We are at the beginning of a new year. We have a Government Plan for 2024 recently approved by 33 votes to 13. Members are now accustomed to the requirements of their office and they are getting to grips with the challenges that we face in our various roles. Funding for the next phase of the new hospital project is in place, a project that I am fully behind and that has all Ministers' support, and we have 30 months remaining before the next election to drive forward our plans and to deliver the priorities of Islanders as best we can. That should be a positive and a good starting point at which to begin the year. I have said previously that among Ministers and between Deputy Binet and myself there is more on which we agree than we disagree, but instead of working together to achieve our shared aims we have unfortunately been dragged into this debate today, looking inwards with a great deal of "he said, she said" and personality politics. This takes time, distracts and causes the public to ask why we are not just getting on with the job that we were elected for. Being Chief Minister is far from easy and I am not sure anybody fully knows what to expect until they have done the job for themselves. For the avoidance of doubt, I include myself very much in that category. The job is of course about leadership, setting the direction of Government, setting the tone of engagement with key partners and with the public, driving forward important changes for Islanders. It is about unlocking any blockages in the system and ensuring that Government are meeting the commitments and objectives on behalf of the public. Sometimes that can involve some difficult conversations and not always saying what people want to hear, either internally or externally. Delivering those messages is a key part of the job, but what matters is making your point and getting the message across in an appropriate and respectful manner. I am passionate about the job. I am ambitious for our Island and I am keen to get on and deliver.

[12:00]

I recognise however that sometimes my ambition for change has resulted in uncomfortable situations being created for my colleagues. One of our values is always improving. We are all a work in progress, always learning, and I know that I do not get everything right. Who does? I should say though that I do counter some of the allegations that have been made this morning by the Deputy in his opening speech and I will move on to that later, I hope. Primarily being Chief Minister is about compromise, consensus, co-operation, and coalition. We have heard a lot about our system of government in recent days and weeks and indeed years. We ultimately have the system we have and we have it for various reasons which are not the immediate subject of this vote. There is no sunlit

upland where a different system will immediately deliver the results we all desire. There is no party big enough to command the majority of seats in the Government, let alone in the Assembly. Political parties cannot even get 21 people to stand for election, let alone appointed to Government. Government is complicated. That applies in every country in the world and in my view good people will make any system work. Our system based for many years on consensus and compromise is what we have. It has served us well. It is my type of politics and I hope that it is here to stay. We therefore need to value, improve, and work within our consensus-based system. That is what I am committed to doing more of in future if Members support me today. The Chief Minister has to build a trusted team in order to deliver. I have a strong team of committed, intelligent, and experienced Ministers and Assistant Ministers who are committed to delivering better outcomes for Islanders because outcomes are what we should be focused on. We have Ministers drawn from a wide range of different walks of life with experience in business, public service, the law, financial services, the community and voluntary sector, broadcasting and communications both within Jersey and other places. Yes, we debate. Yes, we sometimes disagree and challenge. Yes, we are passionate in our views, but so far we have always found a way through. My approach has always been one of welcoming different views because it is my experience that listening to different points of view leads to better decision making, a point which I think is of particular importance when viewed in the context of the responsibility which this Assembly and those in Government have to serve the interests and needs of Islanders, which are themselves wide ranging and different. I hope that the public will be reassured that their Government is not just sitting in the Council of Ministers' room rubberstamping each proposal or document that is placed in front of them. Anyone who comes to a Council of Ministers' meeting, a Ministerial group, or the States Employment Board, knows that they need to be on top of the issues which are to be discussed. Today, a vote against me is a vote against the continued work of the whole Council, because all Members of the Government will fall if this proposition is carried. What has not been easy, I admit, is the way in which some disagreements have taken place, and I am afraid that where there have been heated arguments, raised voices, or lost tempers over the past 18 months, the proposer of this vote of no confidence has unfortunately been a constant. I add that the difficulties which both Deputies Binet have had with their former employee, Deputy Wilson, are well known. I made efforts to resolve these through firstly informal mediation and then with a professional mediator. Sadly, that process did not come to a conclusion in either case. We have all tried very hard to work with Deputy Binet. I said after he resigned that he is a driven and committed Jerseyman, and I say that again today. He has had a successful business career, but as everyone in the Assembly knows, business and politics are 2 very different things. He, for the most part, ran his department well where he was in charge and, as far as I am aware, he was liked by his staff, but the experience of his Ministerial colleagues was not that of a team player. Reflecting back, which is something I am always doing and have done so particularly over the last fortnight, I do think that I could have been quicker and more decisive in perhaps bringing this particular chapter to a close by myself asking for Deputy Binet to resign, but I tried to compromise and to work things through, right until he volunteered his resignation and brought this vote of no confidence against me. Given the positive way we ended last year with a strong mandate for our Government Plan, I had hoped that we would have the chance to start the new year with full sails and a fresh wind at our backs. This is not the start of the year that I would have wished for but I am confident and I know I am supported by my Ministerial colleagues in this view that if we are left to get on with delivering on the mandate that the Assembly gave us in December we will, if this vote is rejected today, move forward and be more united than we have ever been. Deputy Binet's report makes some criticisms of me. I think many of them are on subjective questions of opinion, style or personality, but some specific points are raised. Deputy Binet has a different understanding to me in respect of my relationship with the former chief executive. It was a professional relationship and despite what Deputy Binet wants to tell you, and indeed has today, to the best of my knowledge we did never fall out. I made some mistakes at the time as to when I was informed of the former chief executive's resignation, which I rectified publicly at the earliest opportunity. This matter was investigated by the Commissioner for Standards

and while I was found to have made some mistakes I was not found to have breached the code of conduct. It is worth reminding Members that the Commissioner for Standards did also meet with the former chief executive at that time as well. Partly, that was because of the immediate public action that I took to rectify the errors that I had made, demonstrating my commitment to openness and transparency that I made to the public and to Members back in 2022. Those who know me well and who work with me will, I hope, acknowledge that I am willing to admit to my mistakes, take responsibility and to apologise. I add that I consider that I have a very good working relationship with our interim chief executive who, as you know, is responsible for delivery on the operational side of government. One early aspect of his leadership has been a departure from the Charlie Parker-style centralised control and insistence that chief officers and their teams once again start to take greater responsibility for their various portfolios. There is more that we need to do, but steps in the right direction have been made. I also think it is appropriate, before moving off the topic, to focus on one issue raised by Deputy Binet, because I do not want to be accused of ducking it. In his report he asks us all to look behind what was said in the former chief executive's resignation letter, the suggestion being that the letter contains a false narrative, that he knows better. The author is of course not here and even if she were she would not have the right to speak. I will confine myself to observing that she was a professional and an experienced executive and I did not form the view that she would say something that she did not mean, which is essentially the nature of the *in absentia* charge, which Deputy Binet lays at her door. What she did suggest in her resignation letter was that the job should be reassessed. We have spent time considering that and when asked by the Corporate Services Scrutiny Panel at a public hearing recently whether he would agree that the role is one for 2 people, the interim said he did not. Deputy Binet criticises me for my support of the Minister for Health and Social Services. I cannot help but see an irony here. On the one hand I am accused of a lack of leadership; on the other for standing by one of my team, who used to be part of Deputy Binet's team in his charitable work. I have strong views, as many people do, on the state of our health service as we inherited it. Putting it bluntly and without any intention on my part to disrespect the committed and hardworking people who work tirelessly to treat our sick and injured, but we are turning it around. We have invested in the change team and we are determined to leave a health service with a better financial house back in order, more front line clinical staff, shorter waiting lists, and those are being achieved, and new modern facilities in development. This requires teamwork and I will work constructively with anyone to improve the health service in our Island, but I will not side with what I consider to be repeated and personalised attacks on the Minister for Health and Social Services, including in circumstances where she and her team are making progress. Reference is also made to the recent report of the Commissioner for Standards in respect of the Minister for Health and Social Services. The Minister has made mistakes, but she has complied with the requirements of the commissioner and apologised to Deputy Ward, Deputy Southern and to the Assembly. Interestingly, Deputy Binet seeks to go behind the report of the commissioner and draws different conclusions to her, despite her experience at performing the role, effectively blaming me for the unfortunate and regrettable scenarios that have formed part of the matter. Then the hospital project. I am accused of secrecy and of trying to reverse the plans for an acute unit at Overdale with ambulatory at Kensington Place. The reality understood by all other Ministers involved in these discussions is that we have a duty to protect the commercial confidentiality of the programme and to protect the interests of taxpayers. As I have said publicly, no other country in the world would publish its budget for a big capital project such as this in advance of going out to tender. I do not wish to labour the point particularly, but I feel I must. If an Islander wants to build an extension to their home would they really tell 3 builders from whom they are going to seek tenders how much money they have to spend? I will leave you all to draw your own conclusions. In respect of the project itself I have always sought to ensure that a wide range of voices and views are heard and Ministers have always challenged the proposals to ensure that we are taking ...

The Bailiff:

I am sorry, Chief Minister, to interrupt you. There is a little bit of background noise which is becoming audible and the Chief Minister must have the opportunity to answer with clarity. Please continue, Chief Minister.

Deputy K.L. Moore:

I have always challenged the proposals to ensure that we are taking the best approach for the Island. I think that is normal during the course of a major project. Fundamentally we are now moving ahead with the plans which I know are supported by Deputy Binet and of which he has been a significant architect. Concept designs will be available to see towards the end of this month. We agree on the direction of the project, which makes me question again the reality behind this proposition today. Deputy Binet also very briefly references Les Sablons. Given that he himself approved the application on appeal, I think this is a topic on which we also agree. Indeed, on policy I feel that there is much more we agree on than we disagree. I have found it very frustrating that our regular agreement on policy was often trumped by other factors not related to policy or delivery. On Les Sablons, I said last week to the Chamber of Commerce that I was disappointed and annoyed at the previous decision and I think I let that show, but equally I recognise the discomfort that created for some of my colleagues and I expressed regret for that. As I have said a vote of no confidence in me today would bring the Government down. As Ministers, we never forget that we hold our positions at the will of the Assembly. It is a privilege to serve and an honour to receive the trust of colleagues to do so. We are always aware that we are a minority Government and that the work of government must be intrinsically linked with ongoing partnership, co-operation and communication with Members who are not serving in the Executive. I hope Members will recognise that I and we always seek to work with Back-Bench Members where we can on propositions, projects or policy ideas, always seeking to find common ground. I enjoy, for example, working with Deputy Bailhache and Deputy Barbara Ward on the States Employment Board and having Deputy Johnson as chair of the Legislation Advisory Panel. Deputy Porée is a valued member of the recovery group. I know that I and we need to do more to engage with Back-Bench Members and to make them feel part of the work that is taking place. I do want to emphasise the importance of roles on panels and committees. I have been in the Assembly for just over 12 years and I have spent more time in Scrutiny than I have in Government. That was time well spent doing important work reviewing and improving policy, holding the Government to account as a critical friend. I hope Members recognise the crucial role of Scrutiny and the value that it plays in our system. Constructive scrutiny always has and always will play a key part in the Government's decision-making process.

[12:15]

But my wider engagement outside of formal panel meetings and processes can be enhanced and I have plans to do exactly that in the weeks and months ahead. Ministers have just started work to deliver on our updated Ministerial plans. Eighteen months in, now is when we can put our foot on the accelerator. Now is not the time to slam on the brakes, get out of the car and start looking for a new means of transport. In an Island such as Jersey with an externally facing economy, stability and confidence is important. Stability and confidence are central to our success and key to investment growth and revenue, which pays for the services from which we all benefit and we all need. I ask Members not to put that stability at risk. We began this term of office with a mini budget focused on supporting Islanders with the cost of living and, as Members will recall, that focus has continued with our 2 Government Plans. The assistance we have given has been extensive, including through the tax system, social security, duty freezes and rises in the minimum wage. No Jersey Government has raised the minimum wage by 26 per cent in its first 18 months in office. We have started the rollout of hot school meals across Island primary schools and will continue that project for the remainder of our time in Government. We have committed the money to start improvement in our drainage network, which will enable us to get building more homes for Islanders. We are supporting first-

time buyers by raising the stamp duty bar for them and deploying the £10 million set aside for shared equity schemes. The Minister for Housing and Communities will bring forward proposals this year to support the rental market. There are exciting opportunities at South Hill, on the waterfront, and especially at St. Saviour's Hospital, to deliver. I add that it is a Government priority to do more and faster. The Council of Ministers plans to hold an away day in the coming weeks to consider how and what further efficiencies may be delivered, including in the arena of planning, so that more homes may be delivered more quickly, because we are listening. On recruitment and retention, we have adapted the rules to allow greater access for housing for care workers, for example. We have recruited additional staff in education. That is 47 teaching assistants, 29 special educational needs co-ordinators. There were no vacancies in our primary schools at the start of the academic year and again at the start of this calendar year. Since September, we have been working with teachers on their terms and conditions. This work has been on hold under the last Government. We heard that it was a concern and we are making good progress. That is what will make a difference for teachers who are struggling with their workload. We are making life easier for key workers in Jersey, providing an improved welcome and greater support so they can focus on their jobs and not worry about administrative matters which we should be handling for them. When we entered office, nurses were spending part of their shift making phone calls to hotels to book rooms for their colleagues. I acknowledge that more work needs to be done in this respect and I am working with the interim C.E.O. to deliver efficiencies as a matter of priority. A point of particular frustration to me has been hearing stories of Islanders who are willing to work being referred to U.K. recruitment agencies and then being told that they will have to wait to start work when their jobs are available. We are starting to make improvements to the public infrastructure realm. I mentioned our surge network. The Opera House, the town markets and Mont à l'Abbé School are all moving ahead. There is more to come with the Coronation greenway, Fort Regent, the harbourmaster plan and sites that I have already mentioned at St. Saviour, South Hill and the waterfront. Yes, we will find a plan that will be acceptable. In town, as well as building new replacement schools this Government will deliver as part of that work more green space and more car parking. We have also had to deal with unforeseen events, an unprecedented number of them: the L'Ecume II sinking, the Haut du Mont explosion, the Grand Vaux flooding, a gas outage and Storm Ciarán, leaving on one side the unfortunate consequences for all of the war in Ukraine. In terms of the 4 major incidents, we are still managing their impact and their consequences today. I hope I have represented the community effectively in responding to those events, supporting our excellent and committed front line teams with whatever they needed from Ministers to do their jobs and being there to listen to the Islanders who are affected so I could hear their stories first hand and respond to their needs. In many cases, I was also required to speak nationally and internationally, conveying the Island's feelings to the wider world at a time of shock and mourning. It is a job I took seriously and I hope I did not let anyone down. Now is the time to deliver, including on the mandate this Assembly resoundingly gave my Government last month to deliver on the economy and productivity, driving forward the future economy programme and enabling growth, to deliver the homes we need now and for the future, to improve the health service and build the new hospital, to support our young people and families and to improve St. Helier and the public realm. We have an agenda for change, we have a plan, and I ask Members to allow that work to move forward and not to take a step back. Last week I could not help but notice that Deputy Binet described my current job as horrible and that he dreaded the idea of being Chief Minister, that he hates the front line. While my job is difficult and demanding, it certainly is not horrible. It is a privilege to serve our Island and to lead our community. I do not approach every day with dread but with huge optimism and hope for what I can try to achieve for the public and in meeting their aspirations. I admire and respect our front line. I want to spend more time with our staff, not less. I know I have made mistakes. I know I am not the perfect Chief Minister and that I never will be, but I care about the job and I care about Jersey. It is my view that we have achieved a lot in 18 months and the foundations are now in place to deliver our priorities on behalf of Islanders

by the end of our 4-year term. Moving forward, working together, I hope you will allow this Council the time and the opportunity to complete what we have started. Thank you. **[Approbation]**

The Bailiff:

Thank you very much, Chief Minister. Does any Member wish to speak on the proposition?

7.1.2 Deputy I. Gardiner of St. Helier North:

It is my second vote of no confidence as a States Member that I am participating in and it is a very different vote of no confidence from the last one against then Chief Minister John Le Fondré, partially because I am in the Government and partially because last time, if people remember, it was mostly about the Government's way of dealing with COVID and also C.E.O. payments and second jobs. It is interesting that the C.E.O. is now also involved, but my experience and recollection of working with the C.E.O. that left this term was completely different to Deputy Binet because we had a really good relationship and we did have a very good conversation before she left. So my understanding was different. But going back, the last vote of no confidence in my recollection was about actions and methods of managing a crisis, and this one is similarly about style of management as numerous major incidents that we faced as an Island were managed well. So the last time we came with statistics and data. This time it will be mostly what we feel in our opinion of stylistic differences. I reflected on the stylistic differences words. It is a really great expression. It is what basically rock bands use when they split up to go to the solo albums. This is the stylistic difference. But to a serious note, over the next few hours or potentially the next 2 days the States Assembly will be focusing on personalities and not the policies, it feels like, interpersonal communication between people in this Assembly instead of delivery of what is important for the people of Jersey outside of this Assembly. If we are going to spend all this time talking about personalities and style of management, I want to remind Members that to achieve anything of any substance it is important to work as a team, as a team of Ministers and a team with the Assistant Ministers. I would not be able to deliver stuff without my Assistant Ministers as well, and I am sure they will speak. I am grateful in one perspective that this vote of no confidence told me to stop, look back on 18 months, because it was lots of accusations that this Government does not deliver, nothing delivered. What I realised was that I was not working well enough to communicate what we have delivered as a team. The Chief Minister mentioned some of them. If I will tell what I delivered as the Minister for Children and Education as part of this team, probably 15 minutes will not be enough, but I will try to bring it to the Members and also to the public to hear because it is really important to understand what we were able to achieve as a team and me as the Minister. I picked up 10 points. I promise no more. As you know, I am going with the numbers. First, start and complete building of much needed extension of the Mont à l'Abbé School. It has been opened in December and it was one of my first decisions that I signed off as the new Minister. It took 14 months to build but now we have extra capacity and we can bring children that were long due to come to Mont à l'Abbé but we did not have space. We have the new school delivered. Second, open 2 new children's homes and reduce numbers of children placed off the Island we were challenged, and the first Jersey therapeutic home is in delivery motion and Members will update it. Third, the first time since the student grants were introduced they were increased, the first time that it was properly increased - because before it was not increased - by 10.1 per cent maintenance grant for 2022-23 academic year in response to increased cost of living. Also what we have done together with the support of the Council of Ministers, because I cannot do it on my own, now the uprates of the student maintenance grant move to the annually managed expenditure. We do not need to debate it. It will happen. It will happen automatically and students and their parents would receive the uprate in line with inflation as we do with income support. It was not before. It has been delivered. On top I listened to the public. The public said it is really expensive in London, and we introduced the London component to the students, 10 per cent, because we know that to study in London is more expensive. It has been done with the support. Four, I inherited a department with 80 per cent of outdated I.T. (information technology) equipment. By the end of 2023 we reduced it

to 40 per cent, from 80 to 40. You can understand what the investment was. I have funds to reduce it to 20 per cent by the end of this year and bring our I.T. infrastructure in school within the next 2 years to what it should be in the 21st century and deliver digital education. Fifth, an achievement to mention a bit, we have changed recruitment rules, one of the things that we have done back in September 2022, and currently I have 1.4 vacancies as teachers, so I have 8 vacancies out of 917 teachers. I know that we have a dispute and it caused interruption and it is not easy, but I am currently finalising terms and conditions for the teaching assistants that should be published imminently, which will increase obviously their work. We have produced it with the teachers and we are progressing with the headteachers. If Members think that it will not require millions to address these terms and conditions, think about it because to address these terms and conditions which will come with the review will require extra funds. I received Children's Services with 55 per cent vacancies in social workers. I am still not there, but from 55 I have reduced it to 37 per cent. Yes, it is not 100 per cent, it is not there, but it is within 18 months. Mental health is number 7; well-being and mental health. I am not sure if you are aware but within the last 3 years we have an increase of 800 per cent - this is the latest data that I received - in referrals.

[12:30]

C.A.M.H.S. (Child and Adolescent Mental Health Service) staff has gone from 21 persons in 2021 to now we have 70 staff; 70 people, its budget and its delivery. Yes, we need to improve waiting time and we know that we are not there, but with 800 per cent increase we have been inspected recently and from the first feedback we are going there. Also last year, in 2023, this Government, me, my team, with the support of the Chief Minister, we have a new neurodevelopment dedicated service. We have a new early intervention service. We have a new F.A.S.D. (foetal alcohol spectrum disorder) service and also a doctor and 2 nurses on duty to quickly support our front door. In quarter one it is my plan to open 8.00 until 8.00, 7 days a week. We do have funds and we did recruit people. So if we are talking about delivery, this is what it is. Eight: this Government and with the support of the Chief Minister we have just around £20 million growth in the next 2 years to invest in education and Children's Services reform, with most of it, around 90 per cent, going into the staffing. We did recruit in total 113 people to work in education as front staff. We do need it to deliver the services. School meals, we started with 5 schools; by the end of this month we have 10 schools and by the end of the year all primary schools will have hot meals available. I remember I was supporting Deputy Ward in his proposition as a Back-Bencher and we talked about £200,000 or £300,000 or £400,000. How much we really needed? We needed £1.6 million that this Government allocated and invested because we do not have infrastructure. We do not realise how much we need to change physically in schools to deliver. You need to build kitchens that are not available. We need to recruit staff that is not available. It has been an investment. My uniform policy, when I capped the number of branded items of schools to help parents to manage the cost of living, the conversation started back in September 2022. It took time and I have full commitment from the Chief Minister for new schools in St. Helier, youth and community centre, and all feasibilities are in progress. It is 10 out of many. I know that I am limited on time. The Chief Minister's style and support have been instrumental in allowing me to do these things and she helped me through the challenges of getting things done in Jersey. It does not mean that we did not have challenging conversations; we had several challenging conversations and difficult conversations and we came back and we had another difficult conversation, but we found a way forward. So for me it is not a style problem. Essentially, we really need carefully to consider the implication of such work and recognise the importance of the stability and continuity of our Government. Just thinking about the C.Y.P.E.S. Department, Children, Young People, Education and Skills, we do understand that new children and young people will come in. The Corporate Parenting Board that Deputy Mézec, then Senator Mézec, started in the previous Government, unfortunately since Deputy Mézec left it did not really continue. I, when I received the office, was back in square one and needed to build from the beginning. Think about it: the department had 4 Ministers in 5 years. It is not a surprise that people are saying: "Oh, you did not deliver."

Children say: “We told you everything but you did not hear.” For sure, because you had 4 Ministers change in 5 years. It took me a year to build trust because the Corporate Parenting Board, 4 Ministers, representatives from the charities and the children’s voices we need to include, and officers. When I started the Corporate Parenting Board - and I really tried to continue what Deputy Mézec started, unfortunately it was not continued by other Ministers - I started from I had gone back. It took me a year to build this relationship and overcome the barrier of the trust because they said: “We told you everything but you have not done any.” We are finally on the way. I was preparing yesterday for the Corporate Parenting Board and I realised I do have a plan to confirm with the Corporate Parenting Board what we agreed. We have done a workshop and we have done development, but am I ready to confirm this plan now? It is really important that the Government is starting and finishing projects, its known quantity. Do the public really want us to continue to discuss ourselves or to get on with the job to deliver? Do the public want us to continue as a solid team over the next 2 years, a team that already knows the brief, a team that is already in the middle of the delivery plan, a team that already knows what they need to do and what they are expected to do? Because it is very clear what we are expected to do. The new team, we are not sure what they would like to do or to deliver. Do the people of Jersey want a reset of the Council of Ministers? At Deputy Andrews’ and my surgery last Friday people raised concerns, right concerns, saying: “What you are debating in the States, what does it matter to the public? How are you getting on with the business? How are you communicating?”, and I hear these concerns, and concerns are valid. But I did not feel that the whole reshuffle and start from the beginning is something that the public is ready for this time, but we do need to make changes and make sure we continue with the delivery. I personally delivered positive changes with the support of the Chief Minister and our team as a Council of Ministers in spite of major incidents, in spite of the worsening economic situation, in spite of the huge uncertainties in the United Kingdom and globally. A big majority of this Assembly, as the Chief Minister said, at the last sitting supported the Government Plan, including vision and delivery targets. Let us work, let us get on with it and let it happen.

7.1.3 Deputy S.G. Luce:

Like Deputy Gardiner, this is also not my first vote of no confidence. Some will say it is quite useful to introduce humour into debates of all types, and I just wonder whether I might suggest that our sister Island, Guernsey, might shoulder some of the blame. We do not want to be left behind and they have had a vote of no confidence and it is incumbent upon us to keep up. Others might also say they have a Chief Minister called Lyndon, but I will leave it there. **[Laughter]** I will leave it there because this is serious stuff. This is as serious as it gets politically, particularly for those politicians concerned. There are 2 ways to arrive at a vote of no confidence, as Members will know. It is usually a one-off event, a single decision that goes in a particular direction that Members feel very strongly about. It is unusual that we have a vote of no confidence that just signals a general direction of travel. Until now I have always thought that it was that single event which should be the reason to bring a vote of no confidence, but when you look back and when you read Deputy Binet’s report and when you listen to what he said in his opening speech, maybe there is an alternative. I have to say that, like many others I am sure, we sat around last week thinking about today and my overwhelming emotions were sadness and disappointment. It is sad because a debate like this has to happen and it is also sad that a Government potentially in the view of some Members are not performing as well as they should. I was also sad ... I am not going to again reiterate the points that Deputy Binet made in his speech of the number of different things that have led to this point, but I was particularly sad when it was felt acceptable to lose the Constable of St. John from the Council of Ministers. He is a man I have great faith in. His ability speaks for itself and I was sad to see him go. The disappointment ... do I add to Deputy Binet’s list, but one thing I feel I must say, because I was extremely disappointed at the time, is that twice in this term of Government the Chief Minister has chosen not to be here on a States Assembly day. On both occasions I felt that that was a misjudgement and I was extremely disappointed. We all know that the Chief Minister’s job is not easy and I certainly accept that, but

there are ways to do things and there are ways not to do things. So there is sadness, there is disappointment and also regret. I regret that this debate last week seemed, in my mind anyway, to become personal. Certainly, if I had written Deputy Binet's report, I might have chosen to use some different words, but I was particularly regretting the response from Government in the media to Deputy Binet and I would like to put that on record. This sort of debate should be political and factual and not personal, and some of the accusations made by Government in the press were ones that I do not recognise. I think we all know we should be working together for the benefit of our Island and working together is something that, as far as I am concerned, Deputy Binet gets. He was, in my view, the best possible person that could have led the Infrastructure Department in the last couple of years and his efforts in a short period of time have achieved much, despite some real hurdles for him to overcome. He gets people working together. He gets talking to all sides and he, in my view, achieves results. I conclude with this, and that is that I have had an inordinate number of contacts from parishioners, constituents and Islanders by phone, email, message and face to face, just walking through the street in the last 10 days. It is clear to me that we need to do something. We need to do more. We need to stop talking and start walking and start taking action to show that we can make change and address and improve the major and serious challenges that our Island faces. We have to stop talking about doing things better and start doing things better. We have to do better. At the very least we have to try to do better and I believe we can do better. I very much hope in his summing up speech that Deputy Binet will show us how we can do better. He certainly convinced me that there is an alternative way forward. He gets my vote and I hope others will consider voting in favour of this proposition.

LUNCHEON ADJOURNMENT PROPOSED

The Bailiff:

Could I just ask the chair of P.P.C. if she would like to give consideration to where we might be going and make any proposition, if there is any to be made, after the luncheon adjournment?

The Connétable of St. Martin:

Yes.

The Bailiff:

Very well. The Assembly stands adjourned. We reconvene at 2.15 p.m.

[12:43]

LUNCHEON ADJOURNMENT

[14:16]

The Bailiff:

Connétable, do you wish to talk to us about future arrangements?

The Connétable of St. Martin:

Yes, thank you, Sir. Having spoken to many Members over the lunch hour, the mood is to stay until the vote of no confidence is concluded. It is also the wish of the bringer of this proposition and the Chief Minister. I would also propose we take a 10-minute break at 5.30 p.m. Sir, could I please ask if at 5.30 p.m. it could be ascertained how many Members still wish to speak, as knowing the number will be a great help to Members and to those in the gallery?

The Bailiff:

Thank you very much indeed. You are proposing that we stay until concluded this evening. Obviously if we are reaching sort of the early hours of the morning, Members might want to revisit that.

The Connétable of St. Martin:

Yes.

The Bailiff:

But that is the proposition.

The Connétable of St. Martin:

Yes, thank you, Sir.

The Bailiff:

Is that seconded? [**Seconded**] Anyone want to say anything about that? Those in favour kindly show, those against. Very well. Then we will stay until finished. We will take a break at 5.30 p.m. If I remember - and I am sure the chair of P.P.C. will remind me - I will seek to ascertain who still wishes to speak come 5.30 p.m. We continue with the debate and who wishes to speak? It is going to be a very short debate if nobody wishes to speak.

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

I rise in support of the Chief Minister. Much has already been said about keeping this debate focused on policy rather than personality. I intend to keep my remarks to areas that I have been involved with alongside the Minister for Social Security ...

The Bailiff:

Sorry, excuse me, Deputy, we apparently have some sort of strange guttural noise going on. I think it is some kind of lead stuck under a door or something. There we are. Deputy, please continue.

Deputy M.R. Ferey:

Thank you. I intend to keep my remarks to areas that I have been involved with, alongside the Minister for Social Security and the Minister for Health and Social Services. It is my belief that this Government is making steady progress in raising wages for the lowest paid in our community. We have had substantial above-inflation rises in minimum wage since taking office. One of the first things that this Government did was to raise the minimum wage to £10.50 per hour and this amount was above the £10 per hour, which was called for in the Reform Jersey manifesto. From 1st January this year we now have a minimum wage which is set at £11.64 per hour and this is now higher than Guernsey and the U.K. and well above E.U. countries. Just before Christmas we published a report on the realities of how we can achieve further increases, and the commentary on this report has been misleading as it focused on elements that have been taken out of context. The report highlighted the feasibility of adopting a statutory minimum income standard base living wage and explains that: "The term 'living wage' has been adopted by campaigning bodies around the world to encourage employers to increase pay levels to lower-paid workers." Calculations taking account of taxes paid and benefits received by a worker are then compared against net income levels, against a measure of household costs. In some living wage calculations only one household type is used to measure against, in others averages are taken across several household types. The hourly living wage rate is then calculated based on a standard number of hours. This is a complicated calculation and requires many assumptions to be made to get to a single figure. Earning living wage does not and could not guarantee that any particular household would be financially self-sufficient. In reality, living wages are set by campaigning organisations to encourage employers to raise wages at the lower end. They are always set above the minimum wage rates for that country and most campaigns provide accreditation to employers who guarantee to pay higher wages. Bringing the lowest paid workers up to two-thirds of the median achieves exactly the same outcome as living wage campaigns. The two-thirds target means that no one is paid too far below the average. We are committed to achieving the two-thirds target and this has to be done at a pace that business can cope with. We have seen over

the festive period that retailers enjoyed a better-than-expected Christmas in terms of consumer spending, and that is encouraging. But we need to remember for retail, hospitality and agriculture wage bills are crucial to their bottom line. To continue to implement above-inflation rises in minimum wage could adversely affect these industries at a time when some green shoots are emerging. One large retailer recently told us that any minimum wage increases above £13 would have a negative knock-on effect across the business, as prices are already under pressure because of global events, with sharp increases in some areas very recently. Last year this Assembly passed a proposition to allow subsidies to flow to farmers and fishers. If this money, which is so vital to the survival of these important industries, ends up being used as being spent on wage bills we will have failed in our attempts to rescue these industries. The Chief Minister understands the need to align our minimum wage to a more realistic living wage. Indeed, this ambition was in her election manifesto, as indeed it was in the Jersey Liberal Conservative manifesto. All that is in dispute is the best mechanism to achieve this and the best method of ensuring that increases in minimum wage are realistic, achievable and sustainable. I have full confidence that we can achieve the ambition of supporting lower earners and I have full confidence that we have a Chief Minister who does not renege on her promises but who delivers on expectations. In relation to Health and Social Services we have made great efforts to the Health team to get Health back on track. The turnaround team and the new Health Board are having a positive impact and the work that we have done to create a relationship between Health and Social Security is a fantastic example of 2 departments working together for the benefit of the people of Jersey. Crashing a Government mid-term is a massive step. I ask Members to allow our great work to continue and to reject this proposition.

7.1.5 The Connétable of St. Martin:

This is a sad day for the Assembly and it does not delight me in any way to say that I am supporting this proposition and especially what it represents in so many ways. But this Assembly needs to change course; for that we need a new Council of Ministers. The atmosphere of this Assembly is broken, it feels stunted, diminished. It feels like we cannot set the example expected of us for Members to behave in the way that Islanders need them to and to place the Assembly in a position where it can deliver positive change that tackles the key issues we are facing. It gives Islanders the hope and the knowledge that it is working in their best interests. In the Chief Minister's statement to ITV, she was right to say that we need to focus on policies rather than personalities but to do that we need policies to be brought to this Assembly. In 2022 Islanders clearly rejected a model of Government by press release. The Council of Ministers were less interested in being in this Assembly than they were in holding a title and being important. I, like many in here, was optimistic that the Island had voted for politics that properly embraced the role of this Assembly and wanted to move in a more inclusive and engaged direction. Unfortunately, I stand here today suspecting that a better way simply means the same direction. Rather than bring a new tomorrow we appear to have given up on the ambition of building a better Island by pursuing common goals like reducing inequality in favour of muddling through and hoping that we will just be all right about that, that we can be content rather than engaged. It is my opinion, and one shared by so many in and out of the Assembly, that the Chief Minister has been spectacularly badly advised. Some of those giving advice are obvious and I suspect others not so obvious. Expressing this calls into question her judgment and being able to navigate the advice in the best interests of the Island. One particular issue of concern has been the distrust the Government has shown in the Assembly and the attempts to consolidate power and influence into an ever-reducing number of people, seemingly through an increasing number of unnecessary layers of bureaucracy. For instance, a Cabinet Office, which, as many understand it, appears to exist to try and control the Government message overriding the Council of Ministers. Similarly, with the Comms Department with its huge budget and evident failure to convince anyone. It is a Government that is always one step behind, reacting to events and trying to put the best spin on them. Reactive measures have been largely to rescind the work of the previous Government, almost as a point of principle and blaming the change of circumstances for them; a case of throwing

the baby out with the bath water. The Government has taken the attitude that the Assembly is in opposition, which is simply not true. It is not necessary for the Council of Ministers to fear the Assembly and to try to reduce its influence, for example, by hiding decisions and sharing press releases with the press before or at the same time as informing the Assembly. This Government has diluted the power of this Assembly. This is an Assembly starved of deliberation, one that feels isolated from the Government and set aside to approve propositions rather than debate their merits, scrutinise policy and make the active contribution it needs in order to make Jersey a better place to live. This Assembly is impoverished by this Government's reticence to discuss from within this Chamber rather than from Broad Street. It has undermined an erratic approach to public-sector leadership that is seemingly chosen to prioritise blind cuts and vague gestures to business over a genuine vision for our whole Island. Regardless of which way this vote goes, this whole Assembly needs to change direction because to continue with our current course is to risk undermining the very democratic institutions we take for granted. We have already started to see the consequence of an empty Order Paper. Those who have been keeping tabs on the coverage of a certain proposition will already know that I am fed up with having to defend it because of how barren the rest of our public business is. Had we received propositions from the Chief Minister and her Council of Ministers to consider, then this simple piece of parliamentary housekeeping brought in the proper way for Members to consider would have been just that, simple parliamentary housekeeping. Instead it has become a rallying cry to claim that our Assembly is broken, inefficient and easy pot shot. We need a Government that is active and engaged in this Assembly, not just through its Communications Unit but in a way that understands a risk that their approach brings, one where people who have no regard for the spirit of democracy or political collaboration but have instead supplanted it for a great love of the words efficiency and streamlining and whose conception of Government is to have meetings with top men and side line Scrutiny and public empowerment because they think they can run the Island like a company, rather than the community that we are. We cannot be so casual about how lucky we are to have a Parliament like this, how fortunate that we have not only this Chamber but so many representatives in such an Island, a level of representation that so many around the world can only dream of. Lose sight of this and it may be gone for good. Unfortunately, the direction of this Government feels blind to this. The Chief Minister has lost sight of the public and so she has lost my support. Whatever happens today we are going to have to pick up and work out how we can build a more congenial Assembly, because that is what Jersey needs.

[14:30]

Whoever the Chief Minister is by February will need to work in a way that really is open, inclusive and understands a genuine potential among all 48 of their colleagues sat here today. We need to see each Member develop their ideas, find support and bring them to this Assembly to drive change and to prove what a positive impact we can have on Islanders. We have just over 2 years before the next general election. This Government has diluted the power of the Assembly. After today let us just try and rebuild and show what we can accomplish.

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

Strong words from the Connétable there but I do question where the evidence is for much of what has just been said. I do take real issue with a suggestion that somehow the mood in this Assembly and the failings of this Assembly as a whole have to be lain just at the door of the Council of Ministers. I think all Members in this Assembly could take a long hard look at themselves and all of us. I also open with a clarification. I was not going to touch on it but Deputy Binet mentioned me by name in his opening speech, and so I will do so. I make absolutely no apologies for calling out behaviours and facts which I believe are in the public interest and I stand by my comment around the timing of the lodging of the vote of no confidence when we now know that the Chief Minister was out of the Island. To me, I would expect people to have the respect of resigning in person and certainly allowing somebody to be able to respond in person to the media, as the Deputy himself had the opportunity to

do so. But of course this debate today is not about Deputy Binet. I once wrote a column in my previous life about the size of the Council of Ministers' table, which then dominated an entire room on the 9th floor of the then Cyril Le Marquand House. My suggestion was that they would get more done if they sat around a smaller table. Today the table sits in the Government of Jersey's Broad Street office and is just as large. For the past 18 months I have been very privileged to have had a seat at it. As an Assistant Chief Minister, I have had an open invite to Council of Ministers' meetings during that time and I have been treated as part of the Council in a number of ways, including my access to information, invites to briefings and discussions and so on. In addition, my Assistant Minister responsibilities have sat across 3 different departments, giving me a really unique view into the workings of a variety of portfolios; Infrastructure, the Economy Department and the Cabinet Office, a helicopter view if you will. These experiences have enabled me to see this Council of Ministers in action around that large table, as well as in this Assembly, behind closed doors as well as out in public. I consider myself privileged to have been able to work closely with the Chief Minister during that time, developing and implementing policy on areas like population and migration and policy inclusion and engagement. Rude and thoughtless - Deputy Binet's words in his opening speech - are not words I would use to describe her, nor are they reflective of the views of a great many of other people that I have spoken to. By way of an example, the following words were posted on Facebook in recent days, not by anyone I know and I did not engage in the discussion. However, they show that the attempt at a character assassination playing out here today is quite simply wrong. The person says they met Deputy Moore to discuss an issue and found her to be communicative, understanding and an excellent listener: "I have every confidence that she wanted to move forward on my behalf", they say, "but in order to do so she would need some team effort." No man is an Island. I too stand here today able to make a judgment based on what I have seen and experienced, based on evidence and fact. I have not been party to it all, all of the time, of course and I do not attempt to claim that I have all the answers, nor, I should point out, would it be right to say that Ministers themselves or the Chief Minister have all the answers. Leadership is not easy and the Chief Minister and her team are human; they do not always get everything right. We know that metaphorically the table can sometimes feel too large and that not everyone around it has always seen eye to eye. We also know that should this proposition this week be unsuccessful, which I very much hope it is, then the Council will need to listen, learn and act on some of what has been said during this debate and indeed has been said by the public more generally. They will need to make improvements in the way they do some things. But I can tell Members with absolute confidence that from all that I have seen and experienced, this team led by the Chief Minister is absolutely committed to delivering for Islanders. They are listening, engaging and learning all of the time; that is what good leaders do. They are delivering in many areas already and we are already starting to hear that Ministers are reflecting on that within their own portfolios. They have plans in progress for more. You only have to look at the Ministerial Plans and associated delivery plans to see just how much work is targeted for this year and of course that we have newly published 5 key priorities for 2024, providing an even sharper focus on the crucial areas of economic growth and productivity, delivering more homes, improving health services, doing more for children and families and investing in St. Helier. I have been particularly encouraged by this Council's determination not to shy away from the really difficult stuff, the unpopular but necessary decisions. They do not put off dealing with uncomfortable subjects because of their own political interests and they are working to tackle a long list of legacy issues which have been ignored or put in the too-difficult box for too long or fixing the mistakes of previous Governments. Some examples, underfunding of the emergency services; the lapsing of community safety policies; a long overdue of the review of terms and conditions for teaching assistants, teachers and headteachers, as we heard earlier from the Minister for Children and Education, that had been promised but not delivered by the previous Government. Even things like retrospectively fitting air-conditioning at the new Les Quennevais School; drains and water connections; funding the long overdue multimillion pound refurbishment of the Jersey Opera House and more. That, to me, is leadership. Standing by your Minister for Health and Social Services in

the face of sustained and targeted attacks is leadership. I now respectfully ask Members of this Assembly to allow this Government to continue with its work. A vote in favour of this proposition does the exact opposite and it risks setting back the work of delivering for Islanders, which we all agree is so important, by many months. Some of it just will not happen at all. I fear that we will end up with the same kind of challenges facing any new Council anyway; same table, different people. Jersey's Ministerial system continues to encounter the challenges of silo structures on a regular basis and working to cut across departments and bringing people together is a daily challenge, not necessarily because of the people, politically or at officer level but because of the system or features of it. Some say we need party politics to make it work, which is a whole debate for another day. I am also not convinced that having Ministers belonging to a single party would magically make it all better; many of the challenges would still exist. Until such a time as the system is changed, a process which will never happen overnight, even if somehow magically we all agree on what the solution is, then the way we make it work is by working together. I remain committed to the principle of collaborative working and to my position, set out clearly in my manifesto, that diversity around the decision-making table leads to better outcomes. But collaborative working is not always easy, it takes commitment, resilience, honesty, an ability to listen and problem-solve and a great deal of hard work. It can be messy and it can be frustrating and it is even more difficult among a diverse group but done well the rewards are far greater. I have also learned starkly during the past 18 months that collaborative working does not come naturally to everyone. Much has and will be said about our Minister for Health and Social Services during this debate. In some ways I believe she has the hardest job in the whole of Government and she certainly received more than her fair share of negativity, to put it politely and mildly. Quite how she has managed to stay as professional and focused as she has in the face of some of what she has been subjected to I simply do not know; that is leadership. I would like to reflect on an area of collaborative working with her that I have been involved in over recent months; women's health. Deputy Wilson is driving forward a women's health strategy and as part of that work has enlisted the help of a number of female States Members from within Government and not to help inform and guide that work. It is an incredibly important piece of work which will deliver improvements to health outcomes for half of our population and a half which has for many years been largely overlooked. I am disappointed that the Connétable who spoke before me, who is included as part of that group, does not seem to feel that the Government want to listen or engage. More specifically, the Minister has shown her willingness to listen and engage with me personally and with the infertility support charity I am involved with, Tiny Seeds, in order to help inform future policy on assisted reproduction. This was one of my manifesto commitments. We have developed a positive and collaborative working relationship based on trust and mutual respect, on evidence and facts. Now this year we are moving forward to deliver better outcomes for Islanders which have both social and economic benefits. That is how good policies are developed and implemented, particularly in a small Island community. Deputy Binet accused the Minister for Health and Social Services of not acting constructively on the hospital project. Being dictated to by others or one person or lobby group in particular is not the same as constructive working. Elsewhere in my own areas of responsibility, collaborative working is helping us to harness the power of sport and physical activity to transform and protect lives and strengthen communities. We are working across many portfolios to implement the recommendations of the review of sport and correct the mistakes of previous Governments when it comes to Jersey sport. This includes improving governance, accountability, our mechanisms for change and how we measure impact and delivery. We are delivering increased investment in sport, directly by supporting performance athletes and by introducing a dedicated sports policy resource for the first time since sport was outsourced by a previous Government. We are taking a whole-systems approach and collaborative approach to our public sports facilities, recognising they are community spaces at the heart of Island life. A pay policy and associated strategy of delivery is being delivered as a direct result of collaborative working across the departments of Economy, C.Y.P.E.S. and the Environment. We are also collaborating with a great number of other interested parties in this work, recognising that by working together we

can do more for children and families in our Island. The Population and Skills Ministerial Group continues to deliver collaborative Ministerial working on population policy, including the availability of accommodation and immigration, housing and work controls, the employment market and the skills needs of the Island's economy and public services. As part of that work, Ministers have committed to review the availability and quality of housing for those without full housing qualifications and to consider options for improvement. All of this is evidence of collaborative, productive working, which will deliver positive outcomes for Islanders and our Island community. I could go on but I hope I have provided Members with a flavour of some of the progress that is being made by this Government, regardless of what others may try to say. But there is still a lot more to do and I hope that Members will allow that to happen.

7.1.7 Deputy B. Ward of St. Clement:

I welcome the opportunity to be part of this important debate. During the past 18 months has been a sharp learning curve for me, understanding how the system and the workings of Government are. What has been clear to me is that one must understand under this present system that the Council of Ministers rule, okay. My view reached is because of all the many news releases being published without any reference back to the Assembly and at times I found this quite disenfranchising. I may be one of the few Members in this Assembly that gave written and oral evidence to Sir Cecil Clothier when he was consulting with interested parties, time past.

[14:45]

The view I presented at that time was Jersey should not go down the road and develop into a mini-Westminster. Jersey is a Crown Dependency and, as we know, makes its own laws, albeit with agreement with the Privy Council. But, in essence, Jersey is self-governing and this is what makes Jersey unique and special. During my time as a leading trade union representative for 25 years I worked with the committee system, which worked well. The committee system was collaborative, open, transparent, accountable and, in turn, accountable to the Assembly. There was more joined-up thinking and committees' members felt that they had a voice. The committee involves States Members from across Government, regardless of the Member's political party views; it was more inclusive. In 2005, some 19 years ago, Jersey adopted the Clothier report recommendations and the journey began, changing Jersey, in my view, into a mini-Westminster. The chain of accountability changed, as was who at that time the chief executive, who was an unelected individual and, in my view, that is when the pathway to chaos commenced. From my experience and observations over the past 18 months, it is clear that this U.K.-style Ministerial system is broken and does not work for Jersey. Powers reliant on 12 Ministers, albeit 15 if we include our 3 Assistant Chief Ministers, working, in my view, in a silo, reliant on non-elected personnel for advice and guidance on what is discussed privately at the Council of Ministers' table, with the rest of the Assembly not truly consulted or collaborated with. This is, in my view, not a democratic process; by its nature purports to a dictatorial behaviour, which I find disturbing and from what I hear from Islanders they concur. For me the introduction of the Cabinet Office was the last jigsaw piece of this mini-Westminster and for me was the last straw. It is the concept and introduction of a Cabinet Office and not the individuals, who I am sure are doing a grand job. If it is agreed to have it changed, coupled with a new look going forward, this would be an opportunity to save millions of pounds, which can be better spent elsewhere like in health, education and infrastructure. We need to turn to a committee system with some variation, some halfway house. This would bring in all Members of the Assembly to be part of an inclusive, decision-making processes, rather than confrontational Scrutiny committees. Yes, we need some critical friend scrutineering, watchdog aspects, to provide second thoughts and assurances, for example, P.P.C., P.A.C. (Public Accounts Committee), S.E.B., et cetera. I would urge Members to think seriously about this and support some type of hybrid system. One would ask, what does this have to do with this vote of no confidence? In my view, it has everything to do with it. The present system, as I have stated, is broken and leads to more escalation of disharmony,

resulting in where we find ourselves today, basically due to the lack of collaboration and inclusion of all States Members. Today's debate is not a vote for Deputy Binet to be Chief Minister but for our Members to vote for change, which is desperately needed, in my view. I am not going down the road to make sparring comments of one Deputy against the other, which I feel is fruitless. We must look at the wider picture and consider the escalated dissatisfaction facts that have been presented today. I personally do not do social media per se but have been guided by parishioners and Islanders. It is they who want this change and they are right. I must listen to them, as they are the people who turn out on the election day to vote. This is a good opportunity for Members of the Assembly to vote for this proposition and an opportunity for those able and willing to set out their store to be our next Chief Minister and make positive collaborative changes and decisions to take this Government forward. If I may quote a famous saying by John Lydgate: "You can please some people all of the time, you can please all of the people some of the time but you cannot please all the people all of the time."

7.1.8 Deputy M.R. Scott:

It is said in politics and business that you should not take things personally. As any politician and person of business of reasonable maturity knows. Two Members of the Council of Ministers have so far suggested that the Chief Minister should not be judged on her style of leadership. Leadership, I mean style, is about standards and such comments highlight how some of the Chief Minister's choice of Members of her Council are or have become somewhat detached from the productive and highly professional culture that has been the foundation of the Island's economic success. Let me inform or remind them, performance reviews are a common feature of well-performing organisations, something of which we already know there are not enough in the public sector. The head of an organisation may change but that does not mean the whole organisation collapses. Often it is stronger as a result of a change of style. From a position of leadership I have held, I have experience what are known as 360-degree reviews; often I have learnt from them and improved as a result of them. The chair of the States Employment Board, the Chief Minister, could have shown better leadership by responding more positively and more conciliatorily towards this type of scrutiny of her performance. Sometimes in performance reviews it will be agreed that a person is not in the right place in an organisation and would be more productive and effective in a different role. This is what a vote of no confidence is about, as far as I and Islanders, who have sought to give me views on this matter, are concerned. It is an expression of whether you have a confidence in the Chief Minister continuing in the position in which the States Assembly has placed her after reviewing material issues of concern. I have established that the Chief Minister believes she is doing a good job but the question is whether that self-confidence is misplaced. In this States Assembly that could be described as a conflict in cultures, between those of us from a high-level business background who prefer to be direct and transparent as much as possible to support clear and productive teamwork and those of us whose focus is more a media image and courting popularity. Our civil service, who barely have had a mention by Members of the Council of Ministers and who very much support stability, need leadership that makes them feel safe, respected and secure. This is why reports of a bullying culture in the Council of Ministers gives rise to such concern, both inside and outside the States Assembly. The reputational damage and effect on morale and productivity is immense. Is it possible that the Chief Minister may not know what bullying is, despite the definition provided on Government's own website? This includes: "Offensive, intimidating, malicious or insulting behaviour and misuse of power through means that undermine, humiliate, denigrate or injure the recipient." I do not have a confidence that she does. I do not have confidence that because of that she is able to ensure that members of her Council of Ministers have that knowledge to inform their standards either. States Members and the public have witnessed the denigration of Deputy Binet by Members of this Council of Ministers in response to his raising the subject of bullying, in response to him daring to challenge. Members of my Scrutiny Panel were denigrated by a Minister and Assistant Minister for daring to challenge government spending in this States Chamber. Two reports by the Commissioner for

Standards have found instances of Ministerial bullying and the use of confidentiality, which is a form of gagging, a form of silencing, to counter reasonable and non-malicious challenge. Do I believe the former chief executive was the subject of bullying, whether intentional or not? From her tearful reaction to an innocent question that I asked her, I believe she was traumatised from her experience of our Council of Ministers at least. Scrutiny only is productive if it operates on a principle teamwork, the embracing of challenge and transparency. Relationships have broken down on the Chief Minister's watch, partly because of her own intolerance of unsupportable Ministerial conduct and this is unsatisfactory leadership by the chair of the States Employment Board, given the extent to which bullying has been identified in the public sector. I do not know whether or not she has been perpetrating it but I do believe she should not be condoning it or tolerating it in any way whatsoever and in a manner that it appears that she has been doing. Deputy Binet has mentioned morale in his report. I am concerned that the Chief Minister and some of her Council of Ministers appear to be blind to such matters. The Chief Minister expresses plenty of self-confidence, as you might expect from a polished media presenter, but I still maintain that genuine or not that confidence is misplaced. One thing, the importance to stability is the soundness of political decisions. We have seen U-turns and kneejerk reactions that suggest the Chief Minister's process for producing policies is not as stable as she might suggest. In response to this vote of no confidence the Chief Minister announced brand new policies to the Chamber of Commerce 7 days ago as if she had pulled them out of a hat. They include announcements of savings that did not exist when States Members reviewed the Government Plan only 4 years ago and which had avoided scrutiny. The doubling of a productivity support scheme funded at public expense was announced by the Chief Minister only 6 weeks ago after her Minister for Sustainable Economic Development had informed Scrutiny that the scheme was to be reviewed for effectiveness. Was this work even done or was it a kneejerk reaction advised by kitchen cabinet, to whom the Chief Minister perhaps pays more heed than her colleagues, her advisers and Scrutiny? A marketing gimmick used by the Chief Minister to buy popularity outside the States Assembly using taxpayers' funds. Did it impress Members of the States Assembly and Scrutiny and ones with the votes? It does not seem to have had much impact on the vast majority of the constituents who contacted me on this matter, including key players in the business community who are the cornerstones of our Island's economy. Concerns about the governance and oversight of separate entities as delivery arms continue, concerns that were raised by our Comptroller and Auditor General too. Another perceived gimmick, the 100-Day Plan, was a mishmash of popularity-seeking ideas that seemingly came from nowhere and anywhere and have not all been delivered even now; it never was formally approved by the States Assembly or scrutinised. The pressure put on civil servants and Scrutiny to deliver it was considerable, yet the most substantial and meaningful government improvement, potentially, the establishment of the long-awaited public ombudsman has yet to be delivered; a Communication Department capable of producing spin with an eye-watering budget was. The value-for-money review that has been trumpeted has been reduced with the wielding of a machete over government departments and grant-funded agencies to seek headline cuts to be described as savings. I am not a fan of excessive public spending but this is a repeat of the efficiencies imposed on the public sector in the past that had no long-lasting effect. It is far removed from the systemic reviews and changes that the Comptroller and Auditor recommended to the public to achieve value for money for the taxpayer with fewer lights and whistles.

[15:00]

Many of my constituents are of a senior age and concerned about healthcare. They want a viable hospital, not a state of war. Another buzzword used by the Chief Minister in her search for popularity is balance. The only way to keep a spinning plate balanced is to keep it spinning but it is not stable; as soon as the spinning stops it will crash. More and more time has to be invested in keeping it spinning, when in truth it needs to be picked up with a trustworthy pair of hands and placed on a base with more substance. We do not have balance in the Chief Minister's choices for her Council of Ministers. There are pockets of excellence that any reasonable successor is likely to maintain.

However, some challenging roles have been given to those whose backgrounds are more in media and marketing than working through extremely complex and difficult situations. Spin over substance does not bear up to scrutiny, making scrutiny a miserable and depressing experience for stakeholders who have sought to serve in that area. Yes, it does affect their morale. What about those who cannot complain, owing to the circumstances in which they are required to keep matters confidential so that they are invisibly gagged? The former chief executive, a bright and authentic individual, diminished to someone who showed trauma. Was the Chief Minister aware of this? I do not believe that she was. The sad truth is that when you are focused on image you are not self-aware. This is the story of *The Emperor's New Clothes* and in a forum where transparency happens to be desirable, and this has been used as a buzzword by the Chief Minister, we have seen little in a way of meaningful progress too. Being gagged by confidentiality in many cases unnecessarily has not only led to non-disclosure of serious concerns but also led to many misunderstandings among Members of the States Assembly. This is not good for democracy, for productivity, nor for teamwork. Paths to an organisation of excellence and economic recovery are not forged by compromising, going in different directions at the same time, nor by surrounding yourself with political allies and deflecting challenge. Trust is not built by saying one thing and doing another and democracy flounders when bullying is tolerated. It is true we will never have a perfect Chief Minister. Many of the Council of Ministers would have delivered in their areas well under a different leadership too. It would be an absolute indictment of the civil service if nothing had been delivered, despite their continuous work behind the scenes. This Island needs a steadier pair of hands for me to have confidence in the Council of Ministers' leadership and that is what is required for morale within the States Assembly, the public sector, the Island at large and perhaps even within the Council of Ministers as a whole to be recovered, also to rebuild the reputation of the States Assembly and our faltering economy too. It has been suggested there is no fireball alternative to the Chief Minister. I look around this Assembly and see plenty of competent and experienced people, both within and outside the Council of Ministers, in whom I have confidence to take Government forward knowledgeably, prudently, ethically and with a clear vision and direction, who will be able to steer the ship away from rockier ground, the rockier ground it is heading towards, if it continues under stark leadership that we all have been witnessing and been subject to. I, therefore, will be supporting this vote of no confidence with the majority of the people who have contacted me on this matter.

7.1.9 Deputy D. Warr of St. Helier South:

Just last month this Assembly approved the Government Plan. The Government Plan was brought by this Chief Minister leading this Government. That crucial document set out this Government's funding positions, as led by this Chief Minister. It was approved by this Assembly by a clear majority. Surely that demonstrates this Assembly's confidence in this Government and in this Chief Minister. I am, therefore, incredulous that on the basis of just 4 signatures we are debating that confidence. I would call on all States Members to put aside their own political aspirations and think of what is best for this Island. As well-respected businessman, Kevin Keen O.B.E. (Order of the British Empire), commented recently: "Really hope Ministers will remember we elected them to make all Islanders' lives better. There is still a way to go, so please forget all score-settling and find a way to work together in the public interest." In his report on the proposition, Deputy Tom Binet makes the assertion that: "The morale among States Members is very poor, with many longstanding Members claiming the current situation to be worse than under the previous Government." It is no secret that the same can be said of many members of the public; that is a sweeping statement. To be honest, I cannot remember a time when the public has ever come out and said they are happy with the existing Government. It is probably why those of us who are new in this Assembly stood in the first place. I do not see a lack of morale; in fact I think the Assembly has worked well together. The evidence is in the recently taken vote on the Government Plan, which was overwhelmingly supported by this Assembly. Like the Deputy, I recognise the frustration of the time it takes to instigate change. As someone who runs their own business, I am used to making quick decisions to enable our survival.

It is quite Darwinian in nature. But the Government has to constantly consider the bigger picture and the impact of our decisions on the whole community. That is not to say we cannot do things quicker and more efficiently; such discussions regularly take place in the Council of Ministers. Just look at the initiative taken by the Minister for the Environment, he instigated the Mackinnon review of planning. It has clearly highlighted deficiencies in the process and work is underway to make significant improvements. We all want Government to be nimble in bringing about change but we have to appreciate that the timeframes will be different to those in the private sector. Government is more akin to a large freight train than a Formula One car. I now want to pursue this analogy because I think it is really important that this Assembly grasps the implications of changing leadership coming up to halfway through a term. Back in June 2022 the people of this Island set us on a course; effectively we all got on that moving train. Of course some of us were already on it, some left and a new driver took over but the train was still moving. It had to slow down to get us on board but it did not stop completely. As this Government set the new course, so we have gradually built momentum. Momentum is an important word when it comes to dealing with large projects and organisations. Take a look at the Merchants Square development on Bath Street, a friend of mine intended to move in to one of those apartments in the summer of 2023. Here we are in 2024 and there is still little sign of that apartment being delivered. When you stop it takes time to fix things and get back on track. It has taken Andium, for instance, 5 years to refurbish thousands of homes to bring them up to decent home standard, following years of underinvestment by previous Governments. But Andium completed this work 5 years ahead of schedule and they are racing on with their capital build programme to deliver more homes. We have picked up momentum. Who would suggest that we stop? When things break we have to stop the train to carry out repairs. Just like our social housing stock, our health service and our planning system all needed fixing. It takes time to rebuild momentum. The good news is we have that momentum. But what the proposer of this proposition is looking to do by asking for a change of leadership is to lose that momentum, effectively, taking our government freight train into a siding and stalling. Come the next election all the old frustrations that the States can never get anything done will land with all of us, not just Government. We have a duty to keep that momentum going, delivering what this Assembly has asked for in the short time we have left. I want to be part of an Assembly that gets things done, do not we all? This is a team effort, whether you are in Government or not. If I want to make progress on vacant homes, that unbelievable wasted resource, I need the support of the Comité des Connétables. If we succeed in our objectives that benefits everyone. I look to the Constable of St. Saviour, who, unfortunately, is not in the Assembly today, and reflect upon the fact that the Minister for the Environment has now issued supplementary planning guidance on the old St. Saviour's Hospital site. Nothing has happened there in decades, yet by working collaboratively with Deputy Binet, Deputy Renouf and myself, we have got the ball rolling. I hope the Connétable will be there to cut the ribbon when new affordable homes are delivered on this site. Again, I use the word "momentum". I cannot reiterate enough how much the success of this Government is down to the collaboration of this Assembly. Deputy Barbara Ward may not agree with everything I say or do but she did lead on the rent-a-room policy; that is more effective use of our built environment. Despite criticism from the Reform party, I cannot help but reflect on how many of the issues raised in their Housing Crisis Action Plan are being delivered by this Government. The only difference is that I have chosen a different approach to achieve the same ends. That narrative that things cannot continue as they are suggests we have to stop the train, stop the momentum but we are all heading for the same place. Why do we not just stay on that moving train? Finally, I refer back to the comments made by Kevin Keen O.B.E. and remind the Assembly of the many times we have said to play the ball and not the person. We can all get frustrated on occasion with the actions of others but we cannot forget that this Government is delivering for the people of this Island. This Assembly has voted overwhelmingly in favour of the Government Plan. We have momentum, let us get on and deliver. I urge Members to reject this proposition.

7.1.10 Deputy S.Y. Mézec:

In standing to speak, I am speaking to provide a unified voice for Reform Jersey's 10 States Members and it is our intention that this will be our only contribution to this debate unless of course something drastic changes in the meantime. In this vote of no confidence against Deputy Kristina Moore as Chief Minister of Jersey I think it is important to start by recognising the personal toll that I am sure this debate will surely have had on her. This whole debate is destined to be unpleasant and unedifying for all of us, no matter which side of it we fall on. My personal experiences of Deputy Moore have all been pleasant and I wish her no ill will or unhappiness. As an Island we ought to be grateful that Deputy Moore has been willing to serve as Chief Minister for the last 18 months knowing the dedication it takes and the personal sacrifices that inevitably have to be made to do the job, the time with family that must be foregone, the late nights and early starts and all of the behind-the-scenes efforts that will never be acknowledged.

[15:15]

But in answering the question: do we have confidence in Deputy Moore as Chief Minister, we cannot consider it a personal matter because it is about so much more than that, it is about Jersey. Being Chief Minister of Jersey is not a consolation prize given to someone for merely trying hard and having good intentions. It is an honour and a privilege to hold the role, a role that is only temporarily bestowed upon someone on the understanding that they are the right person who can take Jersey forward and once they are given that role they are not entitled by right to keep it come what may. We therefore cannot look at this debate as just being about feelings of one person, it is about Jersey and our future, and I am sorry to say that 18 months into this term of office it is clear that our leadership is not working. For the last year at least the Government has been beset by dysfunctionality, open warfare between Ministers openly undermining one another, accusations of bullying, and being disingenuous to the public on key matters of huge importance like the resignation of the former C.E.O. Three Members of Government have resigned in the last 2 months, including one who had demonstrated steadfast loyalty to the Chief Minister for so many years. Any argument against this motion of no confidence based on maintaining stability cannot be taken seriously when we did not have any stability to start with. In the report to the proposition, several serious claims are made about the behaviour that has gone on behind the scenes. As most of us are not Members of the Council of Ministers we cannot speak to the accuracy of those claims. If what Deputy Binet says is accurate about the way the C.E.O. was treated by the Chief Minister, then that is appalling and inexcusable. If the counteraccusations made back at Deputy Binet, which include more than just an insinuation of misogyny, are accurate then it is appalling that the Chief Minister did not sack him for it; either scenario points to the poor judgment of the Chief Minister. But as I said, most of us do not know what has really happened so we have to look at the broader issues too. The Chief Minister's propaganda machine has been working in overdrive for the last 2 weeks trying to cobble together some successes to boast for the Government. That is work that is necessary because the Government's record does not exactly speak for itself. People do not feel like their lives are getting better and that is because they are not. For every nominal action that the Government has taken to improve their conditions, this has been undone by inflation, real-terms pay cuts, rent increases. Islanders are not better off. The Government's response to the cost-of-living crisis has been to just increase benefits and tax allowances, basically give out free money rather than dealing with the root causes of growing inequality and as it stands we have every reason to think that this will carry on. Like pretty much everyone of my generation who I speak to, I am genuinely scared for the future of my Island. Jersey is facing a terminal decline. We saw statistics recently showing that in each of the last 2 years we had a net loss of around 900 locally-qualified Islanders. That is people deeply connected to Jersey leaving in greater numbers than we can remember seeing before to live their lives elsewhere. Nobody in this Chamber will be untouched by this, whether it is friends you know or maybe even your children losing hope that they might have the kind of life here that their parents enjoyed. Our Island is suffering both economically and socially and if we cannot fix this we may

cause so much damage to the fabric of our society that it will take generations to repair it. Foodbank usage at record levels, a mark of shame on a wealthy Island like Jersey. So bad has the situation got that we are even witnessing charities expressing outright hostility against the Government approach to it; something I cannot recall seeing to this degree ever before. I ask Members: what single tangible, defining policy can you think of that the current Chief Minister has to resolve this? You cannot think of any, can you? You might recall lots of nice words: inclusivity, collaboration, open-mindedness but all of these address the vibe, not the substance. In her speech earlier, and in that just made by Minister for Housing and Communities, the Chief Minister prayed in aid the overwhelming adoption of the Government Plan at the end of last year as a mandate for their Government and action. I get the impression that other Ministers may continue to repeat this line in this debate. But as we have already explored this morning, that Government Plan lasted just 9 days before it was unilaterally changed by the Chief Minister which she did without even telling States Members, let alone asking for our permission through a proposition in this Assembly to retrospectively amend it. It was poor judgment to take the Assembly for granted yet again, judgment we have seen time and time again through broken promises, but even with this record Reform Jersey has tried to be constructive. It would be extremely easy to just throw stones or seek to exploit the political environment for our own benefit and I have no doubt that some would cynically expect that to be exactly our approach but it is not what we did. We did not jump on the bandwagon and we did not nail our colours to the mast with a kneejerk reaction. We decided that we would try to be constructive and offer what we could to resolve the situation. We met with the Chief Minister and some of her colleagues twice. We did not make demands, we did not ask for roles to be given to us in exchange for our support. We asked only that our ideas for getting Jersey back on track were considered and that the Government would do some introspection over this whole affair, learn from it, and start to genuinely represent the change that they originally sold to Islanders in their pitch to form this Government. At the first meeting where Reform Jersey wanted to encourage action, Ministers made it clear to us that politics for them is more about process. Nothing could be done without a review, a consultation or the setting up of a new committee or board. I have to question what the point in even having elections is if that is how all decisions are to be made but it was after that first meeting that the final straw came. On Friday we learned through a leaked letter, rather than just imposing the pay offer on Jersey's teachers, as the Government is entitled to do, the Government was doubling down on its divide-and-conquer tactics by requiring teachers to reveal how they voted in a secret ballot and banning them from taking industrial action if they do not do so. This approach is dangerous. It takes us down a dark path where the democratic rights of Jersey residents are cast aside for the sake of cheap political expediency. That is the kind of thing we expect from the Trumps, the Bravermans and the Bolsonaros of this world, not democrats who respect civil liberties. Democracy is sacred and we are incensed at the approach they have taken but also deeply concerned at the legal liability this may expose the Government to when the unions quite rightly challenge this and, again, it goes back to the question of judgment. This action will make things worse, not better. It further makes enemies of people who ought to be our partners in delivering the best education system possible for our young people, and so we have therefore come to the conclusion that there is just no chance of anything getting better as things are. I know that many Members in this Assembly who do not particularly politically align with myself or my colleagues will be feeling a lot of pressure from their constituents and parishioners too, not to mention, I am sure, from other States Members. We hear all sorts of whispers and rumours about deals being done and, for the record, Reform Jersey has done no deals with anyone, including the proposer of this motion. I urge Members to have the confidence to stand up and be counted, be prepared to say that enough is enough and do what is right for the Island. I want to finish with a quote that I hope Members will heed: "Change is a difficult thing sometimes but sometimes change can be the catalyst of good and when something is fundamentally not working, it is not sensible to continue doing the same thing and expect a different result." That was Senator Kristina Moore in 2021 when she brought a vote of no confidence against the Chief Minister John Le Fondré in the middle of a pandemic. I urge the Assembly to heed those words.

7.1.11 Deputy A. Howell:

These last few weeks have been a period of rumours, whispers, resignations and deals behind closed doors. Is this the way we should be governed? Over the past year there have been resignations of 4 key people: the chief executive officer, the Assistant Chief Minister, one Assistant Minister for Health and Social Services and the Minister for Infrastructure. In business 4 such resignations would be seriously alarming. In politics this is also the case and questions need to be asked. We have been told that the then Minister for Infrastructure was warned in December 2023 by the Minister for Treasury and Resources that he was about to lose his job. He decided to go before he was pushed but is this the way for a leader to convey their wishes to one of the most important members of their team, an individual who has been working tirelessly and is putting plans in motion to sort out so much of the creaking infrastructure of the Island? I think not. I read in the *J.E.P. (Jersey Evening Post)* on 6th January that the transport element of the Minister for Infrastructure's job had already been taken away with no discussion as to the effect on the team nor the intended consequences and certainly no mention of this alteration to the States Members. Yet on Saturday, 12th January in her interview with the *J.E.P.* we learn from the Chief Minister that this alteration may not in fact be a *fait accompli*. Please may we be informed who now is responsible for transport? There are other important questions that need answering. Does the Chief Minister still support the new health facilities programme? Does the Chief Minister support an acute hospital at Overdale? Or would the Chief Minister prefer the acute hospital to be at Kensington Place and, if she does, is this feasible, could this work, and what are the costs? Having asked the Minister for Infrastructure to review the previous plans and set him off down a particular track, is this what she still requests? If she has changed her mind then please would she be kind enough to convey her thoughts to us all? Please can she also let us know the answer to the question asked by the Reform party: does she intend Deputy Steve Ahier, as her nomination for Minister for Infrastructure, to also be in charge of the new health facilities project? If it is not to be him, who does she propose for the role, please? There are other questions. Why did the Chief Minister choose to back her Minister for Health and Social Services rather than heeding the legitimate views of her Assistant Chief Minister? The Constable of St. John is a good and honest man, a most trusted friend and supporter, so why did the Chief Minister stop listening to him? Why was she prepared to accept his resignation rather than acknowledging his genuine concerns? Is this how you treat an individual who has voluntarily given up hours and hours of his time to help and support you and assist you to win several elections? Has Professor Mascie-Taylor's contract as interim chair of the Advisory Health Board now ended? How much has the delay of choosing a new interim chair or chair cost us?

[15:30]

It all started so positively. The first 100 days benefited Islanders with such things as helping with the cost-of-living crisis and repurposing Westaway Court for vital accommodation. At the beginning we were all invited to meet up with the Chief Minister regularly, she knew what we were thinking, but some 19 months on this is no longer happening and cracks are appearing, tensions are becoming apparent and whispered suggestions that other Ministers are to have parts of their portfolios taken from them and one Assistant Minister openly castigated in the media. Some individuals have been promised roles, only to have them snatched away before their very eyes. Not a happy atmosphere and the lack of cohesion is unsettling for us all and we are not doing the best for the people of Jersey. The Chief Minister works hard and I know she wants the best for the Island. I realise it is a difficult job and it does take a huge toll on anyone but at the moment we are rudderless, we are flip-flopping in the doldrums and I am struggling to be positive. There may have been some progress in some areas but I am afraid it is negligible. What have we achieved? The talents of many of those in the Assembly are being stifled. Many States Members, those not in Government, have been saying: "We cannot go on like this. We are not thriving." Promises of openness, transparency and accountability have not materialised. There are still significant problems on the table. Increasing use of foodbanks, Islanders struggling, a burgeoning of civil servants, more red tape and unnecessary bureaucracy and

services that are either not working or else proving a massive barrier to progress by individuals and businesses. Serious problems with I.T. systems, admittedly poorly procured by the previous Government, may be being looked at but are far from sorted resulting in difficulties and glitches for Islanders, especially in relation to the Tax Office, Planning Department and the hospital. Little has improved in Health. We are still losing vital front line personnel and others are seriously disillusioned. We have uncontrolled government spending, yet the threat of more taxes coming down the line. My family have said: "Why do you not all talk about a particular problem that needs solving and solve it?" I said sadly: "It does not work like that." The views of the majority of States Members are not taken into consideration; the Chief Minister holds ultimate power. There is a top-down, divide-and-conquer mentality with low morale and dissatisfaction in the Assembly. Regrettably, this stems from a lack of proper leadership at the top so now I think it is time to change the driver, to deliver for the people of Jersey. A change of driver will not stop the momentum of the train, it will encourage us, it might make us go faster. Now is the time for action, a time to unite and get things done under a unifying leader for the just-over 2 years we still have left. Please support the proposition.

7.1.12 Deputy C.F. Labey of Grouville and St. Martin:

I must confess, as my colleagues know very well, I have struggled to find a way forward on this vote of no confidence debate. It is unfortunate indeed that both Deputies could not have resolved their differences behind closed doors and devised a practical way of working together rather than exposing us all to this rather unedifying spectacle which will undoubtedly do Jersey harm. I fear much damage will be done internationally where we rely on our reputation and like to promote ourselves as a mature, stable jurisdiction contrary to the on-Island situation we find ourselves in today where the right and centre-right publicly scrap it out again while Reform Jersey, to their credit, come out of this as a well-organised, credible alternative. At this point I think I should explain, as there seems to be a belief especially among some of my constituents, that if this vote of no confidence is successful it automatically determines the next Chief Minister. It does not. This vote is a vote to bring down the Government. The vote for a new Chief Minister will be a debate for another day and I dare say that there will be a number of candidates who choose to put their names forward. So, plainly put, if Deputy Binet is successful in this vote of no confidence it does not necessarily mean he will be the next Chief Minister because that is not what we are voting on today. I think it is important to make that clear. It is also worthy of consideration that if this vote of no confidence goes through and after a new Chief Minister has been elected, that person will have to form a new Government. The new Ministers will select the Members they wish to be their Assistant Ministers and the Scrutiny chairs will need to select the Members they wish to be on their panels. After the new Council of Ministers has been constituted under Article 19(7) of the States of Jersey Law 2005, then we would be required to lodge a new common strategic plan within 4 months as set out under Article 18(2)(a). Depending on if there is major change in direction and priorities within this new C.S.P. (Common Strategic Policy) there may be a requirement to lodge major changes to the Government Plan to fund the new priorities, which can only be changed by a proposition from the Council of Ministers. Any changes to the Government Plan will need to be reviewed by Scrutiny before being debated. This has the possibility of slowing down or stopping projects and services that are currently being delivered and can fundamentally change the reviews being undertaken by Scrutiny. This outline demonstrates how a successful vote of no confidence can be disruptive and time-consuming, potentially hindering good governance and service delivery in Jersey. I think the whole Island would rather see the elected Members show more collaboration than confrontation. Having said all that, I recognise things have not been as well organised, focused and especially communicated as best as they could have been. We, as an Island, are facing some real challenges, not least a cost-of-living crisis, people leaving the Island, manpower shortages for business and investment to maintain our infrastructure, falling economic productivity as we try to return Jersey to the happy place I once grew up in. All of this makes having a debate about ourselves as the first item of business in 2024 embarrassing. My

colleagues will be sick to the back teeth of me saying we need a common vision for our long-term future. This needs a collective, collaborative effort of us all, all of us who stood for election and who obviously have a passion to make this Island a better place. I listened to the Constable of St. Martin's and Deputy Barbara Ward's speeches with interest. I also question Ministerial Government being right for us. As one of the 3 Members in this Assembly who served in the committee system it is a known fact that I remain a fan of it or at least a hybrid version thereof. I believe that it would remove a lot of the mud-slinging and create a more conducive way to a constructive working environment, especially in a small community such as ours. In the last elections the electorate chose, as is their perfect right, to make wholesale changes to the Members of this Assembly, some very welcome changes, as we have more women representing the Island, making it a more reflective Assembly of the community we serve. The electorate had long since articulated the need for a general election and the ability to get rid of the whole lot of us if desired. But everything has its price and the consequence is that there are a lot of new Members, 6 of whom are seated around the Council of Ministers' table, all with strong opinions, different ways of working, inexperience of a democratic working environment and, in some cases, a degree of political naivety. In fairness to the Chief Minister, she took on this challenge to reflect the desires of the electorate and has worked tirelessly since being elected. A lack of common mandate is not the only difficulty. I believe there are other challenging factors in our structure that need addressing. Gifting the chief executive officer greater authority under proposition P.1/2018 is another area of concern and Deputy Bailhache was so right to advocate against it at the time as the public expect us, their elected representatives, to be able to do far more than what we are able to do by law. This leads to frustration by the Members willing to serve and disappointment of the electorate expecting immediate change and delivery. That however does not mean there has not been progress in many areas. As other Ministers have touched on their particular delivery, I too have been making strides to deliver under my area of responsibility. My team, my wonderful team at J.O.A. (Jersey Overseas Aid), have responded to 87 global humanitarian emergencies in 18 months, including the Turkey/Syria earthquake, Ukraine crisis, Sudan, South Sudan, the Horn of Africa food crisis, Rohingya crisis in Bangladesh, Yemen, occupied Palestinian territories, Central African Republic, Cyclone Freddy in Malawi, et cetera, et cetera. We have launched 22 new development projects supporting 325,000 direct beneficiaries incorporating the work of Durrell and the R.J.A. and H.S. (Royal Jersey Agricultural and Horticultural Society) across 3 thematic areas in 6 target countries. We have added Zambia to the list of countries where tens of thousands of people benefit from improved dairy techniques and genetics using our beloved Jersey cow. We have offered diverse opportunities to Islanders, including careers in the U.N. All of this might seem like a far cry to us here in Jersey but it demonstrates that we are an outward-facing Island, a good global citizen, we take our international obligations seriously, and so we are worthy of our place on the international stage. However, I agree that these outcomes might not have been articulated to Islanders, or indeed other Members, as well as they might have been but there is always a fine balance of getting on with the job or doing a P.R. (Public Relations) exercise on it. If I could have chosen a way forward to alleviate the current situation of this vote of no confidence it would have been for Deputy Tom Binet to stay as Minister for Infrastructure, as I believe he was doing an excellent job there.

[15:45]

He is probably indeed the best T.T.S. (Transport and Technical Services) or Minister for Infrastructure we have ever had and to expand his knowledge and the workings within government and then put his hat in the ring for Chief Minister next term, when I would give him my wholehearted support. I am sorry I cannot be more positive but I find this a very negative, damaging debate to all, and especially to our Island.

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

I was hoping to go after the Constable of St. John but he has not even reached for his button yet, so I decided I would have to speak earlier and not least because some of the speeches we have had this afternoon have been really depressing. I started to feel quite glum listening to Deputy Howell, in particular, about the state of the Island and I was thinking, well, the world itself is in a pretty bad place as well. Some of the things she is laying at the door of the Chief Minister are problems which we have got in common with most other countries. It was a great pleasure to follow the Deputy of Grouville who in setting out her Ministerial portfolio and her achievements as a Minister I think brought us back to the real world, the sufferings of people around the world that make it such an unstable place at the moment. But I am grateful to the Constable of St. John because, obviously it is sad that he resigned, but in resigning he made a space for me on the Council of Ministers. As Members will probably know, I have been on the outside, I have been on the Back Benches for more than 20 years, and so to come inside the tent, although I am only a rookie Assistant Chief Minister, I have only had about 6 weeks inside the tent, I must say that I am immensely heartened by what I have found. I am encouraged by the people I am working with, and not only the elected Members, but the civil servants, some of whom I am sure in the past I have tended to be somewhat frivolous about, particularly when it came to communications. These people have earnestly shaken my hand and welcomed me to Government and I am learning a lot and I am optimistic that this Council of Ministers can deliver a great deal in the next 2 years. So, as I say, I am grateful to the Constable of St. John; his loss is my gain, at least depending on the outcome of this debate, that is true. I think it is also fair to say that I have been unstinting in my praise of the mover of this proposition. I am not one of those that was singled out earlier in the debate for having criticised him for bringing the vote of no confidence, and I again echo the remarks of the Deputy of Grouville, that certainly he is the best we have had since 2000 - I am not going to go back earlier than that - but he has certainly been a pleasure to work with. He has a refreshing vision for the capital, in particular. We are completely aligned when it comes to public realm transport, the need for more parking in town, and so on. I do regret the fact that he is no longer the Minister; obviously keep my options open about who takes over. I have sat through probably more votes of no confidence than anyone in this Chamber except, I think, Deputy Bailhache who was here of course when some of us were in short trousers and quite a lot of us were not born. I think I was at university when he started. Of course in the days of the committee system, and several Members have spoken very nostalgically about the committee system, it was a very different business. As a president of a committee, if your committee lost confidence in you, down you went, as happened to me over the buses and it was not nice. It did not come to a vote of no confidence because my committee simply took me out by one by one resigning. The States were much lower in those days because a committee would fall and it would be replaced and what we have now in Ministerial Government is things have to be very bad indeed, I think, to bring down the Government. So my question for Members really is: are things so very bad that we need a change of Government? I think there are 2 reasons why we should not be changing horses in midstream. The first is I think it would be unwise. The Government, as has been said by several Members, has recently won a convincing majority in setting out its Government Plan, its plan of work for the next year or more, and that has been adopted by this Assembly. I know things have been said in the Chamber of Commerce and in other forums that might lead Members to think this is not going to happen but the Government is on track to deliver changes that it has been working on. Certainly as the newest member of the Council of Ministers I am looking forward to being part of that work. I think it would be unwise to have to re-set, as the Deputy of Grouville says, to go right back to a new common policy and so on. We are talking about at least 4 months of time wasted, possibly more. Our Island needs continuity and it needs stability and I think, call this if you will a shot across the bows, that is what I think previous votes of no confidence have been called. This is quite a big shot across the bows; in fact, I think it has probably landed on the bows and we are busy trying to put the fire out, but I would urge Members to allow this vessel to move on. As I have already mentioned,

the world is in a particularly difficult situation now and I think the last thing Jersey needs is to change Government over the matters that have been discussed. The second reason I do not support it is I think a vote of no confidence has to be fair and I do not believe this is fair. The Chief Minister has explained some of her achievements; other Ministers have also and I think other Ministers are going to speak about theirs. These are not small things, these are all significant steps that have been taken by Ministers. Of course, the Chief Minister has shown humility; she has accepted that she has not got everything right. We are not going to get a Chief Minister who does get everything right but Deputy Moore has, I think, shown humility. I believe that if she is allowed to get on with the job she will listen to what has been said in this debate, she will go carefully over all of the criticisms of her style, her leadership and she will learn from it and she will be stronger for it. I would encourage Members not to follow our sister Island down their path but for the sake of the people of Jersey to keep continuity and stability for the Island and to oppose the proposition.

7.1.14 Deputy L.M.C. Doublet of St. Saviour:

Like the previous speaker I am feeling a little bit deflated, as I think many of us are, and I have been looking back over my nearly 10 years in this Chamber. There is always criticism levelled at Governments and this is the third Chief Minister that I have worked with as part of the States Assembly. No Government has been perfect; I was a Back-Bencher for the first 2 terms in my role and I levelled plenty of criticism against previous Governments and I tried to do it in a way that was balanced and allowed for reflections to be made and improvements to be made because I think it is important to give people that time and that space to make those improvements, to have high expectations of them and to have some faith that they will improve because what I have seen from the current Government, and especially from the Chief Minister, is a willingness to improve and to reflect. I was really interested listening to the Constable of St. Helier, and I want to echo what he said. I have absolute confidence in the Chief Minister full stop, but I also have confidence that she will be listening to this. I think she is taking it very, very seriously and that she will be going to reflect on the criticisms that have been levelled at her. She is somebody who listens. This Government as a whole is the most diverse and the most progressive Government that I have seen in my time as a States Member and I am proud to be a part of it. It is not perfect and we will continue striving to be better but I am proud to be a part of it. I wanted to reflect on the social context which the Constable of St. Helier has stolen part of my speech there. We cannot forget that the world that we are living in at the moment post-COVID, there are wars, there is inequality, the high cost of living, of course the public are experiencing discontent and I completely empathise with that. The times when I have been in the Council of Ministers' meetings it is taken very, very seriously and the impression that I get is of this deep concern for the lives that people are living and how to make those lives better. I have seen that and I have heard that from the Council of Ministers. Much of our work and much of the work of the Ministers has been running to stand still and trying to prevent things collapsing, and trying to keep services being delivered at an acceptable level in the face of rising costs and extreme difficulties in finding staff. These difficulties cannot be underestimated and I see this Government meeting those challenges really well. I have watched those Ministers with the support and the leadership from the Chief Minister really doing their best to achieve this but not just achieving, maintaining public services, but also seeing driving through some significant improvements. I want to echo what Deputy Stephenson said about the Minister for Health and Social Services. Now this is a point that I will come to later about disagreeing with people but still being able to work with them. The previous Minister for Health and Social Services, I got on very well with him, we had very different political backgrounds and aims, and we did often disagree. One of the key areas that I was trying to drive through and I wanted him to support was breastfeeding support because the benefits of breastfeeding are well-documented in research and impact across a myriad of health areas across the lifespan. Members will know that is one of my passions. I had a very hard time getting the previous Minister for Health and Social Services to support me with that and to put funding in for it. This new Minister for Health and Social Services, the conversations I had with her

when she came into post, not only did she understand the need for investment in this area, but she made it happen straight away, and she is doing some excellent work with the Women's Health Group. Again, that was something that several of us had on our manifestos because we heard what the public was saying and this Minister for Health and Social Services is driving that forwards; I have confidence in her. Working for and with Deputy Gardiner and Deputy Miles and for the Chief Minister has been challenging and rewarding because I think we have very high expectations of ourselves and of each other and we hold each other to that. I will not repeat the list of what has been delivered by our Ministerial team in C.Y.P.E.S., and the Minister for Justice and Home Affairs, I believe, is yet to speak, but I do want to add some further points about what has been delivered in C.Y.P.E.S. One of the biggest achievements that I am really proud of, and this Assembly should be really proud of, and something that we did take a collegiate approach to and we worked together on, was that children's rights are now indirectly incorporated in our legislation. That is huge for children and it might not be a tangible impact that you can see but in terms of culture change over time, that is absolutely massive and it is something that our children will feel the benefits of for years to come. In terms of investment in early years, we have more than doubled our targeted 2 to 3 year-old offer that supports the most vulnerable 2 year-olds with nursery places and we are looking to do more there. We have introduced grants to child minders, we have increased the nursery education funding rate to nurseries plus offered an additional grant to help with increased costs and to keep nurseries open. We have listened to the Jersey Youth Parliament who delivered us a paper at the beginning of this term asking for an improved P.S.H.E. (Personal, Social and Health Education) curriculum. That curriculum has been finalised and is going into schools and it contains every single thing that the Youth Parliament asked for. We are working on a play strategy, and I am really enjoying working on that strategy with Deputy Stephenson, and resources will be going into that to implement the strategy. There are things that are nearing completion that I really want to keep working on. I have recently lodged a law which will, if it is approved, deliver equal rights to same-sex parents, and I cannot underestimate how many years I have been trying to drive that change forward as a Back-Bencher and now in Government. We need to press on with this, it is a massive piece of legislation and there are families waiting for it to be in place. The Minister for Justice and Home Affairs is yet to speak but in terms of some of the key areas of work that I am really enjoying working on with her, there is a whole new area that has been created in terms of the equalities portfolio and it has taken a while to establish that brand-new area.

[16:00]

We have seen the publication of the V.A.W.G. (Violence Against Women and Girls) report. We met last week as part of a series of meetings to work out which are the most impactful recommendations out of the nearly 100 recommendations in that report. It is a huge amount of work to be done there. We want to carry on doing that work; it is supported by the Chief Minister. I think that goes without saying that kind of work has not only not been supported by previous Chief Ministers but I just do not think that report would have happened under a different Chief Minister. One of the things that I am proud of in terms of our equalities work is that we have a new process in place where all officers will be assessing new policies through the lens of equality, diversity and inclusion, and that is something that we have learnt since COVID when, as a Back-Bencher, some of the criticisms I levelled at the previous Government was that there was not enough thinking about different areas of our community and people with different personal characteristics and this Government is doing that. We have reflected and we are taking action and that is the way that we are now working. I will stop there with the list of achievements but I think something I have reflected on is that we are not communicating well enough about what we are doing. I think a part of that is because we are just so busy doing it. Personally, I have not had time to post on social media as much as I used to as a Back-Bencher and it is not because I am choosing not to, it is simply because I have got my head down doing the work, and I see that around Government as well. I think, especially with my Assistant Ministerial colleagues, sometimes when we see each other we say: "Oh, we have not had time to

have a proper catch-up” it is because we are so, so busy and so determined doing the work that the public have mandated us to do and I think we would all really like to carry on doing that work. I will go back to the Chief Minister. I am really struggling to understand what she has done that is so terrible. I would like to keep this Chief Minister and the main reason I would like to keep this Chief Minister, and I will go back to something that she started, I think she was Minister for Home Affairs at the time, and there was something called the 1,001 Days Initiative, which I can see Deputy Miles nodding away, because in a previous role she was absolutely pivotal in delivering some of those changes. Those of you who were perhaps in the first term that I was in this Chamber, like Deputy Gorst certainly, as Chief Minister at the time, I think, maybe it was not his idea, but he listened and he took it on and that was Deputy Moore who was driving that. Deputy Moore understands the importance of early years. She understands the importance of investing in education. I think we have forgotten in previous Governments these things were not priorities. In one of my previous roles I had to fight a previous Minister for Education to receive some additional money I was trying to put into his budget. That kind of thing is not happening with this Government. We have it so much better than we have had in the past. The one thing that I think all of us need to reflect on, Government, Back-Benchers, all of us, is that we need to learn how to disagree better. I think I have said this before. It starts with respect and it also starts with the discussions that we have in this Chamber and in meeting rooms, and the disagreements that we have in those places should stay there. When we leave the Chamber we should be able to be civil with each other and understanding with each other. This role is a really tricky one, we have a lot of responsibility on our shoulders. I firmly believe that we are all trying to do our best. We might have different ways of doing things but I respect every single Member of this Assembly and I believe that everybody is just trying to do their best for the public that they represent. I think the reflection that I am going to take, and the reflection that I really hope we can all take, is to disagree better. I think this is something that the Chief Minister does really well. I have disagreed with her in the past. When she was Minister for Home Affairs I was the chair of the Home Affairs Scrutiny Panel, we had many disagreements, but we have always been able to resolve that. That is the key: sometimes you have to agree to disagree, sometimes you find a middle way - that is the approach I like to take, I think there is always a middle way - but the Chief Minister knows how to disagree and she was criticised today I think perhaps for not sacking Deputy Binet. I do not think that is a bad thing. I think she was trying to be conciliatory, and she was trying to continue to work with somebody who disagreed with her. I think that is an admirable quality. Please, I am imploring Members not to vote for this vote of no confidence. You do not have to have complete confidence in the Chief Minister, it is okay to raise some criticisms which the Chief Minister will reflect on, but I think it is very hard to say that we have absolutely no confidence. That is what the vote is, it is: do you have absolutely no confidence in this Chief Minister? I do not think honestly any of us, perhaps bar maybe 4 or 5 people, I do not think we could say that we have no confidence. I do have confidence in this Chief Minister. I have confidence that she will continue to support my work in early years which will continue to provide improvements for families and many other areas, and I would like to see her continue in the role.

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

How disappointing that we find ourselves here today at a juncture where the pressing issues that demand our collective attention are overshadowed by discord and disarray. Jersey, our home, faces complex challenges that demand our united focus and collaborative efforts yet our collective gaze seems fixated on internal conflicts, personalities and power dynamics. As representatives entrusted with the well-being of our community it is disheartening to witness the continuation of in-fighting, back-stabbing, disrespect, patronage and back-room deals within our ranks. This not only tarnishes the essence of democracy but also falls short of the responsibilities we bear as stewards of the people’s interests. Our constituents look to us for guidance, stability and effective governance. Let us remember that the decisions we make in this Chamber reverberate beyond these walls and have tangible effects on the lives of the people we serve. Focus should be on policy discussions, effective

governance and collaborative problem-solving rather than personal animosities, political theatrics, and divisive strategies, which brings me to my own recent experience and one that needs to be addressed in this debate as it has been used as an example in the proposition. The Chief Minister has apologised to me on how she handled her reaction to the Les Sablons decision and I have accepted it. As a newcomer to Jersey politics the situation was challenging and it was not the leadership example I had expected. I, however, recognise the Chief Minister's difficult position and the challenges inherent in her role. While recognising individual differences our primary duty is to serve the people of Jersey and I believe there has been positive progress made by the different Ministers. Therefore, I am voting against the vote of no confidence, prioritising the larger mission over personal politics. I empathise with Deputy Moore's situation as I too face a narrative that does not accurately represent my contributions and capabilities. Narratives wield significant power in shaping public opinion and political discourse and it is important to be in control. Unfortunately, my narrative recently has been dictated by others through a distorted lens that perpetuates stereotypes and bias and I want to take back control here and now. How disappointing that I was labelled as inexperienced and technically unequipped by senior Members of this Assembly. Such characterisations overlook the diverse skills, perspectives and dedication that each Member brings to the table, revealing more about the character of those attempting to discredit. Though relatively new to Jersey politics, I bring 20 years of experience in global political arenas engaging with the European Union, United Nations, and World Bank member states. One of my proudest achievements was kickstarting a campaign that eventually led to the U.N. Security Council's recognition of the crucial role of youth in peace negotiations after conflicts resulting in the historic resolution 2250 in 2015. In another significant role, I served as a lobbyist for a business association representing the interests of over 1.7 million smallholder farmers and workers from Africa, Asia and Latin America, along with over 400 S.M.E.s (small and medium-sized enterprises) and national business associations from 75 countries and 90 members comprising of import trading organisations, manufacturing and retail outlets across 17 European countries. My responsibilities included negotiating and influencing the European Union on critical issues like the Common Agricultural Policy, development finance and unfair trading practices. I played an active role in influencing trade agreements and making sure grants were available to support S.M.E.s and smallholder farmers in accessing the E.U. single market. Importantly, despite the diversity impact of these roles, accusations of inexperience were never levelled against me. I share this not to assert my credentials but to underline the importance of recognising the wealth of experiences and perspectives that each Member brings to this Assembly. We all contribute unique insights shaped by our diverse backgrounds and it is this diversity that enriches our deliberations and decisions. Specifically addressing my decision around Les Sablons, I acted in good faith, following the process laid out in the Planning and Building (Jersey) Law 2002 and I continue to stand by my decision, a decision that was based on a careful and thorough examination of the inspector's report and the planning issues involved. I distanced myself from the final decision due to the focus shifting to me rather than the application's merits. Circumstances beyond my control meant any decision I made would likely overshadow the planning issues. But it is critical for Jersey to uphold the integrity and independence of the planning decision-making process emphasised in yesterday's *J.E.P.*'s editorial. That is why I hope that the Minister for the Environment can continue to implement the Mackinnon report's recommendations in full and collaborate with stakeholders for further improvements. During the Chief Minister's vote in July 2022 I emphasised the need for transformational leadership in these challenging times, particularly seeking a truly inclusive leader. My question asked the candidates to give examples of work they had done in the past that exemplifies this type of leadership and how they would ensure that disenfranchised voices are heard in our society. This question remains crucial in today's debate, not only in considering what kind of Chief Minister we want, but also how we should all lead. How we should all lead. Inclusive leadership entails creating a culture of collaboration, empathy, inclusive decision-making, equitable practices, transparent communication, fair, constructive feedback, respectful conflict resolution, continuous learning and the courage to advocate for positive change. I

consistently emphasise these principles in my discussions with the Chief Minister and the Council of Ministers, viewing them as a foundation for effective leadership, and I have done this consistently since I became an Assistant Minister 18 months ago. I have been reading Rory Stewart's book *Politics on the Edge* recently in my little spare time in the early hours of the mornings and certain lines have resonated with me as I contemplated the V.O.N.C. (vote of no confidence). Rory sought the counsel of a senior Canadian politician about entering politics, receiving a profound response: "Nothing requires so much of you. Politics demands more of your mind, of your soul, of your emotions and anything else on earth. I can confirm the truth in this statement. Politics demands a profound commitment of one's intellect, spirit, and emotions because politics is a complex negotiation of competing interests. It is a complex dance involving human beings and society; an experience we all have to grapple with and, therefore, warrants mutual respect for each other's approaches in dealing with these complexities. A vote of no confidence is a powerful tool in a democratic system and it should be exercised responsibly and with a clear understanding of its implications. It is a decision that will shape the course of governance and influence the direction of Jersey. Therefore, my decision around this V.O.N.C. has not been made lightly. It is rooted in a deep consideration of the current political and economic climate, the consequences of such a vote, and the broad implications for our Island. I have asked myself what the political alternatives and solutions are if a change in leadership would likely bring about positive change and looked at the issues that led to this motion. I believe through this experience the Chief Minister and the Ministers of the Council of Ministers can collectively learn and enhance their abilities for the betterment of our community. Therefore, I will support the Chief Minister as she leads a robust, collaborative and diverse Council of Ministers and again reiterate that I will vote against the V.O.N.C.

[16:15]

7.1.16 The Connétable of St. Brelade:

I find myself, as I am sure do other Members, uncomfortable having to debate a proposition of this nature. This I think has been a consistent theme with many speeches. A jurisdiction of our size dictates that there has to be consensual Government and this needs to apply, in my view, at the Council of Ministers' table as well as behind the scenes. While I have attended some Council of Ministers meetings in my role as chair of the Comité des Connétables I can only say that they have been relatively harmonious so I have to presume that the dissent alluded to by others has taken place in other rooms. It does appear that something is rotten in the State of Denmark, if I may quote from Shakespeare. That said, and having dug deeper as a result of this proposition, it seems to me that the present problems have been created by some of the Chief Minister's acolytes in her Council for which she carries responsibility. It is unfortunate that there are so many on the Council of Ministers that have never been members of Scrutiny. That is where States Members need to cut their teeth, in my opinion, and learn how politics works in Jersey. It is nice to operate a Government in a consensual manner but the reality is that for it to work with the large variety of personalities presently involved it may be better if we had a hard-nosed managing director in place. This would translate into making firm decisions, which is what I have perceived the public want. The Government of Jersey is not unlike a P.L.C. (private limited company) and indeed has been referred to as such in the past. It is not a term I favour but in reality there are similarities which we should not overlook, while being cognisant that this is a community of people and we must not forget that. I speak alluding to the future hospital plans in mind, where we have heard that there have been suggestions once again of changes of direction as to which bit should go where. This does concern me; we have experienced so many changes to date at enormous cost and the public are greatly exercised - I think is the best way of describing that - by the direction in which this is suggested it might go again. We all know that changes of mind in large projects will inevitably be expensive and the creation of a very expensive advisory board also concerns me, and certainly the public in general. The departure of the former chief executive was a surprise, with the reasons being somewhat opaque, and this will inevitably give rise to public concern. So how should I be voting on this proposition? I took the

view that I should invoke part of the 1771 code. Yes, I am a bit older than a lot of other Members but it is a bit before my time; but it does say in its preamble in English that: “Any proposition shall be lodged au Greffe for 14 days at least before it shall be determined in order that every individual of the States may have full time to consider thereof and the Constables to consult their constituents if they judge necessary.” We of course had no Deputies in those days. I have judged that a consultation with my parishioners was necessary, given the mixed messages I have received. I, therefore, took it upon myself to use modern technology in the guise of social media and invite opinion from my parishioners as to whether I should support the vote of no confidence or not. The response was far greater than I had anticipated with numerous well-considered emails, messages, phone calls and personal visits giving material reasoning and justification why I should support this proposition. Many of the respondents indicated that they had previously support the Chief Minister but felt that her leadership fell short of what the Island needed at this time. The clear message to me was that the Council of Ministers was not reading the room and that their performance was disappointing. We have seen some of what I might describe as catastrophic choices of direction, namely the teacher pay issue, the tree preservation strategy, Jersey Reds, uncontrolled travel costs, a broken planning system, et cetera. Personally I would want to see the Government focus on revenue generation to support the budgetary needs of our Island. It is massively underfunded and strong, experienced leadership is needed. The public I believe want Jersey to be a stable, prosperous and beautiful Island, and while I suggest we all aspire to that mantra, it needs to be asserted by action and it is not clear that that is happening. We have gained an elaborate, well-staffed Communications Department and we have some 4, I think, former journalists in the Council, so while messaging is professional the content is short of what the public want. So, given this weight of representation and having taken the temperature of my parishioners, and indeed others in the Island, I feel that I have no option but sadly - and I say that genuinely because I have worked with and respect the Chief Minister as an extremely hard-working person - but I have to cast my vote in favour of the proposition.

7.1.17 Deputy H. Miles:

I want to give my perspective on a number of points that have been raised in the debate today, and also the accompanying report, and I want to reiterate at the outset, like some of my colleagues have said, that this vote should be about policies and outcomes and not personalities. Good leadership comes in many forms. We do not always recognise it when we see it but it is very easy to suggest that it is absent when things do not go our way or when we disagree with particular decisions. That is what I consider to be the foundation of the proposition that we are debating today. This proposition puts forward a view that I do not share. It suggests that qualities of selflessness, integrity, objectivity, accountability, openness, and honesty are absent. The proposition also questions whether we have an organisation that serves the public. Rather than dwell on the negative, like the Connétable of St. Helier said, I would like to address what I have been able to achieve for the public as a Member of Council under the leadership of the Chief Minister. As a result of working collaboratively with Council I have been able to deliver a number of my priorities for the public, and so prioritised because they make a positive difference to the citizens of Jersey. Despite leading investigations into terrible tragedies, my Ministry has delivered a number of positive changes. We have implemented the *carte d'identité* changes - a brave and courageous decision in the face of some objections. We have secured funding for the emergency services. We have secured support for capital projects. We have made changes to our work permit policy to support our economy. Cultural change in our prison service. Importantly, we have delivered a domestic abuse law and taken significant measures to tackle violence against women and girls in Jersey. We are building a sexual assault referral centre. We are refreshing the building a safer community framework. None of these would have been possible without the support of a team of dedicated supportive Ministers who facilitate good decision-making, who challenge and support in equal measure, Ministers who share the same values and most of whom are able to collaborate effectively and compromise if necessary to deliver outcomes to Islanders. But, in particular, I wanted to address some of the criticisms in the report that have been levelled at my

colleagues; individual Ministers. These are personal in nature and not based on evidence of delivery. The report on this proposition suggests that the Chief Minister's strong, unwavering support for the Minister for Health and Social Services is shameful. If that is the case then I too must be guilty of shameful behaviour. This is not the woman that I recognise. I have worked closely with the Minister for Health and Social Services and I simply do not recognise this portrayal. Since day one - as Deputy Stephenson noted - the Minister has been subject to criticism and negativity. I am totally confused by this. Deputy Wilson is the only person in this Assembly who has senior leadership experience at board level in a large health service. She has run N.H.S. (National Health Service) trusts, contributed to the building of hospitals, and has over 30 years' experience locally and in the U.K. Why would the Chief Minister not support a Minister who is successful at delivering a complex portfolio of projects and achieving her outcomes. I prefer to take account of outcomes and not personalities. If we look at actual outcomes the picture is very different to what is being suggested. In St. Brelade the Enid Quenault outpatient centre is a huge success. There has been reduced waiting times for M.R.I. (magnetic resonance imaging) which has improved patient experience. Change of the leadership team in H.S.C. (Health and Community Services); no mean feat and some courageous decisions there. She has ensured that the turnaround team have reversed the decline across the service, financially moving it in a better direction. A completed maternity service review that gives confidence to expectant parents. The list could be much longer. The report suggests that the Minister for Health and Social Services has committed errors of judgment and is an inappropriate Minister. Again, my experience of working alongside the Minister for Health and Social Services does not bear this out. I have worked collaboratively with her to develop policy in very tricky and contentious areas, delivered improvements in safeguarding practices, we are reviewing cannabis policy, we have worked together over the assisted dying legislation, we have worked collaboratively to deliver a substance misuse strategy and certainly collaborated on public health reform, quite often in the face of significant opposition. I would assert that the Minister for Health and Social Services is a seasoned decision-maker who makes decisions in a manner that is wholly appropriate. She has demonstrated incredible resilience in the face of constant challenge and criticism; and resilience is a quality that every single Minister should have. Deputy Howell raised the issue of the Health and Community Services Board, and in particular the role of the interim chair. I have to say, I am wholly confused by some Members obsession' with the role of the eminent professor, whose contract extension by 4 weeks only resulted in the resignation of a respected Connétable. Are we not fortunate to have been able to engage the services of a highly respected and renowned expert in the field of health leadership, a person whose skills are in high demand and who has left the Island to seek employment elsewhere. I understand from Deputy Barbara Ward that she is very impressed by the conduct of the board and we can see results from that already. It is delivering change. Perhaps in his summing-up speech Deputy Binet can articulate some of the issues more clearly for the benefit of the Assembly. Leadership is hard. Leadership as a woman is especially hard, and I speak from experience. I was a member of the command team in the States of Jersey Police; the only woman and the only civilian. In highly charged environments women often have to work twice as hard to have their voices heard and their views accepted and at times this can be soul destroying. Male leaders tend to appear more assertive and confident, be more competitive, more task oriented, they often have a higher tolerance for risk and a willingness to make bold decisions. Women display leadership ability in different ways to men. Women are often seen to have strong empathy and emotional intelligence. They are more likely to try to understand and connect with the emotions of others, fostering positive relationships in a less traditional way. Women leaders tend to prioritise collaboration and encourage an inclusive and co-operative workplace where everyone's contributions are heard and valued. These softer skills can often make people with a more traditional view of leadership feel very frustrated. They perceive that decisions are not made quickly enough, that they are not directive enough, that they are not strong enough. I think that frustration is what is playing out here and this is what we have seen around the Council of Ministers' table on more than one occasion. Finally, as I said before, Deputy Binet's proposition brings a perspective that I do not share. Votes of this nature should be based upon policies

and outcomes and not personalities. As with any team, there are areas of disagreement; a mature team handles those in a collaborative way and is able to compromise. Both Connétable Jehan and Deputy Binet chose to resign from the Council rather than try to unite behind a common goal, and I think that is a great shame. In my opinion, this was not in the best interest of Jersey and the subsequent proposition demonstrates a lack of commitment to Islanders. I consider this proposition to be ill-conceived and unnecessary. If successful it risks setting the Government Plan agenda - which had overwhelming support in the Assembly - back by many months.

[16:30]

My colleague Deputy Labey has articulated the actual process that will be gone through and the delays that are likely. It is far more likely to harm than heal our Island and for that reason I urge Members to reject this proposition.

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

In Oscar Wilde's play *The Importance of Being Earnest* Lady Bracknell says: "To lose one parent, Mr. Worthing, may be regarded as a misfortune. To lose both looks like carelessness." So it is with Ministers. The Government has recently lost 2, indeed 3 very good Ministers in the Constable of St. John and the Deputies Binet, and both over essentially the same issue, which is the performance of another Minister. That does look to me like carelessness. It reflects inevitably on the Chief Minister and the qualities of leadership of which Deputy Binet speaks. One of the key issues facing the Island, as other Members have said, is the development of the hospital, which I think - and I am sure many Members would agree - the former Minister for Infrastructure had done sterling work. With others he persuaded most Members that the huge hospital project was an expensive mistake and that the way forward was to develop the hospital estate in bite-sized chunks. It is less risky to our financial stability and has many other advantages too. So his departure from the role of Minister for Infrastructure is deeply concerning. It does seem to me, viewed from the outside, that Deputy Binet did not have the support to which he was entitled from the Minister for Health and Social Services. At briefings for States Members I do not remember seeing the Minister there. Deputy Stephenson and indeed Deputy Doublet too spoke of the matters which the Minister for Health and Social Services had dealt with very satisfactorily for them, and I am sure there are many other good things that the Minister for Health and Social Services has done too. But for me the charge sheet against her is long. Firstly, we now have a headless Health board because the Minister rejected the candidate put forward after an exhaustive recruitment process by the Jersey Appointments Commission; a candidate apparently of the highest quality, and no explanation has been forthcoming. Secondly, after 18 months in office there is still no strategy for the future of Health, the relationship with primary care and the place of private health in the overall scheme of things. Finally, a mushrooming of cost; indeed a financial situation which until very recently was running completely out of control. But the final straw for me I think was the report of the Commissioner for Standards, and the Chief Minister shares some responsibility for these events. On 21st February, the day on which the proposition of the vote of no confidence was lodged, Deputy Ward told the Chief Minister that she had been falsely accused. She asked that the Minister's letter be withdrawn, an apology issued, and the issue could then be forgotten. Why was that sensible proposal not taken up? Why did the Chief Minister not raise the issue with the Minister for Health and Social Services? Why was the Minister for Health and Social Services not asked to check her facts and withdraw the accusation, if it was indeed false? The commissioner found that the Minister for Health and Social Services knew or should have known by 21st February that she had got it wrong, yet the rather reluctant apology to Deputy Barbara Ward did not come until the publication of the commissioner's report in December; 10 months later. In her conclusions the commissioner found it: "Unbelievable that there was such a lack of willingness to listen, understand and put the record straight." A reference to the Commissioner for Standards ought to be the last resort when all else fails. It is a pity that the Chief Minister missed the opportunity to head this off and avoid bringing the States into disrepute, and a pity that the Minister for Health and

Social Services needed a ruling from the commissioner to make her admit that she had made a serious mistake. It shows a stubbornness and refusal to listen, which ironically is the very same accusation levelled against Deputy Binet by the Chief Minister in her recent interview. Deputy Binet is certainly firm in his views and no doubt sometimes difficult, but not in my experience unwilling to listen. Holding the scales between Ministers with strong views is not easy, but as between the former Assistant Chief Minister and Minister for Infrastructure on the one hand, and the Minister for Health and Social Services on the other, I think that the wrong ones have been compelled to leave. Government Ministers have spoken of the successes of this Government and no one would deny - I certainly would not deny - that there have been many of them. But there have been serious failures too which have to be borne in the balance and I will mention 2 of them; other Members have mentioned others. First, I do not think that enough has been done to change the culture of secrecy, which is quite pervasive in parts of the public service. It is difficult to judge whether this is a consequence of the reluctance of officialdom to yield up information, or to a willingness of Ministers to acquiesce in decisions to keep things under wraps because it suits them too. But Ministers have to accept responsibility. Secondly, the Chief Minister in my view has not done enough to reverse the changes which took place under a former chief executive which removed the direct political accountability of civil servants to Ministers. Civil servants need to know to which Minister they are accountable politically, and indeed vice versa. Some change has happened but not nearly enough. The Infrastructure and Planning Departments, as another Member has mentioned, are still modelled up under a single chief officer. The Cabinet Office is a huge jumble of unclear and sometimes conflicting responsibilities and the proposal to create an Office of the Chief Minister will make matters even worse. No one can serve 2 masters is the old biblical injunction and it is as true today as when it was written in the gospel of St. Matthew. Political accountability is important because its absence feeds through to a lack of transparency and even to a culture of secrecy. It allows bullying to continue to flourish in certain places. The Chief Minister knows this and I believe accepts it, so it is disappointing that this particular nut has not been cracked. Where does that leave us? The Constable of St. Helier I think was right to pose the rhetorical question: are things so bad that we need to change? The Chief Minister has done extremely well in some things which require a gentle personal touch, in particular in relation to the tragedies which have afflicted the Island in the last year or so. I think, however, if what the Island and the States wants is decisions on the larger and more difficult issues facing both the Government and the Island we will not get them from this Chief Minister.

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

I stand up this afternoon perhaps saying something that I had not expected to say. Earlier this afternoon I resigned my 2 Assistant Minister positions in order to vote for the vote of no confidence. It is not a decision I took lightly. I have known the Chief Minister for many, many years and in fact my reasons are not really to do with the Chief Minister herself. I will be brief as the speech I prepared yesterday of course is no longer of any use and also my handwriting is so bad that I have trouble reading my own notes. Over the weekend and yesterday I received numerous calls and emails from parishioners and, as I wrote my speech yesterday evening, I could not help but feel I was contradicting their views in that speech and, therefore, I had to recognise what they were telling me and vote in accordance with their views. One of the matters they raised was the cost of living and I think what they see is not that the Government has not done anything about the cost of living; yes, we have. But certainly in certain areas there is a lack of compassion, I would say. Recently the matter of overpayments by Social Security was raised and, yes, I agree, we cannot write off every single overpayment, however, I have seen the effects of deductions from people's benefits and I think it is appalling in some cases. In fact I was speaking to some of my colleagues earlier about one particular case and the hardship that this person has had to endure, and their personal circumstances which I cannot go into, but how we have not shown compassion. I did refer the matter through the Minister in fact and what has happened? Nothing. Absolutely nothing since before Christmas. You will

recall that the Parish's responsibility for aid was removed some years ago, however we increasingly find ourselves filling that gap that the social security system does not fill and it should do. I am sorry to have to say this but that was one of the matters raised; a lack of understanding about the cost-of-living crisis. Another matter that was raised is the lack of progress with regard to the land in the Parish which was rezoned under the Island Plan, which will be a source of 3 and 4-bedroom family homes, of which there is a shortage. I believe that there are very few that are available for rental at the moment and yet there has been little or no progress.

[16:45]

I am sure in a later speech we will no doubt hear - I will refer to them as excuses - as to why there has been no progress, because at the moment developers cannot submit plans, they do not know the density that is required, and various other matters have not been made clear. People are frustrated, who were looking forward to seeing the possibility of some houses being built during the term of this Government, which I now think is highly unlikely. In addition to that of course we have the infrastructure problems with drainage. At least we have a plan for that, but why is it that we cannot even get any of those sites to the planning stage? While we have made no progress on the land rezoned under the Island Plan we seem to have spent an awful lot of time that we will all be familiar with, the tree law, which in rural Parishes I have to say is a law that nobody wishes to see and which some landowners see as an insult. After the 1987 storm our landowners - without any intervention from the Government - went about replanting trees and by the time of our latest storm everything had been restored. They did not need anybody to guide them. The fact that now in order to deal with a few - and there were relatively few incidents of trees being removed - we have introduced a law that impacts virtually anybody who has a garden with a tree in it. I think that is absurd; absolutely absurd. We cannot get around to rezoning land for houses but we can introduce a law about trees. Yes, we do need to preserve trees but there are better ways of doing it. I plant many trees myself, so do many other people, but a law of that nature was totally unnecessary. The final thing that was brought up, among others, was the very slow development of the hospital. I think that was inevitable. It is not just this Government. We have had a series of plans, nevertheless we have sort of appeared to have stalled on that and I do understand the problems. Having listened to all these, as I say, I felt that I had no option but to resign my positions and support the vote of no confidence.

7.1.20 Deputy E. Millar:

I am sure I am not alone in feeling disappointed that we are having this debate today, nor indeed by some of the things that have been said during it. I will be voting against the proposition. I support the Chief Minister but I also have confidence in her Council of Ministers. We have together achieved a great deal since 2022. We have all produced carefully considered Ministerial plans and I have no doubt that we all want to continue delivering on those plans to make a difference to our community. For my part I am very proud of some of the things that we have delivered within my Social Security portfolio. I have to say that I can only be bemused by Deputy Mézec's description of our benefit system as "just giving out free money", particularly when his party have brought proposition after proposition to increase the amount of free money that we give out. So just to cover some of the things we have done. In 2022 - we have talked about this already - we agreed a mini-Budget to help Islanders with the cost-of-living crisis, bearing in mind the Chief Minister's key focus on cost of living. That included reductions in social security contributions, doubling the Community Costs Bonus, doubling and guaranteeing the winter fuel payments regardless of temperatures. We also provided support for families with under 5 years residency in the Island. With the continuing focus on the cost of living we have continued that work this year, maintaining the Community Costs Bonus at the doubled amount and repeating the increased and guaranteed £70 winter fuel payments. Over the term we have made at least inflationary increases to income support components and have increased long-term care rates. We have increased the eligibility for the Pension Plus benefit to bring more people within its scope, and have enhanced the benefits payable under that scheme. But the

thing that I am most proud of, because it is something that my predecessors had not addressed I believe, is that we have reduced the cost of a G.P. visit for adults by £20. Every person in this Assembly will benefit from that. We have also developed a significant package of investment to improve and modernise community pharmacy, which will also help reduce and facilitate the cost of medical care for Islanders. Deputy Ferey has spoken about the minimum wage increase, which is now over 26 per cent, and our minimum wage is 58 per cent of the median wage against a target of 66 per cent. That is very good progress. I am hoping later this week to make some announcements on the Health Access Scheme. Over the last 18 months my team and I have been developing a second pension scheme which will enable Islanders to save long term for their own pensions. The public have told us very clearly through the Jersey Opinions and Lifestyle Survey that that is something they want. My plan is to do further work this year in collaboration with the pensions industry, Islanders, and businesses to finalise the details of the scheme with a view to a new scheme being rolled out I hope around the end of 2025. My fellow Ministers have each achieved a great deal but there is more we all want to do. If this proposition is successful it will delay the work of Government for weeks, if not months, and that assumes that a new Chief Minister and Council of Ministers has the same view of what is important for our Island and what our priorities should be. I very much doubt that those priorities will be different; I am sure we are all trying to achieve the same end. This proposition is critical of not only the Chief Minister but also the Minister for Health and Social Services. I do not know who I speak to but I am not bombarded every day with people telling me how awful a place Jersey is to live. Many of the people I know and who talk to me are happy in Jersey and they do have a good quality of life, and they said Jersey is a good place to live for many of us. I absolutely accept that is not true across the board and we continue to try to address that. But it is clear to me from discussions with the public that what people really want and what they are concerned about is that they have a really good health service; not a world beating, not a global standard, just a good, reliable health service. Some of them feel that they have not received the standard of care they expect. I have been told several stories about people who feel they have been failed by the care they have received. That is going back over a few years. The Minister for Health and Social Services has done a huge amount of work to establish a well-governed health service for Jersey that provides a safe, reliable, patient centred care within a budget we can afford into the future. It is an exceptionally complex area. Surely we all understand that. We are often told by critics that the culture in Health is poor, but at the same time those same critics are resistant to the changes that are needed to make a difference. The same goes for costs. People do not like the costs involved in running the health service but equally they do not like the Minister's initiatives to try to reduce those same costs. We cannot have our cake and eat it and everyone it seems, regardless of their own knowledge, skills and experience thinks they know better how to run a health service. A number of people today have spoken critically about the health service. They are all capable, experienced, intelligent people but I am not aware that any of them have any experience in running a hospital. The only person who has that is our Minister for Health and Social Services. Addressing a problem by turning the clock back to the way it used to be in the 1970s when consultants ruled the roost and it was acceptable to make nurses cry is not the answer. We have to deal with the world as it is now and the world as it is going to be in the future. We have all seen the demographic graphs; we know what to expect. We know the cost. The world is not the same now as it was in the 1970s or the 1980s. To quote a famous quote: "The past is a foreign country; they do things differently there." We are in this country now and we must respond to its challenges. Jersey is never going to go back to what it was in the 1970s, whether that is tourism or financial services or anything else. The world is a different place, as is Jersey, and we have to respond to that. Others have spoken about the Minister for Health and Social Services and I will say only this; I am in awe every day of her strength of character, resilience and determination to make our health service one of which we can all be proud and confident. So to the Chief Minister; we have heard quite a number of things today about the Ministerial system of Government. That is not of her making. I am not sure when it came in but, again, many people speak about the committee system with very rose-tinted spectacles. I do not

remember it - I probably was not paying much attention to it then - but what I do know is that for all of the supporters of the committee system there are many others who will say it was like wading through treacle, it was slow, it took lots of time and it was difficult to achieve anything. So be careful what you wish for. Again, please can we just stop looking over our shoulder the whole time. I do not necessarily agree with everything that the Constable of St. Martin said but the public want us - as is very clear - to get on and do things to help the Island. They want us to stop messing about and talking about what is happening and procedures within this Assembly. I do not care how many propositions are on the table, the public is never going to not raise an eyebrow at a proposition about amending the roll call. The Chief Minister, it seems to me, is being criticised among other reasons for loyalty and for supporting one of her Ministers. What type of Government would we have if a Chief Minister did not support her own Ministers? Are we really saying - as it might appear in some quarters - that loyalty has no value in the world of politics? We have all seen some absolutely disgraceful behaviour in Westminster; is that what we want to happen here? Do we want to be that same place? As for the suggestion that the Chief Minister should take advice from people who are not subject matter experts; how long will it be before she is criticised for that? I am particularly troubled - and I really hesitate to open this - I am particularly troubled by the statements that the letter that was sent to teachers at the end of last week will have affected the view of Members as to the outcome of this debate. I had not intended to discuss the content of that letter but I now feel because Deputy Mézec has discussed, I do have to make some comments because it is not the content that I want to focus on. Deputy Mézec talks about the letter being leaked. It is impossible to say that a letter that has been sent to almost 1,000 people is a secret. We had to send the letter directly to teachers. It would not have been appropriate to put out a press release about what we are going to do. It was entirely right that teachers had to hear about the said proposal directly to their own inboxes, to their own mail boxes. If they then chose to share that letter, that is not leaking. That is not Government view, it is not the S.E.B. view. It was not a secret. So the word "leaking" is inappropriate. I find it surprising that some Members of the Assembly, who are themselves members of the union and who have been union officials and representatives seem to be suggesting, I may be misquoting or misinterpreting them, that the S.E.B. should ignore the outcome of a collective bargaining process and deny the rights of the 800 members of the N.A.S.U.W.T. to receive a pay rise, which they have voted on in their ballot to accept. There is no attempt by the S.E.B. to divide the teachers. They are, in effect, divided by virtue of the outcome of their own ballots, with one union having accepted the offer and the other rejecting it. There is no ultimatum. None at all. There is no secret database. Government is not collecting data on trade union membership. Nobody has to tell Government whether they are a member of a union.

[17:00]

We are simply saying we are respecting the rights of those who rejected the union to tell us that they do not want to receive the pay rise that others have accepted. As for the notion that there is some kind of extra bargaining power, there is some kind of secret thing that did not happen before, the offer that was made to the teaching unions was for a 3-year deal and if you accept a 3-year deal it is not unreasonable to expect that you will not take strike action over pay during that 3-year period. It does not stop them from taking industrial action over anything else, but if you have accepted a 3-year deal, then it would not be appropriate to then take action if you decide halfway through that you do not like the deal, you have changed your mind. The S.E.B. is trying to find a reasonable way to respect the outcome of the N.A.S.U.W.T. ballot and the outcome of the N.E.U. ballot. It is a very complicated position. What should we do? Do you recognise one of the unions to make life easier, refuse to recognise their obligations in respect of the N.A.S.U.W.T. ballot and its 800 members until the N.E.U. have reached a settlement? Neither of those would be at all appropriate. S.E.B. has to find a way through this and we are trying to do it and, as the Minister for Children and Education mentioned earlier, this is not just about pay. We are continuing very successful work on teaching workload, recruitment and retention, and terms and conditions. A huge amount of work is going into

that and we are trying very hard to find solutions. But the point I really want to make about that letter, and this is a really important point, is about timing. The letter was approved by the 5 members of the States Employment Board, of which the Chief Minister is one. Another Chief Minister may have tried to delay the issue of that letter until after this debate and deal with any criticism once she knew she was safe. In fact, that question was raised, not by the Chief Minister, not by a Minister, but by someone else, as to whether the letter should wait until after the outcome of the vote of this debate. Our Chief Minister chose not to delay that letter. She agreed that this was action that should be taken urgently to try to resolve the pay negotiations so far as we can, notwithstanding this proposition and the impact it may have on her own position. In doing so, she has displayed enormous bravery, integrity, and an overriding commitment to the education of our children and our community. That was a highly principled decision by the Chief Minister and I for one, regardless of what you think ...

The Bailiff:

That is your time. Does any other Member wish to speak?

7.1.21 Deputy K.F. Morel:

To bring down a Government after just 18 months because, when I read the report and when I hear the arguments, I still cannot see much more than personality, rumour, hearsay, and, as Deputy Millar mentioned, unrelated arguments such as the structure of the system of government, which is something that the Chief Minister cannot and never will have power over or control over. That is the preserve of the Privileges and Procedures Committee. To bring down a Government on such evidence reflects incredibly badly, in my opinion, on this Assembly. To bring down a Government when Members, such of the chair of P.P.C. have, in my opinion, blamed the Chief Minister for matters which are very much in their own purview and their own area of responsibility, is incredibly sad. But, to bring down the Government after just 18 months on such flimsy, one-sided evidence, is not just sad, but I believe it is dangerous because it will condemn this Island, the Island that I know we all love, to instability and inaction for months to come. So rather than helping and collaborating within the system that I agree makes it hard to do so, those supporting this proposition are, in my view, eschewing their duty in favour of throwing stones and creating destruction, instead of helping to find ways to work constructively together. As Deputy Chief Minister, I do take my share of responsibility for those areas where I have not been seen to collaborate enough. But I also know that I have invited non-Executive Members of the Assembly to work on various projects with me. I have also focused enormously on building bridges between Government and industry as Minister for Sustainable Economic Development. Each sector strategy that has been published in response to the sectors themselves calling for those strategies and that direction, each of those strategies has been published and was written in collaboration with the sectors in question. Often after a concerted effort to encourage collaboration within the sectors themselves, among business leaders who previously did not always get along very well or speak very often together. That is a badge of pride for me and indeed I will take to my grave the comment made to me a few months ago by another Member of this Assembly who congratulated me on being the first person to get farmers, fishermen, and the Government, not just around the same table, but coming to an agreement. But I did not do it alone, I did it with other Members of this Assembly. But what really concerns me is that, while this proposition is about competence in the Chief Minister, none of her detractors have recognised just how dedicated she is and just how well she deals with the bricks and stones that are thrown at her on a daily basis. I have been proud to serve with this Chief Minister. I have been and will continue to be impressed by the way she represents our Island abroad. I am not sure any other of the Assembly Members could receive ambassadors, consuls, or other Ministers of politicians, as well as she does. I do not know if other States Members have the same level of stoicism in the face of, in my opinion, unfair criticism from within her own Ministerial team. That stoicism has been unbelievably impressive and something I continually learn from. Deputy Moore is not just on her Chief Minister's

brief, she is aware and across all of our briefs. She has empowered and trusted her Ministers in a way that has seen this Government deliver across the board. You have heard a great deal of this today. They have delivered, across the board, at a rate that dwarves other Governments before us. If Jersey is plunged into a struggle to create a new Government, the only winners will be the media. All other Islanders will lose out as they are forced to wait for a new Common Strategic Policy, to wait for new Ministers to build new relationships with civil servants, for new Ministers to learn the ways of working of government and to create new policies and reallocate spending. The Chief Minister has had the strength and vision to embrace the need for change and it is my estimation that this courage has led to this call for a vote of confidence. She knows ...

The Bailiff:

Could you pause for a moment, Deputy? Is this a voluntary contribution to the Greffier's fund?

Deputy C.F. Labey:

It is.

The Bailiff:

Thank you very much. Please do carry on.

Deputy K.F. Morel:

The C.M. (Chief Minister) has had the strength and the vision to embrace the need for change and it is my estimation that this courage has led to this call for a vote of confidence. She knows that Jersey faces enormous challenges such as unsafe practices in areas of the health service. She has empowered the Minister for Health and Social Services to deal with these. The backlash that has followed has come from those with, I believe, vested interest in the status quo. But, undeterred, the Chief Minister and Minister for Health and Social Services place safety before their own political considerations. That is courage. That is someone who puts the Island first. That is a leader and it breaks my heart that so many other Members choose to listen to the voices of stagnation and the easy way forward. Making difficult decisions and choices, backing her Ministers, even those who acted against her, because she believed they have the talent and the ability to deliver on their briefs, has been the trademark and the hallmark of this Chief Minister. I ask States Members to do exactly as she does, which is to put the Island first. Elections are where we throw people out. The people throw people out of this Assembly. The people, during the election, call for new Government. That is the way of the democratic process. It is not to give people 18 months and in the middle, just as things are getting hard, just as things are difficult, just as change is being made, to say: "No, we are going to stop you in your tracks and we are going to condemn the Island to months of confusion, instability, and inaction." I certainly will be voting to support the Chief Minister in this vote of confidence.

The Bailiff:

Does any other Member wish to speak? If no other Member wishes to speak, and Members will recall when I say the words: "I close the debate", then the debate is closed. I saw your light first, Deputy Wilson, and then Deputy Renouf thereafter.

7.1.22 Deputy K. Wilson of St. Clement:

I should have come into this Assembly today with a coat of armour and I did consider asking if it would be possible to have the brace or the mace by my side in case I needed to ward off any more attack. This proposition does not serve the interests of Islanders for the good. It is entirely driven by the fact that Deputy Binet just does not like the fact that there are some people in the Council he would prefer not to be there. If I may say so, good and honest men are not the only ones to occupy the high moral ground or the only ones who know how to do things. Deputy Binet talks about his problematic engagement with me over the new healthcare facilities, but it goes back further than that. Since being elected, he has been on a campaign to undermine my work in the health service. It is

astonishing that he has taken no responsibility whatsoever for the part he has played in the allegations laid at the door of myself and the Chief Minister. It takes 2 to tango and he has led the dance. Against this background and with lack of support from my Assistant Minister, his sister, Deputy Rose Binet, I have however continued to deliver on my Ministerial responsibilities amidst the hypocritical venting that has gone on and in the presence of some very unpleasant behaviours witnessed by many, as the Assembly has heard this afternoon. But I am not going to reduce myself to engage in personal attack. It may be his style, but it is certainly not mine and I rise above it. People in this Assembly know me, they know what my values are, how I conduct myself, and what I am responsible for. This Government inherited a declining health service, characterised by years and years of underfunding, significant staffing and recruitment problems, unmanaged clinical risk and poor governance. The challenge to reverse this decline is enormous. But it can be done and, having had the experience of working in a regulated health system elsewhere, it was clear to me that we were indeed in special measures. Throughout my working life, I have enjoyed figuring stuff out, finding solutions to getting things done. So when the Chief Minister asked me to take on the role of Minister for Health and Social Services, and the Assembly supported her nomination, I believe that was because people had confidence in the fact that I would get stuff done. Through careful deliberation and consideration of the issues, we agreed on 3 changes to reverse the situation: strengthen the leadership, bring in additional expertise to facilitate a turnaround, and establish a health board to improve oversight and governance. We knew the scale of the task ahead and created the conditions necessary to address the multifactorial issues facing our health service. In the spirit of collaboration and careful stewardship, not emotional or angry outbursts or rants over Twitter or Facebook, but we constructed a plan, carefully considered, consulted on, and appropriately resourced and evidenced. A watershed moment came when I published the report into clinical governance by Professor Mascie-Taylor. Publishing this report has been a release for some but not for others.

[17:15]

As you know, the report highlighted and provided robust evidence as to what was wrong in our health system. The public and the staff working in it were suffering, patients were affected, it was clear things needed to change. The Chief Minister, our Chief Minister, supported this change in the interest of putting Islanders' interests first. Those who wish to deny the findings in the report and objected to the way in which the report recommendations were handled have peddled in narrative attacking the motivations of the intentions behind my attempts to get good stuff done. As a team, we have stood resolute on our ambition to deliver better healthcare and under this Chief Minister's leadership we have made real progress. Not the tepid progress Deputy Bailhache asserts, but real progress. If Members vote for this proposition today, they risk delaying all the progress we have made over the last months. I want to turn to Professor Mascie-Taylor's contact and engagement with the health service. He has been treated in the most appalling way. Instead of valuing the expertise and experience he brought, he has been subject to a narrative that has denigrated the value of his international experience. Never can this assertion be further from the truth, but I ask Assembly Members to think, when you hear this kind of thing what does it say about Jersey when we cannot even value the contribution of a recognised international expert who was interested and committed to helping us get good things done. This resistance has been championed by Constable Jehan. So what I want to do now is I want to take a look at the record of some of the delivery that has taken place since being elected and since the publication of the Hugo Mascie-Taylor report. Under my leadership, none of what we have delivered could or would have been achieved without the support and backing of the majority of the Chief Minister and my colleagues in the Council of Ministers. Samarès Ward reopened and plans are now underway to transfer the service to St. Ewolds. Enid Quenault Centre, open and running a range of services. M.R.I. waiting lists slashed. Health Board established and meeting in public. £3 million of efficiency delivered in 2023 and a financial recovery programme in place. A new turnaround team appointed bringing real service improvements. Delays to discharge reduced from 43 beds to 20, 300 new staff appointed, including the specialist consultant

rheumatologist. A Freedom to Speak Up Guardian to provide a safe space for staff to speak up on matters of concern without fear of reprisals. 77 per cent of all mental health emergencies seen within 4 hours, 24 hours a day, 7 days a week. A new director of midwifery appointed. Implementation of a new electronic patient record. Electronic prescribing introduced to improve the effectiveness and efficiency of pharmacy services. An end-of-life strategy produced, a cancer strategy produced. Sixty-five weeks it has taken to deliver that, but it is clearly not enough. Under this Chief Minister's leadership, we have signed up to delivering an ambitious health agenda. She has been supportive and she has been enabling. It shows her strength of resilience against objection that she has been in the firing line from Constable Jehan and also from Deputy Binet, both of whom have walked away from their responsibilities. I remain with her support at this moment in time, making big decisions, big calls, in the interests of Islanders. It is not easy and I am not the only one who has responsibility for taking big decisions. But the reason I mention this is because, when you are in an environment that is working against you, it makes the decision-making really, really difficult, and more difficult than it needs to be. As a new Minister, I did not expect to experience the kind of culture to be so prevalent and accepted as the culture that I have experienced as a new Minister. People tell me it is just politics. I have a different view and calling it out has had serious consequences for me, so I just want to make a brief reference to the Commissioner for Standards investigation. I have made mistakes. I should have been more diligent and, having put the record straight, one would think the Commissioner for Standards and P.P.C. will have been satisfied and others and myself hopefully learned from it. I believe that is the position. But it keeps coming up. Why does it keep coming up? Why is it undermining the work of the Commissioner for Standards and also the work of P.P.C.? Exercising independence of mind on behalf of the people who elected me does take courage in the face of those who expect me to do things their way or no way. It is because I have not done what they wanted me to do that I have experienced the constant and demanding, and the Chief Minister, in her support for my delivery, has supported me in my efforts to resist and keep moving forward. Despite all of the resistance to change, we have made progress. We are restoring public confidence. We have an engaged workforce. We are improving safety, we are improving accountability. Making progress under these conditions has taken its toll on me personally; it is a big job. Over the last 6 months, one of the things that I have been involved in is trying to make some progress around the new hospital facilities. But I just want to give Assembly Members some context for the experience I have had around that. Deputy Tom Binet has refused to speak with me, engage with me, or sought to enter into any personal dialogue with me regarding the hospital development. I have had more conversations with Deputy Ahier this week over the new hospital than I had with him. He made it very clear to me that, as the client for the new hospital, my views were not welcome. As the Chief Minister referred to earlier, opportunities to build and repair relationships were there. He chose not to take them. So if this vote of no confidence succeeds today, the Assembly risks putting in jeopardy the progress and the scale of change that has taken place within our health service. I realise that we have not delivered as sharply in some of the areas we have wanted to, but we are, as people have said, a group of talented people dedicated, committed, supportive of this Chief Minister's ambition to improve life for Islanders. Things have been allowed to happen, which should never have happened and affected the way in which we perform as the Council of Ministers. The way forward is to ignore the personality politics and renew and focus even more effort into getting good stuff done. This is what I am doing and I will continue to do for as long as I am allowed. We have an ambitious agenda for Health that will see a further stage of transformation, investing in our primary care services, preventing ill health, developing new health facilities, and using the power of technology and business to put our health services on a sustainable footing. A new strategy will be the basis on which all of these things will be articulated. So I would like to conclude by saying it has been a privilege for me to take this role. I felt the support, I felt the confidence, not only of my colleagues, but also of the public. I urge Assembly Members to consider what it means to the public in the context of this vote of no confidence today. They have expected us to deliver and we are

delivering, it is taking time, but we need an opportunity to get the job finished. I urge Members to consider not to support the vote of no confidence.

The Bailiff:

The next person listed to speak is Deputy Renouf but I am conscious that we have agreed to break at 5.30 p.m. It is rather before that, but it may be sensible to break now because I am sure Deputy Renouf will wish to speak for longer than 5 minutes, or possibly at least. So can I suggest that we adjourn now for 10 minutes, which was the period that was suggested by the chair of P.P.C., and therefore we will start again at a fraction past 5.35 p.m.

[17:26]

ADJOURNMENT

[17:36]

The Bailiff:

With total clarity, we are not quorate at the moment and it is the time that I said it would be but we will give people just a couple of minutes to return to the Chamber. We are inquorate, we will do the electronic identification, will we? We will do the electronic roll call. Could people indicate by pressing the buttons whether they are present or not? I think I am losing containment at this point and we are not inquorate, we cannot go ahead and therefore I will step out for another 5 minutes. If we are not quorate at that time we will adjourn until tomorrow morning. But I will step out for 5 minutes at this stage.

[17:38]

ADJOURNMENT

[17:41]

7.1.23 Deputy J. Renouf:

A very, very long time ago, Deputy Luce referenced humour in his remarks. I thought perhaps I could reference a subgenre, namely black humour. I came across a news report when I was preparing for this debate, and it went like this: “In some angry and heated exchanges in the States Chamber, the Chief Minister was accused of presiding over a divided administration and that morale among Members is at an all-time low.” That is a quote from an ITV report on the 2017 vote of no confidence in Senator Gorst. It does seem that perhaps we are doomed to repeat ourselves, and I think whatever the result of this vote of no confidence, this Assembly and indeed the Island, will need to give some serious thought as to whether there are structural problems in the way that Government is set up. However, that is not the issue before us now. The central question in any vote of no confidence has to be forward looking. The central question is what is the best way forward, given all the circumstances? My starting point has been to look at the major policy issues, questions at stake. I say this because it is noticeable to me that what little focus there has been on this debate or in the lead up to this debate on policy ... does it include Reform. Jersey, who oppose many of our policies? I respect they have a point of view ... a different point of view even when I disagree with them. But other than the Reform, there has been no challenge to the Government Plan, which, let us face it, is a complete programme of Government. Nothing in this debate challenges a single thing in that Government Plan. There is one disagreement on Health, which I will come on to. But even there the debate has been more about the “he said, she said” rather than the substance, particularly from the opponents, of a policy disagreement. I mentioned this lack of focus on policy because when you think back in the U.K. to the big resignations over the last few decades, they were all about policy; Michael Heseltine, Nigel Lawson, Geoffrey Howe, Norman Lamont for the Conservatives; Robin Cook for Labour. These were resignations on fundamental matters of policy principle; Europe, in the case of the Conservatives. It is always Europe for the Conservatives. And the Gulf War in Robin

Cook's case. Read those speeches today and they still resonate. They feel substantial. There is no reference to personality clashes and arguments, even though we know for certain that they were happening. In all these cases as well, the public knew the issues at stake. In each case, there were clear and profound differences of policy that were widely understood by the public at large.

[17:45]

Can we say the same about this vote of no confidence? I do not think we can. I would suggest to Members that if we took a poll of people walking around in the street - not the people who bother to contact us on social media or other means - most people would be, as the person who I met going home last night on the railway walk who I have chatted to a couple of occasions about politics, works in the finance industry, knew there was a vote of no confidence on but when I said: "What do you think it is about?" he did not really know the answer. I would say that is the overwhelming view of the Island. They think this reflects the lack of clear and obviously policy divide in the public in all the discussion about its votes. It looks to the public like we are simply again ignoring the big issues. Let me talk about the Health issue, which is the single area of policy disagreement that has come up. For me, I would see this not so much in terms of the obvious clashes between the people concerned, but the future of our health service. On this big, big question, this vital question, Deputy Wilson has a vision for the future of our health service that I back, and I am glad that the Chief Minister has chosen to back her Minister for Health and Social Services. Deputy Howell asked why the Chief Minister chose not to back her close ally, the Constable of St. John. That gets to the very point I am making. The reason is because she chose policy over personalities. When push came to shove, the Chief Minister chose progress. She chose essential modernisation. She chose to not to go back, but to go forward, even at some personal cost. That is leadership. The Chief Minister has already covered ... the Minister for Health and Social Services has already covered the aspects of the Health programme that have been pushed forward, and done so successfully in her time. But I do want to focus on that most important one of all, the biggest and most vital of those changes to the leadership and structure of the Health Department, the establishment of a health board, the new leadership in the department, and the turnaround team. These are massive, significant steps forward. Clinical guidelines will follow. No one has tackled these fundamental issues in Health before. There are those who argue that this is the wrong way to go, but these kind of management structures and clinical guidelines are common the world over. I have seen no compelling reason put forward why Jersey should opt out of these kinds of governance structures. I have the highest regard for the Constable of St. John, but on the question of Health, I profoundly disagree with him. Anyone who read the Mascie-Taylor report will see that we have longstanding, deep-seated problems in H.C.S. There is a culture, not uniform but widespread, that is resistant to modern Governments and determined to oppose these changes. This Minister for Health and Social Services has taken steps to change this. I am profoundly grateful to Professor Mascie-Taylor for the work he has done for the Island, as I am to the turnaround team. They cost money, but I do not regard the cost disproportionate in relation to their skills and the deep-seated problems we are trying to solve. These major, major changes have been led by a determined, resilient and committed Minister for Health and Social Services, and I applaud her for it and I applaud the Chief Minister for backing her Minister for Health and Social Services. On the question of the Commissioner for Standards report, which is being held against her, Deputy Wilson has acknowledged she made a mistake. She has made an apology. If the offence merited greater punishment, the commissioner would have said so. It is not, in my view, the intention of commissioner judgments that they should act as a deadweight on Ministers, which they have to carry around for the rest of their time in office. They are to be learnt from so that everyone can move forward. I see a Minister for Health and Social Services who has shown incredible dedication and commitment to a change programme that represents one of the great challenges in Jersey politics. She has met that challenge in the face of considerable opposition with resilience and fortitude, and I admire her for it. Ministers have spoken about what they have achieved, and I should perhaps say a few words about the Environment and Planning portfolio. This is one of those areas where it is really

difficult to get from the impressions that people have to the actual reality. I will reference something that the Constable of St. Peter said to make that point. He said that he was disappointed that the supplementary planning guidance on planning on density standards had not come forward. But it has. It was released months ago after consultation. Supplementary planning guidance has come through slower than we would have ideally liked. We have had staffing challenges in that department, but the team have worked very, very hard to get it out and we do now have all the supplementary planning guidance relevant to the rezoned housing sites in place. It is fine to be frustrated about the inadequate sewage infrastructure, but I find this perplexing that this is a factor in the vote of no confidence, given that the Chief Minister has pushed repeatedly for progress in this area and it is being addressed. We have inherited a bad situation. Taken long-term decisions to fix it. The tree law. Of course, this has been controversial. I note that it was voted for with only one dissent in the last Assembly. I assume that the Constable was one of those who voted for it ... the Constable of St. Peter was one of those who voted for it. I was carrying the instructions of the previous Assembly forward. I got it wrong in the first instance, and I admitted it and I apologised. Since then I brought forward new proposals. They do not include, in fact they specifically excluded, work in gardens and small-scale maintenance work. Again, this gap between the allegations that are made, the perception and the actual situation. But in any case, I have withdrawn all proposals and made it very clear that I have no intention of bringing forward new proposals. We may end up talking more about that in a later debate, but I have made it very clear that the situation is clearly different. I recognise that particularly because of Storm Ciarán, but also because of other factors, and I will not be carrying forward those proposals. Again, this gap between perception and reality. I do recognise that Islanders have concerns about the performance of planning services. Of course, I commissioned the Mackinnon report to push forward that agenda. I want to say very clearly, I believe in that agenda. I am committed to that agenda. I am committed to the improvement of planning services, and there is some progress. We had a waiting list of over 150 planning applications awaiting just to get validated 6 months ago. That was down just before Christmas to one. Housing approvals are up, even if you discount Les Sablons. There is something of a lagging indicator I think here. It takes a while for perception to catch up with reality. But I am not pretending that everything is perfect in Planning. There is still a lot of work to do and I want to look at various things. I want to look at work that can be done without requiring planning permission. Can we exclude more work in that area? Permitted development. We are going to review building bylaws. I am committed to continuous improvement. I will always defend the independence of the Planning decision-making process. But planning policy is something which we can all work on. Government, Assembly, people to make it work for the Island, for business and for the public. I do not think it is fair to say that we are sidelining the Assembly. I have brought, myself, a number of items of legislation to this Assembly from the food law, which had been stuck or been in process, shall we say, from 10 years. Secondary legislation on that is coming through shortly. It is coming through shortly. The replacement vessel policy, the regulations which caused so much light and fury at the time but are settled in brilliantly and mean that we have now, to a significant extent, defused the fishing dispute with the French. The licensing of rented dwellings, conservation areas and so on. These have all been brought to this Assembly and there is more coming; big significant pieces of work involving this Assembly. We have brought through the wind farm proposals; a huge piece of work for this whole Island. The marine spatial plan will be brought to this Assembly. These are big, bold, ambitious pieces of work. They will work for the long-term future and they tie up our environmental ambitions with our economic success. Of course we have disagreements. My aim is to work through problems. There is or should be a very high bar to changing a Government mid-term. Therefore, my approach is to try and find ways forward. Finding a way through, as the Chief Minister put it; that is what I do. That is why we talk through our differences. That is what this Government is about. In summary, on the one policy area mentioned in the proposition, the future of Health, the Chief Minister made the right decision, even though it was difficult for her personally, and I applaud her for it. In terms of disagreements, I have had my differences with the Chief Minister, but so what? The point

is, I agree with the strategic priorities of this Government. The disagreements where they occur are generally about how we get there. When you have disagreements, what you need to know is: can you resolve them? I find that I can. One never wants a vote of no confidence. But if one good thing comes out of it, it will be that it has made us reflect on our relations with each other, making better use of the collective talents as a Ministerial team and of this Assembly. I commit to my own part in that and I hope I never stop learning. We have a functioning Government. It is delivering. The Chief Minister has the support of her Ministers. There are concrete plans in place for the future. We are just getting into our stride. We can be better and we will. I hope the Assembly will give us the opportunity to do so.

7.1.24 The Connétable of St. John:

Today is the first time in my life that I have been accused of having a lack of commitment to Jersey; so be it. I am sure that I am, like many, finding myself between a rock and a hard place. Although I am pleased that I have been able to help my colleague, the Constable of St. Helier, and I would endorse his words about the quality of the staff that he has found in Broad Street. In considering the proposal, I have been reminded of 2 very important pieces of advice that I received during my career. Firstly, an excellent piece of advice I was given as a young union representative, and that was never defend the indefensible. The reason for this, is on the occasion that you have a genuine case where the benefit of the doubt should be given, if you have already used your credit up, your genuine case may not have the chance they deserve. I am referring to the proposal; Deputy Binet refers to my own resignation. A decision I did not take lightly. It was an incredibly tough decision for me to make. However, I will not be seen to be the person that cried wolf. I said in May what my actions would be if the interim chair's contract was extended by a day. P.19/2023 had a budget of £14,400 per month for the interim chair, and to the end of October the average monthly cost was £22,985. Look at it another way; a 59.6 per cent overspend. £230,000 spent on one individual part-timer, as opposed to the agreed £140,000. I repeatedly told the Chief Minister and other Ministers how unacceptable this was, especially at a time when we had promised better oversight of expenditure. I will not talk about the commissioner's report. I accept the comments of the Minister for Health and Social Services that she has made earlier this afternoon. In terms of why there had been an extension to the interim chair to the end of December, I wrote to the Chief Minister and the response I received on 3rd January was: "The papers for the 6th December board meeting had been published, and the meeting could not be cancelled with just over a week to go." Well, let us look at this in detail. The announcement to extend the interim chair was made on 23rd November, the same day I informed the Chief Minister that I would be resigning, albeit, just like Deputy Stephenson, I took the courtesy of waiting for the Chief Minister to return to the Island and handed my letter on 25th November.

[18:00]

The board pack was actually circulated on 29th December. The papers were not published until, I believe, 4th December. Look at it another way. The board papers had not been published or distributed before the extension was made. How many Members realise that the contract was up to 130 hours at £180 an hour? Not for the 4 weeks that was mentioned earlier, but for 5½ weeks. I support a board structure. I said that in the original debate. I am very familiar with board governance and I support a board structure. What I did not support, was the choreographed scenario where the chair was going to be recruited after the board had been recruited. The Assembly that passed P.19/2023 with a requirement for the chair to work 48 days a year, Members will be interested to know that the advert for the post had a requirement for 3 days a week. That does not come up to 48 days. Interviews are not scheduled to take place until 22nd and 23rd January. The next board meeting scheduled is 25th January, so the papers will be due to be distributed before the interviews actually take place. That is 225 days or 32 weeks since this Assembly agreed the post and the time for the interviews. I said what would happen at the debate and it happened. I have no issue with the qualifications of the person carrying out that post. I have no issue with the day rate that person was

paid. It is the sheer volume of days that an interim chair has been paid for that I have issue with. I was more than happy to defend the Our Stars awards, and would do so again as I see that as an investment in all of our staff. I was delighted that the H.R. team won a national award, but I was totally unaware of the cost and the Government have defended that expenditure rather than acknowledging the excellent work of the team and the committing to look at preventing a repeat in terms of cost in the future. We heard that repeated again during questions. I would have liked an assurance that it will not happen again. The second piece of advice I would like to refer to is something I have also used many times, and advice I have shared with many over the years. I normally use a coffee cup for this. The piece of advice was given to me when I was a senior manager having to deal with significant change, and I think it is something relevant to this debate today. I would like to share it with Members. When faced with a difficult decision involving an individual, you should always concentrate on the facts. It is important in these circumstances to remove the emotion. Remove the emotion, put the individual concerned to one side. Having done that, look at the facts in front of you. I would urge Members to do this today. There is no question in my mind that the Chief Minister is a good person, and is someone who has put her heart and soul into the job, working incredibly long hours and, as mentioned earlier, done a great job in presenting the Islands and the Government at times of trouble. But we are not being asked about this. We are being asked if we have confidence in the Chief Minister's leadership and her judgment. We need strong leadership and good judgment. This is the issue for me. The Chief Minister's judgment has at times been sadly lacking. The full Government Plan debate, held as recently as December, was followed up 29 days later with an announcement at a lunch that there will be £30 million less expenditure as the Council of Ministers have agreed to reduce the number of public sector projects. No details whatsoever. I would respectfully suggest that this is the forum for such announcements and the public, in my experience, are far more concerned about repeated revenue expenditure than they are about capital expenditure. In fact, we heard this morning in questions without notice the importance of investing in our infrastructure. During the same speech, the Chief Minister spoke about education and the ongoing dispute. Interestingly, there was no mention of the letter referred to today that was being sent to teachers on the same day. On the contrary, there was a commitment to carry on working with the trade unions. In the speech that was published, not once but twice, there was no mention of the current pay dispute at all with teachers. Strange for it to be added at the last minute when this was one of the major issues we currently face. On Friday, watching the C.S.S.P. (Corporate Services Scrutiny Panel) interview 2 trade unions, they acknowledged the progress that has been made with partnership working in the last 18 months. I wonder what they would have said if they had been aware of the letter to their colleagues before that hearing. Recognising there is more work to do, I would say there is an awful lot more work to do now. Yes, we need to resolve the pay dispute, but we have to take the trade unions and our employees with us. I am also frustrated, like others, that we have not reduced the amount of resource in some areas, but instead we continue to recruit to areas with few vacancies and expect colleagues to cover in other areas rather than really prioritising. The decision to scrap the removal of G.S.T. (goods and services tax) from period products was something that I also found difficult. Having supported the then Senator's original proposal, I still fail to see the logic in the change of mind, and I reluctantly voted with the Council of Ministers on this. A.L.O.s and government-owned entities we have heard about as well in a review. The Chief Minister said we need to do more because we have seen double digit increases from many of those. When you are the leader, that is the time that you can take action. We need to be firmer with these organisations and get the benefits of collaboration from them, working more closely together sooner rather than later. The public, not just St. Jeannais I meet, but the general public right across the Island, from right across the age groups, the public want us, their politicians, to deliver value for money. We heard from the Minister for Health and Social Services. The only criticism I have had of the Minister for Health and Social Services is the cost of the interim chair for the Health Board. I have done everything I could possibly do to get a turnaround team in place, working with the Chief Minister and the Minister for Health and Social Services. I used to be invited to meetings, but I got stopped

being invited to those. You will have to ask someone else why that was. But I did everything. Samarès, we heard about moving. I worked tirelessly with the former Senator Pallett to get Samarès back open. Enid Quenault; that was a decision of the previous Government and our previous Minister for Infrastructure, Deputy Binet, who put in a longer-term structure for that. I have spoken to a few Members of the Council of Ministers who have called me about this debate. I spoke to Deputy Binet on Sunday morning to confirm my support. I have not called or canvassed any Member over this debate. In fact, as recently as 29th December, I tried to encourage Deputy Binet not to throw in the towel. Both the Chief Minister and Deputy Chief Minister came to see me; the Deputy Chief Minister, taking advantage of my weekly surgery last Wednesday evening. Interesting, both suggested that they had been told that I was running the campaign for Deputy Binet. I do not believe that there has been a campaign run by or for Deputy Binet. The 2 Deputies really should know better. If I was actually running a campaign, it would be a damn good one.

The Bailiff:

You mean, it would be a rather good one.

The Connétable of St. John:

A rather good one. I know it would be good. The final deciding factor for my decision was when the Minister for External Relations and now Assistant Minister for Health and Social Services approached myself and my wife while we were in town last Thursday afternoon. While I will not share the details of the conversation, I knew that sadly I could no longer support this Chief Minister's judgment. Reading the media yesterday, it was suggested that the Chief Minister may have done enough at the Chamber lunch to convince businesses. That certainly was not the case from the feedback I have received as one attendee wrote to me on Sunday: "Just seeing your announcement. A hard decision, but the right one in my view, especially based on comments at the Chamber lunch. We need a strong leader for the next few years." Perhaps the comments from Chamber are code for we also are not happy, but we are unlikely to have the same amount of influence over a different Chief Minister. I can assure Members the most written communication I have had about the need for change has come from business leaders, owners, chairmen, directors of companies, as well as the men and women in the street. Forming a Council of Ministers is like any other team. You have your storming, forming, norming and performing. It seems to me that some people did not move away from the first 2. Unfortunately, we did not get to performing in some areas. In regards to the former chief executive, what is true is that the Chief Minister made it no secret that she was not happy to inherit someone else's appointment in the early days. I used to attend weekly meetings of the chief executive and the Chief Minister, and I would describe the relationship as professional. I offered the Chief Minister to do exactly what I did for her with the former C.E.O., to do that with the Minister for Infrastructure and, sadly, that was not taken up. This Government, we have experienced more U-turns and handbrake turns than the Jersey rally. I ask Members to look at the facts, focus on the question, put personal personalities to one side and vote pour.

7.1.25 Deputy I.J. Gorst:

It is not often that I rise not quite lost for words. But I want to start from a different perspective. That is just to, for a couple of moments, for us in the Assembly not to focus on the debate in front of us, but to focus on where we find ourselves as an Island community in the wider world. We may have long-forgotten COVID, although those in hospitals now suffering from COVID have not long-forgotten it, but we were also reminded of it in that the last time we had a vote of no confidence in this Assembly, it was during the middle or I think maybe towards the end, I am not sure, but COVID was still very prevalent in our community and we still had special measures in place. It was then that we had a debate about a vote of no confidence. Whether we like it or not, we are in a post-COVID world but the interventions that not only the Government of Jersey but Governments across the world had to place on citizens is continuing to have a wide-ranging health and economic effect upon

Islanders, as it is across the rest of the world. Added to those difficulties then we also have the continuing and ongoing war in Ukraine, which is affecting food prices. We are now in recent days, since 7th October last year, seeing the crisis in the Middle East and we have started, over the last few weeks, to see the effect on the global supply chain more widely. All of these events are having a detrimental effect upon our economy and unfortunately upon inflation in our community, and upon what Islanders feel is the pound in their pocket. It is important, I think, that we remind ourselves of the global context within which this decision and the Government is working. I have myself been the subject of a vote of no confidence. I hope it is not a coincidence that I follow the current Constable of St. John's speech, but the vote of no confidence in my leadership was brought by a previous Constable of St. John. I am not sure I look back with fondness but if I give you a part of that vote of no confidence and the opening speech that - I am not quite sure why, maybe it is because I do like a tippie - sticks in my mind, was the phrase that myself and the Government of the day was unable to organise a drinking party in a brewery - he was mindful of Standing Orders - and then went on to say why that was the case. In his view, it was the case because he had been speaking to someone in France - no difficulty with that - and that someone in France had told him, on good authority, that a hospital could be built in Jersey for £90 million.

[18:15]

This was well-evidenced, the person that was speaking to him had good experience and therefore that was reason to vote out the Government of the day. The rest, as we say, is history. That particular individual became a part of the future Government after the election and led, for a period, the hospital project under the previous Government. I will be careful what I say, but somehow that £90 million, almost like a miracle of biblical proportion, ended up being not £90 million but £1.1 billion. So, we have to think very carefully about our actions. It is fair to say in that vote of no confidence there was also a great element of personalities. The last vote of no confidence in the Chief Minister that I spoke in, I spoke almost in the entirety of my 15 minutes - and I have already been going for 5 - about Brexit and the need for continuity in order to deal with the position that a decision that those electors in the United Kingdom have placed the Island in by voting to leave the European Union. I am making sure that we got the tech sorted out. It was a speech, really - if I may use this phrase, although it has been slightly spoilt by our friends across the water - about putting Jersey first. I make no apology for talking about putting Jersey first because I think in each Member's heart of hearts there is a desire that they put Jersey first and that is why they were elected to this Assembly and why, as Deputy Juene said, politics takes our mind, our soul and our bodies to do it well. As the Chief Minister said, being Chief Minister is a privilege but it is not one that should be taken lightly and it is not one that is easy. It will not surprise you, because I have spoken about it many times in this Assembly, I am only too conscious of the things that I got wrong during my term as Chief Minister. If we were to amalgamate every desire that Members have articulated in every speech that they have made today, the views expressed, the actions that they wish to see achieved, I do not think that is a possibility for any Chief Minister to be able to deliver. We cannot and we should not seek to do everything all at once. I am also grateful that the Constable of St. John kindly highlighted a number of the Chief Minister's skills that she brings to the job of Chief Minister and how she has led the Island through those really tragic situations that we experienced and had to be dealt with. One of the foundations of the Island's economic success is political stability. I think this is why there should be, and ought to be, a recognition of why every other vote of no confidence in a Chief Minister has never been successful. Once an Assembly has voted to remove a Chief Minister and therefore a Government, it will, in my mind, become easier to do so for a second time. That will not be, and cannot be, a good thing for our Island's either political stability or wider economic and social stability. I would urge those Members who are wavering - I think there is probably only one or 2 still wavering, looking at things that Members have said - I would urge them to think very, very carefully before casting their vote this evening and be mindful of that stability which has been long fought for, long argued for but once gone I fear will take time to rebuild. Moreover, solving the issues that Members have raised and

spoken about today, we have to ask ourselves just how difficult ... whether that is possible to bring all of these strands of thought, all of the desires together, simply by changing the Chief Minister and the Government, because I fear that rather than dealing with all of those issues, what might happen and what we might lead to is really a very difficult place for Members and for this Assembly. I am a team player and I stick with the Chief Minister and the Council of Ministers. I believe in consensus and compromise. I believe that that has served our Island well for decades. I am not a supporter of party politics as the solution to all of our problems. Perhaps there are changes to the machinery of government which can help and I, for one, have heard those articulated eloquently this afternoon. But we must think carefully before we make our decision today. I ask Members to do so, to think very carefully before they cast a vote which will bring down not only the Chief Minister but the entire Council of Ministers.

7.1.26 Deputy P.F.C. Ozouf:

I have served in 7 Governments. All Governments, apart from the last one, since 1999. Like many Members who have served in public life, one has to take responsibilities and one learns that when you make decisions you have to take people with you and you have to require consensus. This Island is unique. We are a minority Government of which this State Assembly is always in the decision-making role. I have been through numerous votes of no confidence, some in myself, some in all the Chief Ministers. I have also been part of a vote of no confidence where it was a vote of no confidence in the last speaker, the then Senator Gorst, where it was a proxy about another Member. It feels like Groundhog Day. The arguments were the same. There was an unhappiness of a Constable of St. John, incensed by a Chief Minister who had displayed a lack of leadership in the reappointment of a Member. I will not go into any of the personalities but Members know exactly what I am saying. It tipped over into personality politics; that was the undertone of it. I voted in favour of the Chief Minister because I thought it was the right thing to do, it was not about personalities, it should never be about personalities, it should be about doing the right thing for Jersey. There was a vote of no confidence in the former Chief Minister to that, the former Senator Le Sueur. I have looked at that vote of no confidence and the reasons were about fundamental spending review cuts that were being necessary in order to balance our budgets because of an issue of a world in crisis where we had to cut back on expenditure. That is something that a number of Members have advanced. That is something that I know Deputy Binet advances, that Deputy Scott advanced. The Chief Minister is criticised in trying to make reductions in expenditure in the face of economic turmoil around the world, where there is real concern. As Minister for External Relations, I know about that concern. About money, if I may very delicately say, there is clearly a difference of opinion. That is absolutely fine. The Constable of St. John believes there is an issue about the chairman of the board of the Health Authority, the Health Board. I have not been around for a lot of the debates about that but I would just make 3 points, if I may. Health's budget is £249 million; there were overspends of £30 million. Everybody knows it is not about the amount of money, it is how it is spent. There is a governance board put in place. That governance board, I do not think, has had a single criticism about its work when it has been sitting. In fact, I hear from G.P.s, consultants, nurses and everybody that they are saying at last we are holding account and having accountability and governance in our hospital, which is at the heart maybe of the reasons why there is the overspend in the hospital. I sit next to the Minister for Health and Social Services in both this Assembly and the Council of Ministers and I cannot help but just try and understand, if I may, the issue about the chair of the board of £225,000. It is all about trying to deal with the overspend of £30 million but, bigger than that, it is about the proper spending of £249 million in delivering services to Islanders, which have not been delivered properly. There have been waiting lists. Members know that I was ill last year. I was ill, not because of death but I had an issue and I was waiting and waiting and waiting. I would not have that waiting list now because they have been dealt with. I just do not understand the proportionality. I would ask Members to consider the arguments of £225,000, which the Constable may be entitled to have. But I am next to the Minister for Health and Social Services at the Council of Ministers and

have been a former Minister for Treasury and Resources and I have argued with lots of Ministers about spending, and it is about value for money, proper spending, getting the right results. What I have heard here from my neighbour is results in terms of the hospital, it has been years of difficulty, it was about votes of no confidence in the last 2 Chief Ministers, about value for money and spending. A number of Members have said that teams form, they storm and then they norm. I have been part of a number of teams and I struggle. I struggle when sometimes friendships become involved. The definition of successful people is described as a constant struggle about the belief that you can succeed and the knowledge that you can fail. We are all in that camp when we are making decisions. We struggle in the belief that you can and you cannot. One is not always right, nobody has the monopoly on what is right or wrong and it requires discussion and consensus, as the last speaker has spoken about. Being friends with a number of Members, including the mover of this proposition and the person that this is against, I put friendships aside and I want to always deal with what are issues of professionalism. A number of Members have asked why I was wearing, together with 2 other Members, a pin badge which has got Jersey and France on it. I must confess, I have not gone away from being British Jersey in terms of my external relations role, it is actually the pin badge that I was wearing as being the first witness at a wedding in Rwanda over the weekend, which I attended. I went to Rwanda first as a member of the Francophonie in 2012. I have been there lots of times since and I have shown that I can go and to and from and back. In my remarks in that speech I quoted Nelson Mandela: "When people are determined, they can overcome anything. It is about working together.

[18:30]

A winner is a dreamer who never gives up." A winner is certainly somebody that needs a good head. Nelson Mandela said: "A good head and a good heart are always a formidable combination." A winner never loses, they either win or learn, they do not lose. Nelson Mandela said: "It always seems impossible until it is done." I know that Members are going to be shortly voting on a vote of no confidence and I am really digging deep and asking myself: "What is the reason, apart from this issue which has been raised by the Constable of St. John about the Minister for Health and Social Services?" We have not had a vote of no confidence in the Minister for Health and Social Services. If there was one that was necessary, it has not happened. I have confidence in the Minister for Health and Social Services. I have agreed to be an Assistant Minister. I would not have done that unless I had done my due diligence about what has been going on in Health. I have worked with Health for years about the problem that we have not had a hospital. I wish we would have had that hospital. It would have been built by now, just like the police station. But that was an issue, that was a challenge. All capital projects are a big problem. I have dealt with the incinerator ... well, I have not, it is actually States Members that have made decisions about them but it is about consensus and bringing people together. I just would ask Members to reflect on what has been said about the communications between the client ... the Minister for Health and Social Services is the client of the hospital, the Minister for Treasury and Resources sets the biscuit tin, the amount of money available, and the Minister for Planning is responsible for the policies, but they do not make the decision. This Island is a rock of stability. I have been reading the late, great Colin Powell's book. Fantastic that he wrote it and I have quoted it before in the States Assembly. It says about the success of the Island has always been about seizing opportunities that are actually not in the Island's hands but they are opportunities and challenges that are brought from outside. We need to trade but we need to demonstrate consistency, stability and certainty and fairness. Jersey is trusted. It is one of our fundamental principles. Our trust industry is the most important and you, Sir, in your dual role will be overseeing a court service that will make decisions on trust. We are a leading jurisdiction in the world on trusts and trust is everything. I ask myself: "Has the Chief Minister fallen short to such an extent that deserves a vote of no confidence on the evidence that we have received and that we have heard?" Those Members who are members of the States Employment Board, the subject of one of those votes of no confidence previously, they are being criticised and they are members of the States

Employment Board who are in the firing line by a block vote, which I totally respect, that is the reasons, but the facts are Reform have made their decision because they are incensed. That was the tipping point about the teachers' letter because of S.E.B. Members that are both part of the Executive and non-Executive are part of that. I just do not understand. In the summing up of the Chief Minister, she will talk about her record of service and her record of delivery and what this Council of Ministers is capable of doing. It is capable of a lot. It is capable of delivery in a way that I have not really seen a Council of Ministers before capable of being on the point of delivery. Delivery on massive issues that have been around for so long about the hospital. We had that meeting last week in the police station. It is the first time I have been in there. What a fantastic building. I wish we would have gotten on with the hospital then. Putting a decision off is a decision that almost invariably gets worse, and too many decisions are being put off. I am not going to speak any longer, we need to get on and make a decision, but I know that this Island requires decisions, properly made decisions, honest decisions, honourable decisions, proper decisions and decisions made with transparency and not about personalities and not about just the minutiae. Looking after the pennies is about looking after the pounds and about the way that we put public expenditure. I ask Members to reflect on the proportionality of the issues that the Constable of St. John raises. The pennies matter but it is about the pounds and it is about whether or not those Members are thinking about what is the reason why they are going to vote in favour, because we have heard the lack of leadership before. I do not think the Chief Minister is a lack of leadership. It is an issue when you are trying to lead a team, but when you have Members who are actually quite difficult, and it is always the case that when you have somebody that breaks the bat of the team captain out repeatedly and tripwires are put under, it is difficult. I am not saying that has always happened but it just seems to me that that is one of the underlying issues. It has been an issue for many years and it has been an issue ... and if it is the issue, I regret that very much. I have confidence in our Chief Minister. I have confidence in the Minister for Health and Social Services because of what I have heard. I have confidence in the Minister for the Environment and all the other Ministers that I see. Do they make mistakes? Yes, they do, we all do because if you want to make decisions you make mistakes. It is about honesty, correcting them at once, which is what has happened. I want to carry on serving, we all want to carry on serving but we want to deliver for Jersey and delivering in Jersey ... I just ask Members, what is going to be the message? It is not a threat but what is going to be the proportionate message sent out about the reasons justifying a vote of no confidence, which will come down to the wire. If Members are not sure they should abstain. If they are absolutely sure, they should vote in favour, of course. If they are wanting to say: "Absolutely no, the Chief Minister has absolutely failed and it is a vote of no confidence", they should vote in favour of the proposition. I look forward to hearing the 2 summings up because it is going to come down to those. Is it really the issue that we are going to throw out ... it is not just the Chief Minister, it is the whole Government. It is the whole Government but it is led by a Chief Minister and is that the reason that the Chief Minister has failed to such an extent that she deserves a vote of no confidence? It is like that. It is absolutely serious. Is it enough to basically mean that the vote of no confidence has got to succeed and the Government of the Island will fall? There will be massive consequences for that. We will repair it, of course, but there will be huge confidence issues about that following. I just ask Members to reflect on the monumental decision that is about to be taken. It will repair in time but it will be a massive decision and it is a big decision we are just about to have to take. I ask Members to search in their souls about the reasons, the proportionality, the materiality and the underlying reasons. They know what they are.

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

I would like to start by aligning myself with the comments of Deputy Mézec earlier and the Constable of St John's about the enormous pressure that is put upon those of us who put ourselves forward, not only to serve in this Assembly but to serve in the Government and as a Chief Minister. I recognise that in our Chief Minister. It is never easy, it is a difficult task and I acknowledge that. Nobody expects leaders to be perfect. What they ask and deserve is leadership, honesty and integrity. These

are important times, we have considerable challenges and it is our duty as an Assembly to ensure that we have the right leadership in place. The public deserve to have a leader they can trust and a leader who will be clear, decisive and honest with them. The Chief Minister could claim that changing leader is wrong, as many Members have. But what if that change could deliver better leadership, better decision-making and a stronger recovery? This is about principles, values and performance. As States Members we have to ask ourselves whether we, as Island representatives, are allowing our Island to be well-governed or not. This is about accountability, transparency, integrity, openness, honesty, objectivity, selflessness and leadership, the Nolan Principles. In fact, if we were to avoid these issues and put them off there would be a much worse message to the public and to the world that we prefer to turn a blind eye, and that, in the eyes of some correspondents, suggests soft corruption. Members may be surprised to learn that those are not my words. Those were the words of the then Senator Moore taken from Hansard of her opening speech in the vote of no confidence against the former Chief Minister on 10th November 2020. How disappointing and how ironic that we are here today with the very same concerns. We started this term with hope and we were promised a better way. We subscribed to that promise in good faith. I myself was pleased to sign the nomination paper of the Chief Minister because I looked upon it, notwithstanding what had gone before, as an opportunity for a fresh start. Upon election by this Assembly, the Chief Minister was entrusted with the responsibility of steering our Island back towards prosperity after difficult times, fostering unity and safeguarding the well-being of its residents. Unfortunately, it has become increasingly evident that these obligations and many more have not been met. There has been, I am sorry to say, a litany of errors and poor judgment from the very beginning. Most notable was perhaps the loss of another chief executive officer under questionable circumstances, which makes it much harder to attract the quality candidates this Island so desperately needs to reshape and lead a now somewhat demoralised civil service. This brings ramifications. The Government has been far less productive than many other Governments before, lodging at least 40 per cent less propositions in its first 18 months than the previous Government. It feels like - and I am not pleased to be saying this - there is some sort of retribution at play. Just about everything possible connected to the previous Government has been erased, or attempted to be erased. We see important projects cancelled at great financial cost without due democratic process. I am not just talking about the hospital. Although Deputy Binet and I do not agree on all aspects of his plans, at least he has been getting on with it or trying to get on with it, while we learn and being told by the Chief Minister to suppress or not divulge the true costs. As a leader of the previous Scrutiny function, she demanded - she rightly demanded - that all costs of the previous project were made public, which of course they were. Not only that, at every step of the way the previous Government came to this Assembly for approval. We see, I am afraid, double standards in this, we see double standards in other areas; travel choices, travel costs being one. The erosion of public trust is another significant factor contributing to this debate. The people of Jersey deserve leaders who are not only capable but also ethical in their conduct and their approach and I am not accusing the Chief Minister of being unethical in any way, shape or form. But I do believe that she has allowed standards to drop among some of her Ministers. Recent incidents of misconduct and behavioural lapses identified by the Commissioner for Standards have, I believe, regrettably cast a shadow over the credibility of our Government and, to some extent, this Assembly, further undermining the trust we ask Islanders to place in us as their elected officials. Her management style has openly criticised an Assistant Minister and we have heard from that Assistant Minister and we understand that an apology has been accepted, and credit to the Chief Minister for acknowledging that. It is not helpful to criticise Ministers in public because their decisions do not align with yours. It does not build a unified team or confidence among the population or our external partners. I was not going to mention experience but I think it is important to because Deputy Jeune did mention her incredible experience in a former life. We all come here as experienced citizens, business people, professionals, in one way or another, and I think there is an array of talent in this Assembly.

[18:45]

But politics is a great leveller, this Assembly is a great leveller; we all are equal in here and there is nothing that can make up for political experience. Those of us that have been here a long time never stop learning. I have myself found that out by being on the Back Benches for the last 18 months, a time that I have thoroughly enjoyed working for the first time in Scrutiny, for example. In only 18 months of Government, 3 or now 4 Ministers have resigned. The Government's mantra for openness and transparency has been shown to be largely empty words. We see a P.R.-led Government that appears to be more interested in image, self-interest and self-promotion, rather than delivering the policies we need so urgently to help Islanders in these hugely challenging times. We are not looking after our own. The sudden presentation of the vote of no confidence appeared to catch the Government somewhat off balance. This, I believe, led to a swift reorganisation of the deck chairs. New promises were made, new deals done, new key priorities created, money found. In her speech to the Chamber of Commerce last Thursday the Chief Minister announced 5 priorities for this Government this year, all very laudable; who could disagree with them? Great news, they have found a potential saving of £30 million. All of this was announced just 4 weeks after we spent the best part of a week debating the Government Plan. The Government Plan approved by this Assembly contained 7 priorities for the year ahead. The impromptu Chamber speech reduced that to 5 and excluded environment altogether. If we had known prior to debating the Government Plan in December that there was an additional £30 million to be reprioritised, Members could and should have had a say in how this was achieved. That could have impacted on many amendments that were rejected or many other amendments that could have been tabled. This is not, I am afraid to say, the first time the Government has shown discourtesy to this Assembly. We have learnt the Chief Minister recently agreed to split the Ministerial roles of Planning and the Environment, which I think is a sensible idea. Shortly before the vote of no confidence was tabled, I understand she offered the position of Minister for Planning to the Constable of St. Peter, who duly accepted. Not long after that the Minister for Planning and Environment and I believe Assistant Minister and, I believe, 3 other Ministers found out and were not too pleased. I understand ultimatums were given and it was agreed that Deputy Renouf and, I believe, the Assistant Minister would remain in office keeping their existing Ministerial roles of Planning and Environment. I doubt that the public interest played any part in this decision-making process. It was just political bargaining to avoid the possibility of further resignations, which would and could have seriously jeopardised the outcome of this debate for the Chief Minister. If the Chief Minister wins the vote today by anything other than a strong margin, her leadership will have been severely compromised. How can she possibly lead, having become a hostage to fortune in this way? This is not the way to run our Island. There is never a good time for a vote of no confidence. There is always challenging global events and a very challenging and busy domestic agenda. But having this is an essential part of our democratic process, otherwise we could never remove a Government. There is nothing wrong in removing a Government from office for the right reasons. But some Members have expressed concern about what comes next if this vote was to succeed. I want to ask Members to think about what brought us all together, to think about why we are here, both as an Assembly and as individuals, to remember what motivated each and every one of us to seek re-election. We can create a better team out of our 49 Members. We can elect a more competent Government. We can deliver stronger leadership. Importantly, if we do support this vote of no confidence we must start with a clean slate, a blank sheet of paper without any thoughts of revenge or retribution. Put all of this behind us and move forward, start again and do it better. In conclusion, I urge Members to express their collective support in this no confidence vote. The challenges we face require steadfast and capable leadership and it is evident that a change is necessary for the betterment of the Island. A successful vote today would deliver improved accountability, improved transparency and a renewed commitment to the well-being of Jersey and its people; our Island deserves nothing less.

7.1.28 Deputy M.B. Andrews:

I think it is very unfortunate that we find ourselves here today, 19 months in office and we are debating a vote of no confidence in the Chief Minister. I think a vote of no confidence ought to be brought forward for a very good reason. As a politician and especially being a non-Executive Member, I have looked at this objectively. When I saw Deputy Tom Binet's report come through, I read through the report and I was looking through it and I thought, well, where is the compelling evidence to suggest that the Chief Minister should face a vote of no confidence? I was starting to question: will there potentially be more that will be revealed during the debate? I was hearing from a couple of people that that would, potentially, be the case. I know it has maybe been elaborated upon where there have been a couple of details that have been alluded to that I was unaware of previously. But I think it is a big deal to see for the first time in our Ministerial Government the reconstitution, essentially, of the Executive because that is, essentially, what is going to happen and then the non-Executive would, essentially, be formed after that as well. As much as I have maybe disagreed politically with the Chief Minister and the rest of the Council of Ministers to the extent I voted against the Government Plan, I also happen to respect democracy and I think we should all be entitled to have an array of views. We should be able to respect one another and I happen to respect the Executive and my fellow non-Executive Members. I do not think it should be that we, as a 49, as a collective, have to see 4 signatories lodge a vote of no confidence when there was no dialogue among the rest of the Assembly, where potentially we could have had a meeting as a collective to discuss maybe what is not working properly, what could we do as a collective to improve things? I know there has been quite a lot of emphasis towards the Executive not maybe bringing forward enough proposals before the Assembly. I think that was something that the Connétable of St. Martin mentioned during her speech and a couple of times she has had to defend her position in that respect. But all 49 of us are accountable, all 49 of us have a responsibility to be delivering on behalf of our constituents. I have to say, being a non-Executive Member, at times I have really felt quite isolated and I feel that the non-Executive in itself is not doing the job it is supposed to be doing, to enforce the Executive when it is necessary and that is maybe due to the divide we have in the Assembly. Certain things have maybe happened with the Executive proposing ideas and then non-Executive has not been forward thinking, it has not been collaborative and it has not stopped certain things that should have not happened in the end. I have obviously been lobbied privately because that is what politicians do, and there are also going to be prospective candidates who are lining up support for signatories, et cetera. This is the point that I would like to make, because we could see the Chief Minister fall and so would the Council and we would see a very competent, I would say, Council of Ministers, probably the most progressive Council of Ministers we have seen to date. Deputy Miles, fantastic politician; Deputy Millar, again, very capable lady and now we are saying remove them. I totally disagree with that. I would rather sit around the table and be productive and say, as an Executive, we understand there are 6 new Members out of 12. You have maybe had a slow start but overall I think they have done a very good job in terms of helping those lower-income households, especially in my constituency, increasing the personal income tax threshold to £20,000. That has made a massive, massive difference and we saw that with the mini-Budget; everybody was in support of it. I think maybe there was a lot of momentum behind that mini-Budget and the public were expecting us to continue and of course you cannot sustain that across time. There was maybe this disappointment afterwards across a prolonged period of time. I think we have seen the Government Plan in 2022 be approved; I think there are only about 11 Members who opposed the Government Plan. In December we saw 13 Members oppose the Government Plan, including myself. But what that really suggested to me was the Executive had a majority. You had most of the Assembly who were content with the Budget - they were - and now we are in this position where it is personalised politics and it is all aimed at the Chief Minister. But really we need to be looking at the entire Council of Ministers, including the Connétable of St. John and Deputy Tom Binet, because often I have disagreed with the Council and it was during their time that they served on the Council as well, so it

cannot be the case you jump ship and lay blame with everybody else, because that is not a team player. I know it is probably going to go down not very well but it is the truth. Now we find ourselves in this very awkward position where, upon reconstituting the Assembly, who is going to put themselves forward? Because, I tell you what, this is the first time it has happened in history, and probably most of the Council of Ministers are going to say: "Well, you know what, we do not want to be associated with those who have no confidence in us" and they are the most capable in the Assembly. So what is the alternative? Are we going to maybe see a group of independents in coalition with Reform, the hard right of the Assembly? With socialists? I think the public are really going to love that, are they not? Because, let us face it, nobody is thinking about these things, we are just thinking about the short term: "Oh, let us get rid of the Chief Minister." Okay, so who is going to replace her? Are they going to have a collegiate Council of Ministers because I doubt it. Because this Assembly is broken, it is divided, there are 2 groups here, and you will see that with the outcome of this vote. For me I think it is a very, very sad day because this was something that could have been avoided. I think there has just been this unfortunate circumstance where people are trying to capitalise on some mistakes that the Council have made. They are trying to capitalise on the loudest voices who happen to be the minority who are often heard on social media and you hear some politicians saying: "Oh, well, I am just going to go the way how my constituents want me to go." But we are the ones who know the internal dynamics, we are the ones who know what the consequences will be. I can tell you now there will be consequences upon the reconstitution of the States Assembly because you are going to be losing the quality that we currently have among our Council of Ministers. I think you are probably going to have less able politicians - I am sorry if I say that, I am not being offensive - but less capable people who are going to be putting themselves forward as candidates for Ministerial roles and I think they are probably going to be out of their depth, and that is not going to serve the public. I think what we currently have, I think the current team of the Council of Ministers, they have gone through a rough ride, but we have seen the Assistant Minister for the Environment acknowledge that there were differences between herself and the Chief Minister. It is credit to her, really, but she has made that public statement saying: "I will be supporting the Chief Minister" because that just shows at that time it was very difficult for her, she was being called all sorts, unfortunately, due to the turmoil that we saw and it was public. You know what, she said: "Well, no, I am part of the team. The team is important and it is about how we can build bridges and how we can try and work together to serve the people who voted us into this Chamber."

[19:00]

I think that is a massive credit to Deputy Jeune who again is a very, very high calibre individual, a very capable lady. In my view I always said she should have probably been in one of the most senior roles in our Government. It is unfortunate she has not been given that opportunity but certainly in the future she would serve the Island very well. I think we have got many other Ministers who I would put in the same bracket as her. I, to a certain extent, feel a certain degree of sadness for some of my female colleagues, and especially for the Chief Minister, because this is the first female leader that this Island has seen and look what she is having to go through. Politics aside, it must be horrible, for 2 weeks how the poor Chief Minister has had to go home and she must be so, so upset and now she is having to put a brave face on publicly because again she is the front of the Government. It is, in my view, inhumane to a certain extent what she has had to go through with some of the comments that have been made and, for me, it has been quite sickening. I am a very principled person. I know probably most of my constituents would say: "Well we want you to vote for the vote of no confidence." However, I am not going to do the dirty work of other politicians who simply want to have a power grab so they can be in the ascendancy and they can be in the Executive just to displace a group of competent Ministers, because I think that is precisely what is happening and that is what I have seen. I have been lobbied, I know what it is like. People are saying: "We need your vote. We want the numbers in favour to get rid of the Chief Minister so the Council of Ministers can fall." I can tell you now, the internal dynamics, it is completely fractured, it is completely broken, and it has

been like that for some time. We have probably been the worst Assembly for it. Even though on paper we have got a very competent group of individuals, for some reason it is not gelling. I would just like to finish off by also saying that I am disappointed, shall I say, with the Connétable of St. Peter because I think what it really showed is he did not really have principles to abide to his team and to stick by the Chief Minister. Now I get on very well with him but it is very disappointing just to see him jump ship so late. Really he should have done that some time ago because it is not good to kind of see people thinking about themselves instead of thinking what he truly thought; that the Chief Minister was capable and she had done a good job, and that is what he expressed to me privately. Now it is different so he does not get slated with all of those who vote contre, so I ...

The Bailiff:

I think, Deputy, you are coming perilously close to imputing improper motives, directly or by innuendo to any Member of the States.

Deputy M.B. Andrews:

Well I apologise for that.

The Bailiff:

You will withdraw that ...

Deputy M.B. Andrews:

I will withdraw that comment.

The Connétable of St. Peter:

I will not accept his withdrawal. I want to appeal that he has brought me into disrepute.

The Bailiff:

Well I have already brought the Deputy up on it and he has withdrawn it. There is nothing that could be done within the context of this debate. There are steps you may choose to take outside the Assembly but not within the debate.

The Connétable of St. Peter:

Yes, I will report him to P.P.C.

The Bailiff:

Yes, are you speaking further, Deputy?

Deputy M.B. Andrews:

No.

7.1.29 The Connétable of St. Mary:

I have to say, I am somewhat surprised at the last speaker's comments but I do agree with much of what he says except of course for the later comments towards the Constable of St. Peter. I look beyond this particular vote, if it is successful then, as various speakers have pointed out, the Council of Ministers falls in, Scrutiny Panels fall in, and we will be in for a fairly long period of stagnation and I simply question whether that is in the best interests of Jersey, which is all I am interested in. I shall, I know, upset some of my constituents who may be even looking down on me from the public gallery but this is a matter where the States Members themselves have to decide on the basis of what they see and how they see the whole mechanism of government operating. So, with due apologies to them, if I do vote against the motion, that is where I presently stand. As to the comment about the present Council of Ministers effectively being discarded; I think not. I think that if the vote of no confidence were to succeed, then the cream would rise to the top, if I might say so, and there would

be some Ministers there who will put themselves forward and I would expect cohesive support for one or more of them in opposition to any others who might stand. So, in that situation, I am not too despondent about us losing the talent of the present Ministerial body, but I am concerned that if the vote were to succeed, it is not in the best interests of the Government of Jersey, and I am therefore inclined to vote against that motion.

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

I have to say that I made a decision not to speak; however, I cannot sit here and listen to what I have just heard from Deputy Andrews. I am offended by the fact that one of the people who signed a proposition, one of, let us just highlight the fact, 3 women. Not men but women. I have spent 49 years of my working life fighting for equality for women. Today, and in local media in the recent days, the allegations and the sort of undertones of the fact of people putting forward their own opinions as to why someone might challenge someone I think is offensive. I have always worked for equality. I have worked, as I said, for 49 years of my working life, from being a very young working individual fighting to who made the tea and who did not and who took the tea towel home. I spent 25 years in a very male-dominated environment. I challenged, I worked with my colleagues and, ironically, I have been to the police station on a couple of occasions recently and I am welcomed with open arms. In fact, somebody said to me: "People come in here and it is like a reunion." I think, and I can honestly say this, I have led teams, which have been challenging, of all sorts, both men and women. I think that it is important as an Assembly that we have an ability if we feel there is a need to bring a vote of no confidence. We did in the last Assembly and that was unsuccessful, and there will always be the same reasons. People will say that if it is successful that we then end up in a period of ... I cannot even say the word, that we are not able to move forward, but the reverse can also be said. It is quite clear from what has been said across the board today that there are issues with our current Government. Like it or not, there are issues. I have listened and there has been put forward many things. There have been the facts of achievements of what people have done, and I will challenge a couple of those, because it says about bringing money forward for the underfunding of the emergency services. Ironically, that underfunding and that reduction in the F.T.E.s (full-time employees) for the States of Jersey Police was under the watch in 2011 to 2014 of the current Chief Minister and a number of other things brought by the Constable of St. Martin, the Violence Against Women and Girls. That was the last States Assembly. Please do not put forward that as credit for this. Also, from the perspective of the maternity review and updates, I seem to recall as the chair of the Health Panel in a recent reiteration that myself and the Scrutiny Panel plus Deputy Doublet brought forward recommendations following our review of maternity services. The Les Quennevais site was all in train prior to this Assembly. So I am happy that this Government has done certain things but I am also very unhappy, and I have been exceptionally unhappy since the day we lost our chief executive. I have never been satisfied with the reasons why they left and that will never change because I do not genuinely believe that what we were told was necessarily the full facts. I was very unhappy to be in an Assembly where I stood up and supported the chair of the Health Scrutiny Panel but on the basis that I believed of what I was told. Unfortunately, it transpired that those facts that were produced were factually incorrect and obviously we then had the recent findings in relation to that. I was also gobsmacked to find that all of the Council of Ministers, with the odd exception, abstained from that vote. I could accept that Deputy Miles abstained from that vote because the day before I believe that she was out of the Island. So I get very disgruntled when people suggest that people do certain things (a) because they are not part of the team or (b) because they are a man or they are a woman. We are all here and we are all elected by the people of Jersey to represent them and I genuinely believe that is what our job is. It does not matter which side of the fence that we are on but we need to come together and I have to support some of the comments made by the Constable of St. Martin. There is much legislation waiting in the wings. We have seen very little or nothing over the last 18 months. We meet one day every 3 weeks. What are we doing? Most of us do not know; we do know what we are doing in our Scrutiny Panels because we are very busy. I would

have liked to have seen the licensing law. In my previous life, a long time ago in my previous life, in 2008 I was working on the licensing law as a community inspector. It is still not with us. Does that not worry you or the other Members around this room? It certainly worries me. Particularly when, before in the Government Plan, which I did not vote for, the Government Plan, we tried to reduce the duty that was being put on alcohol. I fully understand the reasons why some in the Assembly would say that there were medical and health reasons as to why it needed to be increased. My concern is that we are never and have never bothered to look at why people depend on alcohol. That is where we should be going as opposed to increasing the price. We need to have a good licensing law. Our hospitality industry is struggling and yet we do not have a licensing law. I also, in recent months, have done the review with other Members in relation to work permit holders and I am disappointed to see that the legislation in relation to modern day slavery is pushed back to potentially the end of 2025. That is not good enough for me and rest assured, whatever happens today, if this Government stays in post I will be bringing a proposition to make sure that changes because I am not satisfied. That is all I will say.

7.1.31 Deputy R. Binet of Grouville and St. Martin:

I am supporting the vote of no confidence today also based on my personal experience over the last 18 months, which has seemingly been very different to other Members of Government. Over this period, I became increasingly concerned by the Chief Minister's unwavering support of the Minister for Health and Social Services and the lack of progress in tackling some of the fundamental issues. Firstly, I would like to correct a statement made by the Chief Minister earlier today and inform the Assembly that Deputy Wilson has never been an employee of mine, nor of Deputy Tom Binet's, nor an employee of the charity that we founded. In fact, we invited Deputy Wilson to join the charity as a trustee and prior to the election I was very supportive of Deputy Wilson. Indeed, I suggested that she stood for election and assisted her wherever possible, as did my brother. However, once Deputy Wilson had achieved the desired position of Minister for Health and Social Services, she became an individual that I no longer recognised and I was alarmed by her first instruction to me, which was that I was not to speak with either Deputies Barbara Ward or Howell on Health matters. In the meetings I attended after becoming an Assistant Minister, I often found myself to be a lone voice questioning the information being given.

[19:15]

For example, prior to the start of my very first meeting, I was spoken to in a very arrogant and intimidating manner by one officer who went on to make statements during that meeting that I knew to be untrue, and when I asked him to provide evidence to back up his claims he was unable to do so. My approach did not find favour with either the Minister for Health and Social Services or some of the officers. Needless to say, this was not a good start and my card was marked. Prior to the 2022 Government Plan, the Minister for Health and Social Services decided to walk out of a meeting after I politely explained to her that I would not be supporting her request to remove further money from the Health Insurance Fund given the information that we had received at a meeting with the Care Model's Independent Oversight Board. At that meeting, the oversight board explained to us that the Care Model had already spent £44 million out of the Health Insurance Fund. They said that the Care Model programme had not been properly set out, that a way of budgeting took place to justify the use of the H.I.F. (Health Insurance Fund) and costs were charged to an overhead code with things going on underneath that could not be accounted for. That the board's role had changed from one of policing to guidance, and that even after coaching and encouraging, the oversight board felt they could not do their job because there were no targets, no plans, no objectives, and they informed us that they had finally sent a strong recommendation in writing, saying: "Stop, get this under control." I consider this information to be of very serious concern and could not agree to further money being put to a project that has so catastrophically failed. Indeed, it was my understanding that the Chief Minister herself did not support further money being removed from the H.I.F. but agreed to support

the Minister for Health and Social Services, resulting in the Chief Minister getting, in her own words, the Government's first bloody nose from the Assembly. At the beginning of last year, I was asked to a meeting by a senior civil servant who inquired why I was not down to attend meetings, was it through choice. I explained that it was not and that the Minister for Health and Social Services had demonstrated to me that I was not someone she wanted on her team. A week later, I was asked to meet with the officer that I had encountered at my first meeting. Again, this was not a pleasant experience, but it clearly reinforced the views of those in power that I should be silenced as much as possible. I brought these issues to the attention of the Chief Minister, who unfortunately did nothing. When attempting to help some individuals who were, in my view, being obstructed by the Minister for Health and Social Services, the Minister for Health and Social Services denied me access to their background paperwork, even though I was entitled to see it. I made further efforts to obtain the paperwork, but concluded those efforts were pointless as there were only 2 people I could take my concerns to, one of whom was causing the problem in the first instance and the second who was fully supportive of her. Therefore, the individuals who had asked for assistance are left having to seek expensive legal advice and/or an appeal to the complaints board, who unfortunately, while they do a very good job, have no power to rectify anything. To make matters worse, the Chief Minister will shortly be asking us to approve an ombudsman, also powerless, to replace them at a cost of between £400,000 and £1 million, when, in my opinion, people's concerns should be addressed in the first instance by those in a position of power and responsibility, and that those in a position of power and responsibility should not be a part of the problem. At the end of February last year, we had a debate initiated by the Minister for Health and Social Services' untruthful letter written to Deputy Southern, the then chair of the Health Scrutiny Panel. Prior to the debate, Deputy Ward approached the Chief Minister to explain that the Minister for Health and Social Services had accused her of doing things that were provably untrue and were written, in my view, to damage Deputy Ward's reputation and to get her removed from the Health Scrutiny Panel. Surely the Chief Minister should have spoken with the Minister for Health and Social Services and, at the very least, asked her to withdraw her comments and apologise and thereby avoid the whole unseemly debate. In the event, she did the equivalent to the biblical Pontius Pilot and washed her hands by abstaining from the vote, along with the majority of the Council of Ministers who had been instructed to do likewise. This does not reflect well on the Government, which demonstrated that they were complicit in ignoring the truth, which, as the Commissioner of Standards has said, matters. Later on in the year, Deputy Barbara Ward asked the Minister for Health and Social Services why the positions of the non-executive directors to the Health Board had been advertised when the board was yet to be approved. The Minister for Health and Social Services told the Assembly that it must have been the Cabinet Office who were responsible. I observed the Chief Minister's bewildered look when this was said and it was right that she felt so because the Minister for Health and Social Services had herself released a video inviting people to apply for the roles. Seemingly there were no repercussions for making this statement either. I did not support the employment of Professor Mascie-Taylor, because he was appointed at huge cost to chair a board that did not exist and had not, as referred to above, even been approved by the Assembly. Also, I was and still am very concerned by the quality of information available to the board, because I am unable to understand how you can improve things if your data is unreliable. Constable Jehan also had reservations about the appointment, but again in November last year the Chief Minister supported the Minister for Health and Social Services after she extended Professor Mascie-Taylor's contract, leading to the resignation of Constable Jehan. Once again, I consider the Chief Minister to have reached the wrong conclusion. On 12th December, I received an email from the Minister for Health and Social Services' secretary informing me of when the Minister would be out of the Island over the Christmas period, this was as usual. However, what was to happen when she was out of the Island had changed. The email stated that the Minister for Health and Social Services would be available in an emergency but, if not available, the Chief Minister would be contacted. It went on further to explain, and I quote: "If needs be inappropriate, we will revert to Deputy Rose Binet in line with the published delegation." In fact that statement was not correct. The

public delegation delegates all powers and functions conferred upon or vested in the Minister. I hope that Deputy Ferey will agree that on previous occasions when the Minister for Health and Social Services has been out of the Island we have been able to work well together and I can see no justifiable reason for both the Chief Minister and the Minister for Health and Social Services to have effectively constructively dismissed me from that part of my role. I am also interested to know that in the event that neither the Minister for Health and Social Services nor the Chief Minister were to have been available, who exactly the “we” were that would have been deciding if it would have been necessary to take the extreme action to contact me or if indeed I was appropriate. Surely this is not the way to treat someone who is supposed to be part of the team that the Chief Minister refers to. Furthermore, I believe that it is not in the best interests of Islanders for me to be silenced, and it further disenfranchises the electorate of Grouville and St. Martin. Our hierarchical system of government has been made worse by the introduction of the secretive and elitist Cabinet Office and it is clear that the Chief Minister is not intending to tackle the culture in Broad Street to address the issues of Government by civil service slideshow and the effective stifling of an individual that feels the need to speak up on behalf of those that elected them. Finally, I would like to make it clear that I have at all times had a positive and constructive working relationship with the director of Mental Health, Andy Weir, for which I would like to thank him.

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

I first sat in this Chamber on 5th December 2005. Having heard today what I have heard, it is the only time that I have felt ashamed to be a Member of this Assembly.

The Bailiff:

Does any other Member wish to speak on this proposition? If no other Member wishes to speak then I closed the debate and call upon the Chief Minister to make her speech, which will be followed by the summing up from the proposer.

7.1.33 Deputy K.L. Moore:

I thank all Members and members of the public who have spent such a long time listening to what has been said today. One of my missions has been to encourage others to stand for election, and so I might agree with the Constable of St. Lawrence in acknowledging that today can be seen, I think, only as a low point. A businessperson said to me last week that, if they were assessing the job of Chief Minister as a potential business opportunity, they would not touch it with a barge pole. Too many challenges on so many levels, they said. Thankfully, it is different to running a business. As I said in my opening speech, it is a huge honour to hold this office. As I hope Members have heard today, we are making progress. I see the role, at its simplest, as being the people in the room. We have the privilege of representing the people who elected us to exercise our judgment and implement the policies, our policies, on their behalf. I also believe that we learn the most from the challenges in life. It seems that this debate is considered something of a public performance review. I thank Members for their candour and their feedback. Under the leadership of the former Assistant Chief Minister, we have championed, through his role on the States Employment Board, the improved use of performance management within the public service, something that is much needed. So I guess it is only right that I have some kind of process, so why not this one? This debate has enabled us to reflect upon events and to remind ourselves and the Island of the progress that we are making. My husband has even cooked dinner for me; there is always an upside. Clearly there is room for improvement in terms of engagement and I accept that. I have to say that, although I used to enjoy seeing Deputies Barbara Ward and Howell on a Wednesday lunchtime, I did let those sessions fall away as they were the only States Members who attended mostly, and with many calls on my time I could not justify keeping it up. I would be happy to find alternative sessions that are convenient for Members if they would like to be kind enough to suggest some. But we have performed on our brief, investing in our health services, rolling out support for the cost-of-living challenges in our mini-

Budget and then our Government Plan. We have invested in our health service, begun a process of renewing our infrastructure and delivering more homes. The majority of us agree much more than we disagree, but as a representative of one of the Island's foodbanks has suggested, this appears to be a soap opera and we should focus on meeting the needs of Islanders who are struggling, and I agree. This Government remains focused on these issues, as Deputy Ferey set out in his speech. If I may speak directly to Reform Jersey, progress in this area would have been very different and, yes, I would contend we would not have been as far advanced in these matters had there been another Council of Ministers in office through this challenging period. We have started by bringing a mini-Budget. We began our term by responding to the cost-of-living issues and we will continue to do so. These are challenging economic times and we are here to serve the interests of the people. We ended the year with strong support for the Government Plan and just after that we signed off the last of the minutes for the Council of Ministers meetings for the entire year. That was a first against Councils that have gone before us, and let us not forget that. As we have promised to be more open and transparent, those minutes now contain a greater level of detail than they previously have. That is transparency and the difference in our approach. At this sitting, among other things, we have an issue on the agenda that has sat on the to-do list throughout the whole session of the previous Government, the public order legislation. I started that when I was at Home Affairs and I am delighted that Deputy Miles is now bringing it to the Assembly. On 19th March we will be asked to consider a solution for same-sex parents so that both of their names can appear on a birth certificate, another issue that has for a long time been unresolved. In the last 2 weeks, the visitor economy strategy was published, the first for 20 years. We have also published our future economy strategy, a wide-ranging vision statement, committing us to growing our economy, boosting productivity and driving the Island forward. Yes, Deputy Farnham, we have turned around some of the projects of the previous Government. That is because the public were unhappy at the last election, they wanted to see us get a grip of projects and offer an alternative, an alternative that is both affordable and achievable, particularly in the current economic circumstances. One of the issues that we have been tackling is legacy, thorny issues, issues that have not been dealt with, such as the uncontrolled spending in Health, and that is a direct quote from an expert. Having developed a financial recovery plan, we are bringing control and stability so that we can focus on improving service delivery, bringing down waiting times, improving standards for patients, and we are. As a team, we are prepared to tackle those challenges.

[19:30]

Of course, as the former Deputy Chief Minister, Deputy Farnham will want to protect his legacy as he was at the heart of that Government, I understand that. I ask him to instead consider the facts, the delivery, the vision, and the strategic direction. I said in my opening speech that I accept it is impossible to please all of the people all of the time. Speeches about personalities and events have been full of contradictions. I am either too weak or too strong, a terrible leader, or someone who has done a good job of leading the Island through a crisis. In life we all seek truth and understanding. Sometimes it is hard to work out where the truth lies, particularly when there is a lot of noise and a complicated storyline. I hear that there is disquiet about the departure of the former chief executive. I referred to that in my opening speech. This is a personnel matter and I really ask Members to consider and respect the wishes of the former chief executive. There is nothing more that I can say. I believe the Constable of St. John has referred to his experience of being an observer of that relationship and I can simply ask the Members to understand that it was a professional one. Another big question has been why we have continued to try to work with Deputy Tom Binet. The answer to that, I think, is quite simple, because we have respect and determination to see through a shared vision for the delivery of a hospital that is both affordable and achievable. Again, an issue upon which we agree. It has been deeply unpleasant but leadership does not mean that you have to like everyone. There is a job to do and guiding them to do it. In fact, even professional advice has provided me with conflicting views as to how best to manage that particularly difficult part of the team. On the team,

some have referenced the loss of my greatly respected former Assistant Chief Minister. The Constable of St. John has very strong views about one issue. As he has set out in his speech, it was a decision of principle and I respect that, as hard as it is. As I said in my letter to him after receiving his resignation, I do hope that one day we will be able to work together again because we have worked well together over many years and I am very grateful to him for his efforts. I could not deliver his wish within the timeframe that he required, and he set out the circumstances around that, and it was a great regret that it was not acceptable to him. Although that deed has now been done, I do worry that it is to the detriment of our health service as they face continuing challenges in their programme of modernisation and we need people with the experience to help us through this period of modernisation. Yet there has been a continuing undercurrent of criticism of the Minister for Health and Social Services. Ministers and Members have spoken warmly about her many achievements, the facts versus the hearsay, and I will instead, rather than adding to the comments that you have heard today, just simply refer to an article that was published recently in the paper by a retiring medical consultant, one who has not always seen eye to eye with me, it has to be said. He referenced in the article the meddling activities of politicians in Health. In their view, there was one person in the Assembly who knew what they are talking about, the Minister for Health and Social Services; a clear endorsement and one with which I have to agree. What has caused great discomfort among officials and Ministers has been some of the behaviours that we have experienced through actions of the bringer of this proposition. I do not wish to dwell on those and I simply think that we ought to rise above. But I have not seen leadership that I welcome and, if I have not properly reprimanded the Deputy for his behaviour, I fully accept that I have failed in my duty to protect other Ministers from him. That behaviour has been intimidating. Yes, it does make some people reluctant to meet if they are facing potentially aggressive situations. Such behaviour stymies debate, it prevents people from speaking their mind freely. That is exactly the kind of culture that we are trying to overcome in our health service and sometimes still in our wider community. A modernisation journey is not an easy one. There are vested interests that will resist it. I just would like to thank everyone who has contacted me to offer their support. There are many Islanders who support our agenda for change. They want a modern and a forward-looking Government. This debate has enabled us to describe some of the internal challenges and, yes, the resistance that we have experienced to some of that change. Given the differing accounts that people have heard today, I ask Members to consider very carefully the rationale for bringing this proposition, the reliability of it, and most importantly the impact it will have upon progress and the direction that we are all taking as an Island. I thank you and all Members.

The Bailiff:

Thank you, Chief Minister. I invite Deputy Tom Binet to sum up.

7.1.34 Deputy T. Binet:

I hope that Members will bear with me because, like the Constable of St. Peter, my handwriting leaves a little to be desired. I would like to start by thanking everyone who has taken part in the debate and thank all Members for agreeing to stay on late in order to get this wound up in one day. I would also like to thank members of the public that have been involved on either side by sending messages of support and, I hope I am allowed to do this, I would like to thank members in the gallery that have taken the time to come and listen to the debate. I had prepared a closing speech and I have taken comprehensive notes from each speaker, but I genuinely feel that it will serve very little purpose to run through everything again at this stage. I really do not think Members need me to interpret the many things that have been said today. So I am going to take the rather unusual step of closing the debate by simply focusing upon one small but important point made by Deputy Jeune. If I recall correctly, she stated the following: "A vote of no confidence should be taken responsibly with the clear understanding of the consequences. Our primary interest is to serve the interests of the Island of Jersey." I can assure Members that I am acutely aware of the consequences of this proposition

and, having listened to some of the contributions today, I will sleep very straight in my bed tonight knowing that I was absolutely right to bring this proposition. I have absolutely no doubt that I am acting in the best interests of the Island of Jersey. So, with that, I will call for the appel, thank you.

The Bailiff:

The appel is called for. I invite Members to return to their seats. The vote is on whether or not to adopt the proposition calling for a vote of no confidence in the Chief Minister. I ask the Greffier to open the voting. If Members have had the opportunity of casting their vote, then I asked the Greffier to close the voting. The proposition has been adopted.

POUR: 27		CONTRE: 22		ABSTAIN: 0
Connétable of St. Brelade		Connétable of St. Helier		
Connétable of Trinity		Connétable of St. Lawrence		
Connétable of St. Peter		Connétable of St. Clement		
Connétable of St. Martin		Connétable of St. Mary		
Connétable of St. John		Deputy C.F. Labey		
Connétable of Grouville		Deputy L.M.C. Doublet		
Connétable of St. Ouen		Deputy K.F. Morel		
Connétable of St. Saviour		Deputy S.M. Ahier		
Deputy G.P. Southern		Deputy I. Gardiner		
Deputy M. Tadier		Deputy I.J. Gorst		
Deputy S.G. Luce		Deputy K.L. Moore		
Deputy M.R. Le Hégarat		Deputy P.F.C. Ozouf		
Deputy R.J. Ward		Deputy D.J. Warr		
Deputy C.S. Alves		Deputy H.M. Miles		
Deputy L.J. Farnham		Deputy J. Renouf		
Deputy S.Y. Mézec		Deputy H.L. Jeune		
Deputy Sir P.M. Bailhache		Deputy M.E. Millar		
Deputy T.A. Coles		Deputy M.R. Ferey		
Deputy B.B.de S.V.M. Porée		Deputy A.F. Curtis		
Deputy M.R. Scott		Deputy K.M. Wilson		
Deputy C.D. Curtis		Deputy L.K.F. Stephenson		
Deputy L.V. Feltham		Deputy M.B. Andrews		
Deputy R.E. Binet				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy R.S. Kovacs				
Deputy B. Ward				

There will be silence please.

The Bailiff:

Very well, the process that is followed now is that the Assembly will need to meet to appoint a new Chief Minister in early course. Candidates for the role will need to submit their strategic vision for Jersey and indicate their intention to be considered for the role by I think 5.00 p.m. tomorrow. The Assembly has to vote within 7 clear working days, which will be Thursday of next week, Thursday,

the 25th. So that is what the rules provide and so anyone who wishes to put themselves forward will need to make a statement by close of business tomorrow. Then it will be voted upon next week. The successful candidate, who will be subject to the vote, will become the Chief Minister Designate. The Assembly will then have to hold a separate meeting 2 days after to appoint Ministers. At that point the Council of Ministers will be confirmed. Public business scheduled for debate on 16th February will be postponed until further notice. A new Chief Minister and Council of Ministers have the right to postpone upcoming items of public business for debate. I beg your pardon, 6th February, not 16th February, because the new Council of Ministers has the right to postpone, but of course the business currently on the Order Paper continues. Now the next item on the Order Paper, or at least what might be the next item on the Order Paper, the Assembly needs to consider whether they are prepared to allow it to be debated, notwithstanding the fact that the appropriate lodging period has not been adhered to, and that is Deputy Scott's proposition relating to the ability of people to vote remotely in the voting next week. I am not suggesting that Members would wish to consider that now, but that should be taken as the first item of business tomorrow morning. Deputy Scott, you will have to ask for Members to agree to take your proposition and, if they agree, then that will be the first item of business because that deals with how people can vote the following week. Thereafter, business will continue as per the Order Paper.

Deputy E. Millar:

Can I ask a question, please?

The Bailiff:

Yes, of course.

Deputy E. Millar:

I had understood that in this eventuality we could agree about still hearing some of the existing business.

The Bailiff:

The existing business continues. It is the business on 6th February that does not continue because by then there will be a new Council of Ministers and there will be new decisions, but matters presently started.

Male Speaker:

Can I move the adjournment please?

The Bailiff:

Any other questions?

Deputy M. Tadier:

I do have a possible proposition to formulate. I am a little bit uncomfortable, notwithstanding the fact that I know the current Government stands until the new election, it is clear that the Assembly no longer has confidence in this Government. I am uneasy, therefore, about Government business staying on the Order Paper during this next sitting, at this current sitting, when it does not have a mandate to bring it forward, at least a de facto mandate.

The Bailiff:

Can I suggest, Deputy, that is not a matter that should be dealt with at this stage. We are going to come back tomorrow anyway because Deputy Scott has a matter that needs to be dealt with and therefore you may wish, if you can formulate such a proposition, to bring it tomorrow.

Deputy M. Tadier:

I was going to ask whether the Assembly has any appetite to adjourn until 6th February and make the proposition. But I do not think there is a general appetite for that so I will not make that.

The Bailiff:

I am certainly not getting any kind of mood of the Assembly that that would be acceptable.

Male Speaker:

Could I move the adjournment, Sir, please?

The Bailiff:

The adjournment is proposed. The Assembly stands adjourned until 9.30 a.m. tomorrow morning.

ADJOURNMENT

[19:45]