

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 19th MARCH 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:

There is nothing under A.

APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

1. Appointment of a member of the Privileges and Procedures Committee who is a member of the Scrutiny Liaison Committee

The Bailiff:

We come on therefore to elections. In accordance with Standing Order 122, the Assembly is due to appoint a member of the Privileges and Procedures Committee, who is also a member of the Scrutiny Liaison Committee. In accordance with Standing Order 122(9), I therefore invite the chair to make the nomination for a member of the P.P.C. (Privileges and Procedures Committee) in those circumstances.

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

I would like to propose Deputy Louise Doublet for the Privileges and Procedures Committee.

The Bailiff:

Is the nomination seconded? [**Seconded**] Are there any other nominations? Very well, Deputy Doublet is thus appointed.

2. Appointment of unelected members of the Public Accounts Committee

The Bailiff:

In accordance with Standing Order 124, the Assembly is due to appoint an unelected member of the Public Accounts Committee. Under that Standing Order, the chair is obliged to give 14 days' notice of nominations, and other members are then able to provide alternative nominations at least 2 clear working days before the meeting. No other such nominations were received, so I invite Deputy Gardiner, as chair, to make her nominations.

Deputy I. Gardiner of St. Helier North:

I just would like to raise because in this Standing Order, I have first the nomination for 2 elected members and after 2 unelected members; I am happy to do either way.

The Bailiff:

The way I have it is the other way round.

Deputy I. Gardiner:

I am just making sure that we also have the nomination for the elected members.

The Bailiff:

We are dealing with the unelected members.

2.1 Deputy I. Gardiner (Chair, Public Accounts Committee):

I would like to appoint Mr. Graeme Phipps and Mr. Philip Taylor to be unelected members on the Public Accounts Committee. The 2 gentlemen served at the Public Accounts Committee from 2022, and they were reinvited to join this Public Accounts Committee.

The Bailiff:

Are those nominations seconded? **[Seconded]** As there are no other nominations, they are duly appointed as unelected members to the Public Accounts Committee.

3. Appointment of elected members of the Public Accounts Committee

The Bailiff:

In accordance with Standing Order 123(7), the Assembly is due to appoint an additional elected member of the Public Accounts Committee. In accordance with that Standing Order, I invite the chair of the P.A.C. (Public Accounts Committee) to make her nomination.

3.1 Deputy I. Gardiner (Chair, Public Accounts Committee):

I would like to appoint 2 elected members to the Public Accounts Committee: Deputy Kristina Moore and Deputy David Warr.

The Bailiff:

Are those nominations seconded? **[Seconded]** Are there any other nominations? If there are no other nominations, then they are appointed as members of the P.A.C.

QUESTIONS

4. Written Questions

Deputy I. Gardiner:

I would like to ask to refer back Written Question 80. I believe there are some inaccuracies, and I have discussed with the Minister, and he accepted that it would be good to review. So I would like to refer it back.

The Bailiff:

Which question is that?

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

Can I just make clear that what I actually said was if you feel that the question is wrong, it is the right thing to do to refer it back. I cannot confirm or not whether the numbers are correct, but if a Deputy believes the question is wrong, I have done it myself, it is exactly the right thing to do.

The Bailiff:

You have invited that the question is referred back to you. Clearly you will consider it and see what information is incorrect, and that must be right. Written Question 80, so it is number 29 on the Order Paper.

4.1 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding the Health Funding Attitudes Poll (WQ.49/2024)

Question

Regarding the funding of Health and Community Services, and following the previous Minister's response to [WQ.244/2023](#), will the Minister provide his assessment of the results to the Health Funding Attitudes Poll and detail his plans for the following –

- (a) the financing of future options;
- (b) the engagement of the Government with Healthcare Providers; and

(c) reforms, if any, proposed for the Health Insurance Fund?

Answer

I am reviewing the results of the Health Funding Attitudes Poll and the future funding options, and I will share my assessment as soon as I am able to do so:

- (a) As set out in WQ.244/2023 the health funding attitudes poll was undertaken in 2023 and received 1,144 valid responses. It was undertaken to help inform the development of future funding options for the Island's health care system.
- (b) It is anticipated that there will be initial discussions with health care providers in Q2 to Q3 2024 to help inform the development of those options prior to consideration by the Assembly.

Any options will clearly involve careful consideration of any potential changes to the Health Insurance Fund given its importance to Jersey's health funding system and the need to invest in prevention, primary care and community-based services if we ensure the future sustainability of our health and care system, and protect the health and wellbeing of islanders.

4.2 Deputy D.J. Warr of St. Helier South of the Minister for the Environment regarding empty heritage properties (WQ.50/2024)

Question

Regarding the vacant homes with listed status, identified by the Empty Home Service, will the Minister advise what action, if any, he is taking to ensure that these heritage properties are not lost as a result of remaining un-occupied and not being maintained?

Answer

It is important to state at the outset that the listing of a building or place does not impose any statutory obligations of maintenance upon owners.

Retaining historic buildings in a viable use is, therefore, key to their retention and ongoing maintenance. In this respect, the existing framework of policy and guidance, established by the Minister and provided by the bridging Island Plan and supplementary planning guidance about managing change in the historic environment, encourages and enables proposals that allow for the establishment and maintenance of viable uses which are compatible with the special interest of listed buildings.

In the case of listed vacant homes, my historic environment officers provide expert advice about how best they might be brought back into use in a way that sustains their special interest whilst meeting modern standards and expectations of a decent home.

Powers do exist, under the [Planning and Building \(Jersey\) Law 2002](#), to require the proper maintenance of land and the repair of ruinous or dilapidated buildings to prevent damage to the amenities of the Island. These powers relate to all buildings and land, and not just to those which may be listed; and are vested in the Chief Officer, not the Minister. They are also limited to the maintenance or repair of a building: they do not and cannot require a building's occupation or use. Their use cannot require or guarantee, for example, the use of a vacant home as a consequence of it being repaired or maintained.

As Minister, it is my intention to explore how best to develop policy and guidance that might ensure a viable future for heritage at risk, including vacant listed homes. This might include the provision of specific support for owners of listed buildings, to better understand why listed homes might be vacant, and what issues need to be addressed to enable them to be brought back into use and maintained, together with the potential use of existing legal provisions. The effective implementation of any such package of measures may require the provision of additional financial and professional resources, which would need to be identified as an integral part of this work.

4.3 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Chief Minister regarding percentage carbon reduction by 2030 (WQ.51/2024)

Question

Will the Chief Minister detail which specific incentives and regulations he considers essential to support Jersey achieving a 68% carbon reduction by 2030 and fulfilling its international obligations?

Answer

The Climate Emergency remains a priority for this Government and the Council of Ministers remains committed to the ambitious emission reduction targets set out in the [Carbon Neutral Roadmap](#) (CNR) and our commitment to the Paris Agreement. The CNR contains the policies considered necessary to meet the emission reduction journey and contains a mix of incentives and regulation.

The focus remains on addressing the two biggest sources of the Island's greenhouse gas emissions as these will have the greatest impact on achieving our emission reductions. These are on-Island transport and building heating.

The Carbon Neutral Roadmap outlines a number of policies to support the transition away from fossil fuel use in road transport and heating our homes and workplaces.

The policies in the first phase of delivery 2022-2025 of the Carbon Neutral Roadmap concentrate on encouraging early adopters of low carbon technology and helping businesses to upskill and transition to new products and services. Two incentive schemes have been launched and will continue to be supported:

- The [Low Carbon Heating Incentive](#) provides up to £5,000 match funding (and up to £10,000 for those meeting the low-income criteria) to assist with the replacement of oil and gas heating systems with heat pumps and other low carbon solutions. At the end of January 2024, 220 applications have been received. In addition, a new contractor quality scheme and training provision has been facilitated to ensure that local contractors are in a position to be able to install low carbon technology.
- The [Electric Vehicle Incentive](#) provides funding of up to £3,500 towards the cost of an electric vehicle that is new to Jersey. To date, the Scheme has received 356 applications. In addition, a separate charger incentive provides up to £350 towards the cost of an electric charge point.

The short-term incentive programme outlined above is partnered with a medium-term regulatory framework to continue to bring down emissions by transitioning out of fossil fuels. The Minister for the Environment and I will consider the timescales for the implementation of this programme, balancing the need for regulation with the competing pressures currently faced by Islanders.

4.4 Deputy J. Renouf of St. Brelade of the Minister of the Environment regarding hospital and ambulance services (WQ.52/2024)

Question

Will the Minister outline his proposed timetable to regulate hospital and ambulance services under the Regulation of Care (Jersey) Law 2014; and state when he expects an inspection of these services to occur?

Answer

A draft Law to amend the Regulation of Care (Jersey) Law 2014 to extend the remit of the independent Jersey Care Commission to regulate and inspect hospital and ambulance services is at an advanced stage of development.

I anticipate that a full public consultation on the draft Law will be launched by April 2024. This consultation will run for between eight to twelve weeks. Feedback received during the consultation will then be considered and the draft Law will be finalised before being lodged in the States Assembly.

Subject to the views of the Scrutiny Panel, the draft Law could be lodged by the end of September and debated by December 2024. If the States Assembly approves the draft legislation, it would require royal assent and to be registered in the Royal Court before it may be brought into force.

Once the legislation is brought into force, services must register with the Jersey Care Commission within 6 months. It is for the Commission to determine when and how it will inspect these services, but I hope that they will be in a position to inspect hospital and ambulance services in Quarter 3 of 2025.

4.5 Deputy R.S. Kovacs of St. Saviour of the Minister for Infrastructure regarding the increase in cost of residential parking permits (WQ.53/2024)

Question

Will the Minister explain the rationale for the proposed 10.1% increase to the cost of residential parking permits, as outlined in [R&O.3/2024](#), following a recent increase in July 2023; and detail what consideration has been given, if any, to the impact these increases will have on those already struggling with the ever- increasing cost of living?

Answer

St Helier's Residential Parking Zone (RPZ) permits are defined in a Road Traffic Order and any price increase requires agreement from the Infrastructure Minister before it is amended by Order. The timing of this requires the Parish of St Helier to submit any proposed price changes by November each year which, in turn, means the most recent RPI figures available – which are for September 2023.

Under the terms of the RPZ agreement between the Department of Infrastructure and the Parish, the minimum value of receipts from RPZ permits must cover all associated costs of running the RPZ scheme; these running costs include the enforcement, maintenance and administration of the scheme and associated roads. This was the underlying reason for the increase to RPZ prices for this year and why annual increases are generally linked to RPI.

Whilst it is appreciated there maybe concern in relation to the level of increase given the current economic climate, it may also be helpful to reassure members that the proposed annual cost of RPZ

from May 2024 will be between £220.18 and £441.67 and that the average cost of a St Helier RPZ permit will still represent good value when compared to a Season Parking Ticket.

I am also aware that the Constable of St Helier is currently leading a formal review of the Parish's RPZ Scheme.

4.6 Deputy M. Tadier of St. Brelade of the Minister for Infrastructure regarding provisional moped licences (WQ.55/2024)

Question

Is the Minister aware that some fast food businesses operating in Jersey are employing delivery drivers with only provisional moped licences, and if so, what action, if any, does he propose to take?

Answer

To ride a moped or light motorcycle legally, article 20 of the Road Traffic (Jersey) Law 1956 requires that the rider shall have attained 16 years of age in the case of a moped and 17 years of age in the case of a light motorcycle. Article 4 of the same law requires that a person shall not drive a motor vehicle of any class or description on a road unless they are the holder of a licence authorising them to do so.

Article 1 of the same law provides that the interpretation of the licence means a licence to drive a motor vehicle granted under article 4 and includes a "Provisional licence". Additionally, in the case of a moped or light motorcycle, article 35 of the Motor Vehicles (Driving Licences) (Jersey) Order 2003 states that it is a condition that they have successfully passed a Basic Training course referred to as Compulsory Basic Training (CBT).

From speaking to local companies, it is understood it is common practice for fast food businesses operating in Jersey (and the UK) to employ delivery drivers who have a provisional licence, CBT, are 18 years or more of age, and are suitably insured to carry out deliveries.

Under the Road Traffic Law (Jersey) 1956, the Minister for Infrastructure's duty is to set standards for training for driving licences for the categories of vehicles permitted to circulate on the Island's roads.

The operation of businesses and conditions of employment are governed by Jersey's employment laws, including the Health and Safety at Work (Jersey) Law 1989.

Context

Motorcyclists are not permitted to circulate on the Island's roads without being the holder of a driving licence for the relevant category of vehicle and passed their Compulsory Basic Training (CBT).

Motorcycle provisional licence holders are permitted to ride unaccompanied whilst displaying L-plates.

It is understood some companies supply company motorcycles and with insurance. Where the company owns the motorcycle, it is understood nationally that it is common industry practice to put an L-plate on every motorcycle as this is not an offence, whereas riding without, if required to do so, is. This enables all employees to ride all motorcycles.

Companies would be expected to carry out a "risk assessment" in line with their employer's duties under the Health and Safety at Work (Jersey) Law 1989; this may include task-specific training ahead of allowing riders to carry out their deliveries.

4.7 Deputy M.B. Andrews of St. Helier North of the Chief Minister regarding the Government Communications Directorate (WQ.56/2024)

Question

In respect of the Government Communications Directorate, will the Chief Minister detail –

- (a) the revenue expenditure budget for the period 2019 to 2023; and
- (b) the number of employees within the Directorate and a breakdown of their pay grades?

Answer

(a)

The revenue expenditure budget for the last 4 years is as follows:

2019: £1,746k

2020: £1,609k

2021: £2,383k

2022: £2,491k

2023: £2,594k

(b)

There are 34 individuals centrally funded by the Office of the Chief Executive in the Communications Directorate. Their grades are listed below:

Grade	Headcount
CS07	1
CS08	7
CS09	2
CS10	9
CS11	1
CS12	11
CS14	1
SPOTSALAR Y	1
TIER 2	1
Total	34

There are a further 6 individuals who are funded by other Departments (Children, Young People, Education and Skills; Health and Community Services, and Infrastructure and Environment) but fall under the Director of Communications as Head of Profession. Their grades are listed below:

Grade	Headcount
CS08	2
CS10	3
CS11	1
Total	6

4.8 Deputy M.B. Andrews of St. Helier North of the Chief Minister regarding the Cabinet Office (WQ.57/2024)

Question

Further to the response to [Written Question 4/2024](#), will the Chief Minister provide a breakdown by pay grade of the number of employees who work in the Cabinet Office?

Answer

The Cabinet Office brings together the functions of three previous Government departments:

- Chief Operating Office,
- Office of the Chief Executive, and
- Strategic Policy, Planning and Performance

As of 5th March 2024, there are 640 public servants currently employed by the Cabinet Office (614.92 Full Time Equivalents) and 5 vacancies. The below table outlines the headcount and FTE by each previous Government Department to help illustrate the split between each area. Please note that there are positions included in the below table that whilst controlled by the Cabinet Office are funded by other Government departments.

Department / Grade	Headcount	FTE
Chief Operating Office	379	371.37
Civil Service Apprentice 09	3	2.56
Civil Service CS04	1	1
Civil Service CS05	7	6.68
Civil Service CS06	5	5
Civil Service CS07	57	55.91
Civil Service CS08	44	44
Civil Service CS09	64	63.12
Civil Service CS10	53	51.46
Civil Service CS11	49	47.46
Civil Service CS12	29	29
Civil Service CS13	29	27.64

Civil Service CS14	9	8.54
Civil Service CS15	12	12
Manual Workers MW02	4	4
Manual Workers MW06	1	1
Nurses and Midwives NM06	6	6
SPOTSALARY	1	1
TIER 1	1	1
TIER 2	1	1
TIER 3	3	3
Office of the Chief Executive	73	70.43
Civil Service CS06	1	1
Civil Service CS07	3	2.65
Civil Service CS08	18	17.28
Civil Service CS09	3	3
Civil Service CS10	15	14.22
Civil Service CS11	2	2
Civil Service CS12	24	23.4
Civil Service CS14	1	0.88
Civil Service CS15	2	2
TIER 0	1	1
TIER 2	1	1
TIER 3	2	2
Strategic Policy, Planning and Perf	188	173.12
Civil Service Apprentice 08	7	7
Medical Consultants CONN	1	0.2
Civil Service CS05	2	1.88
Civil Service CS06	15	12.21
Civil Service CS07	10	9.68
Civil Service CS08	5	5
Civil Service CS09	12	11.57
Civil Service CS10	30	28.65
Civil Service CS11	11	9.16
Civil Service CS12	29	27.34
Civil Service CS13	23	22.42

Civil Service CS14	10	9.01
Civil Service CS15	9	9
Nurses and Midwives NM04	9	5
Nurses and Midwives NM06	3	3
TIER 1	1	1
TIER 2	4	4
TIER 3	7	7
Grand Total	640	614.92

4.9 Deputy L.M.C. Doublet of St. Saviour of the Minister for Education and Lifelong Learning regarding the Personal, Social, Health and Economic education curriculum (WQ.59/2024)

Question

Will the Minister state whether new guidance for the secondary school Personal, Social, Health and Economic (PSHE) education curriculum will be published for the Island and, if so, will he also –

- (a) state when the document will be published;
- (b) provide a timetable for the introduction of the new guidance to schools, pupils and families of pupils;
- (c) state what training, if any, will be provided to teachers and school support staff;
- (d) describe any actions planned to ensure the families of pupils understand what their children are learning;
- (e) state what role, if any, the Jersey Curriculum Council (JCC) has had in the development of the guidance; and
- (f) advise whether there are any plans to make similar changes to the primary school PSHE education curriculum guidance?

Answer

- (a) The publication of the PSHE guidance is subject to the new Ministers review, after the next Curriculum Council meeting on March 13 2024. As there was not a Ministerial presence at the last Curriculum Council meeting the document did not get Ministerial sign off at the end of 2023.
- (b) The timetable for the introduction of the new guidance will be agreed at Curriculum Council.
- (c) Any training will be discussed and agreed at Curriculum Council.
- (d) Normal practice is that schools update families of any relevant areas of PSHE that will be taught at the appropriate time.
- (e) The former Minister and lead office of the JCC met with the Jersey Youth Parliament. The JCC lead officer in 2023, Kate Sugden, led on the writing of the guidance document. She worked in close collaboration with the Jersey Youth Parliament and with student representatives from schools who were present and fed back to the council on November 30

2023.

- (f) There are no plans to provide similar guidance for the Primary PSHE Curriculum, as this is considered fit for purpose and appropriately resourced in schools.

4.10 Deputy D.J. Warr of St. Helier South of the Minister for Infrastructure regarding on the fire service and ambulance headquarters (WQ.60/2024)

Question

Will the Minister advise how much has been spent on maintaining the existing fire service and ambulance headquarters in the last 5 years, and state when a decision will be made to build new facilities at Rouge Bouillon?

Answer

The total spend on maintaining the existing ambulance headquarters in the last five full budget years has been £222,364, broken down as follows:

Ambulance Headquarters	2019	2020	2021	2022	2023	Total
Planned Maintenance	£2,748	£2,395	£4,055	£4,433	£6,795	£20,426
Reactive Maintenance	£3,810	£23,567	£35,535	£56,730	£82,296	£201,938
Total	£6,558	£25,962	£39,590	£61,163	£89,091	£222,364

A condition survey was undertaken in 2022 and sets out the phased program of works to the current building to maintain its operational capability. As part of the States approval of the 2023-2026 Govt Plan,

£1.7m was allocated to Infrastructure & Environment to enable Jersey Property Holdings (JPH) to undertake the necessary works, commencing in 2024-2027.

The Jersey Fire and Rescue Headquarters at both Town and West have previously been managed and maintained by Jersey Home Affairs Department directly. This means that the total spend on maintaining the existing Fire Service headquarters in the last 5 years has been, from a Jersey Property Holdings perspective, nil cost.

However, as part of the Island Estate Strategy 2021-35, the Jersey Property Holdings team has now consolidated the Town and Western HQ back into JPH as per the Corporate Landlord Model. As of 1 January 2024, JPH will now be responsible for the maintenance and reactive aspects of the buildings in line with our corporate service level agreement.

A detailed briefing is being scheduled with the relevant Ministers on the project to replace the current Fire and Ambulance stations with new facilities, whilst also providing additional space for the Rouge Bouillon Primary school for its redevelopment.

The briefing will be led by senior officers to provide Ministers with the detailed analysis and evidence base for discussion to agree a viable solution that ensures all needs are met and which provides a clear direction on the future of the Rouge Bouillon site.

It is expected that a decision will be made on the future new facilities at Rouge Bouillon by the end of July 2024.

4.11 Deputy B.B. De S.V.M. Porée of St. Helier South of the Minister for Justice and Home Affairs regarding work permits (WQ.61/2024)

Question

In light of the response to a Freedom of Information request entitled ‘[Work permits granted from 2019 onwards](#)’, that 331 temporary work permits were extended in 2023, will the Minister provide a breakdown of this figure by the type of permit extended and by the sector in which the permits applied?

Answer

Work permits extended in 2023, broken down by sector as below:

Temporary Route	2023
Hospitality	260
Construction	61
Agriculture	7
Fishing	3
Total	331

4.12 Deputy D.J. Warr of St. Helier South of the Minister for Education and Lifelong Learning regarding primary schools on the Island (WQ.62/2024)

Question

Regarding primary schools on the Island, will the Minister detail for the last 5 years how many year 1 and year 2 classes were available at each school and how many students were in each class?

Answer

Due to the size of the data table, this is available at the following link –

<https://statesassembly.gov.je/assemblyquestions/2024/wq.62-2024.pdf>

Please note the data uses the spring term census as our most recent dataset. The census database holds year group numbers, not class sizes, but we have included the number of classes in each year group for information.

It should be noted that census data provides a useful snapshot, but that numbers can fluctuate throughout the term/academic year.

4.13 Deputy M.B. Andrews of St. Helier North of the Chair of the States Employment Board regarding the number of staff in each Ministerial Department (WQ.63/2024)

Question

Will the Chair state the number of staff currently employed in each Ministerial department at Civil Service Grade 11 and above?

Answer

The below table outlines all employees on a Civil Service Grade 11 or higher, split by Department and Directorate.

Please note that there are positions that whilst they are controlled by the areas as shown below, may be funded by other Government departments.

For context, Grade 11 and above roles include Allied Health Professionals, Social Workers, Designated Safeguarding Leads, Psychologists, Physios, and Education Welfare etc.

Department / Directorate	Headcount	FTE
Chief Operating Office *	134	130.64
[Chief Operating Office]	4	4
Modernisation and Digital	95	93.65
People and Corporate Services	35	32.99
Children, Young People, Edu & Skills	151	143.42
[Children, Young People, Edu & Skills]	2	2
CAMHS	28	24.7
Children's Services	39	38.66
Education	40	37.86
Integrated S and Commissioning	17	17
Public Libraries	2	2
Young People, Further Ed, Skills & Learn	23	21.2
Customer and Local Services	45	42.92
[Customer and Local Services]	1	1
Customer Operations	14	13.54
Customer Services	29	27.38
Local Services	1	1
Department for the Economy	50	48.22
[Department for the Economy]	50	48.22
Department of External Relations	8	8
[Department of External Relations]	8	8

Health and Community Services	261	240.99
Chief Nurse	15	15
Hospital and Community Services	212	192.42
Improvement & Innovation	10	9.76
Medical Director	24	23.81
Infrastructure and Environment	166	161.89
Natural Environment	36	34.06
Office of the Director General	7	7
Operations and Transport	62	60.22
Property and Special Projects	21	21
Regulation	34	33.61
Sport	6	6
Justice and Home Affairs	57	56.42
[Justice and Home Affairs]	3	2.8
Ambulance	2	2
Business Support	3	3
Customs and Immigration	18	17.81
Emergency Services Control Centre	1	1
Fire and Rescue	2	2
Health and Safety Inspectorate	3	3
Office of Superintendent Registrar	1	1
Police	20	19.81
Prison	4	4
Non-executives and legislature	64	62.36
Bailiff's Chambers	2	2
Estab. of H.E. Lt. Governor	1	1
Judicial Greffe	11	10.73
Law Officers' Department	6	5.86
Overseas Aid	1	1
Probation Service	15	14.81
States Greffe	22	20.96
Viscount's Department	6	6
Office of the Chief Executive *	33	32.28
[Office of the Chief Executive]	2	1.89

Chief of Staff	15	14.77
Communications	16	15.62
Strategic Policy, Planning and Performance *	94	88.93
[Strategic Policy, Planning and Perf]	4	4
Arm's Length Bodies	24	21.91
Covid Vaccination Programme	1	1
Executive and Governance	2	1.81
Official Analyst	1	1
Public Health	15	14.43
Public Policy	24	22.48
Statistics and Analytics	7	6.76
Strategy and Innovation	16	15.54
Treasury and Exchequer	149	148.15
Commercial Services	13	12.99
FBP & Analytics & Management Information	37	36.68
Finance Hub	6	6
Internal Audit	3	3
Revenue Jersey	64	63.81
Strategic Finance	20	19.67
Treasury and Investment management	6	6
Grand Total	1212	1164.22

*The Cabinet Office brings together the functions of three previous Government departments which are still reported on separately in our system:

- Chief Operating Office,
- Office of the Chief Executive, and
- Strategic Policy, Planning and Performance

4.14 Deputy T.A. Coles of St. Helier South of the Minister for Social Security regarding reimbursement of General Practitioners (WQ.64/2024)

Question

Will the Minister detail the services for which General Practitioners are able to claim reimbursement from the Government?

Answer

The reimbursements below are supported by the Health Insurance Fund:

- **Medical Benefit** (Statutory benefit, paid in respect of a GP face to face consultation,

- surgery and home visit)
- **Contracted Medical Benefit** (enabled by contract, paid in respect of a GP face to face surgery consultation)
- **Children’s Service** (Free general practice surgery consultations and telephone consultations paid in respect of all general practice practitioners and including common services such as blood tests)
- **Health Access Scheme** (Reduced General Practice charges for people with a low income across a wide range of services and paid in respect of all general practice practitioners)
- **Allied Health Care Professionals Activity Fees** (subsidy for nurse, paramedics, pharmacist and Health Care Assistant consultations, face to face, surgery and home visit)
- **Remote Consultation Fee** (Subsidy for telephone or video link consultations paid in respect of all general practice practitioners)
- **Cervical Screening** (fully funded service)
- **Flu vaccination** (fully funded service)
- **Wage Support Scheme** (payment to the practice towards the cost of employing nurses, paramedics, pharmacists or Health Care Assistants)
- **Jersey Quality Improvement Framework** (Payment for achieving clinical and organisational targets)

In addition to these reimbursements, other departments make payments for services delivered by General Practice or individual GP practitioners, including (but not limited to) childhood immunisation service, 6- month baby check service, Shelter GP Clinic, Forensic Medical Examiner, Safeguarding Lead.

4.15 Deputy T.A. Coles of St. Helier South of the Attorney General regarding the synthetic cannabinoid 5F-MDMB-PICA (WQ.65/2024)

Question

Will H.M. Attorney General state whether the synthetic cannabinoid 5F-MDMB-PICA is a controlled drug under the [Misuse of Drugs \(Jersey\) Law 1978](#); and will he provide details of the 2 offences recorded in relation to this substance in the response to the Freedom of Information request entitled ‘[Drug convictions in 2022 and 2017 to 2021](#)’ that was published in December 2023?

Answer

The synthetic cannabinoid 5F-MDMB-PICA (methyl-2-(1-(5-fluoropentyl)indole-3-carboxamido)-3,3- dimethylbutanoate) is a controlled drug under the Misuse of Drugs (Jersey) Law 1978 (“1978 Law”).

It is controlled under Class B, Part 2 of the Second Schedule to the 1978 Law by virtue of being a compound structurally related to 1-pentyl-3-(1-naphthoyl)indole (JWH-018) with the following modifications. Replacement of the methanone linking group with a carboxamide group and replacement of the 1-naphthyl ring with 1-hydroxy-1-oxopropan-2-yl with further substitution of fluorine in the pentyl chain and a trimethylmethyl group in the 1-hydroxy-1-oxopropan-2-yl structure.

With regard to the two cases referred to in the Freedom of Information request, 2 defendants were sentenced in the Magistrate’s Court, for 1 month and 6 months respectively, for having 5F-MDMB-PICA in their possession at HMP La Moye.

4.16 Deputy T.A. Coles of St. Helier South of the Minister for Health and Social Services regarding new psychoactive substances and the Misuse of Drugs (Jersey) Law 1978 (WQ.66/2024)

Question

Will the Minister state the total number of new psychoactive substances that have been added to the Misuse of Drugs (Jersey) Law 1978 since 2016?

Answer

More time is needed to prepare a comprehensive response to this Question. I will certainly commit to releasing this information in due course once a review of the Law and its associated amendments has been reconciled against minutes from the Advisory Council on the Misuse of Drugs.

4.17 Deputy D.J. Warr of St. Helier South of the Minister for the Environment regarding a Town Masterplan (WQ.67/2024)

Question

Further to the withdrawal of ‘Development of Town Masterplan’ (P.9/2023), and the comments on the proposition presented by the previous Council of Ministers, will the Minister detail what proposals, if any, the present Government has to develop a Town Masterplan; and if there are no such proposals, will the Minister explain why not?

Answer

The Government recognises that planning for the future of Town is critical to the sustainable development of the island and Ministers propose to develop a Plan for Town.

This will provide a tool to plan comprehensively and positively for the delivery of change in the Town of St Helier; and will focus on the key deliverables over the remainder of this term of government.

4.18 Deputy K.M. Wilson of St. Clement of the Chair of the States Employment Board regarding the agreement with teachers (WQ.68/2024)

Question

Will the Chair detail the pay and terms agreement that has been reached with teachers, any matters that remain unresolved, and the timeline for ongoing discussions and a complete resolution to the situation?

Answer

Teachers were awarded as follows:

- 2024 = 8 per cent (consolidated)
- 2025 = a guarantee of (September 2024) RPI plus 1 per cent (consolidated) (or 2 per cent, whichever is greater)
- 2026 = a guarantee of (September 2025) RPI plus 1 per cent (consolidated) (or 2 per cent, whichever is greater)
- A one-off £1,500 (non-consolidated) payment in consideration that Teachers and CYPES

officers will work collaboratively to support the development of the strategic plan for Education Reform.

Officers and Union Representatives are working in partnership to review the Teachers' Terms and Conditions, specifically and as a priority working hours. This work is expected to be complete by September 2024.

4.19 Deputy K.M. Wilson of St. Clement of the Minister for Health and Social Services regarding the recent IT outage in the Health and Community Services Department (WQ.69/2024)

Question

Further to the recent major IT outage in the Health and Community Services Department, will the Minister explain –

- (a) what work, if any, is being undertaken to improve the quality of IT services in the department;
- (b) how many patient safety incidents were recorded as a result of the IT outage; and
- (c) what action, if any, is being taken to prevent a major IT outage recurrence?

Answer

Further to the IT incident which affected users across the Health and Community Services Department on Friday 23rd February, I can confirm that –

- (a) There is an ongoing programme of works to upgrade IT services in the Health and Community Services Department and to digitise services as part of the Digital Health programme. I have committed to share the results of the ongoing investigation and any mitigation plans with the Health and Social Security Scrutiny Panel as soon as possible.
- (b) There were no patient safety incidents recorded as a result of the IT incident. A total of 34 planned appointments needed to be rescheduled; 24 Outpatient and 10 elective surgery appointments were rescheduled by the following Thursday.
- (c) The Chief Information Officer and his staff are working closely with the third-party provider to identify the root cause of the problem that arose following the update to their software, and a large amount of systems diagnostic data are currently being examined. In addition, an increased level of oversight and control has been implemented in relation to any further changes or updates that may threaten to affect technical services moving forward.

4.20 Deputy D.J. Warr of St. Helier South of the Minister for Infrastructure regarding South Hill gardens (WQ.70/2024)

Question

Following complaints on social media by members of the public, will the Minister advise whether there are any plans to address the state of repair of the public park at South Hill gardens, Mount Bingham and, if not, why not?

Answer

INITIAL REPAIRS FOLLOWING STORM CIARÁN

Storm Ciarán caused significant damage to South Hill Park and La Collette Gardens. During the storm, 30 mature trees were damaged or came down. These trees, and their associated roots and stumps, have been cleared and areas relevelled for replanting. There has been damage to paths and steps from falling trees and the large vehicles required to remove them. Safety repairs to the paths and walls are underway, with these repairs being completed to a level that allows safe access to the public.

HISTORIC PARKS RESTORATION

Initial proposals for restoration of South Hill Park and La Collette Gardens were developed in 2022. These have not been developed further due to a lack of available funding for further design work and construction. A request for funding through the Government Plan 2024 – 2027 was made. However, no funding was allocated.

The Department is now considering how this project can be progressed with funding allocated either from ‘Infrastructure Rolling Vote – Public Realm’ funding identified in the Government Plan or a separate request for funding through the Government Plan 2025 – 2028.

4.21 Deputy D.J. Warr of St. Helier South of the Minister for Treasury and Resources regarding Andium properties and the review of flooring provision (WQ.71/2024)

Question

Further to the adoption of ‘Provision of carpets in Andium Homes properties’ ([P.34/2023](#)), as amended, will the Minister advise whether the reviews of policies relating to the provision of flooring as standard in all properties and to the reuse of carpets after cleaning have been completed and, if so, what the outcomes of the reviews were and what next steps will be taken?

Answer

The review of policies relating to the provision of flooring as standard in all social housing properties and the reuse of carpets after cleaning was completed by the end of 2023, as per the requirement of the proposition.

The outcome of the review highlighted that the policies surrounding provision of flooring as standard reflect the complexities of such provision, identifying key issues of waste, equity and cost. All providers seek to reuse flooring where practical and Andium now retain flooring in vacating properties for potential reuse subject to inspection to ensure standard. Additionally, Andium have indicated a willingness to consider providing flooring across all their social rented properties and feel that they are best placed to do this, however the issue of addressing this cost requires resolution. Discussions have been held on this matter with senior officers and the Minister for Social Security and the Minister for Housing, and further discussions will be held with Andium and the other social housing providers to seek resolution.

4.22 Deputy M.B. Andrews of St. Helier North of the Minister for the Environment regarding Offshore Wind (WQ.73/2024)

Question

Further to the lodging of ‘Offshore Wind’ ([P.82/2023](#)) by the previous Council of Ministers, will the Minister advise –

- (a) whether he has given any consideration to discontinuing the proposed project and, if not, why not;
- (b) what estimate, if any, the Government has undertaken of the impact the development of a wind farm would have on Islanders’ consumption costs;
- (c) whether any talks in respect of the development of a wind farm in the southwest of Jersey’s territorial waters have been held with the French Government and, if not, whether (and when) any such talks will be held;
- (d) what consideration, if any, has been given to the impact on the levels of energy supplied by France; and
- (e) whether there have been any talks with private investors and, if not, why not?

Answer

- (a) whether he has given any consideration to discontinuing the proposed project and, if not, why not;

Since taking office the project has been focused on concluding the public consultation in order to support the States Assembly to consider the issues when it debates P.82/2023. I felt it right that this work should conclude as planned as many islanders have taken the time to engage and will rightly expect their opinions to be considered.

The future of the project is very much in the hands of the States Assembly and will proceed (or not) based on the outcome of the forthcoming debate.

- (b) what estimate, if any, the Government has undertaken of the impact the development of a wind farm would have on Islanders’ consumption costs;

There are still many outstanding questions about the development of offshore wind that are not answered. Work on these will follow if the States Assembly give its in principle support to the project.

At this stage, a qualitative assessment of different development scenarios has been undertaken to understand where the impacts of these scenarios might land. It will not be possible to model the quantified impacts until further decisions are taken. For example, if the wind farm was established solely to export power, with no direct interface with Jersey’s domestic electricity system, then there may be no impacts.

- (c) whether any talks in respect of the development of a wind farm in the southwest of Jersey’s territorial waters have been held with the French Government and, if not, whether (and when) any such talks will be held;

Initial talks have been held with French partners at both regional and national levels. These have been constructive and welcomed by both sides and have considered a range of issues that are helpfully set out in consultation report.

- (d) what consideration, if any, has been given to the impact on the levels of energy supplied by

France; and

As above, the potential for an impact is recognised but it is not yet possible to assess either the scale or nature of impacts.

(e) whether there have been any talks with private investors and, if not, why not?”

Some initial and without prejudice discussions have been held with potential developers on a reactive basis (i.e. where a meeting has been requested with government).

Should the States Assembly give its in principle support to the project, a programme of proactive industry engagement would begin.

4.23 Deputy M.B. Andrews of St. Helier North of the Minister for Sustainable Economic Development regarding a tunnel between Jersey and France (WQ.74/2024)

Question

Will the Minister advise whether the French government have been officially approached about the development of a tunnel between Jersey and France; and if not, why not?

Answer

I have raised this issue informally and at the very earliest stages with the President of La Manche, as well as with MPs and representatives of the National Assembly in Paris. I reiterated that we were in an exploratory phase and this would not be taken forward without explicit approval and support from the States Assembly and both regional and national governments in France.

At this stage this work is only exploratory with no policy commitment yet made by either jurisdiction. Discussions have therefore been hypothetical prior to a cost benefit analysis being completed in due course.

4.24 Deputy L.K.F. Stephenson of the Minister for Health and Social Services regarding the Assisted Reproduction Unit (WQ.75/2024)

Question

Will the Minister provide the following statistics relating to the Assisted Reproduction Unit (ARU) for the year 2023 –

- (a) the total number of in vitro fertilisation (IVF) cycles started;
- (b) the total number of unique patients/couples to undergo an IVF cycle during the year;
- (c) the total number of IVF cycles to reach embryo transfer;
- (d) the total number of transfers to result in a positive pregnancy test, broken down by the following age groups –
 - (i) Under 25;
 - (ii) 35 to 39;
 - (iii) 40 to 42; and
 - (iv) 42 and over;
- (e) the number of live births, broken down by the same age groups;
- (f) how many of the cycles and outcomes listed above included the use of donor eggs or sperm, or both;
- (g) how many unique patients were seen by the ARU in the year;

- (h) where ARU acted as a satellite clinic for treatment elsewhere, a breakdown of the clinics used and the number of patients seen; and
- (i) the total budget for the ARU during 2023, and how much of that was made up of revenue generated by private patients paying for treatment?

Answer

Due to the comprehensive nature of the question and the availability of the relevant clinician to provide necessary detail, it has not been possible to collate the full information requested in the time available.

I will ensure that a thorough response is provided as soon as possible before next Monday.

4.25 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for Infrastructure regarding Island Energy (WQ.76/2024)

Question

Further to his response to Oral Question 23/2024 on [6th February 2024](#), will the Minister advise –

- (a) whether he has met Island Energy and, if so, what actions were taken from the meeting;
- (b) whether he will review the [Jersey Gas Company \(Jersey\) Law 1989](#) and, if so, what changes, if any, he intends to propose in light of the impact of Island Energy's recent 12% price increase; and
- (c) whether he is considering establishing a compensation scheme for gas customers affected by the October 2023 outage?

Answer

- (a) It remains my intention to meet with Island Energy once I have had the opportunity to address this part of my new portfolio. At a minimum, I intend to discuss the matter with the Minister for the Environment who is responsible for co-ordinating the island's energy policy, and the Minister for Sustainable Economic Development who holds responsibility for the Competition Law. These discussions are now underway, and my intention is to ensure we take an aligned approach with Island Energy.

It is my hope that I will have the opportunity to speak to the company in the very near future.

- (b) I am undertaking a review of the [Jersey Gas Company \(Jersey\) Law 1989](#). As the Deputy is aware, it provides a power to introduce price regulation. This issue has been considered by a previous Assembly, with a report in 2016 carried out by Oxera to look at the reasonableness of gas prices. It was concluded then that prices were within a reasonable range and as such did not appear to be higher than they would have been had regulation been in place. Accordingly, it was determined that regulating gas prices could not be justified at that point in time.

Of course that decision and Oxera's report was based on an analysis of historical data and it does not reflect any assessment of the latest price increase. My intention is therefore to discuss the issue with the Minister for Sustainable Economic Development and to consider whether an update of that previous report should be obtained, notably as matters have also changed with regard to the profitability of the company and its declining market share.

I am keen to be assured that any price increase is introduced on a fair basis and that the energy market as a whole is acting in the best interests of islanders.

(c) I do not intend to establish a Government-funded compensation scheme.

Following enquiries, I understand Island Energy is engaging directly with commercial customers who suffered a financial loss. With respect to domestic consumers, I have not been made aware of any that suffered significant hardship; had that been the case, I understand that there were measures available to assist people.

However, I do intend to challenge Island Energy on its approach to compensating consumers, and it is a matter I intend to raise in discussion with the Minister for the Environment.

4.26 Deputy H.L. Jeune of St. John, St Lawrence and Trinity of the Minister for Children and Families regarding children in the Minister’s care (WQ.77/2024)

Question

Will the Minister state the total number of children and young people that are currently in the Minister’s care and how many were in such case for year from 2018 to date, with the figures broken down by those housed in accommodation off-Island or on-Island, and placed –

- (a) in children’s residential homes (including Greenfields);
- (b) with foster carers; or
- (c) with related carers?

Answer

- The below figures are all provided on a snapshot date as at the end of the year (31st December), apart from 2024 where data is provided for 1st March.
- Any numbers smaller than 5 have been excluded to prevent the data being identifiable.
- The total Children Looked After column includes all placement types, including those who may be placed with parents, for example, and may include children not counted in the other columns.

	(a) Residential		(b) Foster Care		(c) Connected Care		Total Children Looked After
	On Island	Off Island	On Island	Off Island	On Island	Off Island	
2018 (31/12/2018)	13	7	24	11	21	5	90
2019 (31/12/2019)	13	5	21	12	17	5	82
2020 (31/12/2020)	11	<5	19	12	17	<5	76
2021 (31/12/2021)	15	<5	16	14	11	<5	69
2022 (31/12/2022)	10	<5	21	10	12	<5	77
2023 (31/12/2023)	16	<5	16	9	7	<5	61
Current (01/03/2024)	15	<5	20	9	8	<5	65

4.27 Deputy I. Gardiner of St. Helier North of the Minister for Health and Social Services regarding the Infected Blood Inquiry in the UK (WQ.78/2024)

Question

Further to the publication of two interim reports in relation to the Infected Blood Inquiry in the UK ([The Inquiry's First Interim Report](#) on 29th July 2022 and [The Inquiry's Second Interim Report](#) on 5th April 2023), will the Minister state –

- (a) what actions, if any, have been taken to contact all the patients in Jersey who were potentially affected;
- (b) whether Jersey patients are to be included in the proposed compensation scheme and, if so, how many patients it is estimated will be supported; and
- (c) what support is being, or has been, provided to patients in Jersey?

Answer

- (a) In 2019 Health and Community Services undertook a look back exercise to determine if all patients who had received potentially contaminated blood products (i.e. in the 1970s and 1980s) had in fact been screened.

Less than ten patients could not be contacted despite repeated attempts to do so. All the remaining patients were contacted if they had not already been contacted in the past. All contacted patients received the relevant follow-up and support.

- (b) Our officials are currently in contact with the UK Government to ascertain whether Jersey patients may be admitted to the proposed UK compensation scheme.
- (c) Patients in Jersey were offered appropriate screening and treatment where applicable. The Skipton fund was available to patients in Jersey and application to the fund was supported by clinical staff. As stated above our officials are currently in contact with the UK Government to ascertain whether Jersey patients may be admitted to the proposed UK compensation scheme. If any patient has an enquiry or requires support, they should contact the Patient Advisory Liaison Services (PALS) who are available Monday to Friday from 8am to 4pm. Please call the team on +44 (0) 1534 443515 or email: PALS@health.gov.je

4.28 Deputy C.D. Curtis of St. Helier Central of the Minister for Infrastructure regarding the re-use centre (WQ.79/2024)

Question

Further to [Written Question 19/2024](#), will the Minister state whether, in the event the current tender process for operation of the re-use centre has not been successfully completed by April 2024, he will look into the feasibility of the centre being operated by Government of Jersey employees (as agreed by the Assembly in [P.65/2023, as amended](#))?

Answer

Further to the response to Written Question 19/2024, the department has reviewed the tender documents and decided to include a wider communication with the charity sector to identify other potential operators that may be in a position to operate the site to its fullest potential. Due to expanding the potential interest in tendering, this has consequently pushed the timetable for tender

outcomes to May/June to allow all interested parties sufficient time to submit a tender and consider their operating model for this facility.

If a suitable operator is not identified during the tender process, it is still the intention to look at the feasibility of operating the site with Government employees. However, this would require additional staffing and funding to be able to safely run the Household Reuse and Recycling Centre site plus this facility, which is not currently allocated for in the Government Plan.

4.29 Deputy I. Gardiner of St. Helier North of the Minister for Education and Lifelong Learning regarding finding for Highlands College (WQ.79/2024)

Question

Will the Minister state the total amount of funding received by Highlands College for each of the last 5 years, broken down per year into separate heads of expenditure (for example, Adult Education, Higher Education, General Administration); and will he advise what reporting and control mechanisms the Government has in place in respect of the use of funds allocated to the College?

Answer

Highlands College receives delegated budget in accordance with the Scheme of Delegation from the Departmental Expenditure Limit of the department for Children, Young People, Education and Skills.

There are no additional grant agreements in place between the college and other departments of Government.

The college must manage its finances in accordance with the Public Finances (Jersey) Law and deliver to the statutory educational requirements of the Education (Jersey) Law 1999.

The split of service lines is given in the table below. Please note, “Central and overhead functions” is defined in this context as inclusive of Business Support, Management, Governance, Marketing, Finance, IT, Business Operations (e.g. estates and facilities management), Cafe, and Student Information Management.

Please note that other income in 2021 includes Fiscal Stimulus funding of c.£1 million for the Retrain Project and non-pay expenditure is similarly higher.

Service Function	2019	2020	2021	2022	2023
Higher Education - UCJ	979,401	1,003,000	1,271,000	1,006,000	806,000
Adult & Community Education	275,114	277,000	354,000	284,000	267,000
Apprenticeships	1,291,229	1,306,000	1,450,000	1,537,000	1,677,000
Further Education	4,861,217	4,815,000	4,369,000	4,185,000	4,677,500
Enterprise, Professional & Digital	2,629,168	2,620,000	2,681,000	2,671,000	2,404,000
Student Support	895,048	994,000	978,000	1,008,000	766,500
Central and overhead functions	2,163,530	2,346,000	3,649,253	4,117,000	5,287,000
Total Expenditure Budget	13,094,707	13,361,000	14,752,253	14,808,000	15,885,000
Course Fee Income	-3,124,494	-2,966,000	-3,254,000	-3,254,000	-2,831,996
Other Income	-269,700	-200,000	-1,125,253	-382,000	-495,004
Total Income Target	-3,394,194	-3,166,000	-4,379,253	-3,636,000	-3,327,000
Net Delegated Budget	9,700,513	10,195,000	10,373,000	11,172,000	12,558,000

Highlands College manage their delegated budget internally through regular senior leadership team meetings specifically dedicated to finance, the college also has termly sub-committee meetings which must comply with procurement, HR and working capital management policies.

The college's financial performance is monitored and reported on as part of the wider CYPES monthly corporate reporting. Additional funding received by the college is assessed by CYPES programme boards established to monitor growth within the Department. Highlands must also sign an annual Statement of Compliance with the Public Finances Manual and relevant departmental policy.

4.30 Deputy I. Gardiner of St. Helier North of the Minister for Justice and Home Affairs regarding temporary work permits (WQ.81/2024)

Question

With reference to the response to Part (b) of the Freedom of Information request entitled '[Work permits granted from 2019 onwards](#)', will the Minister provide a breakdown of the temporary work permits received and granted from 2019 to 2023 (inclusive) by industry and by role type (for example, electrician, plumber)?

Answer

	2019	2020	2021	2022	2023	2024
Temporary Construction						
Assembler Prefabricated Elements	0	0	0	1	3	0
Builder	0	0	16	6	17	2
Carpenter	0	0	13	41	15	9
Crane Operator	0	0	5	3	0	0
Electrician	0	0	0	1	1	0
Fixer / Fitter / Installer	0	0	4	11	13	2
Ground worker	0	0	0	0	0	1
Multi-skilled Labourer / Construction worker	0	0	42	155	196	39
Painter and decorator	0	0	0	0	2	0
Plasterer / Dry Liner / Renderer	0	0	6	5	1	0
Project Manager	0	0	11	3	4	0
Scaffolder	0	0	0	0	2	1
Setting out engineer	0	0	0	1	1	0
Foreman / Manager / Supervisor	0	0	8	32	7	2
Skilled Craftsmen	0	0	1	1	2	1
Steel Fabricator	0	0	0	4	4	0
Stonemason	0	0	9	6	9	0
Tiler	0	0	0	1	0	0

Window Fitter / Glazer	0	0	30	18	5	0
	0	0	145	289	282	57

	2019	2020	2021	2022	2023	2024
Temporary Agriculture						
Agriculture worker	0	28	87	46	79	75
Farm Manager	0	0	0	1	1	0
Farm worker	0	27	141	250	220	64
Herdsmen	0	0	1	1	2	0
Landscape Gardener	0	0	1	2	6	11
Potato grower / packer	0	0	0	16	0	0
	0	55	230	316	308	150

	2019	2020	2021	2022	2023	2024
Temporary Fishing						
Fisherman	0	3	5	8	6	0
Oyster / Shellfish Farm Worker	0	0	12	24	29	5
	0	3	17	32	35	5

	2019	2020	2021	2022	2023	2024
Temporary Hospitality						
2nd Chef					1	2
Accommodation Assistant			1	1		
Accommodation Manager					1	
Aquadome Assistant Manager			1			
Aquadome Cleaner					1	
Asian Specialist Chef	1		1	1		
Assistant Bar Manager			1		4	2
Assistant Chef				1	5	5
Assistant Cook					1	
Assistant F&B Manager				1		
Assistant Food & Beverage Manager			1	1	1	1
Assistant Food and Beverage Controller	1		1	1	2	1
Assistant Head Housekeeper				1	1	1

Assistant House Manager			1	1	1	1
Assistant Housekeeper	1	1	1	1		
Assistant Manager				2		1
Assistant Manager/ Front of House						1
Assistant Manager/Sushi Chef					1	
Assistant Pizza Chef					1	
Assistant Restaurant Manager	1	1	2	4	3	1
Assistant Sommelier				1	3	
Assistant Tandoori Chef					1	
Ayuverdic Spa Therapist	1	1		2		
Bar and Beverages Manager	1		2	1	1	
BAR AND COFFEE SHOP ASSISTANT					2	2
Bar and Food Server				3	1	
Bar Attendant			2	1		1
Bar Attendant/Porter					1	
Bar Chef				1	4	
Bar Manager			1	4	6	3
Bar Person			3	12	16	7
Bar Person and Mini Chef					2	
Bar Server			2	2	2	
Bar Supervisor	2	1	6	7	7	4
Bar Tender	1	1	2	14	16	6
Bar Tender/Mixologist					1	1
Bar Tender/Waiter			2	2	4	1
Bar Tender/Waitress					1	
Bar/Catering Personnel		1		1	1	1
Bar/Coffee Shop Assistant			1	4	4	
Bar/Restaurant Server					2	
Bar/Waiting Staff				2	1	1
Barista			3	3	10	5
Barista and Bartender						1
Barista/Server					2	1
Barmaid/Waitress				2	2	1
Barman				7	7	4

Barman/Waiter				1	2	
Bars Manager			1	1	1	
Breakfast Assistant					1	1
Breakfast Chef	1		1	2	4	4
Breakfast Manager					1	
Cafe Assistant			1	3	6	10
Café Assistant				1	7	6
Cafe Manager			1	1		
Cafe Supervisor				1	2	1
Catering Assistant				8	10	9
Central Reservations Agent				1	1	1
Central Reservations General Assistant				1	2	2
Chambermaid				4	6	6
Chambermaid - General Assistant						1
Chef	2	5	12	55	65	16
Chef / Manager					2	
Chef Assistant					3	1
Chef de Partie	5	9	45	102	102	57
Chef de Partie Pastry					1	
Chef de Rang			4	8	8	5
Chef de Rank					1	
Chef/Cafe Assistant				1		
Chef/Waiter					1	
Cleaner					1	1
Cocktail Bar Tender			1	1	1	1
Coffee Assistant/Waiter					3	1
Coffee shop & Bar Assistant						3
Coffee Shop Assistant				1	5	
Coffee Shop Assistant/Cleaner				1		
Commis Chef		1	13	38	34	19
Commis Chef/Breakfast Chef				1		
Commis Chef/K.P.				2	4	
Commis de Rang			1	3	3	2
Commis de Rang/Night Porter				1	1	1

Commis Waiter				3	4	
Commis Waitress				2		
Concierge			2	2	4	1
Concierge / Porter					1	
Cook				2		2
Day Porter				5	6	5
Demi Chef			7	14	16	9
Demi Chef de Partie			3	8	19	7
Demi Chef de Rang			4	4	6	4
Deputy General Manager	1		3	3	3	2
Deputy Head Chef			1			
Deputy Head Housekeeper	1	1	1	1	1	1
Duty Manager			2	2		1
Duty Restaurant Manager				1	2	
Entertainer	1		1	1	1	1
Entertainment Operations Supervisor						1
Event Co-ordinator				1	3	1
Events Executive			1	1	2	
Executive Head Houskeeper						1
Executive Housekeeper						1
Executive Sous Chef			1			
F & B Assistant			2	10	31	19
F & B Attendant		1	2	2	5	2
F&B Operator			1	1	1	
F&B Supervisor	1	1		6	4	5
Fixed Term Guest Experience Coordinator			1	1	1	
Floor Housekeeper	1	1	3	3	3	3
Floor Supervisor - Housekeeping			1	1	1	1
FOH/ Hotel Receptionist / Administrator				1	2	
Food & Beverage			1	1	5	8
Food & Beverage / Housekeeping Assistant					6	4
Food & Beverage Assistant	9	10	53	120	84	44
Food & Beverage Attendant	4	9	19	37	41	33
Food & Beverage Server				2	5	2

Food & Beverage Supervisor	2	2	5	16	19	7
Food And Beverage Front of House Team Member				2	1	
Food and Beverage Manager				3	3	2
Food and Beverage Operator				1		
Food and Beverage Service Manager				1	1	
Food production Assistant				1		
French Office Administrator						2
Front of House			2	10	10	4
Front of House Manager			1	2	3	
Front of House Supervisor	1	1	1	1	1	1
Front of House Team Leader			1	2	3	3
Front of House Team Member			1	10	20	3
Front of House/Kitchen Staff				1	2	1
Front of House/Waitress					3	
Front Office Assistant	2	1	5	6	6	7
Front Office Assistant Manager					1	1
Front Office Manager			1	1		1
Front Office Supervisor				1	2	1
General Assistant			8	36	64	44
General Manager	2	1	1	3	2	1
Group coordinator					1	1
Guest Experience Coordinator			1	1	1	
Guest Experience Shift Leader				1		
Guest Services Supervisor				1		
Hall Porter			1	5	7	6
Head Bartender				1	1	1
Head Chef	3	1	8	17	12	2
Head Housekeeper			1	3	3	2
Head Pastry Chef					1	
Head Receptionist	1		2	4	4	3
Head Sommelier			1			
Head Sushi Chef			2			
Head Waiter			1	3	6	2
Head Waiter/Sommelier				1	1	1

Hospitality Assistant					1	
Hotel & Kitchen Assistant					3	
Hotel Rooms and Accommodation Manager				1	1	
Hotel Services Assistant				1	1	
House Keeping					2	
House Manager				1	1	
Housekeeper	1		4	4	8	3
Housekeeper & General Assistant					2	2
Housekeeping				1	1	1
Housekeeping Assistant					6	3
Housekeeping Attendant			23	43	46	43
Housekeeping Manager			1	1	1	
Housekeeping Senior Supervisor				1	1	1
Housekeeping Supervisor			5	7	7	3
Junior Food & Beverage Supervisor				1	1	1
Junior Head Waiter				4	1	3
Junior Site Manager						1
Junior Sous Chef				1	2	2
Kitchen Assistant			6	23	38	26
Kitchen Assistant/ Porter/ Prep Chef					1	
Kitchen Assistant/Junior Commis Chef					1	
Kitchen Assistant/KP				4	6	4
Kitchen Help						1
Kitchen Porter			14	53	84	41
Kitchen Porter / Chef De Partie				2	2	5
Kitchen Porter/Storeman						1
Kitchen/Laundry Assistant						1
KP/Chef				1	1	
Laundry Assistant			1	9	13	11
Laundry Attendant				1	1	1
Leisure Assistant			1	7	13	2
Lifeguard			2	5	5	3
Lifeguard - Shift Leader			1	1	2	1
Linen Porter			3	6	3	1

Linen Room Attendant					1	
Malaysian Chef					1	
Manager			1	3	3	1
Manager/Chef					1	
Manager/Sushi Chef					1	
Marketing and Events Executive				1	1	1
Meeting & Events Specialist					2	
Mixologist				1	1	
Night Cleaner					1	
Night Duty Manager	1	1	1	1	1	
Night Manager	2	2	2	2	3	
Night Porter		2	4	8	10	7
Night Receptionist				1	1	1
Night Shift Leader			1	1	1	1
Operations Manager				1		
Pastry Chef	1	1	2	6	10	3
Pastry Chef and Chef De Partie				1		
Pastry- Junior Sous Chef				2		
Pastry Sous Chef	1		1	1	1	1
Pizza Chef			1	2	3	2
Pizzaiolo				1	1	
Porter	1	1	3	6	7	3
Porters Store Supervisor			1	1	1	
Public Area Cleaner				1	1	1
Reception Manager			1	2	1	
Reception Shift Leader			3	3	3	2
Reception Supervisor			1			
Receptionist	1	6	20	42	50	34
Receptionist - General Assistant						1
Receptionist/Bar Person			1	1	2	1
Receptionist/Porter			2			
Reservation Coordinator					2	
Reservationist						1
Reservations & Events Agent			1	1		

Reservations Agent				1	3	
Residence assistant					1	
Residence Manager				1	2	
Restaurant and coffee shop assistant				1		
Restaurant Assistant		1	3	6	9	3
Restaurant Food & Beverage Assistant				1	1	1
Restaurant Manager	1		10	16	5	4
Restaurant staff	1	1	1	7	4	1
Restaurant Supervisor	1	1	5	9	11	4
Restaurant supervisor and bar assistant				1		
Restaurant/Bar Service Supervisor			2	2	1	1
Room & Laundry Attendant				2	2	2
Room Attendant			27	103	111	82
Room Attendant/Waitress						1
Seasonal Food & Beverage Assistant					1	1
Seasonal Room Attendant			1	1		
Second Chef				4	2	1
Senior Chef					1	1
Senior Chef de Partie			5	6	9	3
Senior Chef de Partie Pastry			1		1	
Senior Food and Beverage Assistant	1		2	1	1	1
Senior Front Office Assistant	1	1	1	1	1	1
Senior Head Chef			1	1		
Senior Lifeguard					1	
Senior Reservationist			1	2	2	
Senior Sous Chef			1	1	3	2
Senior Waiter					2	
Server					1	1
Service Assistant				1		
Silver Service Waitress					1	
Sous Chef			7	20	28	9
Sous Chef (Junior)			1	2	3	1
Sous Chef Pastry			3	1	1	
Spa Manager				1		

Spa Receptionist				2	1	
Spa Therapist	1	1	3	10	12	4
Specialist Sous Chef				2	1	
Steward			2	2	2	
Store Person			1	1	2	1
Sushi Chef			1	7	3	
Sushi Sous Chef				1		
Tandoori Chef				1	1	
Tassili Restaurant Manager			1	1		
Team Chef			1			
Team Leader				1	2	
Team Member						1
Tourism and Catering Assistant					1	
Trainee Chef			1			
Waiter	1	1	20	31	49	26
Waiter/ Barman					1	
Waiter/Bar Person	1	1	1	3	6	3
Waiter/General Assistant					1	
Waiter/Supervisor				2	1	2
Waiting Staff			2	11	11	4
Waiting Team Member						3
Waitress	1		12	50	63	22
Waitress /Barista			1		2	
Waitress/ Front of House					2	
Waitress/Bar Person				1	3	1
Waitress/Chambermaid			1	1	4	1
Waitress/Host					1	
Waitress/Kitchen Assistant					1	
Waitress/Room Attendant				2	1	
Wharf Bar Manager			1		1	
	67	74	498	1285	1586	866

4.31 Deputy L.M.C. Doublet of the Minister for Justice and Home Affairs regarding domestic abuse (WQ.82/2024)

Question

Will the Minister advise what actions, if any, she is undertaking to educate Islanders in relation to domestic abuse; and what strategies, if any, are being implemented to prevent different types of domestic abuse?

Answer

The Taskforce on Violence Against Women and Girls report made a number of recommendations for action to educate Islanders about domestic abuse, and violence against women and girls (VAWG) more widely. Following careful consideration of these recommendations, I have accepted and intend to take forward the following recommendations in this area in 2024:

- Introducing a campaign to tackle street harassment in St Helier (Recommendation 7)
- Ensuring healthcare practitioners are aware of their mandatory reporting duties in relation to FGM (Recommendation 9)
- Introducing a campaign to raise awareness and change attitudes about VAWG (Recommendation 73)

The Taskforce also made a number of recommendations in relation to the education of parents, children and young people around VAWG issues. These include:

- Develop PSHE curriculum on sex and healthy relationships (Recommendation 76)
- Improve awareness of specialist support services amongst young people (Recommendation 65)
- Develop and deliver an education programme for parents on VAWG issues (Recommendation 66)
- Ensure PSHE curriculum makes explicit the links between gender inequality and VAWG (Recommendation 76)
- Introduce mandatory training for all PSHE teachers (Recommendation 76)
- Utilise skills and knowledge of Brook in delivering VAWG content (Recommendation 76)
- Include an explicit audit of VAWG in Jersey School Review Framework (Recommendation 76)
- Include an explicit reference to VAWG in annual safeguarding audit of schools (Recommendation 76)
- Consider rolling out a ‘whole-of-school’ approach across schools (Recommendation 77)
- Introduce by-stander training for professionals working in educational settings (Recommendation 77)

These recommendations fall within the remit of the Minister for Education and Lifelong Learning. I understand that officers are meeting with the Minister to discuss his approach to implementing these recommendations later this month.

Educating the community and raising awareness about VAWG issues is an integral strand of work to prevent domestic abuse. As was highlighted by the experiences of the victim-survivors who contributed to the Taskforce report, domestic abuse can take many forms, including online and technology-facilitated abuse and economic abuse. Alongside the work to prevent further abuse through education, I have also agreed to undertake the following recommendations aimed at the prevention of these forms of domestic abuse:

- Providing and maintaining accessible information for citizens in Jersey about online and technology-facilitated VAWG (Recommendation 14)
- Reviewing the Domestic Abuse (Jersey) Law 2022 within the first five years of its enactment to determine whether this legislation has been able to consistently and successfully prosecute perpetrators of economic abuse (Recommendation 27)

I will publish a detailed response to the VAWG report recommendations by the end of this month. This response will include an implementation plan for the work we intend to progress in 2024 and 2025.

4.32 Deputy L.M.C. Doublet of the Minister for Education and Lifelong Learning regarding prevention of domestic abuse (WQ.83/2024)

Question

Will the Minister advise what actions, if any, he is undertaking to educate all Islanders, including young people, about the prevention of all types of domestic abuse?

Answer

The area of domestic abuse is directly addressed for young people through the PSHE area of the Jersey Curriculum, specifically within teaching about healthy relationships, consent and how to recognise forms of abuse. The curriculum detail is as follows:

[The current PSHE curriculum is available on the Government of Jersey website](#). It is set out under the 3 headings of and outlines the broad areas that must be taught at different Key Stages.

- Health & Wellbeing
- Relationships
- Living in the wider world

The curriculum sets out the sequence of teaching ensuring that all Jersey pupils are taught over time to make informed choices about various aspects of health and wellbeing and learning about healthy relationships.

(By Key Stages 3+4 pupils are required to be taught about how to deal with risky or negative relationships including all forms of bullying and abuse, sexual and other violence and online encounters.)

In addition, schools are being provided with additional PSHE curriculum guidance as soon as this is agreed by Curriculum Council. This is not statutory in the same way the Jersey Curriculum is – schools can tailor their teaching to suit students’ age, prior knowledge, and any school-specific context.

Furthermore, the Jersey School Review Framework evaluates how well schools support the personal development of pupils. All GoJ provided schools are scheduled to have a published report by the end of this summer term and each report details feedback on the quality of provision for pupils’ personal development.

The review framework is currently being revised and plans are being developed to allow for an even greater emphasis to be placed in this area.

Educating Islanders about this issue is a crucial part of wider efforts to prevent domestic abuse, and violence against women and girls more broadly. I note that the [Taskforce on Violence Against](#)

[Women and Girls \(VAWG\) report](#) that was published late last year made a series of recommendations in relation to improving the education of parents, children and young people. I am scheduled to meeting with the relevant officers later this month to discuss my approach to implementing these recommendations.

5. Oral Questions

5.1 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding the use of Kaftrio to treat cystic fibrosis patients (OQ.44/2024)

It is a pleasure to be first up. Given the Minister's response to Written Question 30/2024 and recent research findings, will he agree as a matter of urgency to review, in consultation with appropriate officers, the decision of 13th December 2023, made by the Medicines Optimisation Committee, on the use of Kaftrio to treat cystic fibrosis patients carrying the specific gene mutation N1303K for a trial period of 3 months as an exception to N.I.C.E. (National Institute for Health and Care Excellence guidelines)?

Deputy T. Binet of St. Saviour (The Minister for Health and Social Services):

I would like to thank the Deputy for bringing this to my attention. I have to say that I maintain my position in feeling that it is not appropriate for me to intervene directly in clinical matters. However, in light of the evidence provided, I have already referred the matter back, along with the 6 connections that the Deputy kindly provided, to the Medicines Optimisation Committee and asked them to take another serious look at it.

5.1.1 Deputy G.P. Southern:

Does the Minister have any idea of the timescale in which he might be able to produce a judgment from his committee, and indeed from the department, as to the urgent nature of treatment for C.F. (cystic fibrosis) patients in the department?

Deputy T. Binet:

I have to confess, I did not think to set a timeline for this, but I would hope, given the nature of it, that the committee would take the occasion to look at it at their next meeting.

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

Does the Minister know or can the Minister confirm the number of Islanders that suffer with cystic fibrosis?

Deputy T. Binet:

I am afraid I cannot. This was only brought to my attention at the end of last week, but I am certainly happy to look into that as well.

5.1.3 Deputy G.P. Southern:

Can I ask the Minister to study what has already been found?

[9:45]

I have a letter from the committee saying that should new studies come to light they will research and re-examine their judgment on this matter. Could he ensure, to the best of his ability, that this is brought back to his department in short order?

Deputy T. Binet:

Yes, I am very happy to confirm that I will do that.

5.2 Connétable D.W. Mezbourian of St. Lawrence of the Minister for Health and Social Services regarding services provided at Sandybrook Nursing Home (OQ.40/2024)

In respect of the Sandybrook Nursing Home, will the Minister advise why it does not provide the residents with ophthalmic or dental care, or offer a dedicated transport service for them?"

Deputy T. Binet (The Minister for Health and Social Services):

The Constable is quite correct that we do not offer ophthalmic care at Sandybrook and we do not provide a dedicated service. However, residents over 65 are eligible via Pension Plus and they can gain financial support for that. That is paid through the C.L.S. (Customer and Local Services). While younger people can get that through income support and potentially through a special payment. Transport can be provided to appointments via patient transport. Alternatively, private taxi transport can be organised where necessary and staff are available to support residents to attend appointments.

5.2.1 The Connétable of St. Lawrence:

I am grateful to the Minister for his answer. What I would like to know then is why is there no procedures manual for patients and families so that they understand the answer to the questions that I have just asked? There is nothing provided for families or patients to know the policies of the nursing homes. Will the Minister ensure that this is provided as a matter of priority, please?

Deputy T. Binet:

That comes as something of a surprise. I had no idea that was the case. I am very happy to look into doing that. I just remind the Constable that I am only an email away if she has any concerns of this nature. She is absolutely free to get in touch with me and point them out, and I can take action accordingly.

5.2.2 Deputy G.P. Southern:

On a closely related matter, it has come to my attention that the bus service to hospice has been ceased. It is my understanding. Could the Minister examine this and report back to the States to ensure that we still have an active bus service for those who need it, going to visit people in hospice?

The Bailiff:

Deputy, I think that does fall outside the parameters of the question, which is specifically related to the Sandybrook service. But if the Minister wishes to answer it, then I will allow it.

Deputy T. Binet:

I am happy to refer that to Constable Jehan in his capacity as Minister for Infrastructure.

5.2.3 The Connétable of St. Lawrence:

Will the Minister commit to providing a dedicated lease vehicle for patient use, similar to the provision for patients on Cedar Ward?

Deputy T. Binet:

We do have budget limitations. I am certainly happy to look at it, but I am not prepared to commit absolutely at this point in time.

5.3 Deputy M.B. Andrews of St Helier North of the Chair of the Privileges and Procedures Committee regarding the Commissioner for Standards (OQ.41/2024)

Will the Chair state whether it is her assessment that the provisions of the Commissioner for Standards (Jersey) Law 2017 mean the commissioner is compromised, or conflicted, when investigating complaints submitted about the States Members involved in the appointment to the office of commissioner?

The Connétable of St. Martin (Chair, Privileges and Procedures Department):

Candidates for the role of Pan-Island Commissioner for Standards were interviewed in February last year. I was part of the recruitment panel, along with the Greffiers of the States of Jersey and Guernsey, the Chair of the Guernsey States Assembly Constitution Committee and the Chair of the Jersey Appointments Commission, as a non-voting member. The appointment was then endorsed by P.P.C. and this Assembly through publication of R.21/2023. It is usual practice in other jurisdictions for politicians with responsibility for standards to take part in the appointment process for commissioners, but this does not exempt those members from accountability. Our standards legislation does not provide immunity for the chair of P.P.C., and neither should it. Like other Members of this Assembly, I am accountable for my actions and bound by the code of conduct. As it stands, it is for the Commissioner, herself, to determine if she is conflicted in relation to any complaint. I have spent no time with her alone and have no personal connection with her. I would emphasise that my involvement with her to date has been limited to the hour in her company when she was interviewed, and any additional contact with her has been on the same basis as other Members, either on Teams calls with the rest of P.P.C. when reviewing her findings reports, or when she ran a briefing in November in the Chamber, or when I was interviewed as a witness. In fact, I would imagine that other members have spent considerably longer time in the Commissioner's company while she has been investigating complaints against them. I do not consider that the Commissioner is conflicted or compromised when investigating complaints against any of the 49 Members of this Assembly. She looks at the facts of each individual case objectively and treats us all equally in an impartial, fair, thorough and transparent manner. I will not and cannot be drawn into discussions about complaints, particularly any that are ongoing. It is important that the Commissioner for Standards' investigation processes are respected and that they remain confidential until the findings are published.

5.3.1 Deputy M.B. Andrews:

Will the Chair of the P.P.C. discuss this with the panel to see whether there is a potential amendment required to the Commissioner for Standards (Jersey) Law 2017, and if not, why not?

The Connétable of St. Martin:

I am happy to discuss this with other members of the P.P.C.

5.4 Deputy L.M.C. Doublet of St. Saviour of the Chief Minister regarding actions to address economic abuse in the Island (OQ.49/2024)

Will the Chief Minister advise what actions he is taking to address the incidence and impact of economic abuse in the Island, a common feature of domestic abuse, as discussed in the V.A.W.G. (Violence Against Women and Girls)

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

As we can see from testimony in the V.A.W.G. report, financial and economic control is a harmful feature of domestic abuse as victims not only suffer directly, but the loss of financial control can trap them in an abusive situation. The Government has accepted the recommendations of that report, and we will be assessing the prevalence of economic abuse with the intention of making specific provision to address it in the Domestic Abuse Law, if necessary.

5.4.1 Deputy L.M.C. Doublet:

I thank the Chief Minister for his answer. Could the Chief Minister comment on his understanding of the awareness of this type of abuse in the Island, and what does he think could be done to improve the awareness of this abuse so that we can start to prevent it?

Deputy L.J. Farnham:

I think one of the biggest problems society faces with domestic abuse is that we tend not to be aware of it, or tend to be in denial, or tend to think it does not happen in our own community. The V.A.W.G. report was entitled *It's a Hidden Problem*, so we can work to bring it to the forefront, so we can address it just by the work we are doing now. I cite the report of AXA, the way the Government and this Assembly will deal with that and continuous questioning, which enables answers to be given in the public domain.

5.4.2 Deputy T.A. Coles:

Does the Chief Minister therefore support a move to independent income support allowances, rather than the household versions that we currently have?

Deputy L.J. Farnham:

I would need to discuss that with the Minister for Social Security to gain her view. In principle, it sounds sensible, but I would need to understand the detail.

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

Will the Chief Minister then advise when the full action plan and specific timetables will be published on the V.A.W.G recommendations, so that there is this timely implementation of all these recommendations, including the economic abuse one.

Deputy L.J. Farnham:

The first report outlining that will be produced at the end of this month. That will set out the timetable. I think there is a lot of work that needs to be done. There will be some recommendations that can be addressed quickly, some in the medium term and some in the longer term. This work is being led by the Minister for Justice and Home Affairs. While we can set out a timeline, I think it is something that is going to be subject to variance as we get to grips with the problem.

5.4.4 Deputy H.L. Jeune:

As the Chief Minister outlined, there are a large number of recommendations, and we have been made aware that the chief executive has advised the Council of Ministers to focus on a few priority areas. Which, therefore, does the Chief Minister believe are the key priority areas within the V.A.W.G recommendations to do? Is economic abuse one of those areas to sort out?

Deputy L.J. Farnham:

I do not recall the chief executive referring to prioritisation within the V.A.W.G. report. The whole V.A.W.G. report is a priority for the Government and will stay a priority for this Government, and I hope future Governments, until all of those recommendations have been implemented.

5.4.5 Deputy L.M.C. Doublet:

Given that the numbers of mostly women, but also some men, in the Island who experience this type of abuse, would the Chief Minister commit to looking at the funding to organisations such as F.R.E.E.D.A. (Free from Domestic Abuse) who provide outreach support and education around preventing this type of abuse, to see if anything can be done to improve those services and further support those organisations?

Deputy L.J. Farnham:

The short answer to that is yes, we will keep funding under review for all these important organisations. F.R.E.E.D.A. do receive government support and we must make sure that support remains appropriate, not just for F.R.E.E.D.A. but for all organisations, to help tackle domestic abuse.

5.5 Deputy D.J. Warr of St. Helier South of the Minister for Housing regarding the First Steps programme (OQ.39/2024)

Will the Minister explain what work, if any, was required either of him directly or his department to enable the launch of the First Steps programme in March 2024 beyond the work that had been undertaken within the previous administration?

Deputy S.Y. Mézec of St. Helier South (The Minister for Housing):

The First Step scheme was due to be launched by the end of March, and I was delighted to be able to launch it at the end of February. The actions I took included adjusting the maximum property prices supported by the scheme to ensure that they reflected the actual affordability challenge as it stands today. I personally took part in direct stakeholder engagement with estate agents, lawyers and mortgage lenders to assist them in being ready to assist buyers. I reviewed and approved the business case and policy guidance for the scheme. Finally, I set the communications strategy, which at my personal insistence, included recognising the role of my predecessor for the work he did in helping to establish the scheme, and I was pleased that he accepted a direct invitation from me to be included in the publicity when we launched the scheme.

5.5.1 Deputy D.J. Warr:

On 6th February this year, the Minister for Housing, in response to a statement on social media that he would decimate Jersey if he became Chief Minister, responded by saying that: “The only thing I will be decimating is the cost of housing.” Reduced housing costs will result in a fall in property values and negative equity. What measures in relation to the First Step scheme are in place to protect the £10 million invested by the States of Jersey and, more importantly, the well-being and huge investment in their homes made by those participating in the First Step scheme?

Deputy S.Y. Mézec:

I will not pretend to have understood that question entirely. But what I can say is that I do not believe for a moment that people who are assisted into home ownership by the support that is offered through the First Step scheme will be anything other than grateful for having been able to benefit from a scheme that will make home ownership for them possible, when otherwise it would have been impossible, and I am proud of the scheme on that basis.

5.5.2 Deputy M.B. Andrews:

I understand that the Minister is launching a scheme with 3 tranches to support first-time buyers. What concerns, if any, does he have about the rate of inflation and the erosion that may have on the £10 million with the launch of the 3 tranches?

Deputy S.Y. Mézec:

I thank the Deputy for that question. There is no doubt that the length of time it took to get this scheme up and running from when the money for it was first secured way back in a previous Government Plan, will have meant that because of rising house prices it will be able to help fewer people than it may have been able to have done if it had been launched earlier.

[10:00]

We have seen through the most recent house price indexes that certain kinds of properties have reduced in value in that time, which has meant that we have been able to review and reset the maximum property prices that this scheme supports. On that basis, I think it has hopefully provided an opportunity for some people, in particular those looking to get a one-bedroom apartment, that with a scheme like this, that will be more affordable for them than it otherwise would have been. In this moment, it will perhaps be able to help more people than it may have been able to have done a year ago.

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

What plans does the Minister have to extend the funding for the existing First Steps housing scheme beyond the current budget?

Deputy S.Y. Mézec:

That will be ultimately a matter for the Council of Ministers and this Assembly. But I have made no secret of the fact that I think this scheme provides a very good foundation for building upon it and hopefully securing more funds in the future to be able to extend it. Those are discussions that I will have with my Government colleagues, of course, to ensure that we can find the most appropriate source of funding for that. No doubt such a proposal would probably end up back in this Assembly in the form of the Government Plan. I would certainly hope, if we can demonstrate the success of this scheme this year, that that will provide good justification for continuing it in the future.

5.5.4 Deputy R.S. Kovacs:

Has the Minister identified any possible additional funding source to extend this scheme?

Deputy S.Y. Mézec:

Not directly. The Deputy will recall that I brought an amendment to the Government Plan at the end of last year as a Non-Executive Member to find one source of funding, but that was rejected. I will have to speak with my Government colleagues, and I will have to make the case and demonstrate what a success that it is been in the first instance. But I know that many Members across the Assembly are gravely concerned at the way that the housing crisis is affecting Islanders and, in particular, young Islanders, who are still at the point of deciding where their future is best and whether that will be in Jersey or not. I hope that I can strongly make the case that we should identify a source of funding to carry it on.

5.5.5 Deputy T.A. Coles:

Will the Minister describe what success of this scheme looks like and confirm how it will be measured?

Deputy S.Y. Mézec:

I want this to be able to support as many Islanders as possible. We have already had just about enough applications made to us to spend the entirety of the money that was set aside, but I should say that applications are still open until the beginning of April, so I hope that we will have more than that. But I think that that is, at least so far, a sign of the popularity of this kind of support mechanism for helping people get on to the housing ladder and the fact that we have had those applications in a short space of time I hope is a sign that this scheme is desired by those who it seeks to benefit.

5.5.6 Deputy I. Gardiner:

I am welcoming the new scheme and to more young people getting on the property ladder. How will the Minister ensure that these new applicants who would purchase the property, and the young family who purchased the properties last year, will not get into the negative equity because of the prices going down?

Deputy S.Y. Mézec:

This scheme, of course, will not ensure that because house prices will be determined by a whole variety of issues. Having reflected on the nature of the question that was asked by Deputy Warr earlier and this supplementary, which is connected to that, I think my previous comments had been misinterpreted. It is about housing affordability, which is not necessarily directly based on the market value of a property, but down to how somebody is supported into that and through equity loans or shared equity or other mechanisms, which will reflect how much somebody pays on a daily basis for

the home that they live in. That is the matter that I think this scheme aims to support Islanders through.

5.5.7 Deputy D.J. Warr:

It is to follow on from Deputy Andrews' point. It is an item which was on the news yesterday on Rightmove talking about prices. It is already suggested that house prices have already moved upwards by 1.5 per cent year on year and interest rates, although theoretically falling, have increased on a 5-year mortgage from 4.64 per cent to 4.84 per cent. Does the Minister not agree that due to his inability to be decisive in not releasing the full £10 million immediately will result in fewer people being helped onto the scheme?

Deputy S.Y. Mézec:

I think the response that that has provoked from Members sat behind me is quite justified. I managed to get this scheme up and running a month earlier than it otherwise would have done, and I called for it to be up and running a year earlier than it could have been done otherwise, because I had been decisive in my election manifesto that saying that an equity system was the right use of this £10 million. I did not have to waste a year exploring all sorts of different options to conclude that the one we pointed at in the first instance was the right one. That is political decisiveness, and I am very, very gratified at the fact that this is going to benefit young people into home ownership and show them they have a future in this Island.

The Bailiff:

I will just pause in questions for a moment, because I do not know how long we will have our guests with us, but Members may have noticed that in the public gallery there are rather more people than is usually the case for sittings of this Assembly. We are joined by students from the Lycée Jacques Cartier in Saint-Malo, who have chosen to specialise in English. You may think with that specialisation their presence here is somewhat surprising. However, their curriculum includes parliamentary representation, which is why they have come to watch us here today. I wonder if Members would like to indicate their welcome in the usual way. **[Approbation]** We continue.

5.6 Deputy I. Gardiner of the Minister for Justice and Home Affairs regarding an in-committee debate on the Substance Use policy (OQ.45/2024)

Will the Minister advise whether she plans to propose an in-committee debate regarding Substance Use policy; and if she has no such plans, why not?

Deputy M.R. Le Hegarat of St. Helier North (The Minister for Justice and Home Affairs):

I am aware that the previous Minister for Home Affairs intended to seek the Assembly's views on the decriminalisation of illicit substances for personal use via an in-committee debate to help inform further policy development in this area. I do not intend to propose an in-committee debate in relation to this matter. From my perspective, I am very conscious that we have limited time, finite resources, and a very heavy legislative programme, which needs to be developed. That includes some very pressing issues, including developing a modern-day slavery law, a hate crime law, a law to deal with stalking, a new divorce law, and work to implement the recommendations of the Violence Against Women and Girls Taskforce, including amendments to further domestic violence legislation. Members will be aware I have committed to these pieces of work as a priority and I feel that the Council of Ministers and the Chief Minister do also. I would not be minded to divert resources from these priorities to work on decriminalisation of illegal substances. I therefore feel it would not be right to seek the views of Members, knowing I would not pursue further policy development at this point in time.

Deputy I. Gardiner:

I think it is very clear. I apologise, I do not have supplementary.

The Bailiff:

You do not have a supplementary?

Deputy I. Gardiner:

Maybe other Members will have a supplementary.

The Bailiff:

I understand how the question system works, Deputy Gardiner.

Deputy I. Gardiner:

Apologies, Sir.

The Bailiff:

It is that if you do not have a supplementary, then that is the end of questions unless someone indicates a desire to ask a question. Now somebody has, Deputy Jeune, but that was not the case before.

5.6.1 Deputy H.L. Jeune:

I thank the Minister for being very clear in her direction of travel. But the Substance Abuse policy does contain more than drugs, for example. It is about alcohol as well and the abuse alcohol can have on citizens. Can the Minister advise whether she has given any consideration and the potential impacts to her department on not taking this policy forward?

Deputy M.R. Le Hegarat:

I thank the Deputy for the question. Substance misuse falls clearly under the remit of the Minister for Health and Social Services, not myself. Obviously it was the previous Minister for Health and Social Services that was the author of this Substance Use Strategy. But the activity, as the Deputy rightly talks about, is alcohol, which is actually a matter for Health as opposed to myself as Minister for Home Affairs.

5.6.2 Deputy H.L. Jeune:

Will the Minister advise, as part of the Council of Ministers, whether she has given any thought into the use of taxes and charges as an effective mechanism for controlling substance abuse, such as alcohol?

Deputy M.R. Le Hegarat:

At this stage, no, I have not. We have not actually addressed this at the Council of Ministers. From my perspective, I think as an Island, we need to ensure that we have proper processes in place, that we can deal with any substance misuse, regardless of what that happens to be. It is not always about introducing taxes that will make this better. That is why, in a recent debate about increasing of G.S.T. (goods and services tax) on alcohol, I was minded not to vote for the whole amount, because I do feel as an Island that we need to be looking at this more strategically, and it is not always about raising taxes. I am aware that there is some work being done by the Minister for Health and Social Services and we need to be looking at both on premises and off premises in relation to the sale of alcohol.

5.6.3 Deputy T.A. Coles:

Given now that we have a Substance Use Strategy, and it is very important to appreciate the difference between the substance use and the substance misuse strategy, the fact that our law is still the Misuse of Drugs Law, does that not then provide a conflict between the strategy and law?

Deputy M.R. Le Hegarat:

I am not quite sure exactly what the question is, and I would like the Deputy to repeat it.

Deputy T.A. Coles:

Sorry to the Minister, I probably was not clear. The Substance Use Strategy aimed to help people stop using substances and the continued use of them, so is criminalisation still the best way to tackle with people who are using substances?

Deputy M.R. Le Hegarat:

I think we need to look at this as a broad spectrum because obviously decriminalisation has all sorts of meanings and that will have a different meaning to all of us. In relation to dealing with substance misuse, this is where we maybe need to focus. We have obviously in recent weeks approved the Public Order Law and this will have some impact on minor offences, in relation to guidance from the A.G. (Attorney General), being able to deal with first-time offenders in relation to drug use. But this is a very broad piece of work in relation to both drugs and alcohol. I think it needs, in my view, a good review as to how we deal with it. Because, from my perspective, I think that we are at times lacking in our dealing with all of the offences in relation to substance use.

5.6.4 Deputy T.A. Coles:

A person under the age of 18 caught with alcohol will simply have that alcohol removed from him. But somebody who does not have a prescription for medical cannabis will face a fine in the Parish Hall and potential criminal prosecution. Do these 2 things then not appear contradictory?

The Bailiff:

I think we are straying outside the proposal for an in-committee debate, and I think I cannot allow that question.

Deputy J. Renouf of St. Brelade:

Before I ask my question, could I raise the *défaut* on Deputy Stephenson?

The Bailiff:

Yes, the *défaut* is raised on Deputy Stephenson.

5.6.5 Deputy J. Renouf:

Can I check that I have understood the Minister's response correctly and that in ruling out an in-committee debate on substance use, she has also ruled out the chance that the Government will bring forward any legislation to decriminalise cannabis, or does that option still remain open to the Government?

Deputy M.R. Le Hegarat:

I think I made it quite clear that I have priorities, which do not include decriminalisation of drugs. I think the thing is that we, as a Government, have to make choices. From my perspective, the legislation which we are bringing forward in relation to the Violence Against Women and Girls Taskforce report is a priority.

[10:15]

Let us make this quite clear. That is my priority and it is the priority of the Council of Ministers. The work was done as a result of a proposition brought by the Constable of St. Martin in 2021 as part of the Government Plan. That work has been done and we have committed to implement it. From my perspective, that is what we are going to do, and I believe that is what the rest of the Council of Ministers will do. At this point, we have a very short, finite opportunity. These are the pieces of legislation that I will be looking to bring forward as the Minister for Justice and Home Affairs.

5.6.6 Deputy J. Renouf:

I suspect that people who might be sent to prison for possession of cannabis might regard that as a priority as well. I wonder if the Minister would accept that it remains open to the Assembly or Members of the Assembly to bring forward this kind of proposition, and therefore that it would not be much saving in terms of parliamentary time or Government time in dealing with this issue and maybe it would be better, therefore, for the Government to take a lead.

Deputy M.R. Le Hegarat:

I hear what the Deputy says in relation to people in prison. Let us be quite clear about this. There is, yes, people in prison in relation to drugs offences. There are also people in prison who have committed offences in relation to drug driving. That is a piece of legislation which could also be brought forward because at this present time we have good drink drive legislation, but we do not have legislation which makes it easy to deal with people who drive while under the influence of a substance other than alcohol. There are many pieces of legislation so it would be do we bring in the decriminalisation of substance or do we bring in legislation that will bring it in line with similar legislation for drink driving, bearing in mind this week or last week, the 2022 report from the police said that road traffic collisions are going up. When the 2023 report is released, I would assume that that is going to be the same thing. There is much to do in relation to the policing and the justice of our Island, and I think we will just have to take priorities.

5.6.7 Deputy I. Gardiner:

I am sure the Minister is aware of the research and analysis that has been done and found no link between legal policies and high use at the teenagers. The Minister stated that it is a drug and happy to continue to criminalise young people using a cannabis. Would the Minister reconsider States Members views and to have an in-committee debate before the proposition will come forward?

Deputy M.R. Le Hegarat:

I think it is interesting because it says about criminalising young people in relation to drugs. As I have already said, generally speaking, in line with the guidance of the Attorney General, first-time offenders of drug possession are dealt with at the Parish Hall Inquiry where possible, and that comes under the public order legislation when it is implemented. But more importantly, as somebody who spent 25 years dealing with offences across the spectrum, not only substance misuse or use, however you like to use it, is that it is about looking at everything and saying: "Are we criminalising young people if they go to a Parish Hall Inquiry?" The Parish Hall Inquiry is a system that can be used for all sorts of offences. It is not only about substance use. I do think that there may be some concerns with some of our educational establishments, depending on how we would deal with this. So from my perspective, at this time, I will not be bringing forward an in-committee debate in relation to this matter.

5.7 Deputy H.L. Jeune of the Chief Minister regarding the publishing of gender pay gap and income ratio by Arm's Length Organisations and States-owned bodies (OQ.43/2024)

Further to the adoption of P.31/2023, will the Minister provide an update on implementation of the requirement for Arm's Length Organisations and States-owned bodies to publish their gender pay gap and income ratio?

Deputy L.J. Farnham (The Chief Minister):

Officers have been working recently with arm's length organisations to improve the standard of their annual reporting. This work includes a publication of gender pay gap and income ratio information. While the proposition referred to in the question only asked the Government to encourage A.L.O.s (arm's length organisations) to work towards reporting, we are minded to require it if progress is not being made, and are just working through it to make it as straightforward as possible for the arm's

length organisations to implement. So far as the States-owned entities are concerned, they either already report in their annual reports on gender pay gap and income ratios, or will be doing so in their 2023 annual report. But we will be watching that very closely as well to make sure they do.

5.7.1 Deputy H.L. Jeune:

Could the Chief Minister advise how he will ensure that A.L.O.s and S.O.B.s (States-owned bodies) will publish these reports as soon as possible, in as much detail as possible, specifically for the 2024 reports, as he has indicated there is already the 2023 report? Can he indicate, if he will not personally push for this to happen, which Minister he will assign to take the lead on ensuring this will happen?

Deputy L.J. Farnham:

Initial discussions with the officials in the Economy and Treasury Departments last week identified, if I am honest, that we cannot be confident that all of the A.L.O.s will deliver on this request in the publications of their 2023 annual report despite encouragement. If that is not the case, then we can require it by making this a condition of the partnership arrangements we have with the A.L.O., when their funding is agreed every year.

5.7.2 Deputy J. Renouf:

If the reporting reveals significant gender pay gaps, what actions, if any, would the Chief Minister be prepared to take to try and ensure that those pay gaps were closed?

Deputy L.J. Farnham:

With States-owned entities and arm's length organisations there is an element of independence in the way they run their organisation. But I would hope they would comply with government policy, and we would certainly seek to determine that they do that. So we can do that effectively with arm's length organisations because, as I say, the Government funds them with taxpayers' money and there are conditions based around that funding. That could be relatively straightforward. As I understand it, the majority of our States-owned entities are slightly more difficult to demand things insofar as they are either incorporated separately and have their own board. But indications tell us that they are dealing with that quite well currently. But we continue to watch the situation. I just wanted to reassure Members that this Government will do whatever we can to ensure the gap is closed in all of the A.L.O.s and the States-owned entities.

5.7.3 Deputy J. Renouf:

Can I just clarify that the Chief Minister was saying that all States-owned entities, including ones not wholly owned by the States, would be covered by his potential instruction to publish this data in the future if they do not do it voluntarily?

Deputy L.J. Farnham:

There is a clear difference between arm's length organisations, as we refer to them, are organisations such as Visit Jersey, Digital Jersey, Jersey Business, Jersey Finance. States-owned entities are companies incorporated and wholly or largely owned by the taxpayer. That is the difference. We have more influence over the A.L.O.s than we do on incorporated bodies or public companies.

5.7.4 Deputy L.M.C. Doublet:

Does the Minister think it is reasonable to provide some reporting templates and other types of support to these companies to enable them to publish their data?

Deputy L.J. Farnham:

We had actually discussed that last week in the meeting. The Government itself has templates available and we have asked that they can be shared, if that is helpful. As I alluded to in the original answer, we are just working through how to make it as straightforward as possible for the arm's

length organisations to comply. We work as closely as we can with them to share the information that the Government uses in order for that to assist.

5.7.5 Deputy L.M.C. Doublet:

I thank the Chief Minister for that encouraging answer. Would he consider and does he think it might help these companies to set a date whereby they would all publish from the same date, so that no one company is exposed at one time in terms of publishing their information?

Deputy L.J. Farnham:

I have already said we are not confident that all of the A.L.O.s will have addressed this in the 2023 annual reports, which are due out this year. If they do not, we will have further conversations with them, with a view to getting a full commitment from them. The backstop would be for the Government to make it a requirement of their funding arrangements. The earliest we could do that would be for the annual reports 2025. Yes, I would be prepared to put a firm date on that if we do not get the co-operation required. But at the moment, I would just rather say that I am confident that we will have the majority of States-owned entities and arm's length organisations reporting that information in detail for the 2025 annual reports.

5.7.6 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter:

Given the Chief Minister's comments about the information that is provided and how it may be provided by A.L.O.s and States-owned entities, would he support those organisations being brought under the F.o.I. (freedom of information) legislation?

Deputy L.J. Farnham:

Not with States-owned entities and companies because there is too much commercially sensitive information. I know that could be excluded. I have not really given it much thought in relation to the arm's length organisation. Possibly it needs more consideration. I am not totally against it but it is something, to be honest, that has not even reached the agenda as yet.

5.7.7 Deputy L.K.F. Stephenson:

Could I ask that the Chief Minister give it some thought and perhaps comes back to this?

Deputy L.J. Farnham:

Absolutely.

5.7.8 Deputy H.L. Jeune:

Will the Chief Minister not agree with me that the Government's arm's length organisations and States-owned bodies should be beacons of best practice when it comes to implementing important societal practice and good governance, especially when it comes to clamping down on gender inequality and, I would like to stress, excessive income ratios that these reports will hopefully highlight?

Deputy L.J. Farnham:

Yes, I do feel that government organisations should be beacons of best practice, just as I feel this Assembly should be beacons of best practice. That is why I have tried to make it clear that we are addressing this, and we will do everything we can to comply with the direction of P.31, I think it was, lodged in June 2023 by Deputy Andrews.

The Bailiff:

Question 8 falls away because Deputy Moore is malade.

5.8 Deputy J. Renouf of the Minister for the Environment regarding amendment of legislation to allow short-term holiday lets (OQ.48/20204)

Will the Minister state whether he intends to give any consideration to amending the Planning and Building (General Development) (Jersey) Order 2008 to allow short-term holiday lets to operate for a set period in each year without the need for planning permission?

Deputy S.G. Luce of Grouville and St. Martin (The Minister for the Environment):

I am pleased to inform the Deputy that my team are building on the work that he initiated and are currently progressing an amendment to the General Development Order, which will allow a dwelling to be used for short-term holiday lets without the need for planning permission for a period of up to 12 weeks in any calendar year. The amendment should be in place in the next couple of weeks, and will be accompanied by supplementary planning guidance to offer further clarity for the industry, and for those who may wish to consider letting their home on a short-term basis.

5.8.1 Connétable D. Johnson of St. Mary:

Could the Minister clarify whether that will affect the need to apply to tourism for such a licence in the event that the number of people using that residential accommodation exceeds 6 persons?

Deputy S.G. Luce:

I have to say to the Constable that I am not sighted on the answer to that question, but I will certainly find out and get back to him.

5.9 Deputy H.L. Jeune of the Minister for the Environment regarding the development of an Energy Strategy (OQ.51/2024)

Will the Minister state whether he is intending to develop an Energy Strategy and, if so, will he provide an outline of his plans and timeline and further advise which, if any, other Ministers will be included in its development?

Deputy S.G. Luce (The Minister for the Environment):

The Assembly's forthcoming decision on the principle of an offshore wind farm, as well as further ongoing analysis of the whole energy market, will allow me to work towards developing an energy strategy.

[10:30]

I am cautious about committing to specific timelines for the Deputy, as there is currently significant uncertainty, meaning it will take longer to prepare. I fully recognise that this, while I might be the lead Minister in energy matters, there is a significant overlap with other key Ministerial portfolios. These include the Minister for Sustainable Economic Development, Ministers for Infrastructure, External Relations and Treasury and Resources. I absolutely favour collaborative working and I commit to working with all these Ministers, Scrutiny, energy suppliers, external stakeholders, including Guernsey, the United Kingdom and France in this important matter.

5.9.1 Deputy H.L. Jeune:

Will the Minister outline what steps you will take to ensure solar is a specific part in the energy strategy and to explain what his preferred option would be: whether to focus on developing rooftop installations or field-based developments and, if not, why?

Deputy S.G. Luce:

Solar has a part to play in the future energy requirements of the Island. Electricity will clearly be the main source of energy into the future and how we create that energy will be important. I was Minister some time ago and introduced a 90 per cent permitted development solar on roofs, and I think obviously we can only extend that to 100 per cent, which I think has been done subsequently. I have

also served on the Planning Committee deciding in favour of the first large commercial solar array in St. Clement. I was also on the committee that initially showed some scepticism about the second proposal at Soul Point but it is clear that solar has a part to play. While Jersey is a very small Island, we do need to be careful about how much solar we put in the environment and in the countryside but I certainly would encourage anybody who has the ability to put solar on their roofs to do that.

5.9.2 Deputy J. Renouf:

Does the Minister accept that one of the advantages of rooftop solar is that it encourages members of the public to decarbonise further by being able, through example, to run electric cars off their solar panels, reducing the cost of that element of decarbonisation?

Deputy S.G. Luce:

Absolutely. The 2 main areas of focus which we have to make in the coming years is on transport and on heating homes, especially historic homes, and those are the 2 places where we need to substitute fossil fuels for electricity. Solar on roofs allows for small batteries to be installed to charge electric vehicles and it also allows for energy to be put into homes, some of which could well be used for heating and rely less on carbon fuels.

5.9.3 Deputy H.L. Jeune:

Will the Minister advise if he has confidence in the local energy companies to deliver safe, cost-effective, decarbonised, resilient and secure services for the Jersey citizens?

Deputy S.G. Luce:

Absolutely. I think it is clear that Jersey Electricity have for some time now been delivering electricity to the Island, which is very low in carbon, good security, good sustainability and at a price which we have all been very happy to pay. I have to say to Members that the low prices we have enjoyed for electricity for many, many years now may be coming to an end as general energy prices across Europe push ahead. But it is my view that we have been served well in the past, and I commit to continue to working with the electricity company to make best use of that in the future.

5.10 Deputy M.B. Andrews of the Minister for Sustainable Economic Development regarding the appointment of his Assistant Ministers (OQ.42/2024)

Will the Minister provide his reasons for the appointment of the Connétable of St. John and Deputy Scott as his Assistant Ministers; and will he advise whether they were the first Members he considered appointing?

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

The appointment of Assistant Ministers is subject to many influences, limitations and constraints making it impossible to simplify an analysis of the process to the extent where you could possibly determine the order in which States Members were considered. The appointment of Ministers, of course, is decided between both Ministers and the Chief Minister. I have always been open to working with all Members of the Assembly and was pleased to appoint a strong team whose skills complement the portfolio. The Connétable of St. John has a long record, both inside and outside the Assembly, as a champion for sport and I know he will continue the positive work undertaken by Deputy Stephenson. As for Scrutiny Chair Deputy Scott brings strong understanding of the whole portfolio and she has shown a particular drive in improving the Island's cybersecurity and with investment. The Connétable of St. Helier is also a natural choice, given his parochial role and Assistant Minister position within Infrastructure. I hope that together we can all bring forward much-needed improvements to the central markets and other places in town.

5.10.1 Deputy M.B. Andrews:

Can the Minister for Sustainable Economic Development confirm whether the Chief Minister instructed him to appoint the 2 Assistant Ministers or whether it was his choice to appoint those 2 Ministers?

Deputy K.F. Morel:

It was my choice happily to accept the appointment of the Assistant Ministers.

5.11 Deputy I. Gardiner of the Minister for Education and Lifelong Learning regarding updated employment terms and conditions for teaching assistants (OQ.46/2024)

Will the Minister advise the current timeline for introducing updated employment terms and conditions for teaching assistants?

Deputy R.J. Ward (The Minister for Education and Lifelong Learning):

The work that is going on with the teaching assistants is wider than the terms and conditions work with teachers. It includes a revised framework to include updated roles, modifying career progression, a professional training programme, extending the teaching framework pay scale to recognise the increased skills of teaching assistants and a focus on the impact the teaching assistants have in a positive way within schools and within the classroom. Although that is a wide range of things to do, I am confident that it will meet the timeline that the Deputy is aware of to be completed this year.

Deputy I. Gardiner:

Apologies, I did not hear the end of the answer.

The Bailiff:

This year. Completed this year.

Deputy R.J. Ward:

Yes. Sorry, it is because I have a cold given to me by Deputy Kovacs.

5.11.1 Deputy I. Gardiner:

Thank you to the Minister for stating all points which I completely 100 per cent agree with. As a Minister I have been presented with the outcome of this review that was going for one year from January last year to this time; the teaching assistants were a priority as they have the lowest pay within the school and we have the highest problem with retention. The plans that were introduced were updated, or at least partially updated, to make sure the teaching assistants would receive extra funding in quarter one. I understand that it is not happening.

The Bailiff:

What is the question?

Deputy I. Gardiner:

Is it correct that it is not happening in quarter one and will it happen by the end of the year?

Deputy R.J. Ward:

I think, first of all, we have to take the changes and consult with teaching assistants as to whether they agree with the changes before we implement them. I will say one thing though, I think they are much more likely to be adopted and have a positive impact given that we now no longer have an industrial dispute within schools. We have settled that industrial dispute for 3 years, showing very clearly, as Minister and as a Government, that we value our education staff and rather than sending divisive letters, we will work with them to improve their terms and conditions, value their place in

the workplace and value their role within our schools. So I am confident that with those combination of factors the money will be there at the right time for the right reasons to make the right changes.

5.11.2 Deputy K.M. Wilson of St. Clement:

I think the Minister may well have just answered the question but I would like to ask him whether or not he could confirm if funding is there to support the teaching assistant pay conditions.

Deputy R.J. Ward:

The funding from last year's Government Plan did not have detail as to how it was going to fund the changes that come from the terms and conditions because they were not completed. What we will need to do is look very closely at the implications for funding of those terms and conditions changes and what is needed, so that is investment in schools. I am confident that when that investment is required it will be taken on board because that is going to improve our schools. I think we do have an emphasis in the importance of our education system and I certainly will want to continue that.

5.11.3 Deputy K.M. Wilson:

Could the Minister outline how long he envisages the result that he anticipates?

Deputy R.J. Ward:

The target is that everything is in place by September for our teaching assistants. Yes, September.

5.11.4 Deputy T.A. Coles:

Will the Minister also commit to looking at the terms and conditions of all support staff within schools and that comes down from the caretakers to the welfare support officers?

Deputy R.J. Ward:

I really do thank the Deputy for the question because I think sometimes we forget the importance of the other people who are working in schools beyond teaching assistants and teachers. Certainly, caretakers, and I learnt when I was teaching always be on the good side of the caretaker if you want something done, but certainly they take an important role in the combination of supply of provision within our schools. They are also civil servants and are on the same civil servant pay scales and certainly I believe that is something that needs to be looked at. What I would say about the role of caretakers is that I think they were mixed up before in a job re-evaluation that was not particularly successful for them the last time this happened. Again, it is another repair job that we are going to do in education so that they are valued within our schools. I would take the opportunity to say that I do definitely value those people who make sure our schools are running effectively day in, day out.

5.11.5 Deputy J. Renouf:

It is indeed excellent news that the Government has been able to settle the teachers' pay dispute. Is the Minister confident that the situation with regard to teaching assistants will not lead to any further disputes between unions and Government?

Deputy R.J. Ward:

Yes, I am as confident as I can be. I think we have managed to re-set trust to some extent that has been lost in the education profession over the last 2 years and beyond because of the industrial dispute that was happening. We have a clear line of dialogue, we have a clear line of value for our profession and I think that cannot be underestimated. I think that gives us an opportunity, and a window of opportunity, to say to staff: "Look, we want to move forward together." The process that has been ongoing, what I am very pleased about the process is that it included teaching assistants and representation from their trade unions so that there is a direct representation from the people on the workface, so to speak. I think that is the way to get buy-in and commitment and to lower the potential for industrial action. Those things only happen, I believe, when that dialogue is not there and the

wrong decisions have been made. That is certainly what happened before and I am really hoping that that will not happen again.

5.11.6 Deputy I. Gardiner:

I do congratulate that the industrial dispute has been finished. The teaching assistants got around the table before any other pay group in education. There was extensive consultation with very high engagement that was presented in December. Is there any way that the decision, and a possible money allocation within the inclusion growth that will mark to meet the terms and conditions, can be done earlier or do teaching assistants need to go on strike because they were patient for too long?

Deputy R.J. Ward:

I am looking at the timeline for implementation that the Deputy would have seen in a presentation about 2 months ago, and the implementation there is in September. In early July, an email was sent to all staff with confirmation of the new role and a copy of the revised job descriptions that they would have agreed in June and during May, so there is a process in train. It is not about saying there is not the money here to do this and so therefore there will be industrial action. This is about developing the role of a teaching assistant that has become more important over time, improving pay and conditions where necessary so that we can retain staff. I think there is an understanding within this Council of Ministers that retention and recruitment is one way to ensure that money is spent effectively and we are getting the services that we need. Those services are valued and have a value long term.

[10:45]

I will say again, and I am going to say it every time I stand up in this Assembly, we need to view education as investment, not cost, because the return from every well-educated person on this Island is significant for us as an Island. If we do not get that right, it is going to cost us a lot more in the future.

The Bailiff:

Very well, we have just seen a model of members of the public leaving the States Assembly in almost total silence, which was very impressive to watch it from the Chair, may I say. We come to question 13 that Deputy Doublet will ask of the Minister for Social Security. Deputy Doublet? The Deputy did indicate she may have some difficulty in asking this question, so that question falls away and we come to question 14 that Deputy Southern will ask of the Minister for Treasury and Resources. Deputy.

5.12 Deputy G.P. Southern of the Minister for Treasury and Resources regarding any additional or alternative taxation considerations to meet increased demand for services in Jersey (OQ.47/2024)

Following the decision of the Isle of Man Government to raise income tax by 2 per cent in order to raise funds for improvements to their health service, will the Minister detail what sources of additional or alternative taxation, if any, she has under consideration to meet the increased demand for services in Jersey, or are current tax policy discussions based on an assumption of future reductions in services?

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

I thank the Deputy for his question. The new Government's first proposed Government Plan for 2025 to 2028 will be lodged in the summer and will set out our spending plans and income forecasts for those coming years. I do not consider that we face a binary choice as the Deputy's question implies. The Government Plan will also set out ongoing and any new tax policy reviews, but I can

say that I do not currently envisage the need for Jersey to follow in the footsteps in the Isle of Man in this way.

5.12.1 Deputy G.P. Southern:

While the Minister might say there is no binary choice, in fact is she not saying, in saying she will not be looking at new taxes or increased taxes, she will be looking at reductions in services one way or another?

Deputy E. Millar:

No, I absolutely do not agree that that is the case. It is not a matter of whether we increase taxes or we reduce services. We have put additional support into Health, additional funding into Health for some time and since 2020 there has been additional budget allocations to reach this of £19.3 million over and above any allocations for pay, non-pay inflation and additional growth allocations. We will, however, continue to look for real efficiencies that help manage public sector costs while improving services. The Isle of Man's proposal is in fact temporary and they are, to some degree, following Jersey by introducing an additional tax, much in the way we did with long-term care contribution. The Isle of Man are working on developing a standalone annual N.H.S. (National Health Service) levy in the way that we have an L.T.C. (long-term care) contribution and that will ultimately replace the tax increase.

5.12.2 Deputy J. Renouf:

If I could move away from the idea of cuts versus taxes and instead focus on, I think, the acknowledged requirement for greater health spending in the future as the population ages and we have upcoming dementia strategies and so on. I wonder whether it causes the Minister for Treasury and Resources any worry that we have a relatively narrow tax base in Jersey with nearly all the taxes focused on income and expenditure through G.S.T. and whether she considers that there might be a case for considering broadening the tax base by looking at other taxes other than just income tax and taxes on spending.

Deputy E. Millar:

The Deputy is quite right in that we are reliant on income tax rather more than some other jurisdictions but our tax mix is not unusual for an international finance centre and that contributes substantially to our overall tax revenues. Additional taxes could impact significantly on the international competitiveness of the finance centre and introducing those types of taxes are not being considered by the Government. Corporate income tax revenues will increase with the introduction of the Pillar Two minimum effective tax rate for the largest multinational groups from 2025 and we, to some degree, do need to wait to see what the impact of that tax will be. There is ongoing work regarding both. He will be aware it does cause me a significant amount of concern that we are looking towards an increasing proportion of our population being older. Work is already underway in terms of what we do with that, both with the future economy programme and also the sustainability of healthcare funding. Work has been ongoing for over a year-and-a-half under the previous Minister for Health and Social Services and it is now being continued to look at both what our healthcare needs are and how those will be funded going forward. I think an assessment of need is necessary before we then move forward.

5.12.3 Deputy J. Renouf:

Is the Minister for Treasury and Resources ruling out broadening the tax base in any way at all through, for example, capital taxes on second property sales or any other measure that might raise money in the future to bridge those funding gaps?

Deputy E. Millar:

No, I am not ruling anything out but at the moment I am still discussing with my team tax policy objectives and what we need to do in terms of tax policy. We have discussed already this morning increasing taxes and duties on alcohol to deal with misuse but that is a very difficult balance. Do you increase tax to address the health well-being at a time when there is a cost-of-living crisis? So, they are a very difficult balance of measures. There may be other things we do but those will come forward in our next Government Plan.

5.12.4 Deputy G.P. Southern:

A previous Government promised that they would transfer the burden of taxation from businesses to individuals and they have successfully and obviously done exactly that. Is it not time for the Minister to take a fresh look at taxation and rebalance business taxation with individual taxation in order to give individuals a bit of a break at this time?

Deputy E. Millar:

I would remind the Deputy that we currently have an income tax threshold of £20,000 which is one of the most generous among comparative jurisdictions and our personal income tax rate remains low. People in Jersey are paying significantly less income tax than people in the U.K. (United Kingdom). I am going to say U.K. have to again draw out, that people in Scotland pay even more tax than people in England and in both cases pay significantly more income tax than in Jersey. They pay significantly more V.A.T. (value added tax) than G.S.T. Corporate tax will change with the introduction of Pillar Two and we do have to remember, of course, that Zero/Ten again was developed to promote and ensure the competitiveness of our international finance centre, which is critical to our economy. So I do not have immediate plans to look at business taxes but, as I said previously, nothing can be ruled out but it is not on the table at the present date.

6. Questions to Ministers without notice - The Minister for Infrastructure

The Bailiff:

That ends the period of questions with notice and we come to questions without notice. The first period of questioning is for the Minister for Infrastructure.

6.1 Deputy L.K.F. Stephenson:

Can the Minister confirm that the £1 million budget agreed by this Assembly in the Government Plan for new skate parks in 2024 remains in place and can he give his assurance that this will not be reprioritised and the money diverted elsewhere?

Connétable A.N. Jehan of St. John (The Minister for Infrastructure):

I thank the Deputy for her question. My understanding is that some £300,000 of that £1 million is being spent on the £2 million at Les Quennevais with the provision of floodlights and doing something for the facility. I am pleased to report that later this week I am due to meet with the Constable of St. Clement to look at potential sites in St. Clement. I have contacted other Constables to see if they have got sites for satellite skate parks but the intention is to build more facilities using that money.

6.1.1 Deputy L.K.F. Stephenson:

The remaining £750,000, can he give his assurance that that is going to remain in place and will the focus on a town skate park continue?

The Connétable of St. John:

The focus is on providing satellite parks, not just one park. Members may be surprised to know that we have got the largest skate park, I am told, in Britain, possibly in Europe, at Les Quennevais. It is

a fantastic facility, which is really well used. What we have got to try and do is provide facilities for people who do not live in the west of the Island, who have not got time to get out there and back again, and so that is what we are trying to do, perhaps provide 2 or 3 smaller parks rather than another large park.

6.2 Deputy D.J. Warr:

I thank the Minister for his answer to my Written Question 70 in connection with the poor state of South Hill Gardens. In his answer he says: "Initial proposals for restoration of South Hill Park and La Collette Gardens were developed in 2022. These have not been developed further due to a lack of available funding." Can I remind the Minister that in an amendment to the Government Plan 2023-2026 under Head of Expenditure for Infrastructure Rolling Vote and Regeneration, this will include preparatory urban renewal work for St. Helier, including Havre des Pas, with additional funding of £300,000 in 2024 and £350,000 in each of 2025 and 2026? Can the Minister explain why some of that £300,000 budget for this year cannot be spent on La Collette Gardens?

The Connétable of St. John:

I thank the Deputy for his question. The Deputy will be pleased to know that I walked around South Hill and La Collette Gardens only on Friday with officers and saw the destruction that was caused by Storm Ciarán and the general wear and tear of that area. The officers are looking at what we can do on a short, medium and long-term basis that will need funding but we are also going to look at how we can engage with the community. I hope to attend the next Havre des Pas meeting to try and see if we can get some volunteers to get engaged in some work up there in the immediate future.

6.3 Deputy I. Gardiner:

Would the Minister update the Assembly about the progress made for the playing field for the First Tower School?

The Connétable of St. John:

I thank the Deputy for her question. The Deputy did ask me this question as soon as I got elected what was happening, so I am keeping abreast of the situation at First Tower. There are ongoing discussions with the owner of a field with a view to providing external play facilities for the primary school that currently has very limited outside space. The owner is seeking an agreement that will allow him to retain and develop some of the field and allow the remaining space to be used for educational purposes, playing field, play space, outside teaching and learning. At the moment the negotiations on the ratio of space for development and space for the school facilities have yet to be concluded. As you would expect, both parties want the best for their cause and I hope that we can conclude discussions in the very near future.

6.3.1 Deputy I. Gardiner:

I thank the Minister for his answer. Just to raise that this negotiation is ongoing with the owner of the field from September 2022. I would welcome the conclusion as quickly as possible because this particular field was allocated in the Bridging Island Plan for education development. Can the Minister give the estimate if we are looking into 3 months, 6 months or another year?

The Connétable of St. John:

It is difficult to give an estimate. I will give the Deputy some assurance that it will be quicker than the playing field at St. John that took over 20 years to be created. I think what is important is that we get the right decision. Yes, it needs to be done in a timely fashion but we need to make sure we get the right decision, and I am constantly talking to officers about the progress.

6.4 Deputy H.L. Jeune:

Will the Minister explain the accountability framework for the hospital project, which accountable officer is responsible for the build and to whom does the new project team report? Would this be the accountable officer for infrastructure or the accountable officer for H.C.S. (Health and Community Services)?

The Connétable of St. John:

The hospital project comes under the Minister for Health and Social Services' remit. I believe that currently the responsible officer is the chief officer of Infrastructure, but I would need to get clarification from my colleague on that point.

[11:00]

6.4.1 Deputy H.L. Jeune:

As Minister for Infrastructure, what oversight, if any, does he have?

The Connétable of St. John:

We are working closely together. I am part of the Ministerial risk group. Clearly we will have heavy involvement in any traffic plans that come forward to any changes to traffic. I was involved with the move from Samarès to St. Ewolds and I will continue to work closely with my colleagues on the project and see it through.

6.5 Deputy J. Renouf:

I think the Minister is aware that the fields at Les Creux have recently been handed back to the Natural Environment Department by the tenant farmer who was previously farming them. Does he agree with me that this represents a tremendous opportunity to develop the country park that currently threads through those fields in a manner that would benefit use of the community?

The Connétable of St. John:

I thank the Deputy for his question. Another site that I visited recently, the Friday before, and was absolutely surprised at the amount of space at the Bowls Club, for example. I am familiar with Les Creux as it is somewhere that I walk my dog at weekends with my wife. I think that we have to look at Les Creux as a whole. I think we can do a lot more with Les Creux than has been done in the past and when the Deputy talks about the community, I think there are 2 communities we need to look at. We need to look at the St. Brelade's community and also the Island community. I believe we can provide far more recreation there. I think we need to do far more with the pump track, et cetera, as an example. I look forward to working with the local Deputies to find solutions.

6.5.1 Deputy J. Renouf:

Can I thank the Minister very much for that positive reply. Could he clarify what the situation will be with regards to the income expected by Government from those sites? Where currently the farmers used to pay rent on those fields, will community users also be required to pay rent for those fields were they to be developed, say, for community gardens or such like?

The Connétable of St. John:

We have 2 responsibilities: we need to get our assets to work for us and we need to provide assets for the community that are affordable, so it will really depend on what we do with the site. The clubhouse at the Bowls Club does not work hard for the Island and I hope that it can work harder for more Islanders going forward. I think the answer to the question is it is too early to say. It will depend on what facilities we place there, and we need to make facilities available to Islanders, but if there is any commercial operation, they will need to pay a commercial rent.

6.6 Deputy R.S. Kovacs:

Given the current schools, we can see how crowded they are especially in the Parishes that are taking children from the town area, does the Minister still support having a town school provided as soon as possible and also increasing the play area in schools that we have seen is not existing?

The Connétable of St. John:

I thank the Deputy for her question. Schools are provided by Jersey Property Holdings which are part of my department but it is the Education Department who lead on this piece of work with the property team working closely with them and other stakeholders. From my time on the States Employment Board, I am aware of some of the limitations of the existing primary school estate. Although we are working to ensure that those schools are safe, they have some serious shortcomings, whether that is outside the play space, access, drop-off and collection facilities. The provision of a new school would allow a brand-new facility that meets modern standards to be positioned in the heart of the catchment area that would benefit greatly from this. It would allow the creation of more green space, would fit into a sustainable transport and green route plan across town and could facilitate the linking up to town with the eastern cycle networks. A lot of work has been done by our predecessors, we need to look at that quickly and fairly. I am going to be working with my colleagues, not only from Education, but also the Minister for Justice and Home Affairs, to get to grips with the issues so we can line up the decisions that will provide education with the facilities they need and allow the Home Affairs estate to be addressed.

6.7 The Connétable of St. Mary:

Following recent adverse publicity about the state of the roads in the Island, does the Minister believe he has sufficient budget to cater for requirements to renovate where necessary and, further, would he also consider allocating additional funds to individual Parishes to enable them to more speedily attend to problems on their roads caused by recent storm damage?

The Connétable of St. John:

The first part of the question is, no, we do not have sufficient funds. There is just under £6 million allocated each year for resurfacing and we need to spend around £8 million a year so that we can keep up with that resurfacing. In addition, just over £600,000 is planned for pothole maintenance. When it comes to Parishes, my own Parish we have a £10,000 additional spending this year as a result of Storm Ciarán. I will be going to my ratepayers to ask them for sufficient funds to repair our roads in the Parish of St. John, as I will be coming to the Minister for Treasury and Resources to ask for more funds to repair the 265 kilometres road that come under the States ownership.

6.8 Deputy K.M. Wilson:

Could the Minister confirm if the planning applications for the development of the ambulance station and Rouge Bouillon School will be submitted together?

The Connétable of St. John:

I thank the Deputy for her question. We are looking at the whole site; we are due to meet in the next 2 weeks, I believe, to look at what we are going to do at that site or sites. I would imagine that if they are not together, they will be very quickly following one after the other, but clearly we will need to explain what we are going to do with one site while we are working on the other. So, it may make sense to bring them together; it is just about capacity of the staff whether we can do that. We do not want to delay bringing one first, so we will bring them as soon as we can.

6.8.1 Deputy K.M. Wilson:

Could the Minister advise how soon we could expect a decision on those, please?

The Connétable of St. John:

I am not in a position to do that today; we still have got some work to do. What I do not want to do is to make a commitment today that I am not able to keep. What I will do is speak to officers and I will try and get back to the Deputy with an indication of timeframe, and I will circulate that to Members.

6.9 Deputy S.M. Ahier of St. Helier North:

Now that the Minister is determined to repay certain people for building over the foreshore, is he considering repaying all the other people who were charged in a similar vein?

The Connétable of St. John:

The payments that were made to 2 individuals for historic infractions were done so because of the length of time it had taken. I took the time to read the Complaints Panel review and I also took the time to read the review that was done by Deputy Bailhache on behalf of the previous Minister before I came to my decision. I came to my decision on having read those 2 reviews.

6.9.1 Deputy S.M. Ahier:

Could the Minister advise the Assembly of the total amount of money received in fines for people building outside the curtilage of their property on to the foreshore?

The Connétable of St. John:

That is not a figure I have to hand. The majority of infractions have been dealt with by licence and I believe that is the way we deal with it moving forward. I will try and find that figure out for the Deputy and circulate it later today.

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

The Bailiff:

I am afraid that brings the period of questions for this Minister to an end. Just to remind Members, my policy is to allow anyone who has not yet asked a question to ask a question before I call upon those for repeat questions. The next period of questions is for the Minister for Social Security. Any questions for that Minister?

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

Has the Minister had any opportunity to look into the current provision of period products and does she concede that the scheme is now working?

Deputy L.V. Feltham of St. Helier Central (The Minister for Social Security):

I thank the Deputy for her question. No, I do not consider that the scheme is now working in a manner that I would wish it to. I have met with the team responsible for implementing the scheme and I have asked them to improve it. One of those first improvements that I have asked to happen as swiftly as possible is the changing of the current dispensing units which are in public toilets. Further work that will be undertaken by the team is some focus groups with groups of women to find out what they need from the scheme and how we can use the money that we have allocated to the scheme in the most efficient and effective way.

7.1.1 Deputy B.B. de S.DV.M. Porée:

I thank the Minister for her answer. I would like to share with the Minister and ask her if she is aware, as she is going to look into the scheme a bit further with a fresh pair of eyes, of any misuse of the free products provided in public spaces such as, for instance, situations where youngsters have been seen littering the streets with those same products which I have both been informed by members of the public and I have seen it myself. If the Minister intends to continue the scheme, would she

intend to look at this particular situation I am informing the Minister of to make sure that products are not wasted and they are not used unreasonably?

Deputy L.V. Feltham:

Yes, I am aware of those unfortunate circumstances involving vandalism and misuse of products, and this is one of the reasons why I have expedited the request for installation of different dispensers which should prevent that kind of behaviour from happening as it currently is.

7.2 Deputy D.J. Warr:

I thank the Minister for her answer to my Written Question 71 around payments for carpets which I found, to be honest with you, deeply disappointing, as I am sure many tenants did too. Andium Homes replace carpets in around 400 tenancies every year, that is at least one home every day of the year. Does the Minister not agree with me that every day she and the Minister for Housing delay over making a decision as to who pays for carpets, an increasing number of our most vulnerable Islanders find themselves deeper in unsustainable debt and it is yet another reason as to why we have seen a 168 per cent rise in the use of food banks?

Deputy L.V. Feltham:

The Minister for Housing and I have not delayed making decisions as to who pays for carpets. One of the first things that I did was ask officers to extend the current provision, as agreed by the Assembly, for grants to be made available to tenants at Andium. Indeed, myself and the Minister for Housing met just last week to discuss this issue and to ask officers to action this by having further conversations with Andium around how they can provide carpets directly to tenants.

7.3 Deputy H.L. Jeune:

With charities stating that in 2023 they experienced a 55 per cent increase in demands for their services, yet had a 57 per cent drop in fund-raising income, and, therefore, as a result in 2024 more than a third have forced to scale back activities and over half are surviving only by using their reserves, can the Minister outline her plans on how she will be supporting charities to deliver their services and, as this is a concerning development, explain if she is assigning specific responsibilities for charities to an Assistant Minister to ensure a strong focus and, if not, why not?

Deputy L.V. Feltham:

Because this is such an important focus, I will not be assigning responsibilities to an Assistant Minister. I wish to retain responsibilities for this and the disability strategy myself because it is a priority for me. I have commenced meeting with members of the charitable sector and I have also met with the chair of the Association of Jersey Charities. I have accompanied the Chief Minister on visits to certain charities to discuss with them what specific needs they have in relation to funding.

7.3.1 Deputy H.L. Jeune:

I thank the Minister for her explanation and the fact that she is already exploring with charities how best for them to deliver services considering their stretched resources and funding. Could the Minister explain how, not only in her Ministerial plans supporting charities, but how she will champion the importance of consulting and listening to the third sector as part of other Minister's delivery plans?

Deputy L.V. Feltham:

I am committed to working collaboratively with all Ministers. Just as I have made visits to relevant charities with the Minister for Housing and the Chief Minister, I will be inviting other Ministers to attend relevant meetings with me so that we can work collaboratively to find the best outcomes.

[11:15]

7.4 Deputy G.P. Southern:

What consideration, if any, has been given to the possibility of payment of income support components in arrears rather than currently in advance?

Deputy L.V. Feltham:

I thank the Deputy for his question. At this early stage that is not something that I have considered but I will put that on my list to consider.

7.4.1 Deputy G.P. Southern:

Is the Minister aware that this issue is closely linked to the issue of overpayments, and overpayments could be almost, I believe, certainly halved, but perhaps eliminated if she were to move to in arrears rather than in advance?

Deputy L.V. Feltham:

Yes, I am aware that this issue is related to the subject of overpayments. I am also aware of the review that was undertaken by the previous Scrutiny Panel, and I have set aside time in my diary to go through that review and its recommendations with the relevant officers.

7.5 Deputy L.K.F. Stephenson:

Social security student credits are currently only available for a total of 3 years. Does the Minister believe this is sufficient considering some students will study for 4 years or longer and does it encourage young people to come back to the Island afterwards?

Deputy L.V. Feltham:

I would be in favour of extending student credits to encompass those 4 years. I have to admit I was not aware that it was limited to that 3 years, so it is a subject that I will look into and change as required.

7.5.1 Deputy L.K.F. Stephenson:

I am very encouraged to hear that from the Minister. Can I request that as part of her work to look at that, that consideration is also given to the part that this plays on lifelong learning because the 3 years is in the course of somebody's life, so can be taken in blocks. But of course if someone has done one degree early on and then chooses to retrain earlier, is that a commitment that the Minister can make to consider lifelong learning as well?

Deputy L.V. Feltham:

Yes.

7.6 Deputy I. Gardiner:

I think similarly, to continue the higher education, would the Minister advise if she was aware about a group of women at Highlands courses who are largely single mums and with great determination had returned to education, largely to degree courses, and as the recipients of income support, Social Security insisted that they worked in the holiday periods which make the childcare unaffordable and some of them left education?

Deputy L.V. Feltham:

I was not aware of that specific set of circumstances, so if the Deputy would like to raise that with me outside of the Chamber, I would be more than happy to look into it and see what I can do.

7.6.1 Deputy I. Gardiner:

I am also encouraged by the Minister's answer. Would the Minister indicate if she feels it is unfair to people who were making a great effort to improve themselves and make their education opportunity to not be able to progress because of the funds available for single mums?

Deputy L.V. Feltham:

My understanding is that there is current provision in relation to critical skills courses, but I am happy to look at whether that provision should be extended because I understand that we, as an Island, need to foster and develop people and we have a commitment as well to supporting lifelong learning. I would be more than happy to work with the Minister for Education and Lifelong Learning in that respect.

7.7 Deputy R.S. Kovacs:

I am grateful to the Assembly that last year passed the additional support for babies in neonatal care and the funding support for medical hosiery and wound dressings, which are both to be delivered in 2024. Can the Minister give us an update on the work progress on these, please?

Deputy L.V. Feltham:

I was disappointed on taking office to see that work had not commenced on those 2 items. I have instructed officers to prioritise the decisions of the Assembly, as they were made last year and within the Government Plan debate, so I have asked them to expedite the delivery of those specific 2 projects.

7.7.1 Deputy R.S. Kovacs:

Related to the support for medical hosiery and wound dressings, I understood from the officer speaking during the progress of my proposition that we should see progress within quarter one, which is now; how soon should we expect to see this scheme in place?

Deputy L.V. Feltham:

This project I have outlined as one of my key priorities to my officers. I have asked the team to look at whether they can bring in a short-term solution, which means that dressings can be provided free of charge while they consider a more longer-term sustainable process. I will update the Deputy as soon as I have a timeframe for that.

7.8 Deputy J. Renouf:

On the question of overpayments that were mentioned earlier, does the Minister accept the point made by the Minister for Treasury and Resources in, I think, her hustings speech in which she said that if overpayments were not going to be demanded back then the costs would have to be borne by the Social Security Department?

Deputy L.V. Feltham:

I think one thing that we need to consider is whether the overpayments were the result of an administrative error or they were because somebody had not declared a change of circumstances. I would like to have a look at what we do in relation to overpayments which are a result of an administrative error because, at the end of the day, the current income support legislation is incredibly complex and difficult to understand. It is quite possible that people may have been receiving funds that they were not eligible for through no fault of their own and they would have had no way of knowing that they were not eligible for those funds. I think we need to be realistic about that and I think that we need to take responsibility for the issues that may arise as a result of that.

7.8.1 Deputy J. Renouf:

In that taking of responsibility, my original question was: would the costs be borne by her department or would she be going to the Treasury for extra funding?

Deputy L.V. Feltham:

The income support budget is budgeted on the amount of income support that is thought to be payable during a year. Therefore, I would be seeking to look at how we could use the income support budget to remedy the issue around overpayments that may have been caused by administrative error. But we should not be seeing overpayments being caused by administrative error and it is my intention to look very closely at the root causes of that and to try and simplify our income support system.

7.9 Deputy G.P. Southern:

What attention has the Minister or her officers paid to the role of maintenance payments in the application of income support components?

Deputy L.V. Feltham:

As usual, the Deputy is one step ahead of me and I have not got to looking at that particular subject in my first few weeks of office, so I will need to do that. But I will give the Deputy some comfort in that I have asked and requested for a copy of the current income support guidelines, and I will be going through those guidelines with a fine-tooth comb.

8. Questions to Ministers without notice - The Chief Minister

The Bailiff:

I am afraid that brings the period of questions for this Minister to an end. Final period of questions is for the Chief Minister. Deputy Coles.

8.1 Deputy T.A. Coles:

Given the recent disclosure in the House of Commons regarding the Home Office's unlawful actions against Jersey Hemp, what support will the Chief Minister provide Jersey Hemp going forward?

Deputy L.J. Farnham (The Chief Minister):

I am not sure because I am not fully au fait with the current circumstances regarding Jersey Hemp's legal position or potential litigation with the U.K. Government, so I would have to refer to officers. But Members and the Deputy will know that I have been supportive of developing a hemp and medicinal cannabis industry, so I would hope any actions would align with that stance.

8.1.1 Deputy T.A. Coles:

Will the Chief Minister commit to reporting back to the Assembly as soon as possible?

Deputy L.J. Farnham:

It depends on the circumstances in relation to the legal situation that is going on but if I can, I will.

8.2 Deputy R.S. Kovacs:

The Jersey International Cultural Centre has been nominated and shortlisted for the D.I.F.E.R.A. (diversity, inclusion, fairness, equality, respect and acceptance) Award as the best government initiative for our important work on valuing and bringing the communities together. As this work has been paused for this year so far, what are the Chief Minister's current plans with the International Cultural Centre?

Deputy L.J. Farnham:

I am currently considering the options for the International Cultural Centre and will still need to have some discussions with Members, but will likely be bringing that to a forthcoming Council of Ministers' meeting to determine what exactly we are going to do with it. There is a potential option to push responsibilities for that into External Relations and International Development to work alongside that or we simply could leave pretty much as it is. I have to say, we are still undecided and still reviewing the potential, and also the future budgeting.

8.2.1 Deputy R.S. Kovacs:

No matter where it would be moved, as this project was the response to the recommendation of the Diversity and Inclusion Forum review report, can the Chief Minister assure the Assembly that with the right governance in place, the budget for this project and its activity will continue?

Deputy L.J. Farnham:

No, being honest, I cannot guarantee at this stage that a budget of £300,000 will remain available; that is going to be subject to further discussion. I want to reassure Members that I consider the work carried about by the International Cultural Centre, and all work that Government and the Assembly carry out in a similar vein, is very important, so we will ensure there is support for that line of work to continue.

8.3 Deputy S.M. Ahier:

Since we are discussing later P.10, cash payments at government sports facilities, will the Chief Minister advise the Assembly whether cash payments will be able to be made at the new government building at Bailiwick House when it opens later this year?

Deputy L.J. Farnham:

No, I cannot. The Minister for Infrastructure is helpfully nodding his head at me, so I am going to say, yes; yes, we can.

8.4 Deputy L.K.F. Stephenson:

The Chief Minister put out a statement on social media this week in which he talked about prioritising essential services and tackling the most immediate challenges facing Islanders; of course, very laudable aims there. It then went on to talk about reprioritising work in order to pay for that. What level of reprioritisation is being targeted and can he provide some examples of what projects will be cancelled as a result? I think we have heard that the town skate park might be one of them.

Deputy L.J. Farnham:

I am not sure where the Deputy has heard that from; it sounds like a speculation. Ministers are currently getting a good understanding of the current government structures, how and where the budgets are being used, but we do have a number of crises in this Island: cost of living and housing are just 2. What I am aware of is that the Government tries to do too much and we are going to look at areas that we consider are not essential and reprioritise that spending. Work is currently going on in that. The decisions we make on that will lead in the Corporate Strategic Policy, which is currently being developed, and that is a work in progress we hope to lodge at the beginning of April.

Deputy L.K.F. Stephenson:

I do not believe that the Minister answered what level of reprioritisation is being targeted, what amount, was part of the original question.

The Bailiff:

Are you able to answer that, Chief Minister?

Deputy L.J. Farnham:

Well we have not come to that final figure yet. As I said, it is a work in progress and it is important rather than me reel of figures off the top of my head.

[11:30]

We are doing some proper research into it and the Council of Ministers is gaining a good understanding of where money is spent. As I said, that information will be available when we have finalised the Corporate Strategic Plan and lodged it. Of course, I would remind Members the Common Strategic Plan, when it is lodged, will spend some time in Scrutiny and, of course, it is open for Members to amend. But just to repeat myself so it is absolutely clear, we are working on that information and we will provide the detail when we have it.

8.5 Deputy D.J. Warr:

In his answer to the Constable of St. Helier on 27th February, the Minister for Education and Lifelong Learning used the term “falling apart” while referencing schools in St. Helier. Could the Chief Minister explain what he believes his Minister meant by that term and could he reassure parents that the safety of their children is not being compromised?

Deputy L.J. Farnham:

Yes, and the Minister for Education and Lifelong Learning and I have visited a number of primary schools and are visiting some more this week. I am sure he used that term to signify to States Members that some of these schools need renewal or need repairs and constant maintenance, but I can reassure Members that there are no safety concerns at those schools, largely because the staff at those schools take their responsibilities extremely, extremely seriously and are on top of that situation. But some of our schools are becoming no longer fit for purpose and we have to make sure we have a plan in place to address that situation when it arises.

8.5.1 Deputy D.J. Warr:

Does the Chief Minister believe that the budget to maintain schools that are falling apart is sufficient? What is his response to the view that the infrastructure of these schools is being deliberately left to decay so as to ensure that a new £34 million school will be built on Gas Place, despite demographic evidence that this investment may not be necessary?

Deputy L.J. Farnham:

It is absolute rubbish to suggest a tactic of this Government or any Member of this Assembly would allow schools to decay and put children at risk. That is all I am going to say about that.

Deputy G.P. Southern:

Sir, is that statement not impugning the motives of those involved?

The Bailiff:

Well, I took the view that, while coming perilously close to it, it was a matter of an immediate rebuttal from the Chief Minister and it seems to me that the moment has passed for me to do anything about it.

8.6 Deputy K.M. Wilson:

Could the Chief Minister state what activity is underway to develop collaborative working with our neighbour Guernsey? Can he explain which specific areas of work he would like to take forward with them?

Deputy L.J. Farnham:

I can let Members know that I had a private meeting with the Chief Minister of Guernsey at the weekend. It was an informal meeting. Guernsey Lyndon and Jersey Lyndon we call ourselves now so there is no confusion. We have agreed to meet more formally later this year to discuss key matters of interest. I hope that will happen in the early summer. Officials are in touch with Guernsey now and are planning to arrange that. The areas we have touched upon are areas of key importance to the Channel Islands, such as our constitutional relationship with the U.K. our lifeline, our ferry links and other issues where we can be closely aligned in order to benefit both Islands. Having said that, while we need to work closely wherever possible, we should also celebrate our differences wherever possible. I think on those lines we are going to move forward very well together.

8.6.1 Deputy K.M. Wilson:

Could the Chief Minister explain whether or not some of these discussions will be revealed as part of the next update to the Government Plan? Will you be incorporating some of the schemes or some of the ideas that you will be agreeing with Guernsey into this year's Government Plan?

Deputy L.J. Farnham:

I am sure some of the discussions will align with or fall into priorities as listed. Sorry, did the Deputy say Common Strategic Plan or Government Plan?

The Bailiff:

Government Plan, I think.

Deputy L.J. Farnham:

Government Plan. Where funding is required or related then possibly the outcomes of those conversations could have an impact on the Government Plan, depending on what they are.

8.7 Deputy A. Curtis of St. Clement:

Under the Control of Housing and Work Law, the regulations state that an Islander not born on the Island must be on the Island continuously for 30 years to achieve permanent entitled status. This is causing many Islanders to forgo longer holidays or sabbaticals off Island. My question is: will the Chief Minister look to review this to ensure Islanders pursuing permanent entitled status are able to take trips off Island?

Deputy L.J. Farnham:

I am not totally familiar with the details of that but I will take the Deputy's word for it because he is very well read on this type of detail. Yes, happy to have a look at that and make sure that it is appropriate and in line with the requirements of a modern society.

8.7.1 Deputy A. Curtis:

Briefly following up - I am glad to hear that from the Chief Minister - the regulations are specific that an Islander who wishes to have permanent entitled status to allow them to leave for longer periods must be continuously resident for 30 years. I would reiterate and look forward to the conversation and ask if the Chief Minister will involve the wider Assembly in reviewing the regulations?

Deputy L.J. Farnham:

We can review those regulations. I think we can do that relatively quickly in house. If we deem that it is necessary to change the legislation then, of course, we will involve the wider Assembly.

8.8 Deputy I. Gardiner:

This is probably one of the easiest questions. Would the Chief Minister join me in congratulating the new First Minister of Wales, Vaughan Gething, for his successful election?

Deputy L.J. Farnham:

Yes, I would happily join Deputy Gardiner in that. Also, at the same time, recognising the tremendous work of Mark Drakeford, the former Chief Minister of Wales, who has stepped down after a long period of service to his country.

8.8.1 Deputy I. Gardiner:

Following the engagement with Guernsey, would the Chief Minister also consider a more extensive engagement with Wales, who have very progressive policies, especially in early years and education.

Deputy L.J. Farnham:

The short answer is yes. The forum we often collaborate with the other members of the great British family is through the British-Irish Council. I look forward to the next meeting of that, which I understand is in the Isle of Man, where I very much hope to meet the new Welsh Chief Minister and the delegation so we can start discussions in areas of mutual interest.

8.9 Deputy H.L. Jeune:

Could the Chief Minister explain how he will marry up his desires to develop the local medical cannabis industry but, at the same time, not spend time exploring with the States Assembly the decriminalisation of cannabis? Does that mean that he agrees that if you can pay large fees through a doctor you will not get a criminal record but those that cannot afford to pay for legalisation will?

Deputy L.J. Farnham:

Firstly, I am not sure that the Deputy knows my position on legalisation of cannabis because she might be referring to the Minister for Justice and Home Affairs' answer this morning in relation to the process of an in-committee debate. I align myself with the Minister for Justice and Home Affairs' views this morning because we have 2 years to deliver a very busy schedule, but of course that does not stop any Back-Bencher or any other Member of the Assembly from bringing in a States in-committee debate on that very issue. I am reserving my judgment on that because I am undecided and I would need to listen to the evidence of an informative debate before making a decision. Decriminalising cannabis, for example, for personal use is not related to the medicinal cannabis industry. They are 2 separate parts. I am pleased to say that the Minister for Sustainable Economic Development now is responsible for that brief and is working with the industry to move it forward. I was a party to establishing the industry in my former role.

The Bailiff:

That brings the period for questions to the Minister to an end. I am afraid we are simply time-limited, Deputy. That is what the Standing Orders provide. Very well that ends the question period. There is nothing under J and K so we move on to Public Business.

PUBLIC BUSINESS

9. Scrutiny Panel constitution: Minimum size (P.94/2023)

The Bailiff:

The first item is Scrutiny Panel constitution: Minimum size, P.94, lodged by Deputy Andrews. The main respondent is the president of the Scrutiny Liaison Committee and I ask the Greffier to read the proposition.

The Greffier of the States:

The States are asked to decide whether they are of opinion – to request the Privileges and Procedures Committee to bring forward, before December 2024, the necessary amendments to the Standing Orders of the States of Jersey (a) to permit a Scrutiny Panel to operate with fewer than 3 Members no longer than the States meeting following a reduction in the number of Members of the panel to

fewer than 3; and (b) to require the election of a Scrutiny Panel chair at the next States meeting following the dissolution of a Scrutiny Panel.

9.1 Deputy M.B. Andrews:

I was reading the Democratic Accountability Sub-Committee report; this is a report that was published last term. I think it was Deputy Mézec, Deputy Gorst and Deputy Morel who were on the panel. The panel came up with a series of recommendations, including the constitution of Scrutiny and also looking at the constitution of the Executive function of Government as well. One of the recommendations for Scrutiny was recommendation 21 and that was to implement changes to Standing Orders to require that there be a minimum of 3 persons sitting on a Scrutiny Panel. There was also a second recommendation and the recommendation was to get rid of the cap of Members that can sit on a Scrutiny Panel. At the moment, a Scrutiny chair can elect 5 members to the panel and the Democratic Accountability Panel recommended that there should be an unlimited number of members on a Scrutiny Panel. Now, I happen to disagree with that stance, because I think you could end up with some panels having, say, potentially 9 or 10 members and others having about 3 or 4 members. I think we need to make sure that Scrutiny is well manned and we can see at least a baseline of 3 members and up to 6 members sitting on a panel. When we look at Standing Orders, we can look at, say, the Planning Committee, for instance, a chair can elect up to 3 politically-elected representatives, up to about 9, I think. We have got a maximum of about 10 members who can sit on the Planning Committee. I think that approach is inconsistent really when we look at the Scrutiny function, where, okay, we have a maximum membership but we do not have a minimum membership. I think that is the reason really why Standing Orders ought to be updated. But it is also about giving the opportunity for the public to be represented by a number of different individuals, hence why a Scrutiny Panel will be set up to hear the array of different views of the members who are sitting on the panel. Also it is to provide objective and constructive scrutiny because, as Members will be aware, who have been in the non-Executive before, it can be very demanding. Even since the reconstitution of the Assembly recently, on one of the panels I am sitting on, we have so many workstreams that we need to be involved with for this calendar year - there are 4 of us on the panel - and I have been thinking myself we could probably do with one or 2 additional persons joining the panel because it will be very demanding alongside our constituency work as well. That will also have to be of priority. Now, I think it is important that I do mention with my own experience, looking back at July 2022 - and I remember it was 19th July, in fact, to be very specific - Scrutiny was being constituted and I remember the Corporate Services Scrutiny Panel, we only had 3 members. One of the members, in fact, was reluctant but they said: "Look, I will join the panel" but it was due to the fact that we were unable to recruit a third member and that was more or less a short-term fix. However, the individual knew the importance of ensuring that a panel had at least 3 individuals on the panel to cover the workload. I remember at that sitting I decided to join the Economic and International Affairs Panel and the Corporate Services Scrutiny Panel. However, I received 2 emails from other Scrutiny chairs, both saying: "Would you be able to join my panel?" I did say yes to the Public Accounts Committee because, again, I realised there was only 2 members on the panel, one being the chair and there was also another ordinary member.

[11:45]

But, in the end, I decided to turn down the fourth panel due to the fact that I was already on 3 panels and I was going to be overburdened. In fact, I happened to be overburdened and I do not think it really did me any good having to work on 3 panels like that for quite a prolonged period of time. But I remember when we finished the sitting, the Chair who did happen to ask me if I would be joining the panel, and once I did turn them down, ended up only having a panel with themselves and one other person. They were constituted with 2 individuals. Really what we ought to be seeing here is a change in culture. We need to be understanding that our constitution is all about us working as a collaborative Assembly and hence we can look at the horseshoe of how we sit. This is something

that the States Greffier also spoke about initially when I first joined the Assembly. It is about working together and working as a team. So it was a bit concerning and disappointing, I have to say, when that one panel came away from the Assembly constituted with 2 individuals. I think it was at the next sitting we saw somebody else join the panel but I think there could potentially be some concerns if situations do arise that Members might want me to cover. For instance, I spoke to a former politician and they spoke to me about their experience on Scrutiny. They were part of a 3-person panel and, unfortunately, one of the members was poorly and was basically unable to attend any private meetings or public hearings. So, in essence, what was happening for about a year, just over a year I think it was, there were only 2 members on the panel. However, the panel remained constituted with 3 members because the member who was absent still remained part of the panel, however they were not attending meetings as I just alluded to earlier on. Now, I think in those situations what I would really be asking for is Members should step forward in those situations when, for instance, a Member is unable to continue working because, again, it is about making sure that Scrutiny is fully manned and that we do have a sufficient number of individuals to constructively look at the workstreams of the Executive. Again, when we have serious legislation acts coming forward, we need scrutiny to be robust and if the Scrutiny Panel happens to be too diminutive then that can really affect the quality that we see on Scrutiny Panels. Also I think that the Executive are not being challenged as best as they potentially could be in those situations. Now, I also think as well it is important that panels who preside over, say, sub-panels, do have a role in addressing issues as they do arise. If, for instance, we have one individual who is on a Scrutiny Panel or if there are maybe 2 individuals, there needs to be an intervention at that point in time. If we are looking at, say, the P.P.C. or if we are looking at the Scrutiny Liaison Committee, it is really up to them to get involved, to understand the situation and to provide the chair with the support they need so we can re-establish a fully constituted panel with at least 3 members. I think all the proposition is asking is that we are able to address the situation in a 3-week period, and I think 3 weeks is absolutely adequate enough. What we cannot do is we cannot set this dangerous precedent of having essentially 2 or one individual on a Scrutiny Panel. When you look at the non-Executive function there are 28 politicians and we should be seeing all Members be part of Scrutiny. I know that was a recommendation in a report that was published. I do not think it should be arbitrarily implemented but I would say that there should be enough people to form Scrutiny Panels and also sub-panels as well, because the whole point of a panel or a committee being formed is so that those individuals can carry out work, and we do need to ensure that the workload is covered and the scrutiny provided is robust and of good quality. I do have concerns if we do see, for instance, only one or 2 individuals on a Scrutiny Panel. There is not going to be the challenge that other Scrutiny Panels will have internally where we can challenge one another. I think there is a real danger where panels happen to be rather diminutive, politicians can be steering their own political agenda through the panel as well. So it is very important that the panels are able to have individuals who are capable of thinking independently but also it is about challenging one another to provide the best possible outcome. Thank you very much for allowing me to speak and I propose a proposition.

The Bailiff:

Is the proposition seconded. **[Seconded]**. Does any Member wish to speak on the proposition?
Deputy Scott.

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

The potential for States Members to abuse power or process should be a concern for all States Members. It is important that a Scrutiny chair's powers are not abused. I can imagine a situation in which the power of a Scrutiny chair could be abused by appointing only a single crony as another member of that Scrutiny Panel, despite other States Members expressing an interest in that panel, simply to avoid challenge. I also have personal experience of the challenges of running a Scrutiny Panel with just 2 members, owing to an unfortunate and unusual situation where States Members

resigned from my panel at different times for different reasons. Early on in performing my role as chair, I was informed by a former chair of a history of resignations from that particular panel that I was chairing owing to the breadth and technical nature of its work, a matter that the Deputy has acknowledged. With other Back-Benchers having committed themselves in terms of time to other panels and committees or not having an interest in the panel's work, despite my reasonable endeavours, I found myself having to move forward with just 2 panel members. The process of personally speaking with potentially available Back-Benchers to request and solicit interest in the panel took me more than the 3 weeks between States sittings that the Deputy contemplates is adequate time to find replacement members. I am pleased to be able to assure Members that the panel's work nevertheless was supported by highly competent and professional Scrutiny officers, part of whose task is to ensure impartiality and appropriateness in the conduct of panel members. Furthermore, thanks to considerable effort on my part, the panel's output in terms of written questions of Ministers, which has an advantage in being transparent, exceeded that of all other Scrutiny Panels combined at the time. With my experience in mind, I cannot support this proposition. It risks the situation where, due to unforeseen circumstances, there could be no Scrutiny Panel, particularly as there are difficulties in making Scrutiny Panel membership for Back-Benchers compulsory. The proposal for compulsory membership does not have widespread support, despite the recommendations of the Democratic Accountability and Governance Sub-Panel. States Members can look to the code of conduct should they feel concerned about an elected Scrutiny chair unreasonably excluding States Members who wish to join his or her panel. Perhaps to avoid unfortunate situations that may arise from personality differences between the Scrutiny chair and the Scrutiny member, a proposition could be brought and the P.P.C. might give consideration to making mediation compulsory as a first step. In the meantime, I will be voting against this proposition for the reasons given in this speech.

9.1.2 Deputy T.A. Coles:

I just want to rise because I am not quite so *carte blanche* as not to support this proposition but to say that I agree with part (a). Very much so in that we do need better stabilisation of panels because there is an issue when you have only 2 members on a panel that if one member is sick you are then no longer quorate and therefore hearings have to be cancelled at short notice. This puts a lot of stress on time, on officers, both within the Greffe and within the Ministerial offices. We want to show prudence and effective use of our time and resources so by having a minimum of a 3-member membership to the panel, I think is very, very important. That is why I very much would support part (a). I do have a slight issue over part (b) in the fact as a member of P.P.C. and have sat on the Machinery of Government Scrutiny Panel, which is looking at some of these functions, that being issued with this time constraint straight away I feel is a bit handcuffing. I do hope that the Member does bring this in parts so that I can support part (a) but just to let him know that I will not be supporting part (b).

9.1.3 Deputy R.J. Ward:

This is about Scrutiny Panels so it is not any sort of party line. I have to say that unfortunately part (a) will inevitably lead to part (b). There is an issue for me with part (a). What could happen if there is an issue within a panel of 3 members, a personality issue, for whatever reason, then 2 days before a States sitting the member can resign, dissolve the panel, and it can manipulate Scrutiny in that way and have it used for personal vendettas, for example. I do not think that is the way we should be doing Scrutiny. I think this opens us up to real issues and I think any decision like this should be made by the Parliamentary Procedures Committee, because that is why we have them, and via S.L.C. (Scrutiny Liaison Committee). I was expecting some comments from the Scrutiny Liaison Committee in some form. I know it is short notice but we have all had things in short notice where we have produced responses and we have to do that, because I think that is where this should be coming from. A combination of the Scrutiny Liaison Committee, which is the chairs of every panel, and the Parliamentary Procedures Committee. What we are looking at here is ... and there is a

contradiction, I have to say, in some of the things that have been said in terms of saying it is very difficult to be on a number of panels but at the same time we are going to make sure that every panel has to have 3 members. We either make membership compulsory or are we going to have a problem that some Members of this Assembly will be on 3 or 4 panels. You cannot have both. What we have here is an unco-ordinated approach to what we want to try and do. The notion of having 3 members and above is a good idea, I get it, but it has to be workable. How are we going to do that? That is about expectation of us as parliamentarians. Are you expected to be on the Scrutiny Panel if you are not part of the Government or Executive, call it what you will? If that is the case that needs to come from P.P.C. and we need to understand that from day one. In terms of Scrutiny chairs and the panels themselves, there is an enormous amount of work that goes with the Scrutiny Panel that needs to be understood. The support is good from the officers in the Greffe, and I have always appreciated that when I have been involved. But I have a problem with the way this is worded and the consequences that will come from it, because what we will have is the possibility of, over a period of a few days, a member saying: "Well, I am not going to be part of that panel. I can now dissolve the panel" and we can come to the Assembly the next day and groups could get together, perhaps groups with declared interests with each other or those, perhaps, who do not have declared interests publicly with each other but meet behind the scenes to put together the chairs of the panels that they want in order to control Scrutiny and misuse it. We have to be really careful that the checks and balances are in place for that because we do have sometimes, I believe, not open politics on this Island in terms of the links of behind the scenes. Some of us are very open about our politics and our parties because it is there and we are registered. I wish others would do that and then this might be a bit clearer as to where we are going, but that does not exist at the moment. At this point, I cannot vote for this because it is worded inappropriately and the consequence of it could be profound for Scrutiny and what happens in this Assembly? We have been through difficult enough times, we do not want this being acted out in Scrutiny as well. I am very concerned that that might be the case so I am afraid I cannot support this.

9.1.4 Deputy I. Gardiner:

It is one of those times I am pleased to follow Deputy Ward. When we worked together in Scrutiny, I think we held very similar views. As president of the Scrutiny Liaison Committee, I am the responder but I would express my opinion as well. This work is extremely important. We do need to look at the constitution of the Scrutiny Panels and I completely accept the recommendations of the Machinery of Government report from the previous term, which I was also a member of.

[12:00]

This work falls between P.P.C. and S.L.C. We need to work together and we will work together. It is important to recognise that the Machinery of Government Sub-Committee needs to be reconstituted and it needs time to work. S.L.C. has just been constituted and we have our first meeting next week. I completely understand Deputy Andrews ... I did have a conversation yesterday with Deputy Andrews about his frustrations that things did not progress over the last 4 months since he lodged the proposition. In saying that, for the last 2 months we all know where we have been so I do have sympathy about let us just make a decision. From the other side, I am worried and I shared with Deputy Andrews my concerns. One of the things that I remember from being a Scrutiny member of the review panel - I have a specific review panel in my head - we were 3 members, because we needed to be 3 members, and only 2 members actually did the review. The third member appeared when we had the final draft report to be signed off. It needed to be extended for the next 6 weeks because the third member did not agree with what the 2 members did over the whole review. I think this is one of the situations where you have 3 members but 2 members did the work and the third member did not join and then stopped the work progressing. So it is one example, but it is a concern that we are pushing people and saying: "You must be on the panel or you need to be on the panel, or you have to be on the panel when because we need the numbers." Two people, capable people, can do the

work. In saying this, I am not saying that the recommendation is not correct. We need to look into this. My concern is also about the 3 weeks. What happens if in 3 weeks' time we do not have a member who will join the panel, does it mean every 2, 3, 4 or 6 months we will have the panel dissolved and we have the new elections. I would think about a longer period to appoint the third member if we decide to go this route to make sure that we address this. Everyone votes how they think. I am worried about unintended consequences and, as the president of the Scrutiny Liaison Committee, I can commit that I will be working with the chair of P.P.C. to look and progress on that work but, unfortunately, at this time I cannot support it.

9.1.5 The Connétable of St. Martin:

I am pleased to follow Deputy Gardiner. P.P.C. has briefly looked at the make-up of Scrutiny Panels in relation to the recommendations from Jennifer Long, who conducted the review on Members' pay and who suggested that everyone who was not in Ministerial Government should be part of a Scrutiny Panel. It is very true that this is work for our panel to carry on with. We did it briefly with the last panel and we had a reconstituted panel yesterday, we had our first meeting. I am happy to continue this work with the chair of S.L.C. This is work that we need to look at in depth.

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

With the experience of having been on Scrutiny Panels for many years and watched the variation in the compilation of them and their membership, I think the less interference the better. Some panels will work better with fewer members, some with more and it all depends on the subject matter on the day. Effectively some of the sub-panels which are formed under the umbrella of the principal Scrutiny Panels are operated with very few people but they deal with the subject matter in an efficient way. While we can always improve on the situation, I think we have to allow for personalities to take charge of the compilation of the panels and leave it to the elected chairs. They are elected on the day at the outset of a Government and leave them to run the panel how they wish best and not interfere. That is my contribution.

The Bailiff:

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

9.1.7 Deputy M.B. Andrews:

I would just like to take the time to thank everybody for their contributions to this debate. I think it is quite important. I just reinforce the point that if a Scrutiny Panel does happen to see a reduction in its membership, the panel would be given 3 weeks. I know one Member spoke that it would imminently fall if that was the case, that is the reason why I would not allow the proposition to go forward before the Assembly where potentially we could be seeing such abuses occur. I totally understand the point that was raised by the president of the Scrutiny Liaison Committee that it could set a dangerous precedent in the Assembly. Now, I think, as it happens, most Scrutiny Panels, if we look back over the previous Assemblies, have seen Scrutiny Panels be formed with at least a minimum of 3 members, if not more. If this does happen ... as we have seen by history, it is a very rare occasion that it will happen. I think what should be done if a case does arise where we see a reduction in membership from 3 members down to 2 or potentially one, then we need to see involvement with the presiding panels who ought to be involved. They have to speak with the panel chair and see what action, if any, ought to be taken. Now, I think it is important to also note, we are all, of course, politicians but most of us are only doing this as our sole income. Some politicians may have secondary income sources such as investments, et cetera, but really we are dutiful to represent the public, and the public do expect us to put together Scrutiny Panels that are capable of carrying out the work that is required of us. In order to do that, we do need numbers on Scrutiny Panels. I do not think it should ever be an issue where we see a shortfall of members on Scrutiny, because, again,

if you are looking at that being an issue then, in essence, it is a repudiation of a politician's duty in turning down an offer to join a Scrutiny Panel in that situation. I think I will leave it there and I must say thank you to everybody who has contributed. I will take both (a) and (b) separately.

The Bailiff:

You will take (a) and (b) separately. Very well, the first vote is on part (a). Those in favour of adopting part (a) ... the *appel* is called for. I invite Members to return to their seats. The vote is on part (a) of the proposition and I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. Has anyone voted in the in the chat? Part (a) has been defeated.

POUR: 8	CONTRE: 35	ABSTAIN: 0
Deputy K.F. Morel	Connétable of St. Helier	
Deputy T.A. Coles	Connétable of St. Lawrence	
Deputy D.J. Warr	Connétable of St. Brelade	
Deputy H.L. Jeune	Connétable of Trinity	
Deputy B. Ward	Connétable of St. Peter	
Deputy K.M. Wilson	Connétable of St. Martin	
Deputy L.K.F Stephenson	Connétable of St. John	
Deputy M.B. Andrews	Connétable of St. Clement	
	Connétable of Grouville	
	Connétable of St. Ouen	
	Connétable of St. Mary	
	Connétable of St. Saviour	
	Deputy G.P. Southern	
	Deputy C.F. Labey	
	Deputy S.G. Luce	
	Deputy L.M.C. Doublet	
	Deputy M.R. Le Hegarat	
	Deputy S.M. Ahier	
	Deputy R.J. Ward	
	Deputy I. Gardiner	
	Deputy I.J. Gorst	
	Deputy L.J Farnham	
	Deputy S.Y. Mézec	
	Deputy P.M. Bailhache	
	Deputy B.B.S.V.M. Porée	
	Deputy M.R. Scott	
	Deputy J. Renouf	
	Deputy L.V. Feltham	
	Deputy R.E. Binet	
	Deputy M.E. Millar	
	Deputy A. Howell	
	Deputy T.J.A. Binet	
	Deputy M.R. Ferey	

	Deputy R.S. Kovacs		
	Deputy A.F. Curtis		

The vote then is on part (b) ...

Deputy R.J. Ward:

Sorry, Sir. May I ask does part (b) not fall away now? I am just asking, I might be ...

The Bailiff:

No, that is fair enough. Well, it could theoretically stand alone because it simply says “when a Scrutiny chair is to be elected” and that is following the dissolution of a panel.

Deputy R.J. Ward.

I think there is something in Standing Orders already for that, is there not? I might be wrong.

The Bailiff:

No, it is all right. Might have been faster if we just voted. There is no time limit in Standing Order so the Greffier advises me. I am afraid I did not have that information at my fingertips. The vote, therefore, is on part (b). I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their vote, I ask the Greffier to close the voting. That part has been defeated.

POUR: 6	CONTRE: 35	ABSTAIN: 1
Deputy K.F. Morel	Connétable of St. Lawrence	Deputy B.B.S.V.M. Porée
Deputy S.Y. Mézec	Connétable of St. Brelade	
Deputy D.J. Warr	Connétable of Trinity	
Deputy L.V. Feltham	Connétable of St. Peter	
Deputy L.K.F Stephenson	Connétable of St. Martin	
Deputy M.B. Andrews	Connétable of St. John	
	Connétable of St. Clement	
	Connétable of Grouville	
	Connétable of St. Ouen	
	Connétable of St. Mary	
	Connétable of St. Saviour	
	Deputy G.P. Southern	
	Deputy C.F. Labey	
	Deputy S.G. Luce	
	Deputy L.M.C. Doublet	
	Deputy M.R. Le Hagarat	
	Deputy S.M. Ahier	
	Deputy R.J. Ward	
	Deputy I. Gardiner	
	Deputy I.J. Gorst	
	Deputy L.J Farnham	
	Deputy P.M. Bailhache	
	Deputy T.A. Coles	
	Deputy M.R. Scott	

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

10. Draft Children and Civil Status (Amendments) (Jersey) Law 202- (P.104/2023).

The Bailiff:

The next item is the Draft Children and Civil Status (Amendments) (Jersey) Law, P.104, lodged by the Minister for Children and Education but to be presented by the Minister for Children and Families. The main responder is the chair of the Children, Education and Home Affairs Scrutiny Panel. I ask the Greffier to read the citation.

The Greffier of the States:

Draft Children and Civil Status (Amendments) (Jersey) Law 202-. A law to amend the Children (Jersey) Law 2002, the Marriage and Civil Status (Jersey) Law 2001, the Marriage and Civil Status (Jersey) Order 2018 and the Interpretation (Jersey) Law 1954 to provide for the status of children conceived by artificial insemination, the rights and responsibilities of those who are parties to agreements leading to the birth of those children and for connected purposes. The States, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following law.

10.1 Connétable R.P. Vibert of St. Peter (The Minister for Children and Families):

I would like to propose the Draft Children and Civil Status (Amendments) (Jersey) Law. This is a complex piece of legislation that has been a long time in development and I am pleased that we are finally debating it today. Many families in Jersey have been waiting patiently for this draft law to be debated so we can begin to deliver the changes that will make a real difference to their lives and families. The desire to amend the legislation to provide expanded provisions for the acquisition of legal status and parental rights has been around for some time. Back while debating P.77/2015 Same Sex Marriage, Divorce and Dissolution, this Assembly noted in amending the law to allow for same sex marriage, consideration should be given to matters relating to parental responsibility for a female same sex couple who are either married or in a civil partnership at a time at which one of them becomes pregnant or gives birth and a male same sex couple who are either married or in a civil partnership at the time at which a child is conceived or born using the sperm from one of them. Furthermore, in response to recommendation 5 of the independent Jersey Care Inquiry, a gap analysis was carried out to understand where the Island possessed gaps in terms of its legislation for children. The gap analysis stated new provisions will enable same sex couples to obtain parental responsibility for their children automatically. Step parents will also be able to enter into a parental responsibility agreement. Parental rights for same sex couples are not guaranteed under the current law. These 2 omissions provided the original impetus for the work that was commenced by Deputy Mézec when he was Minister for Children and Housing back in 2018. In addition, we cannot ignore the repeated calls for the law to be changed by same sex couples themselves. I praise their persistence and patience in continuing to campaign for the simple yet fundamental right to be a parent recognised in law of

their own children. The draft law, if approved, will implement a number of long-standing policy intentions, namely: it will enable civil partners to acquire legal parental status and parental responsibility in the same way as a married couple; it will enable same sex parents to be both registered as a children's legal parents and therefore named on a Jersey birth certificate for the first time; it will enable, as far as possible, same sex parents to be automatically conferred parental responsibility; it will provide the power for the court to make parental orders for Jersey born children; it will provide for retrospective recognition of a parental order granted by a court in England and Wales; it will also provide for the acquisition of parental responsibility by a step parent, by agreement or by order of the court.

[12:15]

The draft law achieves these effects by making significant amendments to part 1 of the Children (Jersey) Law 2002. This part governs who has parental responsibility for a child. Amendments will expand the application of provisions within this part of the law so that same sex parents are able to acquire parental responsibility for their child without the need for a court order or adoption order for the first time. Part 1 will also be amended to introduce parental orders, enabling this type of order to be made by the court in Jersey for the first time. This will enable couples, both same sex and mixed sex, who use surrogacy to become legal parents of their child in Jersey for the first time without having to adopt their own child. The other law that is significantly amended by the draft law is the Marriage and Civil Status (Jersey) Law 2001, specifically part 5 that provides for the registration of births. Again, this part is amended by the draft law to provide for an expanded range of provisions that will, for the first time, enable same sex female couples to jointly register and appear on the child's birth certificate. The amendments will also remove the customary law assumption that the husband of the birth mother is the father of the child. Therefore, married mixed sex couples will register the birth of their child under similar provisions to those that currently exist in the law, however, the father of the child is registered as the child's father rather than the husband of the birth mother. Provisions are also inserted so that parental orders will be registered in the same way as adoption orders. The law will also require that a parent order certificate is produced. This certificate will closely resemble a birth certificate to reduce any stigma as far as possible. I look now at the U.N.C.R.C. (United Nations Convention on the Rights of the Child). In 2014, the U.K.'s ratification of the United Nations Convention on the Rights of the Child, known as the U.N.C.R.C., was extended to Jersey and we became part of the U.K. State Party for that purpose. Since 2014, this Assembly has been on a journey to progressively realise children's rights here in Jersey. In doing this, a number of children's rights will be furthered in a significant way. I shall outline the most significant of those rights. Article 5 of the U.N.C.R.C. states: "States Parties shall respect the responsibilities, rights and duties of parents." For a State Party to fulfil this article, it must first facilitate the acquisition of these responsibilities, rights and duties by all parents. The proposed draft law will enable that acquisition by all parents for the first time. Article 7 of the U.N.C.R.C. states: "Every child has the right to be registered at birth, to have a name and nationality and, as far as possible, to know and be cared for by their parents." As acquisition of legal parent status is not possible for same sex couples or, in certain circumstances, mixed sex couples Article 7 is infringed upon by the 2001 law as currently enacted as one parent of a child is denied from ever acquiring legal parent status for that child. Again, this law will resolve that issue. Article 8 of the U.N.C.R.C states: "Every child has the right to an identity. Governments must respect and protect that right and prevent the child's name, nationality or family relationships being changed unlawfully." Family relationships are a key part of a child's identity. It is important that Jersey's law facilitate the acquisition of legal status that underpin these family relationships for all children. Article 18 of the U.N.C.R.C. states: "Both parents share responsibility for bringing up their child and should always consider what is best for that child." Currently, under Jersey law, it is not possible for both same sex parents and, in certain circumstances, mixed sex parents to acquire legal parent status. It is therefore not possible for both parents to share full responsibility for making important decisions concerning the upbringing of their child. With

regard to secondary legislation, while this Assembly, I hope, will approve this draft law today, I want to make the Assembly aware that this is not the end of the road. Secondary legislation must be produced and brought before this Assembly to make the numerous wide-ranging, consequential amendments required and to alter and equalise how the legal concept of legitimacy is applied as a result of the draft law that we will vote on today. Rules of the court must also be produced and brought before this Assembly to govern the perennial order process. I have been assured by officers that are working on both of these matters that they will come before the Assembly before the end of the year. I would like to propose these principles and ask Members to support this legislation. Thank you.

The Bailiff:

Thank you very much. Are the principles seconded? [Seconded]. Does any Member wish to speak on the principles?

10.1.1 Deputy I. Gardiner:

I welcome this law coming to debate and hopefully it will be adopted by this Assembly. The Minister mentioned several people who contributed to this one but I think it is important to recognise that this law would never have progressed if it was not for Deputy Doublet's constant campaigning. Deputy Doublet was recognised for developing and lodging a law making same sex parents' rights equal to mixed sex parents, as well as her passion and dedication, and was shortlisted for the D.I.F.E.R.A. award this year. She does deserve this recognition. As my Assistant Minister, she worked tirelessly and completely independently to make it happen. I wish Standing Orders would allow for Assistant Ministers to bring propositions in their name, because this was her proposition even though it was lodged in the name of the Minister for Children and Education. So I would like to congratulate Deputy Doublet and thank the current Minister for Children and Families for not stopping this and presenting it to the States. I really hope that the Minister, as he presented, is fully committed to bringing secondary legislation.

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

I urge Members to support this proposition for all the reasons that the Minister has given. It has been causing much anxiety to some of my parishioners. As well as Deputy Doublet, I thank Deputy Mézec and all the Ministers who carried on working towards this. I urge us all to vote for it.

10.1.3 Deputy S.Y. Mézec:

Like previous speakers, I want to speak strongly in support of this and thank the work of the current Minister, but also those who came before him as well for their contribution. Of course, it was noted that when I was Minister for Children, I published the children's legislation programme which included this on it, which at the time I felt so strongly about doing so because - and let us be clear about this - this is a matter of justice, because for far too long a section of our community have been treated as second-class citizens and, in some instances, with outright hostility and prejudice. Enshrining equality for them in the law is absolutely fundamental and will help our entire community continue the progress that there is still to do in advancing equality and full human rights for L.G.B.T.Q.+ (lesbian, gay, bisexual, transgender, queer/questioning, intersex, asexual, and more) people. That is a struggle which can never be taken for granted. Where we see advances come forward, like that which is proposed today, we often see those who prefer to stoke up tensions or distract from their lack of answers on economic issues to fight culture wars to distract us. Those struggles continue. It is why it is so important that we have motions like this to support and put into Jersey law to make it clear that as a legislature we believe in full equal rights for that part of our community and will stand up for them as a matter of justice. So I am very pleased to be voting in support of this.

10.1.4 Deputy L.K.F. Stephenson:

As others have said, I stand up to absolutely support this 100 per cent. I think, as others have said, the dedication, the time and efforts that have gone into this work by so many people, officers, politicians and others campaigners outside of those areas as well is really important. It is something that I remember very fondly from my time at the *J.E.P. (Jersey Evening Post)*, obviously not necessarily the subject matter because they were campaigning for a reason that they wanted to see changed. But I was given the privilege a number of times over many years to interview people living in our community who this was part of their everyday life, including Jersey's first surrogate parents and same sex couples who had children, who shared their own experiences of the realities of what is still the current situation, including having to go to the U.K. family courts to be given the right to be a parent to your own child and to spend an hour in the company of a social worker being observed to check that you are eligible to be considered a parent to that child. So I absolutely welcome these changes. I would also just flag up this point that it is very welcome that we now see fertility treatment, because of the nature of what is being discussed here, being considered and the implications of that, which can sometimes be very complicated for heterosexual and same sex couples. We are talking about it more. Officers are understanding it as well and the implications of it. We are seeing wording around fertility treatment in legislation. I think that is very encouraging. As you can imagine, I hope that is not the last we see of it. I think that this is the beginning, it is a very important one and been a long time coming but I am sure it has flagged up other areas along the way where we can make improvements as well. I would just, off the back of what Deputy Mézec has said around other areas where we do need to improve equality, fertility treatment and access to it for same sex couples is one of those. They do not have the same rights as heterosexual couples currently.

10.1.5 The Connétable of St. Brelade:

I would like to start by thanking the Scrutiny Panel, the Children, Education and Home Affairs Scrutiny Panel, for their excellent report, S.R. 2/2024. I think one thing that it highlighted was that the numbers involved are very, very low and the volume of this law is almost disproportionate to the problem that there is, as I see it. One thing I would like to understand ... I am never particularly comfortable with a draft law suggesting that guidelines will follow. So we are approving a law but we do not know the detail and inevitably the devil is in the detail. So we wait with almost apprehension as to what will come next. There are particular issues over whether or not trans identified men are going to be classed in law as mothers under this or whether trans identified women will be classed as father. I hope that guidelines will enable members of the public to establish exactly what the truth is, in fact, in law behind this, because the document itself is pretty heavy going and I do not think it can be reasonably expected for members of the public to absorb it perhaps as we do. So while supporting the process - and I would not wish to compromise children in any shape or form who not by their own doing find themselves in a situation with same sex parents - we have to support this but watch carefully what comes next.

10.1.6 The Connétable of St. Martin:

I was delighted to hear what Deputy Stephenson said, and she took away some of what I was going to say. So I would just like to underline what she said and reiterate it. I am very grateful to Deputy Doublet, Deputy Mézec, fellow States Members and all who campaigned for this and the officers. I know it has been a long time coming and I know that today it will make a lot ... not a lot but some of my constituents, parishioners will be very relieved today and very happy. I would like to thank all involved and say that I am delighted to support this.

[12:30]

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

As Assistant Minister, I would like to say a few words in support of these principles. Firstly, I am fully behind the principle of the draft law to provide legal parent status and parental responsibility to same sex couples. As the Articles of the U.N.C.R.C. show us, having legislation that enables Jersey to facilitate the retention and recognition of all parents in law furthers our recognition and implementation of children's rights. Why should it be that same sex female couples are only able to be legal parents of their child after undergoing the full entirety of an adoption process, even when one of them is biologically related to that child. Why should the child of a same sex couple not have their parents' name on their birth certificate, how does a parent of that child go about explaining why that is the case? Why should a male same sex couple have to adopt a child when one of them is biologically related when most other modern jurisdictions have laws in place to enable surrogacy to take place? This draft law will implement provisions that solve both of these issues, while also placing civil partners on equal footing with married couples in terms of how they acquire legal parent status and parental responsibility. This is long overdue considering the changes that civil partnerships were first introduced in 2012 and were made identical to marriage by the Civil Partnership Amendment (Jersey) Law 2002. Having this legislation in place will make Jersey the first of the Channel Islands to legally protect the rights of same sex parents in law. This law also goes further than the counterpart law in the U.K., because it will retrospectively grant these rights to the majority of same sex couples on the Island. This complex legislation has been subject to high levels of professional scrutiny to confirm that it is fit for purpose and operates with no unintended consequences. It has taken a very long time to develop because of 2 main reasons. One, the area of law is extremely well prescribed for good reason. This means that when one provision is amended, amendments to a whole host of other provisions are required to enable them to continue to work together to achieve the desired policy effect, and this takes time and expertise to get it right. The effect of this draft law has to be correct, and with no unintended consequences. It provides who a child's legal parents are and who have parental responsibility for a child. I cannot think of many other legal provisions that have such an important function. All families in Jersey should expect to have equal legal recognition and protection from this law. If approved, we will finally make this a reality. The publication of the final report of the Independent Jersey Care Inquiry told us that parts of our legislation that relate to children were outdated or non-existent. I believe that this draft law represents an opportunity for us to update our legislation and provide for prospective parents what has been possible in the United Kingdom for over 15 years, and I hope that Members will support it.

10.1.8 Deputy L.M.C. Doublet:

This is such a significant day for the Assembly and I am absolutely delighted that we have got to this point and, as Deputy Gardiner and others have mentioned, the lodging of this law was a result of lots of hard work by many people, not least the officers who drafted the law and the law drafting staff who have been working on it. Deputy Mézec, I want to thank him for asking for that report to be produced with the Children's Commissioner and to thank the previous Children's Commissioner as well, because that was one of the steps that allowed for progress to be maintained on this issue. I do remember being part of the debate on same sex marriage and being told at the time that this would all be sorted out and, as a member of the L.G.B.T. community myself, several of the fellow members of the community told me that they were having children around that time and in the year or 2 after that marriage law was approved and they were told when they were having their children and asking about their parental rights that it would be sorted out imminently. Some of those families now have children who are 7 or 8 years old. That is how patient those families have had to be for this law to be progressed. It is an extremely complex law. I think it is absolutely right that we have put the resources into this law and that it is being debated by the Assembly today, and I hope it will be supported unanimously today. In terms of the development of the law, this was my highest priority when serving the Assembly as Deputy Gardiner's Assistant Minister and involved lots of keeping the focus on the law, escalating where necessary, and so I cannot understate how much hard work

has gone into this law, even to the point where senior law drafting staff told me that this was the most complex piece of legislation that has ever been produced in their memory. The dedication by some of those staff, I recall on one occasion a senior law drafter working on this from a hospital bed, so it has been a labour of love and determination from many, many people. Somebody that I would like to mention, because the principles and the content of the legislation that is before us today, I personally would not have been able to progress it and gain the traction that I did without the paper that was written by the Jersey Law Commission, and, again, that was several years ago and that was driven primarily by Barbara Corbett and indeed the award that Deputy Gardiner mentioned that I was nominated for, Advocate Corbett was also nominated for awards and won that award at the D.I.F.E.R.A. Awards, so we must not forget her contribution and the contribution of the Jersey Law Commission, because that was significant and it really allowed the officers and myself to continue at pace with this piece of work. Another thing to mention I think is the previous States Assembly because of course, although I was pretty relentless in campaigning for this myself, I brought a Back-Bencher proposition at the end of the previous term to accelerate the work on this legislation, which was supported by the Assembly. That political will and that decisiveness by the previous Assembly has contributed to the maintenance of this area as a political priority. A previous speaker mentioned the small numbers of families involved and perhaps the implication was, and I think the speaker did say so, why has such a huge resource gone into making this piece of legislation for a small number of families. What I would say to that is that human rights are not optional. This legislation will realise fully the human rights of a group of children. It is not really about the parents, it is about children having their full human rights and knowing who their parents are in the law and being able to have the full rights associated with that. Although we are a small community, the L.G.B.T.Q.+ community in Jersey and our families, we matter. I hope that the Assembly will keep that principle close to its heart and maintain that principle in future decisions. I wanted to talk about some of the specific principles that have been taken forward as part of this legislation, and again I wanted to thank the Scrutiny Panel because, not only did they do the work to review this legislation really quickly, they did a very thorough job, and many of the issues raised were issues that I had questioned officers on myself and had to take some very hard decisions on whether to pursue those areas or not. One of them is the area of the legitimacy. Now, I do not like this concept. I think it is outdated and I do not think we should be labelling children as legitimate or not legitimate in any way whatsoever. But I was told that, in order to tackle that piece of legislation, it would cause lengthy delays to this law, so the decision I took at the time was not to address that issue, but to progress with the principles of the same sex parental rights. I do think that needs to be looked at by another body. I think perhaps the Legislation Advisory Panel might be a good body to look at that, and I would be interested if the chair of that panel would perhaps be able to comment on that today. Another concept is parents being able to use the term “mother” or “father” and choose the term that aligns with their gender identity as a parent. It was not possible to allow that in the law, and one of the reasons is that the term “mother” is not just a term that we use in society, but it is also a term used and has a specific definition in the legislation. So that is something I would like to see addressed down the line. Another issue, which again was raised in the Scrutiny review by one of the submissions, and I feel quite strongly about this though, and I would like this to be addressed by the current Government, and again I had to proceed with this because the alternative was delaying the legislation, but female same sex couples are required to use fertility services in order to gain their legal parental rights and at the moment there is a cost associated with that. Now, there are of course other methods of starting a family outside of fertility treatment, and I think, given that there is a cost involved, there should be some work done looking at either waiving the cost of that treatment or allowing legal agreements to be drawn up between sperm donors and lesbian couples, or female couples, who wish to conceive at home. So I would like the Minister’s comment on that please. I note that, although I think and I hope that Members will support this today, as the Minister mentioned in his opening speech, there are many, many consequential amendments, more than 33 different laws need to be amended in order to bring this law into force, so there is still a long way to go, and I expect that the resources and the political

will within Government, I expect that to be maintained and for this work to be progressed at the same pace that it was being progressed, that the families can have this law in force by the end of this year. I support this law very, very much. I am delighted that we are debating it today and I hope that Members will unanimously support the principles.

The Bailiff:

Thank you very much, Deputy. Does any other Member wish to speak on the principles? If no other Member wishes to speak on the principles, it might be sensible if we deal with this aspect before the adjournment. Then I close the debate and call on the Minister to respond.

10.1.9 The Connétable of St. Peter:

First of all, I will consider the concerns of the Constable of St. Brelade. I do not believe we have anything to be concerned about from what follows. I mean, this law is about ensuring that same sex couples can now register births and become fully legal parents. I cannot see anything in the guidance that should be concerning. The transgender issue is not specifically looked at in this law. Of course it will allow some transgender couples to register birth or transgender people where one of the parents is transgender. Again, to address the issue fully would have delayed the law once again and it was considered that at this point it was far better to bring the law before the Assembly rather than have another lengthy delay. I heard the comments from Deputy Doublet and of course those are issues that we will look at. They are legal issues and I am not a lawyer, so I do not wish to comment further on those because they would require further legislation.

[12:45]

So I wish to thank, in summary, the Children, Education and Home Affairs Scrutiny Panel, the Law Officers, the Law Draftsmen, for their extensive work on this law, which I am very proud to present to the Assembly today. We are still looking at the recommendations of the Scrutiny Panel and of course those may be covered in further guidance. Finally, and I know that Deputy Gardiner has already covered this, but I wish to thank in particular Deputy Doublet. Without her persistence, the law would not be probably in the Chamber today and might have taken considerably longer to get here. She was very persistent to ensure that this legislation got the recognition that it should have. Of course, she lodged P.26/2022 to expedite the debate, which was extremely important at that time. We had broad support across the Assembly and I hope that we still have that broad support today. So I call on Members to vote on the principles and ask for the *appel*.

The Bailiff:

The *appel* has been called for. I invite Members to return to their seats. The vote is on the principles of the Draft Children and Civil Status (Amendments) (Jersey) Law. I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The principles have been adopted.

POUR: 41		CONTRE: 0		ABSTAIN: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				

Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy S.Y. Mézec				
Deputy P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B.S.V.M. Porée				
Deputy D.J. Warr				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F Stephenson				
Deputy M.B. Andrews				

Before I seek the adjournment, does the Scrutiny Panel wish to scrutinise this?

Connétable M. Labey of Grouville (Vice-Chair, Children, Education and Home Affairs Scrutiny Panel):

In the absence of Deputy Curtis, as Vice-Chair, I would also like to thank all our officers and especially the officers of the Scrutiny Panel for doing an exemplary piece of work on the report. But we do not wish to call this in.

LUNCHEON ADJOURNMENT PROPOSED

The Bailiff:

Very well, the Assembly stands adjourned until 2.15 p.m.

[12:48]

LUNCHEON ADJOURNMENT

[14:15]

Deputy K.M. Wilson:

Sorry, can I retrospectively inform the Assembly that Deputy Ozouf is *malade*?

The Bailiff:

Excuse malade. So you would like the record of his non-attendance corrected to reflect the fact he is *malade*?

Deputy K.M. Wilson:

Yes.

The Bailiff:

Very well, we will mark the Deputy as *malade*. We resume debate on P.104, the principles have been adopted and Scrutiny has indicated they do not wish to call the matter in. So how do you propose the Articles, Minister, in Second Reading?

10.2 The Connétable of St. Peter:

As advised in the States Member's briefing that took place on 5th March, due to the very interconnected nature of the provisions of the draft law and how they rewire certain parts of the Children's (Jersey) Law 2002 and the Marriage and Civil Status (Jersey) Law 2001, to achieve the desired policy intentions, I would like to propose the Articles *en bloc*.

The Bailiff:

Are they seconded? **[Seconded]** Does anyone wish to speak on any of the Articles in Second Reading? No one wishes to speak. I close the debate. Those in favour of adopting the Articles and Second Reading kindly show. Those against? The Articles are adopted in Second Reading. How do you propose in Third Reading, Minister?

10.3 The Connétable of St. Peter:

I propose the Articles *en bloc* in the Third Reading.

The Bailiff:

Are they seconded for Third Reading? **[Seconded]** Does any Member wish to speak in Third Reading? No Member wishes to speak in Third Reading. Then I close the debate. The *appel* is called for. I invite Members to return to their seats. I asked the Greffier to open the voting. The vote is the adoption of the Children and Civil Status (Amendments) (Jersey) Law in Third Reading. If Members have had the opportunity of casting their vote, then I ask the Greffier to close the voting. The law is adopted in Third Reading.

POUR: 36		CONTRE: 0		ABSTAIN: 0
Connétable of St. Lawrence				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of Grouville				
Connétable of St. Ouen				

Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy L.J Farnham				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy B.B.S.V.M. Porée				
Deputy D.J. Warr				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F Stephenson				
Deputy M.B. Andrews				

11. Draft Children and Young People (Jersey) Commencement Act 202- (P.2/2024)

The Bailiff:

The next item is the Draft Children and Young People (Jersey) Commencement Act, P.2, lodged by the Minister for Children and Education, but to be presented by the Minister for Children and Families, the main responder is the chair of the Children, Education and Home Affairs Scrutiny Panel. I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Children and Young People (Jersey) Commencement Act 202-. The States make this Act under Article 48 of the Children and Young People (Jersey) Law 2022.

11.1 The Connétable of St. Peter (The Minister for Children and Families):

I would like to propose the Draft Children and Young People (Jersey) Commencement Act. The Independent Jersey Care Inquiry showed us all what happens to children and young people when the

whole system fails. We learned that children had not been protected from harm and had not been listened to or believed when they gathered the courage to describe what had happened to them. Enacting this law is the next major step in the crucial mission to ensure that all children and young people in Jersey will grow up safely, to learn and achieve, live healthy lives, and be listened to. Commencement of the new law will, for the first time, make a statutory requirement to ensure that everybody who works with children and young people contribute to the overriding objective to promote and support the well-being and safeguard the welfare of children and young people. The people and organisations included in the law are the Chief Minister, the Minister for Children and Education, which is now the Minister for Children and Families, and the Minister for Education and Lifelong Learning, the Minister for Health and Social Services, the Minister for Justice and Home Affairs, the Minister for Housing, corporate parents, safeguarding partners and relevant providers, and providers of services for children and young people. Key parts in the law can be summarised as follows: part one of the law identifies the overarching objective of the law and aligns them behind the U.N.C.R.C.'s 4 general principles of child's best interest, unlawful discrimination, regard to children's views, and their health and development. Together, they provide the vision for those working with young people in Jersey. Part 2 of the law sets out a requirement for Responsible Ministers and safeguarding partners to work together to promote well-being and safeguard the welfare of children. Recently published statutory guidance and safeguarding arrangements alongside new training resources, all aimed to strengthen joint working arrangements to support the changes in practice that are required in the new law. The investment and reform programmes in children's social care and education are examples of this Assembly's commitment to realise the policy intent behind the new law. The Minister for Children is required in part 3 of the new law to publish a Children's Strategic Plan every 4 years. Work has been ongoing to secure a revised plan, with contributions from community, voluntary sector, and young people themselves. Publication of this revised plan is scheduled for the end of this quarter. The provisions of part 4 and 5 of the new law are intended to complement the existing child protection and care supervision provisions under the Children's (Jersey) Law 2002. Taken together, they provide a practice model for intervention along the continuing need, which is based on the promotion and assessment of well-being that will derive the provision of support to all children, regardless of the setting that the child is in. The new Children and Families Hub will play a key role in leading and defining the early health provision going forward. This support is complemented by corporate parenting arrangements in part 6 of the law, which define collective duties and responsibilities. The Public Authority Corporate Parents named in the schedule, along with the early years and educational settings and a small number of arm's length or funded bodies, together provide a broad group of expertise and experience. They can make a real difference to a thriving childhood. Monitoring and review of corporate parenting activities will be driven by the formation in the law by the Corporate Parenting Board. Part 7 of the new law introduces new statutory measures to support looked-after children and care leavers through a published local offer of support. The aim here is to put provisions in place that support children in care to thrive and, as they grow older and move towards adulthood, avoiding a cliff-edge of post care that was experienced by many in the past. As I am reminded by the C.E.O. (chief executive officer) of Jersey Cares, love never leaves. As a named Responsible Minister under the new law, I will play my part to listen and talk to children, to understand how we can do better and to reach our goal of delivering world-class support to all of Jersey's children and young people. I will continue to explore how, in my role as Constable, I can lead the work to show there is a place for all children in Jersey. I am mindful of the previous Ministers who have worked to progress this legislation, in particular Deputy Gardiner and Deputy Doublet, and I thank them all. I can absolutely confirm that as the current Minister for Children and Families, I and the Council of Ministers remain committed to learning the lessons from the past and building better futures for all our children and young people in Jersey. I would also like to thank everyone, including officers, who have contributed to this significant piece of work, including again the Law Draftsmen who have had to undertake an enormous amount of work while also working on parallel legislation. This will enable us to move

forward with a shared aim and common language to have a direct, positive impact on the lives of our children and young people.

The Bailiff:

Do you propose the Act?

The Connétable of St. Peter:

Yes. I was not sure, has it been seconded?

The Bailiff:

No, not yet.

The Connétable of St. Peter:

Oh, sorry. Yes, I propose the Act. Sorry, I propose the Act.

The Bailiff:

Thank you. Is the Act seconded? **[Seconded]** Does any Member wish to speak on the Act?

11.1.1 Deputy R.J. Ward:

Yes, just very briefly, because a lot has been said. So, as a Deputy in this Assembly and as Minister for Education and Lifelong Learning, the commencement of this Children and Young People's Act, I believe, is a positive step forward in the promotion and protection of children's well-being in the Island. I think we have learned - I have got some words written down in very large print at the moment so I can see them - post-COVID, we are now aware more than ever I think of the importance of children's well-being. There is a real key principle underpinning the new law, which is the commitment to support and improve the well-being of all children and young people in Jersey. This applies to whatever level of need there might be, and I think that is a very important point, and whatever setting those children are in. I know that in previous years the educational outcomes of children in care have not been as good as their peers, and I am pleased to see the consolidation in law of a requirement to establish a virtual school head, which could provide the oversight and co-ordination necessary to improve children's experiences of school and their learning. The new law also provides arrangements to avoid, as was mentioned, that cliff edge support that many care leavers have previously faced at 18, and it is such an important point. That is important because that period of time in the child's life is the transition from school to the world of work or to further study. As corporate parents, and I look to all of us now when I say that, we need to ensure that those children and young people in care are afforded the best opportunities, whether it be to advance their studies, whether it is via higher or further education or taking advantage of the local apprenticeships or wider training opportunities, those opportunities need to be there. The continuing progress and investment made to improve inclusion in schools, and there is still work to be done there, through the education reform programme, is consistent with those aspirations. Also the emphasis on early intervention and what we do with early years, for example, and the focus on child's experience are features of work in schools and colleges. So I support the Minister for Children and Families' proposition and the commencement of this new law, and I encourage Members to do the same, and that is all I will say on that one today.

11.1.2 Deputy I. Gardiner:

Just very short, first of all I would like to congratulate the Minister for Children and Families to bringing this Act to the Assembly and present this Act to the Assembly. For the last 2 years, Connétable Vibert, as he was involved completely with Children's Services, and I know that everything, every word that was told here is coming from the heart, because the Minister does care for children and especially children in the care of the Minister. I also would like to say a big thank you for the officers. It is one of the fewest Acts or laws that come in front of the Assembly with full

statutory guidance, so you know exactly what you receive and, believe me, officers worked very hard, very thorough, to go through so many different consultations to make sure that all stakeholders will be content with the statutory guidance that come in with this together, and I am grateful for them. I would like the Minister in his summing up speech to address a couple points, as we know that the Corporate Parenting Board is extremely important to ensure that we are on the right way and right journey to deliver our promises to the children in care.

[14:30]

Would the Minister advise if the Corporate Parenting Board has been reconstituted and met and if all members of the Corporate Parenting Board have been trained what does it mean to be a corporate parent, because everyone, including me, needed to learn it? Second, I would ask the Minister if he is planning to do training for all States Members what does it mean to be the corporate parent and what duty does it bring to us. Another question: children and young people plan 2024-2027 should be finalised and if the Minister has an idea when it will be published so we know what our plan for children and young people for this year and 3 years is going forward. The last thing is - it is work and I know that the Connétable, the Minister, was championing this - it is about updating the care leavers offer and if the Minister can indicate when we can see an updated care leavers offer; that has not been updated since the previous Assembly. Again, I would like to congratulate and I think it is an extremely important milestone that started at the previous Assembly with Scrutiny and the Government and we work ... it is one of these things that we work very collaboratively together to get where we are now.

11.1.3 Deputy L.M.C. Doublet:

I echo what Deputy Gardiner said in terms of thanking people for their work and in terms of the Children's Plan that will be coming. I think the current Minister said that it would be published by the end of this quarter, which is very soon, and I wish the Minister and the department all the best with that because I know a huge amount has gone into that and some excellent officers working on that; one in particular has worked very hard on that. That will be a big moment for Jersey when the next Children's Plan is published and a big moment for Jersey's children. This Commencement Act today, we have just had the previous item which of course was a very important piece of legislation. This is just as important and it touches the lives of all children on the Island. There were a couple of things that I wanted to ask the Minister to touch on in his summing up. In terms of the responsible people, in terms of corporate parenting, nursery schools are now falling under this law. What I wanted to request from the Minister is that he should ensure that those nurseries have the support that they need to fully comply with this law, which I know that they are all very, very keen to do, but some of our private nurseries are very small and do not have the same kind of administrative support that perhaps our school nurseries do. I would want to see that they would be well supported in terms of supporting the well-being of the children in their care. Another factor that I see alongside the Children's Plan in terms of there is a line in the law about the duty to promote the health and development of children and young people. Another separate but related piece of work that Deputy Gardiner and I had just signed off before the change of Government was the new P.S.H.E. (Personal, Social, Health and Economy) curriculum for secondary schools, which contained everything that the previous Youth Parliament had requested us to include in the new P.S.H.E. curriculum guidance, we had included that in there. So I would really like to see the current Ministers continuing with that and bringing that forward with everything that the Youth Parliament had requested because I believe that that P.S.H.E. document will support the delivery of this legislation, and I hope all Members will support this today.

The Bailiff:

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

11.1.4 The Connétable of St. Peter:

I thank all the Members who have spoken for their comments. The Corporate Parenting Board has been reformed and will have its first meeting later this week. So I am very pleased that we have managed to achieve that. I believe that everyone on there will have received training, but I think that is something we can take up at the first meeting just to double check and, if not, even if they have been, we can possibly reinforce that training. I think the same of training for Members. I mean all Members should have taken part in some training for their responsibilities as corporate parent, but I think that that does need some reinforcement. Recently, the Constables asked Jersey Cares to give them a briefing on corporate parenting, and that was immensely useful in people understanding exactly what is required. The draft Children's Law, the draft Children's Plan, I have reviewed this a number of times and I believe it will be ready the end of this quarter. It is important that we get that in place. Moving to nursery schools, I thank Deputy Doublet for raising this because I think it is very important that the smaller nurseries are supported, who might not necessarily have the resources to do that. Finally, P.S.H.E. rests with the Minister for Education and Lifelong Learning, but I am sure that he has every intention of bringing that forward as soon as possible. So I ask Members to support this proposition. I maintain the principles and I call for the *appel*.

The Bailiff:

The *appel* is called for. I invite Members to return to their seats. The vote is on the Children and Young People (Jersey) Commencement Act. I ask the Greffier to open the voting and Members to vote. Members have had the opportunity of casting their vote, then I ask the Greffier to close the voting. The Act has been adopted.

POUR: 42		CONTRE: 0		ABSTAIN: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy I. Gardiner				
Deputy I.J. Gorst				

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

12. Cash payment at Government Sports facilities (P.10/2024) - as amended part (a) (P.10/2024 Amd.)

The Bailiff:

The next item is Cash payment at Government Sports facilities, P.10, lodged by Deputy Stephenson. The main responder will be the Minister for Infrastructure. Deputy, there is an amendment lodged by the Minister. Do you accept the amendment?

Deputy L.K.F. Stephenson:

I accept part (a) of the amendment but not part (b).

The Bailiff:

In which case I think we must read the proposition. Can we read it as amended by part (a) if Members agree? Do Members agree that we can take the proposition as amended by part (a)? Very well, Greffier, would you read the proposition as amended by part (a)?

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion - (a) to request the Minister for Infrastructure to reintroduce the ability for members of the public to pay in cash at Government-run sports facilities that have previously accepted cash payments by June 2024; and (b) to request the Council of Ministers to review current and planned Government policies regarding cash payments across all departments and facilities by June 2024 to ensure that Islanders are not being unfairly disadvantaged or prevented from accessing services.

12.1 Deputy L.K.F. Stephenson:

I do not like to have regrets, but following the vote of no confidence and the change of Government earlier this year, it is a matter of regret for me personally that I did not get plans to reform the cashless policy in place at our sports centres over the line before losing my role as Assistant Minister with responsibility for sport. I was working on it and will return to that point briefly later in my closing remarks, if it is needed. The proposition before Members today I believe is a simple one. I am asking Members to champion accessibility, freedom of choice, and pragmatism, and I am asking you to put those things and the experiences, interests and rights of Islanders above cost-cutting exercises or what may be easiest for Government's internal processes to handle. As we have just heard, I am accepting part (a) of the Minister for Infrastructure's amendment, which limits the reintroduction of cash to those sports facilities which previously took cash. Knowing the sites, I feel comfortable that reintroducing cash at those facilities meets the aims of what I am trying to achieve as they are the general public access points and the places where you can turn up and pay to use the gym or the pool, for example, even if it is just for a one-off. But I would add that if the current business model changes, if public gyms are opened at sites like Langford and Oakfield, for example, or further sites are opened in due course, then I do believe that this should be reviewed. I am not accepting part (b), which attempts to change the meaning of my proposition in such a way that it effectively makes it redundant. By including the word "relevant", I understand that the Minister aims to limit any review of current and planned policies to just those affecting sports facilities. My intention is for Government to take a look across all of its departments and public services to ensure that cashless policies or potential ones are not preventing vulnerable people from accessing public services. The wording of my amendment does not state that specific actions must be taken across Government or that cash should be introduced as an option for all payment interaction with Government at all levels. This is not about someone turning up to pay their full tax bill in cash. As I understand it, there are already government policies in place which place limits on accepting cash with the cashiers up to an amount of £1,000. I am not seeking to change this. What it is about is considering, if there are any other areas that potentially fall under the Government's remit, where Islanders may legitimately need or want to use cash, and especially where cashless policies may be preventing someone from accessing an important public service. I do not believe that I am asking much for Government to review its policies in this way. Government should, I believe, want to do this and probably should really be doing this already on a regular basis if it is, as it claims in the amendment, committed to making payment channels available which meet customer need while ensuring that Islanders are not being unfairly disadvantaged or prevented from accessing services. As the report points out in the amendment, other areas of Government have maintained the ability to pay with cash and the Public Finances Manual continues to allow the taking of cash. So again, am I really asking that much for Government to take a look, to take stock of these policies and just reassure itself about what is in place? I want to look briefly at the wording of part (b). The report accompanying the Minister's amendment states: "The amendment to part (b) states that a review will take place across all sports and related facilities, which the Council of Ministers believes is the intention of the proposition. This will enable that part of the proposition to be accepted." I am not quite sure how the Council of Ministers have arrived at the conclusion about the intention of the proposition. Certainly no one asked me and my original wording for part (b) clearly states that it is regarding current and planned government policies regarding cash payments across all departments and facilities by June 2024. So the intention of the proposition is quite clearly not to limit that review to sport and relevant related facilities. That is why it says "all departments" and that is why I cannot accept part (b). I ask Members to reject part (b) of that amendment when we come to discuss it shortly. It is true that public habits are changing when it comes to the use of cash, and it is fair to say that this has been accelerated by the pandemic, but we are not a cashless society. Not yet, anyway. Until such time as we reach that point and solutions are in place to protect all in our community who may, for whatever reason, find the move to digital payments more difficult than others, then I believe the Government

has a responsibility to provide access to cash payments. I want to draw Members' attention to an article from the *Financial Times* published only a few short weeks ago on 28th February under the headline "Bank of England says cash still hugely relevant". The article states that the value of notes in circulation has risen by nearly 16 per cent with one in 5 people saying their preferred method of payment is still cash. It specifically cites the use of cash as a way for people to feel more in control of their spending and budgets, and it commits that the bank will protect access to a range of payment choices, including cash, for as long as people need it. I want to repeat that last part: "For as long as people need it." U.K. Finance comes to similar conclusions and says that, although the use of cash had been declining, in 2022 cash payments increased for the first time in a decade, rising by 7 per cent. These are U.K. figures, I accept that, but we can assume that some of the patterns of use are not too dissimilar in Jersey. As the report accompanying my proposition states, a case was recently brought to my attention of a vulnerable Islander being prevented from using cash at Les Quennevais Sports Centre because of the cashless policy. This was just one case, but it highlighted a policy that I will admit I was not aware of at the time. I discussed it with a number of Ministers at the time who agreed that they would also like it to be looked into as well.

[14:45]

Sport is one of the world's great levellers and it can bring people together in ways that nothing else can. It is good for our mental as well as physical health and, as *The Value of Sport* report, published in November, shows, Jersey's public leisure venues contribute more than £4.5 million total social value through improvements to physical and mental health and subjective well-being. Our public sports venues exist to protect and promote access to such facilities for a diverse range of Islanders because of exactly those kind of benefits. We expect that our public venues should provide services of a kind and at a price point which makes them accessible to parts of our community who may find the private sector more daunting, expensive, or difficult, for whatever reason. We should therefore have payment options, which also protect and promote accessibility and ensure that no one is put off or unable to access them because of a policy around how they pay. There are a number of reasons why cashless policies can be potentially problematic. Accessibility, for example, cashless policies are more likely to negatively impact the more vulnerable in our society. It can potentially alienate the elderly and impact on children who maybe are not using bank cards or digital banking themselves yet. Members of the community with special needs have also been impacted, as was the situation with the case at Les Quennevais. As I have said, our relationship with cash is changing, but we are not yet a cashless society. Cost of living, both the Bank of England and U.K. Finance, as I say, have cited the cost of living as part of the story around the ongoing use of cash. They say that often people feel cash makes it easier to monitor their spending when times are tough. Cash Access U.K., a not-for-profit, highlighted in the same *F.T. (Financial Times)* article I referenced earlier that, in their experience, some of those increasingly using cash include digital savvy people in their 20s and 30s and workers on zero-hour contracts who need to budget. Financial exclusion is another area. There are - it is a reality - some members of our society who are unable to open bank accounts and that could be for all sorts of reasons, a poor credit rating or because the bank has turned them down for other reasons, and there may be occasions when some in our community may not want to leave the digital trails, which card payments create. Domestic abuse could be an example of that. Finally, resilience. Over the weekend a technical glitch caused chaos at Sainsbury's supermarkets in the U.K., disrupting deliveries and preventing contactless payments from being able to be made. Staff were stationed outside shops to tell customers they could only pay in cash. Such instances are rare, but they do happen, and increasing reliance on the internet is having very many positive impacts in our world, but it does have its potential downsides. Having access to simple cash alternatives, if needed, can be useful. The solution to this problem does not, as I hope my report makes clear, have to be overly complicated, bureaucratic or costly. I believe a pragmatic, common-sense approach can be found which balances the need to accept cash for those who need to use it with the demand, which I accept is not likely to be significant. As a final point, I would just like to encourage Members to

consider the message that we send out today with this debate. I certainly do not believe that we should be trying to force any private businesses to take cash, but I do think that our approach can be useful for those considering their own direction in this area going forward. As I say, let us remember that we are not yet a cashless society and Government should not, I believe, be leading the charge on forcing that on Islanders.

The Bailiff:

Do you move the proposition?

Deputy L.K.F. Stephenson:

Sorry, I got carried away. Yes, please. Thank you.

The Bailiff:

Indeed, is the proposition seconded? [**Seconded**]

12.2 Cash payment at Government Sports facilities (P.10/2024) - amendment part (b) (P.10/2024 Amd.)

The Bailiff:

There is an amendment which is to part (b) of the proposition, and I ask the Greffier to read the amendment.

The Deputy Greffier of the States:

Page 2, paragraph (b), after the words “across all” insert the word “relevant”.

12.2.1 The Connétable of St. John (The Minister for Infrastructure):

I thank the Deputy for accepting part (a) of the amendment and I should start by offering my apologies on behalf of the department to the individual referred to by Deputy Stephenson, who was prevented from accessing Les Quennevais. Part (a) reintroduces the ability to pay cash to those sports centres that formerly took cash. The amendment ensures that Islanders will not be prevented from accessing services at Fort Regent, Springfield and Les Quennevais sports centres because they do not have a digital means of payment. Accepting cash as a preferred method of payment at these centres changed at the start of the COVID pandemic some 4 years ago. Since then, I am told some 800,000 people have transacted at Les Quennevais alone, and we are aware of very limited concern or complaints across the estate. The public has therefore very much embraced new methods of electronic payments which have become prevalent across society. Nonetheless, recognising the challenge faced by the very few Islanders without access to digital means of payment, this amendment will ensure that in the event that a customer is only able to pay with cash at any of the sports facilities that previously accepted cash, they will be able to access the pay-and-play facilities. As the Deputy is aware, other sports facilities such as FB Fields, Grainville, Haute Vallée 3G pitch and the pool, Langford and Oakfield sports centres, do not have a reception front desk or teams at the door to welcome users and no payments are processed at these sites. These sites have not accepted cash payments and this will continue to be the case. So, as stated by the Deputy in her report, we do not need to return to the previous arrangements at the same level and, while there will be additional cost, it will not be prohibitive at these sites. The amendment to part (b) clarifies that the review of policies regarding cash payments applies to relevant departments. We are debating cashless pay at sports facilities. That is the heading on the proposal. It is not considered appropriate to undertake a review across all departments. The only facilities that went cashless during the COVID pandemic were the sports centres and part (a) of this amendment reintroduces cash as a payment option at these facilities. My understanding is that other government departments and services did not change the payment options available. Policies, including the Public Finance Manual, allow for cash to be used as a payment option. Members of the public who are unable to pay for government services via digital channels

can access C.L.S. cashiers at La Motte Street to pay with cash and, as the Chief Minister confirmed this morning, there will continue to be the ability to pay for government services at the new office building. The amendment will ensure that cash payments options at all sports and related facilities are reviewed to ensure that Islanders, especially those who are vulnerable, are not prevented from accessing services. I would not want to be restricted to opening Oakfield Gym only if we can accept cash for users. We have gyms around the Island where you can pay cash and I am desperate to open Oakfield to the public just as soon as we possibly can. The Deputy mentioned contingency plans, and that is a very good point and, I apologise, I do not know what our contingency plans are within the operation, but I am sure by tomorrow I will. I ask Members to support the amendment at (b) that the review is of relevant departments.

The Bailiff:

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

12.2.2 Deputy E. Millar:

I would also like to speak in support of the amendment. Government is not leading any charge in terms of accepting digital payments. Instead, it is responding to changes that we are seeing in society both locally and internationally. The COVID pandemic in particular led to step change in the take up of digital payment methods both here and internationally, globally. In 2023, the Government collected 91 per cent of its income through digital channels such as card payments, bank transfer and online payments. For many, but not all, digital payment channels are now the payment channel of choice. In 2014, in contrast, 40 per cent of the Government's income transactions were collected by non-digital channels such as cash and cheque. By 2023, only 9 per cent of our income has come through non-digital channels. To extend cash payment options beyond the level that have existed to date would require cash collection processes to be established and, as the Constable of St. John has just said ... sorry, the Minister for Infrastructure has just said, apologies, it puts staff at risk and increases the cost of collection. There are businesses, for example, I am aware C.L.S. have recently, within the last couple of years, also tried to encourage people away from paying large sums of cash. Businesses, although there is a £1,000 limit because of anti-money laundering rules, there are businesses who will turn up and seek to pay social security contributions by up to £900 in cash and what they are doing by that is pushing the cost of collection, bagging, counting, and banking on to Government rather than themselves. There is a cost to handling cash and businesses who deal in cash; it is entirely reasonable to ask them to deal with that cash and pay Government digitally rather than putting the burden on the Government. Government does, however, accept cash and cheques from customers who wish to pay via these channels. In 2023, we received over 30,000 cash and cheque payments. The only area of government that moved to cashless payment during the COVID pandemic was sports facilities. We would not wish to reintroduce cash as a widely-used payment option for all services or for all payees. Anti-money laundering legislation places requirements on the Government when accepting large cash payments. It is important and we accept that all Islanders, especially vulnerable, have the ability to access government services. The Public Finance Manual allows cash as a payment option and this amendment will ensure that any review of policies is focused on the relevant sports and related facilities. I think we also have to reflect, as Deputy Stephenson says, that there has been a little bit of an uptick in the use of cash. The share of cash payments among total payments declined from 15 per cent in 2021 to 14 per cent in 2022. A decade ago, that number was 54 per cent and pre-pandemic, in 2019, cash accounted for just over one in 5 payments at 23 per cent. I accept that some people may wish to use cash to help them deal with the cost of living, but we do also have to reflect that Government's interaction with the public is generally not the same as the weekly shop or the weekly filling up of petrol. Apart from sports facilities, many people will not engage with Government regularly. We pay our tax once a year for most, social security perhaps quarterly, or it is deducted already through their payroll. Other services may be paid on an even rarer basis. But we do have processes where vulnerable people can buy pay cards, can pay for cash, people

can buy pay cards for parking, using cash in local shops. We cannot halt progress. We do need to move forward. My concern about the amendment, with Deputy Stephenson's proposition, part (b) of the proposition without amendment, is it asks Government to do a piece of work, and we all know that will not just be Government going off and asking departments to think about it, because I am quite sure in 6 months' time we will be asked to evidence that the review has been conducted and written up, and that the outcomes have all been properly considered and debated. Yet again, this is a proposition which indicates a solution for a problem that does not exist. Apart from the one instance at a sports centre, we have no evidence of the public having problems interacting with Government or paying for government services in any way. There is also demand for digital services in many places, payment of parking, payment of fines, payment of, for example, things like preschool meals and Treasury supporting the Education Department in the implementation of an online portal, for example, for the collection of paid school meals. This will be at the request of parents who appreciate the simplicity of online payment. But I am quite sure the Education Department will be facilitating payment in cash for those people who need it. I support the amendment to the proposition.

12.2.3 Deputy H.L. Jeune:

Just listening to this interaction, I have some questions for the Minister for Infrastructure and the Minister for Treasury and Resources.

[15:00]

I am feeling that I am hearing that there is not necessarily the evidence collected that what is happening now in the services, as we are going towards a cashless society, as the Government is wanting to go towards this cashless-based payment scheme, that the evidence is there to make sure that this is fair and reasonable. I think this section (b) that Deputy Stephenson has put is just asking for that kind of acknowledgement that it is fair and reasonable. Because anecdotally we are hearing concerns. I know the Association of Jersey Charities, a lot of charities are raising the concerns that vulnerable people are finding it difficult to interact with the Government when it comes to cashless payments. Also, older people as well are having concerns and more and more, as we are hearing in the news recently, that scammers are becoming more prevalent in Jersey. That kind of interaction with the banks, the older generations especially are starting to become very wary of going into that cashless society. So this is, as Deputy Stephenson said, and I would like to stress that to the Members, it is not asking to do a change, it is just asking to look at if this is fair and reasonable for those vulnerable people in society, so not the 95 per cent that the Minister for Treasury and Resources has raised. Of course many of us would say, yes, this is the right way to go, but there are many in society that do not have access. I know from my own charity that I am chair of, we have to continue collecting cash on a weekly basis for our subsidised rent because our young homeless residents are unable to pay for us because they do not have access to bank accounts, and we are talking about young 18 to 25 year-olds here; so there are those in society who are unable to pay in a cashless way. So this proposition, the part (b) put by Deputy Stephenson, I think will be important for the Government to evidence that this is the right direction or not.

12.2.4 Deputy R.S. Kovacs:

The Minister for Infrastructure said the changes towards digital payments were made during the pandemic and people embraced the new methods. That is rightly said that they had no choice and it was imposed on them. However, there are still categories of people which find it very difficult to use digital channels and therefore access to different services could be made difficult and does not show inclusiveness towards the vulnerable categories. It was mentioned that our limit already in place up to what can be paid in cash and a very large amount in cash payments are not accepted anyway. Government is an issuer of notes and coins and I would find it very inappropriate for the ones that need to pay for state services and goods to not be able to use what it is a legal tender. Therefore, I would ask Members to reject part (b) and support the original proposition.

12.2.5 Deputy M.R. Scott:

I understand the Deputy advancing the concerns expressed to her by constituents who have found themselves unable to access sports facilities. I therefore intend to support paragraph (a) of her proposition. I did not hear the Deputy give any examples in her speech of constituents contacting her with concerns regarding any other government department, nor am I, rightly or wrongly, personally aware of any of my own constituents struggling in this way. Deputies Jeune and Kovacs have referred to charities and others raising concerns in this respect. I believe and would be very interested, and it would be helpful to have clear and specific examples, and that it would be useful for Government simply to be provided with these so that it can take action in respect of them. I share the concerns expressed by the Minister for Treasury and Resources regarding the proposed use, if the amendment is rejected, of government officers' time and taxpayers' money across all departments to prove what could be just a negative in the absence of any States Member being aware of constituents having difficulties in accessing government services outside the area of sport by reason of their refusal to accept cash. Could this not mean that already stretched government departments like the Revenue Department or the Planning Department would have to make efforts to find out if taxpayers are struggling to pay their tax or to make planning applications because cash options are not available to them? So I suggest it would be preferable for the Deputy to return to the Assembly with more specific examples and in the meantime for the Assembly to accept the Government's amendment.

12.2.6 Deputy L.K.F. Stephenson:

I am very, very glad to follow that particular speaker and will come to that point shortly. I am really struggling with the Government's position on part (b) here. If the argument was that we do not need this review, that we are really confident, we know it is all working fine, and here are some really good examples of why we know that, then fine, I might be able to understand it more. That is not what we have got before us today. We do not have many reasons being put before us today about why the original part (b) cannot go ahead as it is. The only thing I am really hearing is that Government just does not want to do this. I do ask myself, why does Government not want to do it? What is it worried about? I keep coming back to, personally, I think my view is it is just being overthought, to be quite honest. As I pointed out earlier, and I will say it again, my part (b) does not say anything has to be done. It does not say change your policies. It asks Government to take the initiative from here, have a look at what is going on, reassure yourselves and then us, as the Assembly, and the community, that everything is fine and we are confident that we do have strong, robust, appropriate policies in place. Because I will be really honest with Members that my experience when I first asked these questions, when I was a member of Government, was that there is a lack of clarity around cash policies within Government. Departments do not necessarily agree. I am not sure that even Treasury agrees. Doing this piece of work might force that conversation. I think it is a really important one. To come on to Deputy Scott's point, I also do not think it is the job of Government or this Assembly to just firefight, to just find individual cases and then sort them out. I am asking Government here to have a look and ensure that we do not have more cases like that, that we have to sort out. The review and discussions around it would also ensure that, as well as having clear policies in place, staff who are on the front line would be equipped to deal with the cases when they do come up, whether that is a case of somebody wanting to pay a very small amount and finding it difficult, or whether it is somebody wanting to pay in a lot of cash that now goes above the £1,000 limit. It is how you handle that person, perhaps an elderly, vulnerable person who may find discussions around money-laundering and worries around that quite daunting, particularly when there is a queue of people behind them as well. So it is about ensuring that staff are very clear on the government policies and they know how to deal with those individuals. The final thing I would just really add at this point is just I suppose an apology to the Minister that the heading on the proposition is not exactly how perhaps it should be. It is my first proposition as a Back-Bencher before this Assembly, and I think it would be a great shame if what the proposition is titled stops this issue being able to be dealt with here today.

12.2.7 Deputy L.V. Feltham:

I am supporting the Government's amendments to part (b) on the basis that, unamended, it would be asking Government to be inefficient and to undertake a review that I think does not need to be done and could potentially be duplicating work that is already being done. As the Minister with responsibility for the disability strategy, as soon as I saw this particular proposition, the first thing that I did was contact the Minister for Infrastructure and say I do not actually see the need for this proposition, surely we can agree to reintroduce cash payments at these facilities, and I am sure the Minister, I can see him nodding his head, will not mind me saying he completely agreed with me. This is a Government that wants to be a Government of action, not a Government of endless reviews. The other thing that I did as the Minister with responsibility for the disability strategy was contact the Disability Inclusion Team to chat with them about the work that they are doing to ensure that government services, all government services, are inclusive and accessible. Therefore, I know that there are structures in place for us to be liaising with the relevant stakeholders to ensure that, where there may be issues with regards to access and inclusion, we are hearing from those stakeholders and we are able to act on those issues. That does not require a review across all departments. That requires clear and effective collaboration with stakeholders, including the Disability Strategy Advisory Group, which I now chair, and, as I have said, is a priority for me. So that is why I am fully supportive of the amendment to part (b). It is important that we utilise government resources appropriately and we focus on action and not reviews.

12.2.8 Deputy A. Curtis:

I was not going to speak on this topic. But the reason I speak is because I entered this undecided. We all obviously only found out how the vote was going to be split on the amendment. But after hearing Deputy Stephenson outline the simplicity of the original proposition, I am minded to vote against the amendment by the Council of Ministers. The main reason for that being this can be as large and hefty and bureaucratic or as simple and directed as the Council choose to make it. I think when we think about cashless payments or cash payments, this is a wider part about how Government interacts with its citizens. I think the previous Government and this one will have to take stock of the changes that have occurred over a number of years where citizens do not necessarily feel that channels work for them, that their relationship with officers are transactional. I know from working with the Modernisation and Digital team and looking at our online platforms, what I think was set, and I am sure will be continued to be worked on, is digital is part of a choice to make life easier for citizens. It provides a greater platform, but it does not and should not replace the platforms of direct face to face, phone contact, and all the other mechanisms. So I think a strategy or a policy around cash payments could fit on a single side of A4 and with ambitious delivery-focused Ministers; I think they could do that within a Council of Ministers workshop. I do not say that to be challenging; that is how I think real delivery with a clear mandate as to what they want to achieve can be done. We do not need necessarily even officers involved in this one. I am sure their guidance would help steer some of the practicalities of running a float and securing money. But at the end of the day, this is about a simple stocktake as to where does Government see itself now, and where does Government want to go, and I do not see that has to take any more time than having the word "relevant" in. The "relevant" will still require Government taking stock of those relevant departments and I see no reason why this cannot be hashed out, at least with the first draft to come back to the Assembly in short order without wasting officers' time.

12.2.9 Deputy J. Renouf:

It has been a very interesting debate, and of course I think all of us here are wanting to support the move to digital payments and regarding that as a good thing. The issue here is really a much simpler one than that, which is to try to work out whether or not we have moved too far ahead of the public. Part (b) of the proposition simply asks to review whether we are getting it right. As Deputy Curtis has eloquently said, that does not really have to be such a huge piece of work. But it is something

that is important we think about. It is reasonable to ask whether we have got this right. It is possible the Government has got ahead of the public on the question of payments. Deputy Scott raised the question of whether there was evidence. I know Age Concern has raised this as an issue quite a lot.

[15:15]

I could also speak about issues with members of my own family, so I think we may not be talking here about a large number of people, but we are talking about a small number of people who may be very significantly disadvantaged. That is the point here. I do get that the efficiency of Government would be improved if we could just simply move everybody forward and try not to see too much of that potential problem. Percentages are all very well in terms of dealing with the take up of digital payments and we have maybe only got 5 per cent or 10 per cent of transactions now that are not digital. Great. But the point about Deputy Stephenson's proposition is it deals with those who, for whatever reason, cannot yet make that leap to digital payments. Can we be sure that we have not cut these people loose? Part (b) asks us to check that we have not prioritised efficiency over a small minority of people who will be significantly disadvantaged. I am not sure it is Government's job to try and lead on digital payments. I think rather that Government should be a backstop for the most vulnerable in this position, and therefore that we should be taking the time and effort - not a huge amount of time and effort, but some time and effort - to work out whether we have not gone a bit too far, whether there are some areas where we could make this a better experience for citizens. Equity matters, and I think, to be honest, the resources needed to do this have been somewhat exaggerated. So I would say let us support the original proposition, reject the amendment, and just be sure that we are getting this right.

12.2.10 Deputy K.F. Morel:

I would like to start with a question to the Solicitor General if possible, please. I always like to liven up the debate with a question to the Solicitor General. Are there currently any laws, rules, regulations, which require any establishment, whether Government or otherwise, to accept cash or to take cash? This is a general question.

Mr. M. Jowitt., H.M. Solicitor General:

I can answer that very shortly. The answer is no. Just to clarify, this is purely a policy consideration. It is not a legal one. Businesses, generally speaking, are free to, when they contract with a customer, to agree what method payment will take, so a standard contractual approach.

Deputy K.F. Morel:

Thank you to the Solicitor General for his answer, which was what I thought the case was in Jersey. I will be supporting the proposed amendment, but in the main for very different reasons to any that have been provided here. I will go into that in the main debate on the proposition. But I do agree that a review is not necessary and quite simply I think a better proposition, rather than the one before us, would be one to make it effectively a law that cash has to be accepted by places, because I do believe we are talking about human rights here, and I will get ready for part 2. Hold your breath because I will bring that up in the debate on the main proposition.

12.2.11 Deputy I. Gardiner:

It is very quick prompt by Deputy Morel. I am trying to understand the logic because the part (a) accepting cash in 3 sports facilities, the part (b) asking to just think, not to do huge review, if other departments stop accepting cash, and they might accept cash less than £1,000. So if it is a human rights approach, it means that part that people can be able to pay cash. It means that part (b) needs to be rejected and the Government need to think about it where people can pay cash and not. It is simple. I am grateful for Deputy Jeune to raising the young Islanders that do not have cards to pay and to arrange cash payments because we always speak about most vulnerable without cards, more

elderly people, and I think it is really going probably across the board that there are people in each age category that would struggle with only online payments.

12.2.12 The Connétable of St. Lawrence:

It might help Members to know that, as far as I am aware, every Parish Hall accepts cash when people go in to pay whatever it is that they are paying for. So we certainly do not believe that we have to insist on card or cheque payments at all. I do wonder if the Government is going to lead in a cashless society, whether that means that the Treasury will be producing less cash in the future for us to use and I would be interested to ask a question on that in due course.

12.2.13 Deputy S.Y. Mézec:

It is just very briefly to make the point that this is absolutely not a debate between one side that is pro forcing everybody to stop using cash or one that wants to maintain that option. It sounds like everybody wants to maintain that option and have that fair service across everywhere where it is necessary to make sure that nobody is disadvantaged. If Deputy Stephenson had proposed her proposition with the wording in the amendment rather than as it was originally written, I do not think anyone would have batted an eyelid and would have thought that paragraph is absolutely fair and allows the Government to get on efficiently as it ought to, to make sure that we proceed and ensure that cash options are available everywhere where it is appropriate and relevant so people can benefit from them. Deputy Renouf said in his that he had found this an interesting debate. I found it an extremely boring debate on that basis because we are arguing over wording that frankly is not that important and nobody would be batting an eyelid if it had been proposed this way in the first place.

The Bailiff:

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

12.2.14 The Connétable of St. John:

I thank Members for their indulgence and apologies to Deputy Mézec if we are boring him. The Minister for Treasury and Resources explained that the Government is not leading any charge to change. I am not sure if that was a play on words, but she also spoke about the cost of handling cash from businesses. What was important, which we should not lose sight of, is that we received over 30,000 cash payments in 2023, that is approximately 600 cash payments made by citizens of Jersey in businesses of Jersey each and every week. We also heard that pay cards are available in local shops for those who want to pay cash. Deputy Jeune spoke and said there was no fair and reasonable evidence collected. In my opening I spoke about the 800,000 users at Les Quennevais and the fact that we have received one complaint; one complaint too many, I will accept, but one complaint. Deputy Jeune also mentioned the Association of Jersey Charities, and I am sure the Deputy has, like me, noticed that we have gone in St. John's Church from a small pay device to a stand up click and go machine so there is no way of getting out of church without giving them some form of remuneration. You can also use cash when you leave the church; I see the Dean nodding. People can still pay cash each and every day at C.L.S. in La Motte Street. People were prevented during COVID for the last 4 years from paying cash at 3 sports centres. I absolutely agree with Deputy Stephenson; we had to change that. Some of the examples given by Deputy Scott, you can pay for those services using cash at C.L.S. I believe. Deputy Stephenson also said that the Government do not want to do this, and she spoke about her time in Government and the lack of clarity. The Deputy will also be aware of different opinions within the Sports Department about accepting cash. I made it very clear, we are going to do it. We are going to find a solution, we found a solution, and we are going to get it sorted. I would give her that reassurance. Deputy Feltham spoke about the conversation we had and we could not believe we were having the conversation because it was so straightforward that we should do this, and do it we will. The Deputy also spoke about her

discussions with stakeholders. Deputy Curtis spoke about the amendment from the Council of Ministers. I am sorry to disappoint him but it is in the name of the Minister for Infrastructure so I have to shoulder the responsibility. He spoke about a strategy on an A4 sheet of paper. I could give it to him now; we accept cash for services at C.L.S. in La Motte Street each and every day. As I said earlier, around 600 cash payments per week. Deputy Renouf asked have we got ahead of the game. Well, when I became Constable in St. John there were no card payments whatsoever. Within 2 weeks there were, so we stopped people having the chore of driving to the local supermarket to withdraw cash and then come back and give us cash. I can tell you 100 per cent of our dog licences in St. John were paid using card payments, but the ability - as the Constable of St. Lawrence said - to pay cash still remains. I look forward to Deputy Morel's contribution to the main debate about human rights. I think there is a debate to be had where the Constable of St. Lawrence spoke about whether or not we produce more cash or less cash, because we have heard in the past about the value of the Jersey pound and how it circulates. I think that is the debate we should be having today; not whether or not we continue to accept cash or we do not accept cash. I would remind Members it was only sports centres who stopped accepting cash. Soon we are going to be moving to a new headquarters that will, like La Motte Street, accept cash and I would ask Members to support amendment (b) and call for the *appel*.

The Bailiff:

The *appel* is called for. I invite Members to return to their seat. The vote is on part (b) of the amendment. I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of voting then I ask the Greffier to close the voting. The amendment has been adopted.

POUR: 30		CONTRE: 12		ABSTAIN: 0
Connétable of St. Helier		Connétable of St. Clement		
Connétable of St. Lawrence		Deputy L.M.C. Doublet		
Connétable of St. Brelade		Deputy S.M. Ahier		
Connétable of Trinity		Deputy I. Gardiner		
Connétable of St. Peter		Deputy D.J. Warr		
Connétable of St. Martin		Deputy J. Renouf		
Connétable of St. John		Deputy H.L. Jeune		
Connétable of Grouville		Deputy R.S. Kovacs		
Connétable of St. Ouen		Deputy A.F. Curtis		
Connétable of St. Mary		Deputy K.M. Wilson		
Connétable of St. Saviour		Deputy L.K.F Stephenson		
Deputy G.P. Southern		Deputy M.B. Andrews		
Deputy C.F. Labey				
Deputy S.G. Luce				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy R.J. Ward				
Deputy I.J. Gorst				
Deputy L.J Farnham				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy B.B.S.V.M. Porée				
Deputy M.R. Scott				

Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy B. Ward				

12.3 Cash Payment at Government Sports Facilities (P.10/2024) - as amended

The Bailiff:

We now resume debate on the main proposition as amended.

12.3.1 Deputy L.M.C. Doublet:

I will be brief because I think Members are in support of this but I just wanted to further highlight the need for children to access cash and be able to make cash payments because of course they cannot open their own bank accounts until they are 16. In the report Deputy Stephenson highlighted the vulnerable members of our community who, as adults, may not have access to bank accounts as a result of economic abuse. This happens to men and women and it is not just by partners; it can be by other family members and even friends. A recent survey in the U.K. said that two-thirds of the population had been subjected to some kind of financial or economic abuse. That is just another reason to support this proposition and so I will be supporting.

12.3.2 Deputy K.F. Morel:

Now for the exciting part 2; and it is really not that exciting. My thoughts on this are I am really pleased that this is settled in many ways; the amendment has been accepted and I am sure the Assembly will pass the proposition as a whole. But I just wanted to thank Deputy Stephenson for bringing the proposition because certainly in my 6 years in the Assembly this is the first time we have spoken about cash. It was a comment prompted by a colleague of mine in the last few days where it was suggested that there should be a plan to move to a cashless society. My retort was very fast; absolutely not because cash is a lot more than just transacting in money. In fact the Minister for Treasury and Resources' speech just now reenforced that for me, because what I heard is our cash is just not efficient and it is inconvenient for certain receiving parties, therefore, we need to get rid of it. The trouble is, that efficiency and that inconvenience is on the other hand, in my view, a fundamental right, and it is the right to privacy. I am looking here at the European Central Bank and they have an interesting page on cash.

[15:30]

Among many benefits of cash not only do they point out that the vast majority of transactions in the Eurozone are made in cash still - 73 per cent of them - there are some really important aspects of cash which I truly believe we must not lose. But because of the efficiency, I do it, just pop in the shop, tapping the card and walking out again, and because it is quicker and easier for Treasury to count it when the ones and zeros pop in automatically down the phonenumber, and banks love it as well because it makes their life so much easier. Those are not reasons to lose your fundamental right to privacy as a human being. Quite simply, I see a paper cup in front of Deputy Southern. If I wish to buy that paper cup off Deputy Southern and he wishes to sell it to me I believe we have a fundamental right to transact that payment and that purchase without anybody else knowing about it; how much I paid, the fact that it has happened or taken place. I do not believe anyone need know about that. Indeed the European Central Bank says cash ensures your freedom and autonomy. Bank notes and coins are the only form of money that people can keep without involving a third party. I think that is really,

really important. They also go on to say that cash ensures your privacy, cash transactions respect our fundamental right to have privacy, data and identify protected in financial matters. So I really just wanted to use this opportunity, presented by Deputy Stephenson, to say that cash, and us as an Assembly discussing cash, is something that is really important. Because the forces of efficiency which stretch from the banks to Government are incredibly strong and they will drive us towards purely electronic payments, but the moment that happens it means that you cannot ever as a human being in this society transact privately again, and I just think that is fundamentally wrong. There is no need for a third party payment provider or the Government to know every transaction that I make. I have a right to buy a car off someone and pay them cash if that is right, and so be it. As has been mentioned, we have anti-money laundering laws which obviously limits the amount of cash you are allowed to spend in private transactions, and that is fine. That provides a limitation but it is not a limitation that should become absolute so that we have no cash whatsoever at all. So I certainly will be supporting this proposition as amended. I do wonder - and I will be thinking about it myself - whether we need a proposition to enshrine the kind of right to cash transactions in Jersey because what I have heard from the Minister for Treasury and Resources is that there is a slippery slope, that basically the desire by Treasury and others to not have to put up with cash, to be cheaper, to be quicker, to be more efficient, will rob us as a result of a fundamental human right and that is the right to privacy, freedom and autonomy.

The Bailiff:

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

12.3.3 Deputy L.K.F. Stephenson:

I am very grateful to all Members who have contributed today. As I said in my opening, I think there are points that can be taken beyond this actual proposition, and I think Deputy Morel has just given us some examples of that and some food for thought perhaps for those in this Assembly, but also those outside as well. I am sure it will not be the last we hear of that. I will not dwell for too long, if only for the fact that I do not want to bore Deputy Mézec any longer. On that point I would say I am a new Back-Bench Member bringing my first proposition to this Assembly and to have an experienced Member such as himself saying that; I do not think it is particularly encouraging. I shall not dwell on that anyway. I am grateful to everyone who has contributed today. As I said, this I think is about finding a right-sized solution to the problem. I am very encouraged by what the Minister for Infrastructure has said around that and appreciate the points that he has made. I think the figures around the fact that we still have 600 cash interactions with Government every week is something that just reinforces the point about why we are having this discussion today, and then the principle around our public sports facilities being as accessible as possible. I would just add one more point perhaps for the Minister's benefit more than anybody's, but funding for the sports facilities budget is always under pressure and is currently worked out on what I believe is very much an outdated model based on a fully functioning Fort Regent bringing in certain amounts of revenue. I would not like to see the sports facilities budget put under huge amounts more pressure because of this, and I think the Minister recognises that and has assured the Assembly that he does not plan to make it a very expensive solution. So I thank the Assembly and I ask Members to support the proposition.

The Bailiff:

Thank you very much. Those in favour of adopting the proposition kindly show. The *appel* is called for. I invite Members to return to their seats. The vote is on Cash payment at Government Sports facilities, as amended. I ask the Greffier to open the voting and Members to vote. If Members have had the opportunity of casting their vote then I ask the Greffier to close the voting. The proposition has been adopted.

POUR: 41		CONTRE: 0		ABSTAIN: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy B.B.S.V.M. Porée				
Deputy D.J. Warr				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F Stephenson				
Deputy M.B. Andrews				

13. Update of Higher Education Student Funding (P.12/2024)

The Bailiff:

The next item is Update of Higher Education Student Funding, P.12, lodged by Deputy Gardiner. The main respondent will be the Minister for Education and Lifelong Learning. Deputy, there is an amendment lodged by the Minister; do you accept that?

Deputy I. Gardiner:

I considered for a long time if to accept the whole amendment and unfortunately I cannot accept the whole amendment. In saying this, I am sure that Members will be happy to say that I think that it would help to focus the debate if I accept some of the part so I am accepting parts (f), (g), (h), (i) and (j). So the part of the proposition ...

The Bailiff:

Sorry, could you repeat that please? You are accepting what?

Deputy I. Gardiner:

Parts (f), (g), (h), (i), (j). So all parts that were for 2025 and I believe that regards the amendment we still have time so I am happy to make the debate easier and more focused on other parts.

The Bailiff:

In which case do Members agree that the proposition could be taken as amended by paragraphs 7, 8, 9, 10 and 11 in the amendment, dealing with paragraphs (f), (g), (h), (i) and (j)? Very well, I ask the Greffier to read the proposition as amended in that way.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion to request the Minister for Education and Lifelong Learning to - (a) agree to fund all distance learning courses to the same level as in-person courses, following the same funding application process and criteria; (b) classify a student who has been, and continues to be, living financially independently of their parents or guardians for at least one year before the first academic year of the student's course as an independent student; (c) include "related subjects" as eligible for a clinical component grant; (d) implement guidance to ensure that the clinical course allowance for "related subjects" captures, but is not limited to, the following areas - (i) Paramedic science; (ii) Pharmacy; (iii) Occupational Therapy; (iv) Podiatry; and (v) Physiotherapy/Chiropractic/Osteopathy; (e) bring forward the necessary legislative changes to the Education (Grants and Allowances) (Jersey) Order 2018 to implement the preceding paragraphs, if adopted, with such changes to take effect from the start of the academic year in September 2024; (f) update thresholds for means tested funding in line with inflation and relative earnings in a sustainable and affordable way, subject to the necessary funding being allocated; (g) research and consider introducing a sliding scale for the amount of tuition fees that may be awarded; (h) bring forward the necessary legislative changes to the Education (Grants and Allowances) (Jersey) Order 2018 to implement paragraphs (f) and (g), if adopted, subject to the necessary funding being allocated, with such changes to take effect from the start of the academic year in September 2025; (i) review the threshold for relevant assets detailed within Article 12A of the Education (Grants and Allowances) (Jersey) Order 2018, and to report back to the Assembly on the findings and recommendations of such review no later than December 2025; and (j) work with the Minister for Treasury and Resources to assess the long-term financial viability of any student loan scheme for Island students and undertake a consultation if appropriate.

13.1 Deputy I. Gardiner:

This proposition is brought in the hope of addressing some of the outdated thresholds, definitions and policies that are applied to the provision of higher education student financing through the amendment to the Education (Grants and Allowances) (Jersey) Order 2018. I would like to share with Members a background on how this proposition was brought together and why it is needed at this time. After the elections in 2022 I was made aware that little, if almost nothing, has changed in student finance since 2018. So I faced 4 years of stagnation of any changes, regardless the inflation and cost of living in student finance. I was challenged rightly immediately by the Student Loan Group representative and also the Scrutiny Panel, and I arranged on 7th September 2022 meeting with all stakeholders at Highlands Education Department. I have listened to all views and voices and we discussed priorities because the wish list was very, very long and we honestly discussed the priorities, what can be done within 4 years, which the current Minister for Education and Lifelong Learning has been there, together with the Scrutiny members. Our agreed first priority was to update maintenance grant to meet cost of living increases. After 4 years the increase that was proposed by the previous Government, 2.9, was inadequate when we were only too well aware that during the 12 months from September 2021 to September 2022 the R.P.I. (retail price index) for Jersey increased by 10.4 per cent. I examined all student allocation and spending within the C.Y.P.E.S. (Children, Young People, Education and Skills) Department budget, and even though I was told it is impossible to make any payments after grants were already granted and funds were transferred to the students account, I have worked well with the Treasury and I managed to pay to eligible students an extra 7.2 of payment within a month since that meeting. We managed to allocate a total uplift in 2023 of 10.1 per cent, everything from existing C.Y.P.E.S. budget. I did not go back to the Council of Ministers and ask for money; it is right to look how you use the funds that was in the department. At that meeting we also discussed, created and described in some detail the roadmap for the way forward, because it was not possible to do all amendments in one. For this academic year, 2023 to 2024, within 6 months of being in the job I have introduced 7 substantial changes like maintenance, that they have sliding scales that people did not use, an introduction of 10 per cent uplift to the maintenance grant provided to the students studying in London, increase of bursary for care leavers to enrol in higher education from £3,000 to £3,429, an increase of the amount of clinical component for grant awarded to students studying medicine, dentistry, nursing and veterinary scheme, and also removed academic requirement to become eligible for a grant and replace with the requirement to have received an offer of the place from a higher education provider. This particular change was very interesting. I did not plan this change but this change came on the back of the appeal when I realised that we are disadvantaging young people who did not get good grades at school, gone to work, got the experience, worked in education and they were ready to progress to the higher education. The only thing they were missing is the A levels; so we changed that, if the university accept the person we can support the young person going forward, and it has been done. Why I am mentioning all this is because this was the first step and the amendments that I did not accept - and I will speak about amendments a bit later - it was the second step for the academic year that starts for 2024, and this is why I feel passionate about it.

[15:45]

I was repeatedly asked by Scrutiny during public hearings about updating the threshold and different changes. On 22nd October 2022 Deputy Catherine Curtis, during the public hearing, asked: "I just have a question about this, which I found really concerning. The Jersey Student Loan Support Group has recently published the result of their survey. I think it was actually all parents who responded to the survey indicated that they were having to take on extra work, borrow money, make significant financial decisions like remortgaging or taking money from their pension in order to support their adult child to study. Do you think, Minister [it was me] that is adequate, assuming some people may not be able to do this anyway, and the ones who can are being impoverished in a way by putting their children through the university?" My response was that it is very concerning, that I know that

maintenance grant is not enough, and I am doing steps for the academic year and I promised to review the thresholds going forward. I can see the Connétable of Grouville smiling. On 27th of June the Connétable of Grouville asked a similar question and asked that I have phase 3, as we discussed between Scrutiny and the department, was forwarded to the Scrutiny, and the phase 3 that was forwarded to the Scrutiny in June 2023 is included; this is the base for this amendment. On 26th September, Deputy Porée asked me about the appeal process and we talked about the process and I very clearly stated that I was not satisfied with the current Education Finance Order; for example there are places where I had discretion to disregard second income, I had a discretion to be flexible about length of the residential time, but I was not flexible for the independent student who lived independently more than 2 years to sign off the grant and make sure that this young person who lived independently, financed himself independently for more than 2 years, because he is not meeting 3 years, will need to wait for another year in his progression. I did not feel it is right and fair but I could not do anything because I did not have discretion in the law. I committed to bringing these changes and working according to the planned roadmap. I know that if the Minister does not sign the decisions for these particular 3 changes that I did not accept the amendment by 31st March, it will be impossible to implement from September 2024. This is why is so important that we would consider this seriously, because these 3 amendments, they are actual real people; real young people who need to wait for another year to receive this extra support. It is small amendments, and I will speak about the amendment later, but this is why I brought the proposition now because I knew the deadline from my previous experience. This is the deadline because you need to go through the processes to put processes in place and make sure that it is adopted. I feel strongly that this should not be about our political struggles and changes; it should be about young people who would be losing another academic year, and not about the personalities and the games. Back to the proposition, and I would like to very quickly go in some details and I will extend later. Distance learning; and I would like Members to look into the supporting information, page 2, that very clearly the table is stating what is the difference. I just tried to make it easier. It is an extract from the law. As a Minister, I received an appeal for a student with autism, who we ultimately granted a special payment because I did not have the discretion. We do not have anything else in the law so I needed to ask the chief officer to go above the Public Finances Manual and to do the special payment, as I considered not supporting him to be equal to discrimination against a student for whom an in-person course would not be suitable. Because for this particular young person an in-person course on the campus is not suitable. There are numerous reasons why other online courses may be chosen, caring responsibility for elderly parents, children or other members of the family on the Island, special requirements, including anxiety. Such students are at a financial disadvantage purely because the course suitable for them is delivering online. They can study online and they can work online and be economically active members of our society living on the Island and continue to contribute. (b), now to the independent finance and I just mention the student may have fled from an abusive home, maybe fell out with their parents, there are many reasons why young people leave their parental home. Having to refer to the parents' income just because it is the parents I do not think is right. (c) and (d), I am really going quick and I will extend. I would like Members to look at the information part 3 - the pages that I put on the table - information part 3, it will be easier for me to explain. I think it was an anomaly and it was something that was missed in law drafting. If you are looking at paragraph 14 in its extract from the order you can see that clinical year, the academic year for the courses in medicine, dentistry, veterinary science, or related subjects and includes a period of study of clinical training. So the related subject mentioned in paragraph 14(1), the related subject mentioned in paragraph 14(c); what has happened, I do not know. If you turn the page around, in paragraph 15(1)(a) they only mention medicine, dentistry, nursing or veterinary science and somehow the related subjects were excluded, forgotten. From paragraph 14 it did not progress to paragraph 15. I believe it has been some error. Basically it means that the students who are studying paramedic, physiotherapy, occupational therapy, that need to travel for their placement, they need to travel for their areas to be able to train, they do not receive this clinical component. They also do not

receive N.H.S. grant of £5,000 because they are not U.K. resident. They also do not receive any loans and submission for the hardship bursary because they are not U.K. residents. This has put our students at a disadvantage and an extra financial struggle. These are 3 changes that I planned to introduce in 2024. A second part of the amendment that I have accepted, it is the reason that we need to review the threshold, and I hope that the thresholds will be renewed because we all understand that during 6 years the real term pays are not the same. We know that £100,000 earnings in 2018 is not £100,000 earnings in 2024. It means we have now less young people eligible for the grants because even though the earnings grow, that the real terms - and you can see the graph - is less. Now, sliding scale, and this is going to the supporting information part 1 on my pages. What does it mean? If people are earning less than £110,000 they will receive £9,250, but if they will earn £110,001, so £1 more above the threshold, they will lose almost £1,000. If they have 2 children they will lose almost £2,000. There is a formula; as I told that it was a plan going forward because I could not do everything at once, this is anomaly, like very hard threshold I have changed for the maintenance grant and it does not exist anymore and formally developed, I believe the same should be done to the tuition fees grant. Because even though it sounds a lot, if you have a family with 2 children and mortgages and somebody took extra work ... and this is how I came about to change it for the maintenance because I have been approached by a member of the public with a young person saying: "I took an extra couple of hours to support an afternoon club. I earned a bit more and now I am losing more than £1,000." So this is why it is important that it will be adjusted. Part 3, relevant assets. It is the £500,000 property. So the £500,000 in 2018 would cost today £700,000 maybe, so the older brother who went to the university in 2018 received grant because he was eligible for example, and the younger brother, because now this property would cost more - the same property, no change in family circumstances, it is just a different price - they will not receive any funding. Is it fair? Obviously not. We had several conversations during the Scrutiny about enabling families to afford to send their children to uni. If parents' wages are £50,000 and less and that student gets a full grant, it is just above £18,000. The academic year goes between £23,000 to £25,000. Some of the families do not have the ability to find and to bridge this gap, and this is why I am raising it and I am asking the Minister, and I happy really with the amended way that part of the options for loans will be reviewed. I believe that it is not completely to go from grants to loans but to allow options to be able to borrow the money. From my perspective, and I have always been very passionate about education, for me education is the only way to independently escape poverty. As somebody who was born in a mining town in Kazakhstan I know this personally too well. Without education I do not think that I would be here today. We must enable our children to have access to all available options to use education to improve their life and prospects. One option is to access extra funds to student loans. I am not a big fan of student loans, it is a last resort, but I feel they are necessary in some circumstances to bridge the gap. So I am bringing forward this proposition because I believe this is the minimum that we can continue and do within the next 2 years of this Assembly. I brought it before the Assembly - as Deputy Ward said himself on numerous occasions - it is important the Assembly will debate things. So I will move the proposition and go into the statistical and financial details during the amendment debate.

The Bailiff:

Is the proposition seconded? **[Seconded]**

13.2 Update of Higher Education Student Funding (P.12/2024) - amendment (P.12/2024 Amd.)

The Bailiff:

There is an amendment or a number of amendments to the proposition and I ask the Greffier to read the amendments.

The Deputy Greffier of the States:

Page 2 - After the words “Lifelong Learning” insert the words “, following consultation with the Chief Minister and Council of Ministers as appropriate,”. Page 2, paragraph (a) - for the words “fund all” substitute the words “explore new additional funding options for”; and delete the words “to the same level as in-person courses, following the same funding application process and criteria”. Page 2, paragraph (b) - for the words “classify a student who has been, and continues to be, living financially independently of their parents or guardians for at least 1 year before the first academic year of the student’s course as” substitute the words “review the classification criteria for”; and after the words “an independent student” insert the words “, taking into account the criteria elsewhere in the British Isles, and consider the implementation of changes that would deliver enhanced targeted support”. Page 2, paragraph (c) - for the word “include” substitute the words “consider the inclusion of”; and after the words “clinical component grant” insert the words “, if appropriate”. Page 2, paragraph (d) - or the words “implement guidance to ensure that” substitute the words “work with the Minister for Health and Social Services to review the scope for”; for the words “captures, but is not limited to,” substitute the words “including consideration of”; and after the words “following areas” insert the words “, if appropriate”. Page 2, paragraph (e) - after the words “to implement” insert the words “any outcomes of”; after the words “if adopted,” insert the words “subject to the necessary funding being allocated,”; and after the word “September” for “2024” substitute “2025”.

[16:00]

13.2.1 Deputy R.J. Ward (The Minister for Education and Lifelong Learning):

First of all, I thank the Deputy for bringing the proposition and enabling at a very early stage to look at some very specific issues around higher education funding, and consider the longer-term strategic approach to this area that is needed and perhaps has been lacking.

The Bailiff:

Just one moment. Do we have at least 2 Members online, otherwise we are inquorate? Very well, please do continue, we are quorate.

Deputy R.J. Ward:

Thank you, Sir. It is always hurtful when it goes inquorate when you start speaking. I will talk through each part of the proposition I propose. I thank the Deputy for accepting from parts (f) onwards; I will mention a couple of things about those though. The updated thresholds that were suggested in the report was a 20 per cent rise up to £144,000 where all fees would be paid, and there are 2 issues around that, one is the affordability of it and the second thing is whether we want to give that level of full funding for families earning that amount. That is a wider debate and we need to look really carefully at thresholds because it is an expensive scheme and a more generous scheme than most places that we have. I support that and I will say now I do not support student loans because I think they put our students in debt long term, and we need to look at more creative ways in which to enable funding. I was one of those parents who did remortgage in order for my 2 children to go to university. I knew they were going to go to university because they did not really have much of a choice with 2 teachers as parents, and we really wanted them to because of the value of education, but we looked ahead at that and I know a lot of parents do that. So let us do this in turn; I cannot do it out of turn, it does not work for me that way. So part (a), distance learning has become a more common method of studying in higher education, particularly since COVID, there has been a boom since COVID but we are not entirely sure that boom will continue as we start to get back to in face contact. We are not sure that will be a pattern that continues so there is an uncertainty there. What we need is a more comprehensive understanding of the potential benefits and unintended outcomes of basically opening up all distance learning to full funding. That is what the original proposition says and so I have to refer to the original proposition in order to get that juxtaposition between the

amendment and the proposition; so I hope that is okay. The estimate is between £200,000 to £400,000 per annum of the proposition for 2024. I will say there was no funding in the Government Plan for this last year that has just come through, so this is funding that needs to be found from somewhere in the Education budget. The annually managed expenditure, the A.M.E., which is where the funding for the student finance comes from, from now, is like social security. We will do a little lesson in annually managed expenditure, which I have had myself. Social security is funded this way; simply, if there are more people who need to claim social security there is a fund of money more people can claim, if a big company goes bust, for example - let us hope that does not happen. It is the same for grant funding. If we have a lot more students going to university there is more money available to fund those students, but that money is not there for changes to the scheme. Any change to the scheme and the criteria itself needs a bid to be put in for that extra money and that has not happened previously, and that would have to happen now - if we are using the last term's Government Plan, and it was not put into that Government Plan - so this is a very difficult one to attain. So there is no funding stream in the Government Plan for that change at the moment. Also, I think we need to be very careful about opening up distance learning without some really careful consideration of what that will mean. We have to look at whether the distance learning courses we are looking at are the ones that are right for Jersey, the effect they will have on locally-provided distance learning courses and the sort of blended courses that are offered by our higher education establishments online. The last thing that I want to do with a remit of lifelong learning is to put anything in the way of our institutions in this Island that are giving a variety of options for higher education. I think that would be an unintended consequences that will come back to bite us later on. Just to give some comparisons, and they are in the report ... and I must thank the officers who worked on this in really quite short order; we had about 5 days to turn this around for 9 different amendments, all of which had a significant impact on the scheme and could have had significant negative impacts long term. In Guernsey there is no explicit provision for maintenance grant for distance learning. In England maintenance loans - "loans" and that is a really important distinction - are only available to those unable to attend a course in person because of a disability. There is no maintenance grant available to students in the Isle of Man for distance learning. So it does show that we do have a relatively generous approach to it here. Into the future, yes, it would be great to look at that and try and extend that and target that in the most appropriate way for our students on Island. I will say as well that the few cases ... it was interesting that the cases we did not have discretion for could still be dealt with. Yes, I know the officers do not like to make special payments, they hate making them, but it still solved the problem for the one case that had to be dealt with, so it is possible to deal with these situations. As an Island we want to widen access through people's lifetimes to education, and that is a very important point; throughout their lifetime. My amendment does agree to explore new additional funding options for distance courses, but it does so without opening the floodgates to any online courses, many of which may lack the regulation of standards we would want for our students. The original proposition that funds all of these without consideration of the appropriateness for the students and the long-term cost impact for the grant scheme, I simply cannot agree with that approach so I urge Members to accept that amendment to part (a), which is a more considered and targeted approach and something that we need to do longer term. Part (b) needs to be amended as well. A blanket change could have unintended consequences; to say you only need to be away from home for one year certainly could have unintended consequences. Students leave home at 18 in order to live independently for one year and then qualify for a higher level of grant funding which ignores parental income. I am unclear, and I cannot see any reason why not, whether that may include working abroad for a year, funded by parents, go abroad, you are now independent and you get the full grant. I do not think that is the best use of States money for those who may not have qualified for a grant long term. It is also a very nuanced need. In the past 2 years there was only one exceptional case that has come before the Minister for this scenario. This is the amendment, and I want to read it out, it will: "Review the classification criteria for an independent student, taking into account the criteria elsewhere in the British Isles, and consider the implementation of changes that

would deliver enhanced targeted support.” Remember that the care leavers offer exists already, so for those care leavers that we talked about earlier in the Children’s Law, there is provision already made for those young people to have that independence. There is also the ability to disregard the parental income, if we want to, due to a particular circumstances, and that has happened. I cannot find the actual data, I think it was on one circumstance that it was needed in the last year. Again, this is about targeted support where we need it, and the implications for these changes for the fund overall. I think we need to be very careful before we make this blanket change, effectively very quickly in this Assembly, without knowing the long-term impact of it. Therefore, I urge Members to support the amendment to part (b). Part (c) and (d) include related subjects such as eligible clinical component and the specific areas being captured, but not limited to the areas detailed. It is necessary to amend this part of the proposition. Let us talk about the U.K. bursaries offered by the N.H.S. There is one context, it is very important for those students in the N.H.S., they are taking out loans to pay for their degrees. They are ending up with £60,000 or £70,000 worth of debt before they even start. For most of the cases the money that they are given by N.H.S. trusts mean there is a need for them to work for that N.H.S. trust for 2 years, and then that money is taken off the amount that they can loan for their subsistence. So there is not extra money going to those students; they have just got less of a loan. I know our grant system is not perfect, of course it is not, but if we want to fund all of that we need to look at our taxation system, the way we are going to pay for it, and that is a different argument. But our grant system for those who qualify will pay over £27,000 of fees for those students going to train. That is worth a lot more than one bursary and it means that they have not got loans and debts when they finish. Yes, for some families it is difficult to find that extra but those significant amounts of payment that are made, I do not think it is fair to compare those N.H.S. bursaries in that way because they simply do not do what is being suggested here. It is like comparing apples and pears. We could propose something similar in Jersey but it would need careful consideration, therefore, the amendment is to work with the Minister for Health and Social Services to review the scope of clinical courses allowance for related subjects, and including consideration of the areas given. I know that the Minister for Health and Social Services is very open to those discussions because we both want to target the money that we have for Education and Health in the right way for this Island. If it means that we have a shortage of some areas then, yes, let us look to the health service, but that also makes a very clean distinction between the Education budget for the main degrees and courses and the extra needed for particular Health areas. Otherwise we will get down the line of funding all sorts of little portions of qualifications, and it makes the entire system messy and disjointed. That is where we are at the moment; we need a joined-up view of the way that we are going to fund higher education and that is going to take some work. That brings us to the larger argument of how much we will fund in the end. So my amendment to part (d) allows a more considered and targeted approach for what is needed for Jersey. It also enables the Health Department to address those specific areas for the service, and I know that is something that the Minister for Health and Social Services is open to. In fact, when we discussed it around the Council of Ministers I was expecting a bit of a push back but I got a nod from the Minister saying: “Yes, this is exactly what we need to do.” I am pleased to say that is the sort of thing we can do co-operatively moving forward. In terms of the dates for (e) and (f), it is very difficult to do anything other than say that we can only go for September 2025. Simply there was no money in the Government Plan for this, there was no money put aside for this. If this was something that needed to be done it needed to be included there, otherwise this is going to have to come from the grants system itself, which will mean that perhaps we will not have the money that we need in order to fund that, and actually it cannot come from that because it needs to be addressed. We cannot take it from the A.M.E. funding so, therefore, it is going to have to come from somewhere else in the Education budget. Then the question is where else does it come from in the Education budget? Does it come from the school meals? Does it come from their inclusion work? Does it come from the work that we are doing with teaching assistants, where I was questioned earlier as to where the money is coming from. I know some people in this Assembly think that we are not doing anything for schools on purpose, which is simply untrue, but

does it come from the budget to repair the schools that so desperately need replacing? Where does it come from? We need a co-ordinated, joined-up approach to education funding, and to make piecemeal changes like this just throws a spanner in the works of a system that we need to change. I repeat what I said earlier, I know that this grant system is not perfect, it cannot fund everything, but I believe the cost is around £16 million a year, we fund a great proportion particularly towards the bottom end of the income scale, will receive the highest amount of money. Just to talk about the sliding scale thing that we will look into. There is an issue with the sliding scale that it does tend to benefit those at the top of the scale more than those at the bottom, so we will be directing money towards those earning the most rather than where it is needed most. It is a really difficult thing to say but I will say, as Minister, when there is a limited budget in the grant system - and I go back to it, politically would I like to fund every individual on their own to go to university so they have the freedom to do that?

[16:15]

I would love to do that but that would take a political change in this Assembly which I do not think I would have agreed, because that would take a change to our tax system. I think it is an investment in our future that would be wonderful but what we have at the moment is a system that does fund a significant number of our young people and families as best it possibly can. There is a constant pressure just to spend more in different areas in a piecemeal way and that has come repeatedly for years and years and years. We have a decision to make today as to whether we accept those piecemeal changes or whether we accept the amendments that I have brought to this proposition so that we can have a more measured, more considered, and more fruitful approach to making the changes that we need and we can come back to this Assembly when they are fully funded, when we know how much they are going to cost, and we know the full implications of those changes. So I urge Members to support all parts of this amendment and I make the amendment.

The Bailiff:

Is the amendment seconded? **[Seconded]**

13.2.2 Deputy J. Renouf:

I cannot help feel there is some irony in the amendment that has been brought by the new Minister. It does seem slightly odd, although I am sure the Deputy will be able to explain why I am mistaken in my view. We just heard him reference “piecemeal changes”, “cannot fund everything”. It is a bit of a transformation, I feel. In particular I could not help but wonder what would the Back-Bench version of Deputy Ward have made of Deputy Gardiner’s proposition. Let us imagine for a moment that Deputy Gardiner had brought this proposition when she was still Minister last year. How, I wonder, would Deputy Ward have reacted at that time. I am trying to imagine Deputy Ward telling his colleagues in Reform Jersey: “Look, the Minister is going too fast here, we need more time to consider the matter. What this proposition needs is an amendment to slow things down a bit. Yes, it is possible there could be students who will lose out this year if my amendment passes, but it is a complex issue and I think the Minister should have another look.” Is that what Deputy Ward would have thought then? Would he really have brought this amendment as a Back-Bencher? I cannot help feeling that he would not, but I am sure, as I say, that he can set me straight. It seems to me there is another irony here. The effect of this amendment is to remove the element of instruction; of change. It turns it into a request to consider, which is mentioned 3 times in parts (b), (c) and (d). If I could note at this point a comment made by Deputy Feltham in the previous debate because it was quite arresting. This is a Government of action; not a Government of endless reviews, she said. So what have we got here? In place of action, instead of a change in policy, the amendment proposes more time to think about a change in policy. But that is not all; there are further barriers to action because change will only be considered after consultation - which is mentioned in the first part of the amendment; consultation with the Council of Ministers, I note, not necessarily with students - and of

course a review referenced in what would be parts (b) and (d) of the proposition if the amendments were accepted, and “if appropriate” which is also mentioned several times. A Government of action; not a Government of endless reviews, said Deputy Feltham. I guess if your definition of action is consultation, reviews and consideration then it is full speed ahead, but that was not the sense I took from Deputy Feltham. The truth is, it seems to me, from listening to the opening speech from Deputy Gardiner and from Deputy Ward, that the original proposition here is not a big deal. The money involved is not a massive amount; the figures are a few hundred thousand pounds. On the question of funding streams I will defer to Deputy Gardiner to talk about where the money might come from. I do note that in the report the Minister has said it could be up to £2 million, but the higher figure seems to be based on the notion that there may be abuse of the system. I do not think this is plausible, that there would be this much abuse of the system when the department already has a baseline from previous years of the number of people and the system can be tightly monitored. I do think also that there were some red herrings in terms of the possibility that this proposition would undermine local provision, and some of the other unintended consequences that he mentioned. It seems to me that this is straightforwardly about increasing student choice and that in general - as I think the Minister accepted - that we would like to do that. The point is that the background work has already been done. The previous Minister explored all those questions that were raised. Her report to the proposition seems to me to be tightly argued with the criteria for these new measures being carefully drawn. In response the Minister’s report offers comparisons with other jurisdictions which do not offer the kind of support that Deputy Gardiner is proposing. Well, since when have we been happy to not do something that is right just because other jurisdictions have failed to take a lead? Jersey is a small jurisdiction that could take a lead in some of these areas. We could, in a small but significant way, expand access to different types of further education, particularly, for example, distance learning where there is a demand. So we can have a review, some consultation, even an exploration, all after due consideration. Or we can just get on with it and make it work because this is a Government of action. As I say, there is some irony in hearing Deputy Ward arguing for a convoluted set of actions that delay action rather than just getting on with it, so I urge Members to reject this amendment so we can debate the main proposition on its merits.

13.2.3 Deputy T.A. Coles:

I stand and rise and consider what might have been. In 2018 Reform Jersey put out a manifesto pledge that we would change our tax system to increase revenue generated by Government. We estimated at that time it would have been around a £9 million gain if we implemented our policy, and that was all going to be dedicated to higher education and further education funding. So this debate may not have happened at all if in that term after 2018 to 2022 that had been successful. Unfortunately, as myself at that election, I was not successful and neither was that policy brought forward; so here we are looking at changes to fund our higher education without generating any real extra revenues to fund it all, and especially as this element was not put into the Government Plan. With a proposition so detailed I can imagine that this was something very much that the Deputy who brought the original proposition was thinking very hard about and so must have struggled to find that funding, and this is why we are having to debate it. I have some issues with the original and why then that I can support the amendments. When we talk about distance learning, as Deputy Ward mentioned in his opening remarks, the online learning has seen quite a boom. In fact there was one particular only online university that was pushing out a lot of courses for people, and I know someone who applied for one of these courses. I am not sure what some Members are aware of when it comes to transitioning with degree courses that if you go from a B.Sc (Bachelor of Science)-style degree to try to achieve a Master’s degree, it is very easy to go from a B.Sc to achieve an M.A. (Master of Arts) or a M.Sc (Master of Science) because you have studied the science component which can get you ready and calibrate you to the learning that is required to achieve an M.Sc. However, if you have achieved a B.A. (Bachelor of Arts) that transition from one component to another is very, very different. Somebody I know invested a lot of their own money to pay for a course to try and achieve

themselves an M.Sc moving from a B.A. Unfortunately this individual struggled and had to drop out of the course because he was not able to cope. That is because the vetting process for the university was so lax that they accepted absolutely anybody to take on these distant courses because they want the money. That is how they operate; they are businesses that need money, some of these online courses. So I think the point about exploring the additional funding options for this distant learning in part (a) is very important. Also the review into the classification criteria for the independent learning as well, and independent funding - as Deputy Ward mentioned - is also incredibly important because there are ways; if somebody goes off to do a year working abroad they would be financially independent but they come home and live with their parents again. If those parents are incredibly wealthy then they can really afford to help them out if needs be. The one area though that I was really struggling with, and if this whole debate was taken *en bloc* I might have rejected the whole thing, where there are good components that I support of all areas, but it is this area around the related subject eligible for a clinical component in section (c) and then the fields listed in item (d). It is a shame that on point (v) the physiotherapy is included with chiropractor and osteopathy because the 3 fields are all very different and I do not think should have been contained together. If the last 2 that I mentioned were not included then I would not have had an issue at all, just because the clinical relevance of these subjects is not necessarily proven or would necessarily contribute much to our health service, and so any scope for them to have to be involved in funding it I do not think would work. Having said that, with the amendment it allows to include the “in consideration if appropriate”; okay, that is good because, yes, very much we need to include our paramedics, pharmacists, occupational therapists. But I also felt there were areas that were missing like clinical psychologists; we need those over here, we need people to be studying for those kinds of qualifications. We see a lot of the time when we have large amendments brought and detailed propositions from Back-Benchers brought purely as wrecking motions; but these amendments I do not believe attempt to wreck this proposition. I think they show the prudence that is required, that if funding was available at the drop of a hat that it would be very easy to achieve. But I do worry when we talk about the distance learning about these online universities that will just take your money and not worry about your qualifications. I am not quite sure how this is going to be taken but I would recommend that Members do support the amendments, especially in parts (a), (c) and (d). There is also a lot of truth in what Deputy Gardiner said in her opening remarks on the proposition as a whole, that the grant scheme does need to be looked at because she is right, with R.P.I. £110,000 today is not worth the same as what £110,000 was worth 4, 5 years ago. Because these have not moved it does need to be reconsidered, but we also have to consider that we also removed some tax incentives that used to come, and so that has made it harder for families. So there are possibly other options that would make it easier for families to afford to help their children going off to university. I do concern myself with loans because that puts an air of debt over somebody’s head. We see schemes in the U.K. where they struggle to reclaim those loans. These are all things that we do need to consider and just rushing out and doing things inappropriately will cost us more in the long run. So I do recommend that Members do accept the amendments; I think they are thorough, they are constructive, while also airing a certain level of caution.

13.2.4 Deputy I. Gardiner:

I have every sympathy for the Minister, Deputy Ward. He is in a very difficult position and it is a new position. The Minister for Education and Lifelong Learning has one of the largest budgets, and residents of all ages engage with the department every day. It is a difficult, complex job connecting to so many areas. I completely recognise that it does take time to familiarise with the student finance complex issues, and this may be why he did not meet with me to understand the background, to discuss his possible amendment to my proposition. I waited for the amendment and when I received the Deputy’s amendment an hour before everyone has seen it, you can imagine ... one hour I have been sent but if it is 4 hours ... again it was amended, it was discussed, and my stomach turned. I felt sick; I realised that it is ... I did not want to use this word that we have heard for 2 years in the States,

that Deputy Coles just used, about the wrecking amendment. But after coming back to my senses I thought: “Okay, what can I accept?” I accepted half of it, which I think is less critical because it is for 2025. I do recognise for amendments that the Deputy forward for (f), (g), (h), we need a special business case and it needs to go through the Council of Ministers. This is why I accepted the amendment because I know for a fact there is more work that needs to be done.

[16:30]

When I looked through the amendment I could see every action was converted into “explore”, “review”, “if appropriate”, “consider”, and the best thing that I really, really laughed, it is: “To consult the Minister for Health and Social Services if paramedics, physiotherapists and pharmacists are medically-related professions.” Are they? I mean do we need to consult about it or can the Minister for Education and Lifelong Learning make a call if the paramedics, pharmacists and physiotherapists are medically-related professions? The Minister suggested that it might need to be funded from Health but we are funding clinical components for the doctors and for the nurses and for the dentistry from the grants, so why would we send paramedics back to Health? I am not sure, but I think it is just one of those things. The opening sentence to the report - and this is where I do recognise Deputy Ward, that I do know the Minister - “As the Minister for Education and Lifelong Learning I am [or I was] committed to ensuring all Islanders have an equal opportunity to realise their potential through access to higher education.” Straight after that: “I need a year to consider.” I have met with the Minister after the amendment was lodged and tried to find a way that the young people who planned and could progress to the university this year will not be affected by the timeline proposed by the Minister. There are 3 areas that I feel strongly that morally I cannot accept as I know that we could introduce these changes from September 2024; it requires a bit more work to correct processes and States Assembly decisions. I have several times been told about the budget. For most of the proposition from (f) down: “We need a special budget, we do not have.” We move to the annually managed expenditure this year, and I was pleased that I managed to move it to the annually managed expenditure because from now on the Minister for Education and Lifelong Learning does not need to ask for uplift because it has started to go automatic now it has moved to a different system. I asked the Minister what is the allocation; how this expenditure works. The expenditure has a budget envelope that is sitting with the Treasury, and within this budget envelope we do not know if we have 1,500 or 1,550 students so the budget envelope is bigger. It is like with income support; we do not know if we have 1,000 or 2,000 or 3,000 people who would come to income support because of whatever happens. The budget envelope for this year for higher education grants is £16 million. At least this is what I have been told on 12th January by the member of the Treasury Department. If something has changed since then it means that we have some difficult issues. So when I brought this proposition with the funds that were allocated for the parts (a), (b), (c), (d), it was based on £16 million allocation to the higher education grant in annually managed expenditure when we spent just above £15 million. We have about £15 million, it might be a bit more, but we do have extra within this small envelope, and this is what I built on when I put the proposition and when I planned to do the changes. If the Minister would refer to the written question that we received, he would see what was the expenditure for this year. Also the Minister needs to find the expenditure only for one term because it starts from September, so it is one-third of the amount of funds that was raising. I would like to address “piecemeal” approach. It is not a piecemeal approach; it was the plan that was put together in 2022 and we have done changes after changes, so this is 3 small changes we have planned for this year. As I promised to the Scrutiny Panel and the Minister, they are welcome to speak with the Scrutiny member what was planned to the 2024 starting academic year. Officers did not work for 5 days; officers worked on this from 2023. I had submissions from the officers to me in December, some I accepted, some I did not accept, so officers did policy development in these areas. These areas were not completely new for the officers. We had different options and different discussions and I picked one that is something I would pick up. I am grateful for the Minister ... by the way, it is not about the officers and the Minister, because the Minister did need to put lots of

things together and learn about lots of things. Now, when we dealt with the money I would like to go into 3 parts in a bit more detail. Distance learning; current distance learning policy is based on historical way that open university students are able to study in the evenings while working in the day. Indeed distance learning was historically considered as part-time studies, however, since the pandemic changes in our way - and everyone mentioned the pandemic - moved forward. There is no reason why a distance learner in Jersey cannot get a degree from an Australian, American, Canadian university and easily from the U.K. and also from Jersey. I have myself - and Deputy Ward - attended university courses in Canada and participated in distance learning since the beginning of being elected. The increased number of students that for various reasons choose the option of distance learning, for some students it is not a choice. There are courses now ... I had another appeal, and I did not put it in the proposition, that a specific option was only study online. There are some qualification courses that now are not available in person; for very specific areas it is very limited, but they are still there. Why should students be disadvantaged purely because the course they have chosen or their circumstances means that their course needs to be delivered online? On average, learning an undergraduate course is cheaper; an average of approximately £6,000, £7,000 compared to £9,250. So we are talking about the balance it can be. Financially supporting may increase the numbers of students staying on the Island and continuing to work on the Island, because when they are going off the Island they are not necessarily coming back but when they are studying online on the Island and participating online they are staying here. Online courses, it felt like they are not good enough, they are not qualified enough. Online courses are now available from Harvard, Oxford, Cambridge. Stanford has the top, 1,400 courses for 2024. One of the reasons that the Minister amended, he is worried about the regulation and according to his or his officers' views, according to the report, it is less well-regulated in the online environment. Very interesting that in the report Deputy Ward did not mention and did not put a link that England recognised distance learning and they are giving loans of £9,250, exactly the same amount of loan, for distance learning compared to in-person learning. If England can recognise and probably has a system to manage online courses, why can we not? I am really worried that while Deputy Ward explores the world of lending and loaning, students will be left behind. Left behind, patiently waiting for a report that might never come. Distance learning can be environmentally friendly; it is less flights involved. Distance learning is even more important to all the students who have families and commitments on the Island and for their lifelong learning. There are people who are working in a blue-collar job wishing they could study to get their qualification to enable a career change. I want them to be able to afford to go to part-time work and be a distance learner full-time in Jersey. If they are prepared to do work to upskill themselves and to get qualifications we would otherwise import, I believe we should support them. I mentioned an appeal from a parent of a young person with autism for whom - thanks to the chief officer - we arranged special payment, and I have received an email from this parent before this debate that said that the young person is well on the way to getting a first-class degree in biology, which would have not been possible without this funding barrier being removed. I really believe this is the way forward to help our community get the necessary qualifications to remain on-Island, and further support to the local workforce. This amendment does not remove the barrier; it is keeping it for another year or longer. Such students are financially disadvantaged purely because the courses suitable for them are delivered online. Some people might say this is a persistent, systematic discrimination against some of our most vulnerable students. It is for the Members to decide; is it too early, is it too late? The Minister estimated it being 200 to 400; I would say without a trial we do not know. When the Minister, when he was a Deputy, introduced free bus pass we said we would have a trial and we will know how much does it cost, so maybe we will have introduced the distance learning and we will see how much it will cost, even though we do have in the allocated budget in A.M.E. some space to allow this to happen. In part (b) the Minister, in his amendment, proposed the use of discretionary powers. I do consider discretionary powers to be useful in unusual and exceptional circumstances that are unexpected. What is interesting - and this is what Members need to understand - the Minister in the report quotes Article 4, that the Minister has discretional powers.

If somebody would look at Article 4 it is only related to dependent students. Article 4 does not allow any discretion for the independent student. Again, what we can do - and probably for that person that I could not sign discretion - the person needs to submit an appeal saying their parents are abusive, and when they have 2 abusive parents I will be able to sign a discretion. But do we really need to go that way? If the young person decided to live independently, for whatever reason, I do not believe that the young person needs to dismiss the Minister in the appeal saying that their parents are unsupportive. For whatever reason he or she decided to live alone. This is why we need clear rules. Also, by the way, rich parents can be unsupportive too. Some jurisdictions have estranged course of a year. I dislike this terminology but support the logic behind it. This is support for people who have worked and live independently for a year. It is not about a gap year, it is not about being homeless, and it is not about coming back to parents' home. It was mentioned he or she will go for travel and come back and live at parents' home. Every year when student apply and reapply for the next year the student would need to prove that they live independently and has financial independence. Every year before the grant is awarded the checks are in place. I do not believe that somebody would misuse, but I do believe that young people stop their progression with their life and: "Because I am not at 3 years I just need for 3 years to do something without educating myself and get on the career path." As I explained about the component, it is £66,000. This is the whole subsidy that would be required. Does this Assembly not think we have £66,000 to support paramedics, physiotherapists and other related professions? I would like to read you a letter from a mother that was sent to me. I will take the names out; I got permission: "Jersey clinical field extra funding does not cover paramedics but it does cover veterinary students. How fair is it? The U.K. gives an allowance up to £86 per night if a student has to travel to a placement, however, as a Jersey student we receive only £18.11." Interestingly enough, before this debate I just received the email that this information was incorrect on the website and after they arranged - because the student needed to travel to Plymouth and they needed to stay overnight, finishing work at 2.00 p.m. - they managed to arrange some sort of accommodation I think and that £18 will be paid back. When they started to claim this £18 now from the student finance they said: "It is actually not for the placements, it is for the field."

[16:45]

So basically the placement is not included either. So this £1,000 really can make a difference: "My husband and I have also changed jobs over the last year and we receive less wages than previous years and now we do not have funds to support. The person has been in St. John's ambulance since age 6 and has many times given time to help others. The student has every intention to come back and work in Jersey once her studies finish and we feel that the current system is very unfair with the amount of funds we are expecting to provide." Now, I have accepted 5 parts of the amendment but I started to be really concerned following the Minister's comments because he said he does not believe in loans, so amending the last part of the proposition which is: "Assess the long-term financial viability of any student loan scheme for Island students." If we do not believe in loans why are we committing to assess? But, again, it might happen. It is an interesting situation, and this is where our students are caught up. They do not have access to student loans in the U.K. We do not have enough funds, and I agree, to provide perfect support so we are not ready to open any options to top up, we are not ready to give more grant awards, and basically what we are doing, we are having less and less students that become eligible to be able to access higher education. It is suggested distance learning is between 200 to 400, I would assume it will be around 300; independent, even bigger uncertainty, I would say 180; and 66 for clinical component, and I believe these 3 changes can be done this year and it will be done this year. This is why only these areas I was not ready to accept the amendment. I recognise that the Minister has very difficult work to do and he will need to get business cases and to review all other parts of the amendment. I know that our funding system - this is where we agree - cannot be perfect. It will need to be updated from time to time. It is an investment. Let us invest in the future now; 3 small changes for a very limited amount of people and not invest just in the future. So I ask Members to reject the first 3 parts of the amendment.

13.2.5 Deputy M.R. Scott:

I am sorry that 2 former Ministers have suggested this amendment brought by the new Minister for Education and Lifelong Learning should be regarded as a wrecking amendment. I do not believe the Minister to be any less passionate than the former Minister in his desire to deliver good and fair education to Islanders and to serve Jersey's public in doing so. He has expressed a willingness to consider the Deputy's proposals, rather than just allow them to be steamrolled through. The risk of not spending public money judiciously is a matter I would have expected to resonate with the Deputy in view of her role as chair of the Public Accounts Committee. Deputy Renouf suggested that the Minister take another look at the wording of Deputy Gardiner's proposition while lambasting him for his restrained approach. I respect the Minister for Education and Lifelong Learning for bringing these well-reasoned amendments. Maybe things change when a Minister becomes a Back-Bencher. The thoughts and sentiments expressed by Deputy Mézec in the last debate come to mind. If Deputy Gardiner had brought forward her proposition with the amendments now being proposed by the Minister for Education and Lifelong Learning would anyone in the Chamber have had a problem with that? Education is expensive. It needs to be fairly and reasonably distributed while affordable and selective. The current wording of this proposition is too wide to support this principle. Had the Deputy been moving for this proposition while continuing in her former role as Minister for Children and Education I believe her own officers would have advised her no differently while pointing out the need for funding in the Government Plan. I consider it a pity that the Deputy proceeded with this proposition rather than agree the position for the Minister to bring the proposition himself. It, therefore, has not received the level of scrutiny for a rather complex proposition that one might expect from an independently advised Scrutiny Panel funded at public expense. I therefore support the current Minister's amendments for being measured and considered. I do not believe I have heard a strong enough reason for rejecting them.

13.2.6 Deputy S.Y. Mézec:

I will get this point out of the way at the start but I am very proud to lead a party that thinks through its propositions, that identifies the funding associated for them, and tests them at the ballot box before bringing them to this Assembly. I would say to those who would take for granted our support for any other proposition, I think should develop more than what I would regard as a rather superficial understanding of how we operate and the values that underpin what we have brought to this Assembly and whatever positions we have held in this Assembly, be they in Government or otherwise. No matter what role I would hold in this Assembly I would not be inclined to vote in favour of many parts of the unamended proposition for the simple reason that some of them are not well thought through and do not make sense. Let us go through some of those so that I can explain why I am absolutely comfortable in voting for the amendments to them. Part (a), which asks to fund all distance learning courses - all distance learning courses - to the same level as in-person courses, simply does not make sense to me because students may go for distance learning as opposed to relocating to somewhere else to do their learning full time because of the difference it provides in study/work/life balance, which ought to be taken into account when determining how much funding is given to support those people so that is as good and viable an option as possible. To simply replicate what is given to a completely different arrangement to seek your education does not make sense. So for the Minister to seek to accept that where Deputy Gardiner is coming from comes from a good place, in that it is absolutely right that we seek to make sure that those who want to do distance learning are not disadvantaged, is that we find a bespoke and tailored solution for them and not copying and pasting it from a completely different way of seeking your education that may not be appropriate. That is why his amendment to that makes perfect sense to me. Part (b), referring to those living for a year with independence to be regarded as completely independent for their funding; speaking perfectly frankly, I think that all students ought to be treated completely independent from their family's income in determining what support they get for their education. We do that up until the age of 18. It strikes me as absurd that we do that beyond 18. But be that as it may, with the system

that we currently have now, to simply say without having tested this in any shape or form that we will now set a new limit that could be open to all sorts of loopholes, all sorts of ways of getting around it, without exploring and testing them, does not make sense. So, Deputy Ward says that they will look at this and they will take into account other criteria to make sure that we can better deliver enhanced, targeted support for those for whom the degree of independence they may have from the financial affairs of their family can be taken into account. That is progress and that enables the Minister to think it through, rather than come up with an arbitrary solution that may have unintended consequences. I think much has been said about the clinical components and the listed ones here for extra support to be provided, and I think Deputy Ward very well explained the fact that we already provide substantially more direct financial support for people doing these courses because we do not have the U.K. system of funding, which is largely based on debt in an absurd system where people are given debt that they will never be able to pay back and debt collectors will chase them regardless of that, putting them through all sorts of anxiety, all to fund a service that frankly ought to be coming from tax funding anyway. Thanks very much to the Tory-Lib-Dem coalition for making that one worse and putting young people in the U.K. in that ridiculous situation. Our situation in Jersey is much better and, yes, it can be enhanced and those discussions between the Minister for Education and Lifelong Learning and the Minister for Health and Social Services to work out where support can be best targeted for those areas where we may have shortages in health qualifications, is absolutely right. But to pluck it from thin air and apply it in this way does not make sense to me. But most importantly, of the parts of this that are in contention for the purposes of this amendment, is part (e) where the Deputy asks for this to all be implemented by September of this year without identifying the funding source. We have not that long ago been through a Government Plan process which has helped us define much of this already. I would not be bringing anything to this Assembly without pointing out where funding could come from for it. Some of us in this Assembly are very open about our tax policies that would give us the flexibility we need to do that. But for a part like this, to not be able to tell us exactly how much it is going to cost and that we have just got to find that money from somewhere, irrespective of what service cuts it could lead to elsewhere, is not responsible. That is why I think Deputy Ward's amendment to provide more time to enable us to do that and we can have those debates on funding as and when they are necessary with something that is much clearer and more tangible, is clearly the most appropriate way forward. I do not think it is worth at this point addressing the other parts of the amendment as they have been accepted, but I would point out the inconsistency in accepting half of them and then applying a set of criticisms to the other half of them, which could equally be applicable to the half that you have already agreed. That strikes me as very inconsistent and I hope that Members of the Assembly will back the Minister for Education and Lifelong Learning on this, so that a proper job can be done rather than this, which I do not think has been thought through properly and has made no effort to identify the appropriate funding source. We can do better than that.

13.2.7 Deputy L.M.C. Doublet:

In short, when Deputy Gardiner was the Minister in charge of this area, she worked on these proposals with officers. They were thought through, they were assessed and evidenced. Funding was found from within our budget and they would have been implemented under her leadership. I would ask the Assembly to support the Deputy's proposition today with the parts of the amendment that she has accepted, quite graciously I think, in terms of showing that she is willing to compromise because what the Assembly wanted with the change of Government was not a slowing down of any progress that was happening. It was a continuation of these good initiatives that were being considered to help our students. I would ask Members not to slow anything like this down, to support Deputy Gardiner today so that the progress can be continued on the work that she started in this area.

The Greffier of the States (in the Chair):

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

13.2.8 Deputy R.J. Ward:

Very good, Deputy Renouf has returned to the room. I thank him for his reasoned approach to me and his kindness. One has to, in a leadership role, rise above the personal and move on to the factual. Let me give you a few facts. Deputy Renouf commented on the independent students. The £2.2 million estimate does not presume a system abuse. It is the highest projection of eligible independent students based upon the 2021 census data on full-time employed individuals aged 24 and under. Under the current scheme, most of these students would be considered dependent unless they had lived independently for 3 years. Under the amendment that was suggested, the proposition, these students would have been deemed independent students. Thus the maximum cost is £2.2 million for those students. That is a factual number. Those are the numbers that have not been budgeted for, not been attempted to budget for in the Government Plan last year, but I have suddenly got to find £2.2 million, possibly, to find those ... just that piece. I would ask Members to be very accurate in their accusations before they start. In terms of action? Well, I will give you an action. I signed a Ministerial Order today to increase the maintenance grant. We do not need to discuss it, we can just do it, and that is what has been done today.

[17:00]

Let us talk about a few other things. The clinical component. Article 14 relates solely to the tuition fees; at some time this was put in law. Medical courses were typically more expensive than non-medical courses, therefore students had home-fee status and therefore fees in general were capped. It is distinct from other costs. Article 15 seeks support such as living costs acknowledgement, longer courses and additional expenses, protective equipment and clothing. Veterinarian courses were 46 weeks long. That is why they were given more money to do them. Yes, we have a disjointed system, but we are not going to make a disjointed system better by putting in more joins and disjoints. What we have to do is have a joined up, thoughtful approach to what we are going to do, so we have a system that works for everybody longer term and is fundable unless ... I am very tempted to say, until we get a Reform Government and get a proper taxation system, but I will move forward from that. I will move forward from that. It was just the little bit of politics that Deputy Mézec threw in. I must comment on the difference in this, for Deputy Renouf. When I brought propositions, I had to find a place to fund them and I did that and I brought them with the money that was going to work for them. This has not got that. They were not brought on one or 2 individuals who had contacted me. They were brought on a genuine wider need in our society and I would encourage Members to do that, and if that happens I would support them. That is not what this is. This is something that was left over and not completed. Let us move on to some of the things from Deputy Gardiner, in terms of the distance courses. Yes, there were reports on the distance courses. The officers did do the work. Let me read you from the reports that I have seen: "Distance learning. There is no reliable means of identifying the number of students self-funding distance learning who have bypassed student finances. Estimated impacts are, at best endeavour, based on average number of inquiries." There is no information on how this is going to work. So I, as a new Minister -, and I am on my remit, I really am. I worked really, really hard and I know my remit and I guarantee you that I will continue to know my remit - am being asked to make a decision with no data whatsoever. I am not going to do that because we do not know the implications of it, and we do not know the implications for Jersey, and that is exactly the point we need to make. Plus, on the distance learning course that the Deputy talked about, there was discretion made -it was not called discretion, it was called something else, special payment, whatever - for that young person to access the distance course. There are ways around this for this year and the numbers are very, very small. To make wide-scale changes with no information on who it is going to affect, in the name of one individual, I think is not

the way to run the department. We need to move forward and have a more considered approach. That is what this means. It is about running education in an effective way and not just making piecemeal changes. I will just mention a couple of things here. In September 2022, the H.E. (higher education) budget was predicted to underspend by hundreds of thousands of pounds and the Minister before the last Minister made additional payments and made some changes. The previous Minister, in 2023, assessed changes and made the changes that were mentioned. The reason that a sliding scale was not introduced is because there was a predicted overspend if that was introduced. It was not affordable in the funding that we have. The reality of this is there is not the funding there. We know there is not the funding there, but I, over the course of 5 days, will find that funding and implement the things that were not implemented before. Let us talk about whether we discussed this amendment. This amendment was lodged, quite literally, 5 minutes after I was formally introduced into this appointment. Formally. I had been in the post before that; that was not mentioned to me before that. I had 5 days in order to get officers together and talk about it. On the Friday of the week of the meeting, we met for the first time to talk about all the different angles. I had the weekend to go and discuss it, because I did have to look into it in detail. I had the courtesy to send the amendment, before I sent it to States Members, to the Deputy and then meet with the Deputy in very short order. Indeed, my amendment and report were published on time, within the time that was allocated. I think we have done everything we could possibly do, and I think those supposed issues about not consulting are simply untrue. They are simply factually incorrect. I have done everything I possibly could to turn this around with what I believe is a very intelligent, considered and meaningful approach to making change in the longer term that might actually be successful and sustainable in the long term. I tell you something about the politics that I believe in, it is principled and sustainable in the long term. We do not suddenly change our mind on principles overnight because they suit us a bit better and then change our mind back again. If I was to do that and be called out on that, that is fine. I would have to take that on the chin and I will not be upset over it. In terms of I believe in loans, I do believe in loans because they exist. Sorry. I also believe in life after love, but that is a very different issue. Apologies. I have always wanted to get a Cher quote in. That was indeed shoehorned in; I apologise for that one. It is all getting a bit serious and a bit unpleasant and I do not want it to be that way. I want my time in this role to be positive and constructive. In 2023, in Scrutiny, this was the comment that was made in Scrutiny. I will quote from Hansard: "A commitment was given to announce the next suite of changes for higher education funding that would take effect in September 2024, to be announced in January 2024. However, the Minister also noted that major changes may take longer and highlighted that consultation with stakeholders would be necessary for any changes that would require a change in law." I totally agree and that is exactly what we need to do with these. That is exactly what I am intending to do in short order. Now, I understand the deadline of 31st March and I can accept fully that this is being lodged straight away. I have no issue with that; Back-Benchers need to lodge whatever they want. But I think we also need to be realistic about what we can achieve in that time. I think I am going to just about finish there, because others have spoken and we have had enough of the discussion around these amendments. I urge Members to accept these amendments for some simple reasons. One, they give time to make the right type of change but give the opportunity to use the discretion that does exist. Recently that discretion was used again for a case for higher education funding where the parents' income was disregarded and so therefore that student could be independent. I am quite willing to make those changes when they come up. They are not frequent. But the changes that were suggested in the original proposition that needs to be amended will have significant effects on the fund that we have in order to pay long term and they will not necessarily have the impact that we want them to have. Distance learning for ... I am not going to go into that, but you can look up yourself the Open University stuff on distance learning and part-time courses and the way they classify people as part-time students and the design of Open University courses to enable people to access those courses. Any comparison with the U.K. is unfair because of the loans. So, let us sum up where we are. We are providing the best we can at the moment with a grant system for our young people. Many, many, many of them have all of their fees

paid. You can earn up to £140,000 and still get £5,250 of your fees paid. So that extra £40,000 costs the family £4,000 a year. Yes, I agree with Deputy Mézec. It would be great for everyone to be independent at 18, but the cost of that would probably be about £30 million a year and we would need to change our tax system. So I ask Members: do you want to change your tax system? If the Deputy brings that change, I will absolutely support it. But what we have at the moment is a system that is funded and I do not want to lose this system. I want it to work the best we possibly can, to target it the best we possibly can, and get the best we possibly can for young people in Jersey long term and sustainably and young people in Jersey now for the jobs that we need in Jersey to keep them here, to stop them getting in debt for their education, and to value what we have. I am quite happy to look at other schemes that will help young people before they go, to gain income so they have got money to go away with, and to talk to the Minister for Treasury and Resources about what happens in terms of tax relief and so on for university fees. We may need to look at that again. But this change now, happening so quickly, is going to have an impact which I am afraid I simply cannot justify. I urge Members, please accept the amendments. Let us move on with this. We can make the changes in the long term if they are the right changes. I can work with the Minister for Health and Social Services; we can work with a lifelong learning remit; we can target our distance learning; we can use the best resources we have at Highlands College, Institute of Law, J.I.C.A.S. (Jersey International Centre of Advanced Studies), all of those institutions on-Island are offering things, before we go elsewhere rather than pouring money into large universities because you say you want to do a distance learning course there. Let us give our young people the opportunity that is best for the Island, best for the people, and affordable at the moment in the time that we have got left. I move the amendment and I urge Members to vote for it. Thank you.

The Greffier of the States (in the Chair):

Are you content to take the paragraphs 1 to 6 *en bloc*, Minister?

Deputy R.J. Ward:

Yes.

The Greffier of the States (in the Chair):

Are you wanting the *appel*?

Deputy R.J. Ward:

Yes, please.

The Greffier of the States (in the Chair):

The *appel* has been called for. Members are invited to return to their seats. Voting is on paragraphs 1 to 6 of the amendment and I ask the Greffier to open the voting. If all Members have had an opportunity to cast their votes, including those online, then I ask the Greffier to close the voting. I can announce that the amendment has been carried.

POUR: 33		CONTRE: 9		ABSTAIN: 0
Connétable of St. Helier		Connétable of St. Lawrence		
Connétable of St. Brelade		Deputy L.M.C. Doublet		
Connétable of Trinity		Deputy I. Gardiner		
Connétable of St. Peter		Deputy D.J. Warr		
Connétable of St. Martin		Deputy J. Renouf		
Connétable of St. John		Deputy H.L. Jeune		
Connétable of St. Clement		Deputy K.M. Wilson		
Connétable of Grouville		Deputy L.K.F Stephenson		

Connétable of St. Ouen		Deputy M.B. Andrews		
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy S.G. Luce				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy B.B.S.V.M. Porée				
Deputy M.R. Scott				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				

13.3 Update of Higher Education Student Funding (P.12/2024) - as amended

The Greffier of the States (in the Chair):

We now return to the main proposition as amended. Does any Member wish to speak on the proposition? If no Members wish to speak, then I will close the debate and I call upon Deputy Gardiner to reply.

13.3.1 Deputy I. Gardiner:

Thank you for everyone who contributed to the debate. Actually the debate was around the amendment. I will give a couple of remarks before I will call to the *appel*. Thank you to the Minister for bringing the transcript from the Scrutiny hearing. This transcript explains questions about the so-called inconsistency that Deputy Mézec mentioned. I accept the part that I promised to the Scrutiny to deliver at 2025, and I have not accepted the part that I promised to the Scrutiny to deliver in 2024. Deputy Moore thinks that I need to know better. Completely. It has been through the Scrutiny process for 2 years. It is not something that I created before this. It was interesting how the debate about this turned into the tax debate. Because what was completely disregarded, or maybe dismissed, or maybe I was not convincing enough, and apologies to the young people who I met who did not get the change for 2024. It has been funded because we are spending just about £15 million and we have £16 million in the envelope. But it was disregarded, or unless some of this money was spent elsewhere. It is interesting, there feels about 5 minutes. Actually the Minister was in the post for a

month and it was 2 weeks to bring the amendment, but I understand and I completely recognise ... I am, by the way, grateful for Deputy Ward bringing an amendment because he could just decline. At least now we have a path going forward, amended by the Assembly, hopefully will be accepted by the Assembly, and we can follow this up. I really do not bring me this pleasure, but I cannot help myself really. I am really surprised by the Reform Party votes, especially on part (a). It is not that I am taking somebody for granted. I brought this amendment because I believed and this is what I would do. But why I am talking about part (a) specifically - and Deputy Mézec said that they are standing behind - because part (a) basically was amended from “fund all” to “explore.” So we deleted the part “fund all.”

[17:15]

If we are going to the Reform Jersey pledges ... I went to the Reform Jersey manifesto. Reform Jersey pledges to cover the cost of university tuition fees for all Jersey students and introduce a student loan scheme to assist with maintenance costs through their studies on top of the existing grants. Reform Jersey pledged to cover the cost of all Jersey students and “all” was deleted from the proposition. I hope the “all” will come back when the Minister will develop the scheme. But again, as the Minister mentioned ... by the way, something that I completely agree with Deputy Mézec on, this is actually important to mention as well. It shows where I disagree and also where I agree. I believe that student finance needs to be judged on young people’s income, not dependent on parents’ income all the time because the parents can make decisions if students are going to university or not going to university. I believe that students should be independent. If it will come, I would really, really welcome. Not to take it longer, I will not take it in parts because the amendment was adopted as it is and I really hope that we, as an Assembly, going through this hurdle can continue. At least the roadmap is there and we, as a Scrutiny, will continue to look at delivery of the Government that wants to deliver and hope we will see the delivery in 2025. I call for the *appel*.

The Greffier of the States (in the Chair):

The *appel* has been called for. I ask Members to return to their seats. Everybody is here. I ask the Greffier to open the voting. If all Members have cast their votes, I ask the Greffier to close the voting. I can announce that the proposition has been carried.

POUR: 42		CONTRE: 0		ABSTAIN: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				

Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J Farnham				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy B.B.S.V.M. Porée				
Deputy D.J. Warr				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F Stephenson				
Deputy M.B. Andrews				

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

The Greffier of the States (in the Chair):

So that concludes Public Business for this meeting. I invite the chair of P.P.C. to propose the arrangement of Public Business for future meetings.

14. The Connétable of St. Martin (Chair, Privileges and Procedures Committee):

At present there are 9 items listed for the meeting on 16th April and as the Order Paper includes Offshore Wind and Protection of Trees, I believe that we will be sitting for at least 2 days. But as usual, please keep the remaining days free to attend the States if needed. I propose the arrangement of business.

The Greffier of the States (in the Chair):

If there are no other comments, then that is the arrangement of business for the next meeting. The States stand adjourned until Tuesday, 16th April.

ADJOURNMENT

[17:18]