

# STATES OF JERSEY

## OFFICIAL REPORT

TUESDAY, 30th APRIL 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:**

### **1.1 Tribute to former Deputy Margaret Le Geyt**

Members will have noted, perhaps, that former Deputy Margaret Le Geyt passed away last week. Mrs. Le Geyt was born and raised in Oxford, and it was there that she met her husband, Brian, while she was studying at university. The couple set up home in Jersey in the 1950s and raised 2 sons. Her early career was in nursing, and she spent many years owning and running several pre-school nurseries, providing school holiday care for younger children. In 1990, she stood successfully for election, the first time as Deputy for St. Saviour District 2, and she was subsequently re-elected in 1993 and in 1996, before losing her seat in November 1999. But during her time in the Assembly, she was active in supporting low income and disadvantaged families, rallying against the lack of support for tenants facing eviction. She served on the Tourism, Sport, Leisure and Recreation, Agricultural and Fisheries, Social Security and Housing Committees. Outside of the States, Mrs. Le Geyt was a supporter and keen participant in the Jersey branch of the Royal Air Force Association. She died peacefully on Saturday, 20th April, aged 87, following a long battle with Parkinson's disease. We send our sincerest condolences to her family at this time, and I ask Members to rise for a minute's silence. **[Silence]** May she rest in peace.

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

Can I raise the *défaut* on Deputy Tadier?

**The Bailiff:**

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

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

Sir, I have a medical appointment at 11 o'clock. I wondered if the Assembly might allow me to take my Oral Question 12 at the start of question time.

**The Bailiff:**

Do Members agree with that? Yes, we will take it at the start of question time.

**Deputy S.G. Luce:**

I am grateful.

## **QUESTIONS**

### **2. Written Questions**

#### **2.1 Deputy L.M.C. Doublet of St. Saviour of the Chief Minister regarding the priority to "extend to nursery and childcare provision" in the Common Strategic Policy 2024 -2026 (WQ.140/2024)**

##### **Question**

"Further to the recently-lodged [Common Strategic Policy 2024-2026](#), and the priority to "extend nursery and childcare provision", will the Chief Minister advise –

- (a) regarding the universal offer of nursery care to all children aged 2 to 3 years –
  - (i) the proposed timeline for implementation;
  - (ii) how many hours per child will be offered;
  - (iii) the cost of providing this offer;
  - (iv) whether funding proposals will be included in the Government Plan 2025-2028;



- (b) regarding the extension of nursery care to children aged 2 to 3 years old with additional needs –
  - (i) what additional needs are being considered and whether this includes financial need;
  - (ii) the number of children currently accessing nursery care in each of the last 3 years and the expected number following the extension;
  - (iii) the total funding allocated to this extension; and
  
- (c) in relation to the pilot scheme to access unused spaces in primary school nurseries –
  - (i) which schools are included in the pilot scheme;
  - (ii) whether changes have been made to the pilot which was under development in 2023 and if so, details of the changes; and
  - (iii) whether this scheme has commenced, and if not, why not?”

**Answer**

- (a) regarding the universal offer of nursery care to all children aged 2 to 3 years –

- (i) the proposed timeline for implementation;

The timeline for a universal offer for all children aged 2-3 years is currently being planned and implementation will be phased. Further work is needed to develop a full understanding of the current capacity within the childcare and early years sector and the providers’ ability to meet the increased demand. It is important to ensure the offer will be of a high standard and is deliverable.

- (ii) how many hours per child will be offered;

From an educational perspective, the optimum number of hours is a part-time offer, between 12 and 20 hours to secure positive outcomes and the desired impact on children’s cognitive, social and linguistic development. This is based on research and both national and local evidence, including the Effective

Provision of Pre-school Education (EPPE) project and the Study of Early Education and Development (SEED). The provision needs to be sustainable and to represent value for money as well as meeting children’s developmental needs.

- (iii) the cost of providing this offer;

Costs are yet to be determined in detail. Many variables will influence the cost of a universal provision and one of the benefits of a phased approach is that it will help provide greater certainty over potential costs over a period of time. Variables include the proportion of parents that take up the offer, the number of hours and weeks provided, the cost of provision and whether increments should be added to reflect additional needs.

- (iv) whether funding proposals will be included in the Government Plan 2025-2028;

Yes, this will be factored into funding proposals for the Government Plan 2025 – 2028 and is one of the 12 priorities that this Government and Council of Ministers want to initiate as soon as possible.

- (b) regarding the extension of nursery care to children aged 2 to 3 years old with additional needs –
  - (i) what additional needs are being considered and whether this includes financial need;

The term ‘additional needs’ does not specifically relate to special educational needs, for instance, but can be applied to all aspects of potential vulnerability or perceived potential disadvantage. This will include financial needs. Consideration is already given to families with a range of additional needs through the Best Start Nursery Plus scheme and the Government to expand an already successful initiative in supporting 2–3-year-olds which considers the child’s learning needs, the wider financial needs or circumstances of the family and any health or developmental needs.

- (ii) the number of children currently accessing nursery care in each of the last 3 years and the expected number following the extension;

An independent childcare provider survey carried out in December 2023-January 2024 showed that 620 places are currently taken up by 2–3-year-olds across all types of childcare providers. This includes nurseries, childminders and nannies. The current number of registered places available in nurseries for this age group is 353 and there is the potential to work with other providers, including childminders to offer more places if required. To meet additional need, work is under way to look at further opportunities to recruit, retain and build capacity. Continued engagement with stakeholders, including parents, will be a key ongoing activity to understand childcare needs in more detail so that provision can be accurately planned.

- (iii) the total funding allocated to this extension; and

The funding allocation is yet to be determined and will be considered as part of the Government Plan process.

- (c) in relation to the pilot scheme to access unused spaces in primary school nurseries –

- (i) which schools are included in the pilot scheme;

A number of schools have shown interest in taking part in a pilot initiative to consider how best their nursery provision can respond to and meet the needs of children and families in their community.

Planning is under way with a number of those schools to implement pilot initiatives from September 2024.

- (ii) whether changes have been made to the pilot which was under development in 2023 and if so, details of the changes; and

There have been no changes to the pilot.

(iii) whether this scheme has commenced, and if not, why not?"

Scoping for this scheme is in the final stages and was awaiting key data, such as the numbers of children to be admitted to each early years class in September 2024. This information has not been available at an earlier stage but is now being considered to take the scheme forward.

## **2.2 Deputy M.B. Andrews of St. Helier North of the Minister for Health and Social Services regarding the cost of the New Healthcare Facilities Programme (WQ.141/2024)**

### **Question**

“Will the Minister state the estimated total cost of the [New Healthcare Facilities Programme](#) (NHFP), and if not, why not?”

### **Answer**

The estimated total cost of phase 1 of the New Healthcare Facilities Programme is £710m, as outlined in the Government Plan 2024-28. This will deliver the inpatient and emergency hospital at Overdale (also known as acute) and enable progress on and design and delivery work to progress on the Kensington Place and St Saviour’s Health Village sites.

The programme has been split into phases, which will be more affordable at any one time for taxpayers than a single high value contract. This approach reduces exposure to economic uncertainty, including changes to the commercial approach by a single delivery partner.

Therefore, it is not possible to disclose a full cost figure of Programme spend beyond its first phase, as design work for future phases has not yet been completed.

## **2.3 Deputy S.M. Ahier of St. Helier North of the Minister for Treasury and Resources regarding a new tax on vaping products (WQ.142/2024)**

### **Question**

“Further to the UK Government’s plan to introduce a new tax on vapes, will the Minister advise whether she intends to introduce such a tax in Jersey on all or any vaping products?”

### **Answer**

The 2024-2027 Government Plan committed to undertaking a study into how taxation could influence consumption of nicotine through vaping. This review is underway and will include consideration of a tax on vapes. Such a tax would not be introduced before 2026 at the earliest.

As the Deputy will know, the Minister for Environment and the Minister for Infrastructure are currently consulting on a proposal to ban disposal vapes. Any recommendation ultimately made with respect to taxing vapes will take account of this work. The health advice has remained consistent: “if you smoke, vaping is much safer; if you don’t smoke, don’t vape”. The Government should therefore ensure that vaping remains accessible for those looking for an effective way to reduce their tobacco consumption.

**2.4 Deputy J. Renouf of St. Brelade of the Minister for Sustainable Economic Development regarding private aircraft movements through the airport (WQ.143/2024)**

**Question**

“Will the Minister provide the monthly figures for the number of private aircraft movements through the airport (not including the Jersey Aero Club) over the last three years?”

**Answer**

	2021	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
<b>GAMA</b>		186	161	221	319	567	678	592	592	703	652	593	529	5,793
<b>Self-handled</b>		130	52	64	100	89	123	101	101	163	73	123	82	1,201
	<b>2022</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Total</b>
<b>GAMA</b>		421	442	515	555	644	702	667	589	659	657	444	462	6,757
<b>Self-handled</b>		77	53	103	99	117	157	134	136	159	131	87	92	1,345
	<b>2023</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Total</b>
<b>GAMA</b>		364	367	450	489	521	636	619	505	601	519	419	395	5,885
<b>Self-handled</b>		64	96	107	87	112	128	118	126	102	83	49	59	1,131
	<b>2024</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Total YTD</b>
<b>GAMA</b>		360	339	461										1,160
<b>Self-handled</b>		64	56	69										189

**Notes:**

1. Monthly figures represent the total sectors, i.e. each arrival and each departure
2. GAMA figures represent those local and visiting private aircraft handled by GAMA
3. Self-handled figures are those private aircraft that are not handled by GAMA or the Aero Club
4. Aero Club figures and therefore the majority of local and visiting aircraft under three tonnes are excluded

As part of Government’s Policy Framework for the Ports Sector, Ports of Jersey are exploring how its tariff structures will be used to support the transition to cleaner technologies for both aviation and ferry services.

**2.5 Deputy C.D. Curtis of St. Helier Central of the Minister for Childre and Families regarding the UK’s Online Safety Act (WQ.144/2024)**

**Question**

“Further to [information provided by the Minister to the Children, Education and Home Affairs Scrutiny Panel](#) regarding the decision not to extend the UK’s [Online Safety Act](#) to Jersey, will the Minister state who made this decision?”

**Answer**

The Minister for Sustainable Economic Development made the decision in September 2022 not to pursue a Permissive Extent Clause in the Online Safety Act. This followed a review of the UK legislation and corresponding Jersey law which indicated that Jersey could legislate locally for the same purposes (if desired). Officers in Economy and Justice and Home Affairs

are scoping legislation to protect against digital harms, alongside incorporating recommendations from the Violence Against Women and Girls Task Force.

## **2.6 Deputy B.B. De S.V.M. of St. Helier South of the Chief Minister regarding ensuring the rights of seasonal workers are protected (WQ.145/2024)**

### **Question**

“Further to the recently-lodged [Common Strategic Policy 2024-2026](#), and the priority to “Reduce red tape, enhance opportunities for business and strengthen Jersey’s international reputation”, will the Chief Minister advise what consideration, if any, is being given to ensuring the rights of seasonal workers are protected and to reviewing the recruitment process Jersey businesses need to follow when employing seasonal workers?”

### **Answer**

The employment rights of seasonal workers are protected in the same way as all other workers in Jersey. This applies to seasonal workers who require immigration permission as well as those who do not require an immigration visa to work in Jersey, such as British and Irish citizens.

The current work permit policy provides certain protections from exploitation, by ensuring that:

- Employees receive equal pay for equal work
- Employers adopt robust and ethical recruitment practices to ensure only appropriately skilled employees are recruited with the relevant qualification and experience to undertake the role for which they are being employed
- Employers give due consideration to the welfare of their employees inside and outside of work and that they are accommodated to a standard that supports their health and well-being
- All employers who apply for work permits must evidence their recruitment processes when required to do so and provide the Jersey Customs and Immigration Service with signed copies of contracts.

These protections are aimed at preventing behaviours that are recognised as contributing to modern-day slavery and exploitation.

In addition, the Work Permit Holder Welfare Review Panel’s review (S.R.2/2023) made a number of recommendations to strengthen current arrangements to enhance the welfare of work permit holders. While the review identified that the majority of work permit holders have a positive experience of their time in Jersey, it is recognised that this is not the case for all individuals.

Therefore, the Minister for Justice and Home Affairs is working with other Ministers to consider options for implementing the Panel’s recommendations, including the introduction of specific legislation to enhance the protections already provided. The Minister for Justice and Home Affairs has committed to prioritising this work and to ensuring that there is an appropriate balance between the needs of businesses and the rights and welfare of those employed on work permits.

**2.7 Deputy M.B. Andrews of St. Helier North of the Chair of the States Employment Board regarding the current number of employees employed in each Government department (WQ.146/2024)**

**Question**

“Will the Chair confirm the current number of employees employed in each Government department, the number of vacancies in each department, and advise what plans, if any, there are to freeze public sector recruitment?”

**Answer**

Headcount and Full-Time Equivalent (FTE) figures by Department are shown below. These are figures as at 31 March 2024. There is no intention to freeze public sector recruitment because of the need to fill vacancies in essential front-line services. Vacancies in other roles are being monitored and managed.

<b>Department</b>	<b>Headcount</b>	<b>FTE</b>	<b>Live Vacancies*</b>
<b>Cabinet Office Total</b>	<b>646</b>	<b>621</b>	<b>3</b>
<i>CABO: Chief Operating Office</i>	<i>379</i>	<i>371</i>	<i>2</i>
<i>CABO: Office of the Chief Executive</i>	<i>75</i>	<i>73</i>	<i>1</i>
<i>CABO: Strategic Policy, Planning and Performance</i>	<i>192</i>	<i>177</i>	<i>0</i>
<b>Children, Young People, Education &amp; Skills</b>	<b>2789</b>	<b>2339</b>	<b>67</b>
<b>Customer and Local Services</b>	<b>294</b>	<b>275</b>	<b>1</b>
<b>Department for the Economy</b>	<b>77</b>	<b>75</b>	<b>4</b>
<b>Department of External Relations</b>	<b>12</b>	<b>12</b>	<b>1</b>
<b>Health and Community Services</b>	<b>2556</b>	<b>2405</b>	<b>138</b>
<b>Infrastructure and Environment</b>	<b>699</b>	<b>676</b>	<b>8</b>
<b>Justice and Home Affairs</b>	<b>803</b>	<b>784</b>	<b>2</b>
<b>Non-executives and Legislature</b>	<b>289</b>	<b>267</b>	<b>5</b>
<b>Treasury and Exchequer</b>	<b>357</b>	<b>350</b>	<b>2</b>
<b>Total by Department</b>	<b>8522</b>	<b>7804</b>	<b>231</b>
<b>Total (variance of 21 is due to employees having roles across multiple departments)</b>	<b>8501</b>		

\*Live Vacancies are position which are currently being advertised and are therefore vacant posts.

## 2.8 Deputy M.B. Andrews of St. Helier North of the Minister for Justice and Home Affairs regarding the number of call outs to the States of Jersey Ambulance Service (WQ.147/2024)

### Question

“Will the Minister confirm the total number of call outs to the States of Jersey Ambulance Service over the last 5-year period and, of these, how many were hoax calls?”

### Answer

In the last full 5-year period (2019-2023), the States of Jersey Ambulance Service (SoJAS) attended 53,578 calls. Within this period, 53 hoax calls were received, of which 12 were attended by at least one Ambulance crew (Table 1).

In Q1 of 2024, the States of Jersey Ambulance Service attended 2,869 calls. Within this period, there were 7 hoax calls received, of which 1 was attended by at least one Ambulance crew.

It is to be acknowledged that the number of hoax calls may be higher as there may be calls which could not be identified as ‘hoax’ by Controllers. It is also important to clarify that calls that are made in good faith, but do not require an emergency response are not recorded as hoax calls.

Year	Emergency Calls Attended	Hoax Calls Received	Hoax Calls Attended
2019	9,845	3	1
2020	9,880	9	5
2021	11,081	11	1
2022	11,667	13	4
2023	11,105	17	1
Q1 2024	2,869	7	1

Table 1: Emergency calls attended and hoax calls 2019-01-01 to 2024-03-31. Source: C3 Computer Aided Dispatch System (CAD).

To provide context, most NHS Ambulance Services do not frequently publish the number of hoax calls received. The South Western Ambulance Service NHS Foundation Trust (SWAST) has published an FOI with hoax call data for 2018 (and partial 2019). SWAST reported having received 861 hoax calls in 2018, from a total of 820,860 incidents with a face-to-face response (taken from A56 in AbmSYS Time Series published by NHS), giving a hoax call rate of 0.1%.

The number of incidents with a face-to-face response is the closest comparison to calls attended for SoJAS. Between 2019 and 2023, SoJAS received 53 hoax calls, from a total of 53,578 calls attended, giving a hoax call rate of 0.1%. This is not a comprehensive comparison but infers the hoax call rate received by SoJAS is not too dissimilar to SWAST.

## Sources

States of Jersey Ambulance Service Data taken from C3 Computer Aided Dispatch System (CAD). Hoax calls are identified where controllers have closed the call with a Call Stopped Reason of “Hoax Call” or “Cancelled - HOAX Identified before mobilisation”.

[Frequently asked FOI questions | SWAST Website Statistics » Ambulance Quality Indicators \(england.nhs.uk\)](#)

### **2.9 Deputy M.B. Andrews of St. Helier North of the Minister for Social Security regarding the Social Security Earnings Limit (WQ.148/2024)**

#### **Question**

“Will the Minister advise whether consideration is being given to ending the Social Security Standards Earnings Limit (SEL), and if not, why not?”

#### **Answer**

As Minister, I have no plans to remove the SEL from the contributory system. Making such a consideration would require a full analysis to identify the benefits and risks, and I do not have the staff or financial resources available to undertake this work, as it has not been identified as a priority.

### **2.10 Deputy C.D. Curtis of St. Helier Central of the Minister for Education and Lifelong Learning regarding children classed as resident in Jersey being educated off Island (WQ.149/2024)**

#### **Question**

“Will the Minister advise how many children classed as resident of Jersey, are being educated off Island, broken down by children under 11 years of age, 11 to 13 years of age, and above 13 years of age?”

#### **Answer**

CYPES do not hold this information, as we do not maintain “destinations” data for children who have left on-island education, with the exception of a small number of children in care who reside off-island. There are fourteen children in total, and their education is monitored closely by the Virtual School.

We collect pupil census information every term, which includes details of all children educated on island, and consequently we would be aware of children leaving the local education system, but we are unable to determine for all children if they have left the island altogether, or are attending boarding school, or if they leave to attend boarding school but their residency subsequently changes.

### **2.11 Deputy I. Gardiner of St. Helier North of the Chief Minister regarding Ministerial Plans (WQ.150/2024)**

#### **Question**

“Will the Chief Minister advise if the Council of Ministers intend to deliver the actions set out in the [Ministerial Plans](#) document published in September 2023, and if not, will Ministers be publishing new Ministerial Plans for 2024, and if not, why not?”



## **Answer**

The Council of Ministers is focussing on the 12 actions set out in the Common Strategic Policy (CSP) for the next two years in order to achieve meaningful and measurable progress in key areas.

Ministers will also deliver the essential business-as-usual services in their Departments, drive forward improvements, and respond to the concerns of Islanders.

In doing this, Ministers will consider the plans published by the last Government, and then decide their own priorities for inclusion in Departmental Business Plans. These documents, to be published in the summer, will combine key Ministerial and departmental objectives.

## **2.12 Deputy H.M. Miles of St. Brelade of the Minister for the Environment regarding Proposal 29 of the Bridging Island Plan (March 2022) and the development of a play strategy for the Island (WQ.151/2024)**

### **Question**

“Regarding Proposal 29 within the [Bridging Island Plan \(March 2022\)](#), will the Minister advise what progress has been made, if any, in developing a play strategy for the Island?”

### **Answer**

Early in 2023, there was an agreement initially between CYPES Ministerial team and Economy and Sport that the development of a Play Strategy for Jersey would be a positive step in recognising and prioritising children’s play across the Island. Two officers representing Sport/Economy and CYPES, both with relevant knowledge, interest and passion who tasked with initiating this work. A Strategy Group with members from a range of Gov.je departments, including Planning, Economy, IHE, CYPES was convened to progress this.

In May 2023 officers met with the Youth Parliament and research and work was undertaken to discover the scope of developing Jersey’s Play Strategy. It was agreed that the writing of an all-encompassing policy for play would be a huge undertaking. It was evident that play has been high on the agenda in many other jurisdictions and that Big Lottery funding had been provided to local councils in the UK as part of their Play Strategy.

To progress, it was agreed that a Play Policy should come first, to take the development of a Strategy to the next level, which officers felt would be a full-time role for somebody with specialist knowledge. A draft Play Policy received Ministerial approval and I am aware that CYPES offered support to progress this further. Unfortunately, due to the changes in COM and the need to prioritise, this has not been progressed but that is not because I am uncommitted. It remains an important area of development that I am keen to support in my role as Minister for the Environment as I am fully aware of the impact that outdoor play opportunities have on the physical, emotional, and social wellbeing of children of all ages.

## **2.13 Deputy H.M. Miles of St. Brelade of the Minister for Infrastructure regarding allocation of funding for the provision of play facilities (WQ.152/2024)**

### **Question**

“Will the Minister provide a breakdown by Parish of the funding allocated to the provision of play facilities?”

### **Answer**

The budget for running and inspecting the department’s play facilities forms part of the base revenue budget and repairs and minor replacements “like for like” are undertaken where

necessary. It is not possible to break this down by parish. In the most recent Government Plan there is also a capital budget set aside for improvements to play facilities over 2024-2027.

The department is currently working on the programme of reviewing and replacing equipment for the coming 4 years, with early works including replacement of some of the “older children’s” play equipment and play surfacing in Coronation Park; consultation, design and planning approval for replacement of Longbeach and Millennium Town Park play equipment; and further planning approvals design and development for other areas under the remit of Parks and Gardens. This will then form the basis of upgrade and replacement works over the period 2025-2027 as funding becomes available through the Government Plan period.

Project estimates for 2024/5 include:

### **Operations & Transport (Parks & Gardens)**

#### **St Lawrence**

Coronation Park play equipment/surfacing      £100k

#### **Grouville**

Long beach play area      £158k

#### **St Helier**

Millennium Town Park play area      £230k

### **Operations & Transport (Sport)**

#### **St Helier**

Springfield Playground      £170k

#### **St Brelade**

Les Quennevais Playground      £130k

(including costs incurred in 2023 for equipment procurement, installation in 2024)

### **Property**

#### **Multiple sites**

Any projects to replace or upgrade play facilities will be led by the operational areas (eg schools).

## **2.14 Deputy J. Renouf of St. Brelade of the Minister for Justice and Home Affairs regarding the publication of the Jersey Rheumatology Report by the Royal College of Physicians(WQ.153/2024)**

### **Question**

“Further to publication of the [Royal College of Physicians - Jersey Rheumatology Report](#), will the Minister advise if any criminal investigation is underway, and the likely duration of any investigation, and if not, why not?”

### **Answer**

No criminal investigation is underway at this stage. The States of Jersey Police routinely considers any referral which may be made to them, including whether any requisite legal thresholds/tests have been met.

**2.15 Deputy R.S. Kovacs of St. Saviour of the Minister for Sustainable Economic Development regarding the Cost of Living Strategy agenda and minutes (WQ.154/2024)**

**Question**

“Further to [Written Question 303/2023](#), and the Council of Ministers commitment to increasing transparency, will the Chief Minister consider publishing the Cost of Living Strategy agenda and minutes and if not, why not?”

**Answer**

The position outlined in Written Question 303/2023 remains applicable under the new Government.

As outlined in 2023, the minutes are kept for internal record keeping and to record actions and are not published. This is to provide a confidential space in which to explore ideas and develop policy. Ministers are then accountable in the Assembly for their actions. Minutes of the group are not published in order to maintain a confidential safe space that provides for frank, candid and open discussions between Ministers, including considering sensitive matters around economic policy and the development of fiscal policy. Ministers and officers must be at liberty to express their views, without being unduly influenced by the publication of minutes, and introducing an observed element to the decision-making process could have an impact on the content and nature of discussions. This is the same treatment applied to Part B Council of Minister’s minutes.

**2.16 Deputy R.S. Kovacs of St. Saviour of the Chief Minister regarding a public digital register of all commercial and residential properties in Jersey (WQ.155/2024)**

**Question**

“Further to Written Question [33/2022](#), will the Chief Minister explain what progress, if any, has been made on establishing a public digital register of all commercial and residential properties in Jersey, and the estimated date for delivering the register?”

**Answer**

An independent [report](#) was published in May 2023 by the previous Government, which concluded that the creation of the register would encounter significant practical difficulties, especially in relation to changes in ownership of company and trust owned properties, and be of limited value to the public.

In addition, the cost of a register was estimated to be £500,000, excluding on-going maintenance to keep the register up to date. In view of the current pressures on public finance, the Council of Ministers has not identified this project as a key priority in the current, shortened term of office.

I will be discussing with the Housing Minister how to progress, given the register was a States decision.

**2.17 Deputy R.S. Kovacs of St. Saviour of the Minister for Education and Lifelong Learning regarding pupils in each primary and secondary school who have Romanian as a first language (WQ.156/2023)**

**Question**

“Will the Minister confirm the number of pupils in each primary and secondary school in Jersey with English as an additional language, who have Romanian as a first language, broken down by year group?”

**Answer**

If a pupil experiences more than one language (which may include English) during early development, then they are deemed to be a Multi-lingual learner (MLL) and the

language/languages other than English are recorded as their Home Language (introduced in Jersey in 2022) or First Language.

- The data in this report includes all pupils in Primary, Secondary, Private and Special schools in Jersey as of the Spring census 2023/2024 (19/01/2024).
- The schools that haven't been listed do not have any pupils with Romanian as an additional language.
- Inconsistencies can be observed in MLL data submission for Private schools as it is not mandatory for Private schools to submit MLL data.

The data has been provided as follows:

- Total pupils with Romanian as a Home Language by School
- Total pupils with Romanian as a Home Language by Year Group
- Total pupils with Romanian as a Home Language or First Language by School
- Total pupils with Romanian as a Home Language or First Language by Year Group

The “Romanian as a Home Language” group includes all pupils that have Romanian in the Home Language field. The “Romanian as a Home Language or a First language” group includes all pupils that have Romanian in either the Home Language or in the First language fields.

Both categories could include pupils that have another additional language (which may not be English). In total, there are 217 children with Romanian as their home or first language.

#### **Disclosure control:**

Unfortunately, we are not able to provide the data by school and year group due to low numbers. We have applied disclosure controls to avoid publishing any numbers fewer than 5 which could identify individuals.

### **2.18 Deputy K.M. Wilson of St. Clement of the Chief Minister regarding Jersey’s new healthcare facilities (WQ.157/2024)**

#### **Question**

“In relation to Jersey’s new healthcare facilities, will the Chief Minister advise –

- (a) his assessment of the preferred model;
- (b) any proposed changes to the planned multi-site option;
- (c) the basis for any proposed changes; and
- (d) the estimated total cost of the [New Healthcare Facilities Programme](#) (NHFP)?”

#### **Answer**

- a) The previous Government decided not to proceed with the single-site hospital at Overdale and changed the project to a multi-site option with a smaller acute hospital at Overdale and outpatient facilities at other locations. Given the urgent need to deliver this facility and avoid further delay or unnecessary expense, it is my assessment that the Council of Ministers must proceed with the current proposal.

Detailed assessments of this model were communicated in:

R.154/2022 - A Review of the Our Hospital Project

R.111/2023 - New Healthcare Facilities Summary Strategic Outline  
Case R.112/2023 – New Healthcare Facilities Programme Feasibility Study.

- b) There have been no changes of note to the planned multi-site option since RIBA2 Concept Designs were shared with States Members in March 2024.
- c) Please see (b) above.
- d) The estimated total cost of Phase 1 of the New Healthcare Facilities Programme is £710 million, as outlined in the Government Plan 2024-27. This will deliver the Acute Hospital at Overdale (inpatient and emergency services) and enable progress on design and delivery of the Kensington Place and St Saviour's Health Village sites.

Detailed briefing and design work for future phases of the healthcare facilities has not yet been completed so it is not possible to provide total costings at this stage.

The programme has been divided into phases, with the intention that this will be more affordable than a single high-value contract. This approach reduces exposure to economic uncertainty and the risks of utilising a single delivery partner.

#### **2.19 Deputy K.M. Wilson of St. Clement of the Chief Minister regarding compulsory drug testing of certain professions (WQ.158/2024)**

##### **Question**

“Following the announcement that 6.08% of the Island’s working age population was being prescribed cannabis-based products for medicinal use, will the Chief Minister advise what consideration, if any, is being given to compulsory drug testing of certain professions (such as doctors, teachers, police officers, ambulance drivers and heavy goods drivers), and if not, why not?”

##### **Answer**

Compulsory and voluntary drug testing, depending on a person’s role and their capability, is being considered as part of a broader update of the Substance Misuse Policy which applies to all public servants. The specifics of the policy and its application in different sectors with respect to medicinal cannabis in particular is being developed with input from unions, staff groups and Occupational Health.

#### **2.20 Deputy K.M. Wilson of St. Clement of the Chief Minister regarding plans to control spending (WQ.159/2024)**

##### **Question**

“Will the Chief Minister advise what plans, if any, he has to control spending across Government?”

##### **Answer**

As outlined in the Common Strategic Policy (“CSP”) the Council of Ministers is planning to reprioritise existing budgets where appropriate to deliver the objectives. It is also the intention to curb further growth in the public sector and rely less on external consultants.

The Council of Ministers is now commencing the 2025 budget process, aiming to lodge before the summer recess. That will include more information on the plans to ensure that public finances are sustainable.

## **2.21 Deputy C.D. Curtis of St. Helier Central of the Chief Minister regarding children from Jersey who are placed in care in the UK (WQ.160/2024)**

### **Question**

“Will the Minister advise if children from Jersey who are placed in care in the UK, are able to benefit from the same assistance upon leaving care that Jersey-based care leavers receive, and if not, why not?”

### **Answer**

Provided the young person meets the criteria as a care leaver (as defined below), Jersey, care experienced young people that are placed in the UK will receive the full leaving care offer if they return to Jersey. Where they choose not to, we endeavour to give them equivalent, but this varies from county to county and UK local authorities.

The offer available to Jersey care experienced young people will vary depending on the local authority they are residing in and their own personal experiences as well.

The definition of a young person is.

*“Young person” means –*

- (a) subject to paragraph (2), an individual aged 16 up to (but not including) the age of 25 who has been looked after by the Minister for a minimum period of 13 weeks, whether in aggregate or consecutively, from the age of 14 up to (but not including) the age of 18; or*
- (b) an individual who is of such description as the Minister may by Order specify, and who at any time before the age of 18 was looked after by the Minister but ceased to be so looked after before that age.*

A young person’s eligibility for the care leaver’s offer can be determined through checking the Young Person’s personal record on Mosaic (Mosaic is an electronic data base that holds information/records of anyone that has been involved in Children’s Social Care (“CSC”) and reviewing the period that they have spent in care and at what age.

## **3. Oral Questions**

### **The Bailiff:**

We now move to Oral Questions. The first question is going to be Question 12, that the Assembly has agreed to take and the Minister for the Environment is to be asked a question ... I beg your pardon, that is Written Questions.

### **Deputy D.J. Warr of St. Helier South:**

Sorry, Sir, it is 13.

### **Deputy S.G. Luce:**

I apologise, Sir, I was looking at the wrong Order Paper.

### **The Bailiff:**

Yes, I think I might be slightly out on the Order Paper. Question 13 in that case. I will assume the permission of the Assembly - thank you very much, Deputy Warr - operates ... Question 13, thank you.

### **3.1 Deputy T.A. Coles of St. Helier South of the Minister for the Environment regarding minimum residential space standards (OQ.84/2024)**

Further to the adoption of paragraph (a) of P.87/2023, will the Minister advise what progress, if any, is being made in increasing the minimum residential space standards for one-bedroom apartments?

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

The approval of part (a) of P.87/2023 requires me, as Minister for the Environment, to review the residential space standards and consider making the minimum standard of a one-bedroom, 2-person apartment; the minimum standard for all one-bedroom apartments. I am well aware of the need to do this work, and I have been provided with an initial briefing by officers. Site visits are currently being arranged so that I can see and understand the realities of different residential standards in new developments. I believe these visits to be essential before I can make an informed decision about how best to move forward and, once I have done this, I commit to providing an update to the Assembly.

#### **3.1.1 Deputy T.A. Coles:**

Does the Minister accept that the will of the Assembly was to see them become standard to suit 2 residents rather than just a single occupancy?

#### **Deputy S.G. Luce:**

I believe that to be the case but, as I said before, I think it is important to take a practical view of these things. I really welcome the opportunity to look at the differences in these 2 types of units. I did abstain on the original proposition as a vice-chairman of the Planning Committee, and I am not going to express a view one way or the other here now. But I will say to the Deputy that I am absolutely aware of the need for proper space in any units - and usable space at that - as tight corners do not always ... they may add up to square footage, but they do not ever always come to a usable space.

#### **3.1.2 Deputy M.B. Andrews of St. Helier North:**

Is the Minister of the view that increasing minimum size standards will have an impact on prices of one-bedroom units?

#### **Deputy S.G. Luce:**

Absolutely. Any increase in minimum standards will allow for less units to be built on a specific site, regardless of how small the increase might be. So we do have to take that into account. But I do think it is absolutely right that the population of Jersey should be entitled to the right amount of space in a unit, and we need to realise that minimum standards will be the size that developers will build to. It is very nice to say: "Here are the minimum standards, but of course they will do a little bit more than minimum." In reality, that will not happen. So we need to be very conscious of the fact that where we set the minimum standards will be what is built out.

[9:45]

As I said previously, I think it is important to make sure that those minimum sizes take out tight corners that are completely unusable. That is why I say it is important to look at the variations.

#### **3.1.3 Deputy M.B. Andrews:**

Does the Minister respect the consultation that was completed by the previous Minister for the Environment, and does he indeed respect the findings of that consultation as well?

#### **Deputy S.G. Luce:**

Absolutely. I am sure if I issued the same consultation I would probably get the same result. So why would I not take notice of it? I will take everything into account if I decide further down the line that changes need to be made.

### **3.1.4 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:**

Will the Minister indicate what kind of timeline this work will come to fruition, and is it on his priorities pile?

#### **Deputy S.G. Luce:**

It was not on my priority list, but I do not see this as a big piece of work. I just need officers to arrange visits to 2 suitable units, ideally next door to each other, so that the comparison is easily made. I can then go away, look at the paperwork that I need to compare the previous consultation, and come to a conclusion.

### **3.1.5 Deputy H.L. Jeune:**

Just to confirm with the Minister that he believes that before the end of this year, we will be seeing the standards coming to us?

#### **Deputy S.G. Luce:**

Absolutely. I am very happy to commit to before the end of this year.

### **3.1.6 Deputy J. Renouf of St. Brelade:**

Is it the intention of the Minister to bring any proposition to the Assembly in relation to this matter, or will he simply be producing guidance?

#### **Deputy S.G. Luce:**

I am happy to tell the Deputy that I will come back to the Assembly with it. Whether that is a statement to say this is what I intend to do or whether it is a proposition, which asks for the Assembly's agreement, I am not sure at this stage.

### **3.1.7 Deputy J. Renouf:**

Would the Minister consider, given the need to achieve some kind of consensus in the Assembly on this, arranging visits to suitable apartments for States Members in order to perhaps help Members understand some of the issues involved?

#### **Deputy S.G. Luce:**

Certainly. I think if the work that I am going to do in the next few months ends up with a proposition to the Assembly, it would be only right that States Members could themselves go and view the 2 differences to reach their own personal conclusion.

### **3.1.8 Deputy A. Curtis of St. Clement:**

In response to Deputy Andrews' supplementary, the Minister said we should expect ... "We would wish to see developments exceed the minimum, but it is only likely to expect we will see them only meet it." Does the Minister not agree it is well within the department's gift to assess sites on a case-by-case basis, and refuse applications that fail to deliver the correct housing stock for that given site?

#### **Deputy S.G. Luce:**

The demand for units, whether that is one-bed, 2-bed, 3-bed changes week by week, month by month, and certain developers are certainly very good at changing developments mid-flow and coming up with the sort of units which are in demand at the time, and may not be the units they had the original permission for. I go back to my original answer to the Deputy about minimum sizes. Whatever minimum sizes we set is what we will get. I think we need to bear that in mind. But certainly, when it comes to the different sizes of units, whether that is one-bed, 2-bed, 3-bed, the situation changes all the time. But I think it is right that we target the ones in most demand.

### **3.1.9 Deputy G.P. Southern of St. Helier Central:**



The Minister indicates that he is likely to be fairly fluid on these standards. I remind him that these are standards set by the States and should be enforced and not at the whim of developers.

**The Bailiff:**

I am sorry, that was not a question, Deputy. Is there a question? No, there is not a question, is there?

**Deputy G.P. Southern:**

No. Too early in the morning for me.

**The Bailiff:**

Members only have a right to speak if they are asking questions or supplementary questions during this course of the matter. So Members will please adhere to that. Final supplementary, Deputy Coles. Very well.

**3.2 Deputy H.L. Jeune of the Minister for Social Security regarding the living wage rate (OQ.88/2024)**

Will the Minister advise what steps, if any, are being taken to determine how the living wage rate will be set and indicate what the timetable for this will be?

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

As the Assembly will know, reaching the living wage is indeed a priority for me, and I was pleased when the Council of Ministers agreed in its C.S.P. (Common Strategic Policy) commitment to bring the minimum wage to two-thirds of the median wage by this term of office, and I hope that the Assembly will support us in that when it comes to the C.S.P. debate. Statistics Jersey provide annual information on wage levels which will be used to set the two-thirds rate, and my current plan is to introduce an intermediate rate in 2025, with the full two-thirds rate achieved in January 2026. I have been working closely with the Minister for Sustainable Economic Development to work on what a suitable intermediate rate will be, and I will be shortly bringing regulations to the Assembly, asking the Assembly to enable me to set the rate without going to consultation with the Employment Forum. I have met with the chair of the Employment Forum, and I am comforted that this will not be detrimental to setting an appropriate rate. The 2025 rate that I will agree with the Minister for Sustainable Economic Development will be introduced in the coming weeks. Also during 2025, I will be working with the Minister for Sustainable Economic Development to develop a set of minimum income standards for Jersey households. This will provide valuable local information which can be used to inform future living wage rates.

**3.2.1 Deputy H.L. Jeune:**

Will the Minister include the value of subsidised food and accommodation or benefits in kind into the calculation?

**Deputy L.V. Feltham:**

I have met with key stakeholders, including employee stakeholders and employer stakeholders, and the subject of offsets for accommodation and food has come up. I have committed to stakeholders that I will look at offsets, but that would be on the basis of quality. So any increase in offsets would also, I would hope, lead to an increase in quality of accommodation standards where required. Of course, when we do the work on the minimum income standards, all of those things will be considered.

**3.2.2 Deputy G.P. Southern:**

Will the Minister outline for Members the means by which she intends to set minimum income standards. Will she accept that the setting of minimum income standards, because of the variability, for example, of rents, is a very, very difficult task? Is her target date actually doable?

**Deputy L.V. Feltham:**

I do accept that this is a difficult task. It will require detailed information, but I also believe that it is the only way that we can come to an agreed level of what is a decent minimum income standard for the Island. It will also be then available for us to inform potential changes to income support rates and also pensions. We cannot know that those rates are appropriate unless we know how much it costs to live on the Island, and a minimum income standard would enable us to do that.

**3.2.3 Deputy G.P. Southern:**

The first has not been answered, I am afraid. What was the mechanism by which we are going to set minimum income standards?

**Deputy L.V. Feltham:**

The Minister for Sustainable Economic Development and myself, along with the Cost-of-Living Ministerial Group, will take Ministerial responsibility for that and we will be working with officers. But that methodology has yet to be determined.

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

In interviews on this subject, it was suggested that support would be available to businesses who were unable to meet the new living wage. Could the Minister explain how this will be achieved and how it will be funded?

**Deputy L.V. Feltham:**

We are currently working through my department and the Department for Economy on support packages that could be available for both employers and employees, as we go through this transitional process. We will be communicating those as we go through that process. We have been in consultation with employers, and one of the things that employment groups have said is very important to them is a clear direction and understanding at an earlier time of what minimum wage rates will be. So one of the key things that they have asked for us to do is to determine the rate at a much earlier part of the year than currently is done, so that they have the ability to plan for any change in rate.

**3.2.5 Deputy K.L. Moore:**

So 2 per cent of the working population is being paid a minimum wage at present. What percentage of the working population would be earning less than two-thirds of the median wage?

**Deputy L.V. Feltham:**

I do not have the percentage in front of me right now, and I will let the Deputy know because we have been working on those calculations. I was indeed surprised that the calculations had not been done when I took office as Minister for Social Security, and it appears that the previous Government had been making decisions without such knowledge. So that is some data that I have requested since taking office.

**Deputy G.P. Southern:**

Sir, in addition to circulating to the Member who asked the question could she circulate it to the rest of the States, please?

**The Bailiff:**

I am sure that is something that can be asked outside question time. Although that was a question, it was not yours.

**Deputy G.P. Southern:**

I am not having a good day.

**The Bailiff:**

We will both get there, I am sure, Deputy.

### **3.2.6 Deputy J. Renouf:**

The Minister talks about subsidies or help for businesses. Does she accept that there is a danger here of undermining the whole point of a living wage? If businesses are subsidised to achieve that, or given money and help in some way, then what is the incentive for businesses who currently pay the living wage, who will essentially be told: “Look, we have made the effort to pay the living wage and now our competitors are being given help to achieve the living wage”? It surely undermines the intent of the whole drive to a living wage, which is to encourage businesses to pay the living wage and build their businesses around that model.

### **Deputy L.V. Feltham:**

We are in a transitional process, and the change between the current minimum wage and the living wage is a significant one. I have taken advice from our Economics Unit to look at the risks. Part of the process of offering support to businesses is around mitigating those risks. I have to say this is a priority for this Government, but it was not a priority for the Government before. Therefore I have found myself in a situation where a lot of the groundwork to get us into this transitional process has not been done. That is what I am doing now, and business support is required in order for us to mitigate those risks.

### **3.2.7 Deputy J. Renouf:**

I am not sure that answered the question. Could I phrase it a different way? What message would she give to those companies who have paid the living wage to meet the standards that the Island expects and are now going to see their competitors potentially helped to do the same thing with government money.

### **Deputy L.V. Feltham:**

It is always important that any subsidies or other processes to help businesses, or anybody that is receiving funding or any other support from Government, is undertaken in a fair process. So when we look at the processes for delivering that support, we will ensure that it is fair to all businesses that may well be impacted by the raise in the minimum wage.

### **3.2.8 Deputy H.L. Jeune:**

Therefore, will the Minister confirm whether she is discarding the findings of the living wage and minimum wage investigatory report R.181 published in December 2023. If that is the case, if she is planning on releasing a new report to support the development of her proposals and if so, when?

### **Deputy L.V. Feltham:**

The report that was issued last year that the Deputy referred to suggested that it was not feasible or desirable to move to a living wage. That is not a comment that I agree with on the basis that I now understand, that I have come into Ministerial office, that Ministers did not have basic information such as how many people were affected.

[10:00]

I think that that evidence was somewhat lacking, and I will be moving forward with the commitment that has been made by the Council of Ministers and also the States Assembly in its decision to move to two-thirds of the median wage.

### **Deputy H.L. Jeune:**

Sorry, Sir, the Minister was unable to answer my question about if she is going to be publishing a report to be able to back up her point.

**The Bailiff:**

Yes, the question was in 2 parts. The first was: are you disregarding the first one? The second is: are you going to publish something different, if you are?

**Deputy L.V. Feltham:**

Yes, I am disregarding the first one. I will not be redoing the work that had been done because my focus now is on reaching the State Assembly's commitment of two-thirds of the median wage.

**Deputy G.P. Southern:**

Could I lift the *défaut* on Deputy Alves?

**The Bailiff:**

Yes, the *défaut* is lifted on Deputy Alves. That was the right question.

**3.3 Deputy K.L. Moore of the Minister for Education and Lifelong Learning regarding the progression of the community schools' pilot (OQ.70/2024)**

Will the Minister advise whether he plans to progress the community schools' pilot that was planned for 2024?

**Deputy R.J. Ward of St. Helier Central (The Minister for Education and Lifelong Learning):**

I thank the Deputy for her question. The community schools scope is very wide indeed. Indeed, the pilot mentioned in the question was not defined to a clear specification. When I look at the Ministerial Delivery Plan on page 4 of P1.2 - I want to read this to give a context - it says: "We will identify pilot schools in different contexts (primary, secondary, rural, urban) to understand how the community schools' model can be developed to deliver ambitions of the Council of Ministers. We will work with partners across Government and the third sector to develop partnerships across health, care and community service, for the benefit of children and young people and their families. These partnerships will be modelled across different schools and begin to be delivered." The pilot appears to be more about identifying what is part of a future project. I want to move away from this type of generic plan and move to actions. What we are doing regarding nurseries and some of the areas already in the action is more about doing exactly this. There is an element of community provision across all of our schools, and I would say that all of our schools are community schools, summer schools, after school clubs, wraparound nursery provision services embedded in the community like language therapy and mental health services. They are led by schools because our schools know their population and they understand their need. Indeed, I was at Samarès School the other day to watch their school elections, which I must say were absolutely fantastic. I want to give credit to all the children involved. It was interesting that they are providing community services such as language therapy nearby, so that parents do not have to go out to Les Quennevais. So these things are happening and they should be led by schools, and that should be what I am reacting to, to support it. In short, yes, I do support the scope of community schools and the project. We need to get on with taking some actions rather than just planning.

**The Bailiff:**

I remind Members that a response to questions should be no longer than one minute 30 seconds, and I am timing them.

**3.3.1 Deputy K.L. Moore:**

Could the Deputy commit to some actions that would enable the extension of the school day in identified schools, where there will be a benefit, and the provision of extended activities for the pupils of those schools?

**Deputy R.J. Ward:**

One of the ways in which we will extend is in our nursery provision, which is the first part of the C.S.P. We have already taken action on that by, for example, settling N.E.F. (Nursery Education Fund) payments for the next 4 years, which means that our negotiations are not spent on those, but are spent on developing that provision across our schools, using the facilities we have there, extending them across all of our providers to extend the school day for parents who need nursery provision. In terms of extending the school day for provision of other services in schools, that is already happening in so many schools. We see it all of the time. What we do have to do though, is build the confidence of our teaching staff after a really difficult time. We have also done that by settling a 4-year pay deal, so we do not have those negotiations in the future. They now know the priority that they have in my eyes and the eyes of this Government and, therefore, we can move forward to develop those projects in a wider sense.

**3.3.2 Deputy L.M.C. Doublet of St. Saviour:**

Once again, I am really pleased to hear the continued focus on nurseries. I would just like to understand if any further schools have come on board from the original plans of extending the nursery hours since the previous questions.?

**Deputy R.J. Ward:**

The initial plans were just generic plans. In terms of actual pilots, we are looking at some areas to pilot. It is difficult for me to talk about this because they are in ... I would like to make sure they are certain before I announce them, because as I have said before in nursery provision, we do not want to make promises we cannot keep. But what we have managed to do is start a dialogue, which is a positive dialogue with nursery providers. One of the most positive we have had for a long time by removing other negotiations, which were, to be quite frank, not what we wanted to spend our time on, and we now have a positive response, for example, from the Jersey Early Years' Association. We are very happy to put out that response, and we can now work with them to increase those nursery provisions, both in our secondary schools where those places are available to adapt them as necessary, and to try and free up, most importantly, places for 2 year-olds across our Island where there is a desperate need.

**3.3.3 Deputy L.M.C. Doublet:**

The dialogue which was happening for several months to get headteachers on board with the community nursery extension, is that dialogue going to result in any extension of nursery hours from September this year?

**Deputy R.J. Ward:**

The original dialogue, yes, was very positive. But from that came, and I have mentioned this before, all we had before was a plan to plan in September. I am hoping that we can have some actual pilots in place in September, and we are working on those as we speak. It will be great to see some of those in place, so that we can model what goes into the future and try and extend that as early as we possibly can. I fully understand and support the need for nursery provision, and I would like to see the extension of the N.E.F. for 2 year-olds. But as I have said before, and I will continue to say, we will do that when we have the provision in place, we will not make the mistake of the U.K. (United Kingdom). When they made their promise they cannot keep, it disappointed parents and has created havoc throughout the sector in the U.K. We will not be doing that. We have a positive dialogue with the sector and we will continue that.

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

Given that the Minister's answer on the community schools has been a large part focused on nurseries, does he have plans to reinstate plans for a nursery at Les Landes School, which I believe is currently the only state school without a nursery provision?

**Deputy R.J. Ward:**

Thank you for the question. There is not a plan to build a nursery at Les Landes School because the school nurseries we have at the moment, we have 188 spare places. It would not be sensible to create that at the moment. If we develop those nursery places in the future across our other schools and are using them, and we find that need, then of course that is what we will try to do. I do not think that is the best direction of our funds at the moment, I am afraid.

**3.3.5 Deputy L.K.F. Stephenson:**

Perhaps that school may get some other priority around building a community school if it does not have a nursery to provide that at. One of the barriers to access the school nurseries, and those may explain some of those spare places there, is around the times of the day. I know that from speaking to parents. Does the Minister have any plans to address that?

**Deputy R.J. Ward:**

I feel like I am repeating myself. First of all, the community school is wider than the nursery, so because the school does not have a nursery does not mean it will not be a community school. A generic term defined by the last Government, without a lot of substance to it, more about vibe. I do not want that type of politics. I want to get on and do something. Our schools are community schools. When we build new schools, we will build them as community schools as well. In terms of the wraparound time, yes, that is an essential part of our nursery provision. But to do that, what we need is the co-operation of all sectors. I believe we have that co-operation. We have an extremely positive relationship with all sectors - third sector, private sector and our state schools - and we can move that forward. In the background, there is an enormous amount of work being done to try and push that as quickly as possible.

**3.3.6 Deputy I. Gardiner of St. Helier North:**

I am grateful for the Minister, that he is taking forward the community school and recognises in his last answer that enormous work was done previously. Can the Minister agree that he will be not able to progress with delivery without planning? The planning is essential. Second, has the Minister asked officers to share all practical work that has been done from 23rd July to deliver wraparound care at 3 schools from 24th September, including the numbers that were in place.

**Deputy R.J. Ward:**

There was a lot to that; I lost the first part. My apologies, sorry.

**Deputy I. Gardiner:**

Does the Minister agree that needs planning? Second, has the Minister seen the numbers and practical delivery that has been developed from 23rd July to be able to deliver wraparound care in 3 schools as a pilot from 24th September?

**Deputy R.J. Ward:**

I still have not got the first bit, I apologise. The planning of course is essential, but it comes to a point where you have to stop planning and you have to start acting. That is the point. Our schools are community schools. Our schools have been doing this for years. Our schools for years have been providing sports facilities, outreach, support for children, educational psychologists, language therapy, counselling services, support for families. They continue to do that. Just because a term "community school" was suggested by the last Government, or indeed any Government, does not mean it is something new that has been happening. What we need to do is support that as best we can. Indeed, I look at the Constable of St. John, and I remember - it has come back to my memory - that we have a meeting soon - very soon, it may well be next week - about sports facilities in schools and how we can extend those. Yes, work is being done, but not just planning, but actual work is being done. In terms of the 3 schools, yes, I am aware there are plans, but my priority with the C.S.P.

was to get that number one in the C.S.P. Then we can take action on those plans, if they existed. I was not clear as to what those plans were doing, if I am absolutely honest. But I am not going to dismiss anything. Yes, I know we have really positive dialogue with the headteachers in the state schools and we will develop that. There is no obstacle in the way to us doing this, apart from taking the action. We have been through the planning. We know what we need to do. I want to see us get on and do it. It is the number one in the C.S.P. to do that.

### **3.3.7 Deputy I. Gardiner:**

Unfortunately I think the Minister did not answer the questions. He gave the prepared answer about vision. My question was very simple. Has the Minister been presented by the officers numbers and very clear practical delivery that was developed from 23rd July to get 3 pilots in 24th September? It was very simple question, without going into this detail.

### **Deputy R.J. Ward:**

I think the answer to that is it is another one of those generic plans that happened without enough detail in it. I wanted to see some actual detail on what was going to happen. We have had an enormous amount of talk about what is going to happen in nursery schools and schools and community schools, but we have not seen a great deal happening. I am hoping that we have projects in place for September 2024. I am hoping we can extend that and we can model them correctly. One of the biggest obstacles to this happening was the constant negotiations around the N.E.F. The first thing I have done in the first week of negotiations with J.E.Y.A. (Jersey Early Years' Association) is to sort the N.E.F. for the next 4 years, so we are not using officers' time, J.E.Y.A.'s time, but we are talking about developing those nurseries. What we are getting is a rather ... I do not know. I just think that we can move forward. I would not throw anything away from the past. If it is positive, we will use it because we are all coming from the same place. We want to see what is best for our young people, and we will put that in place as soon as possible. If the Deputy wants to take credit as previous Minister, that is absolutely fine. We want to put things in place. But we have not got a lot in place at the moment, and I have only been in the job a couple of months and we are actually putting something in place.

### **3.3.8 Deputy J. Renouf:**

There does seem to be slight confusion here in these answers. On the one hand, the Minister is saying that we already have community schools, but I think the argument we would make is simply saying a school is a community school does not make it so. The idea of community schools would be perhaps to open them for sports facilities and so on. He says he wants to get on with things. What things is he actually going to get on with to extend the range of community provision through schools?

### **Deputy R.J. Ward:**

Perhaps I should speak more clearly, I realise I have a slight accent but I should be careful in what I say again. Community schools, as the Deputy says - I absolutely agree with him - do not exist just because we have said it. But when you look at Ministerial Plans, that seems to be what we are doing. Community schools are there because they are schools at the centre of our community. They already provide significant numbers of services, and they have done for years. What are we doing about expanding that? Let me give you an example. I am meeting the Constable of St. John. We can look at practical ways to extend access to sports facilities across our school facilities ... estate is the word I am searching for.

[10:15]

In terms of other areas which are working, as I mentioned, Samarès School. I want to continue to support their provision of language therapy close to the school. That is a really good model of what sort of things we can do. What can we provide very close to the school so that parents do not have to make their way out to Edith Quenault Centre, for example, and it becomes an integral part of the

school. The other really crucial thing, is we need to push ahead with the building of new facilities. When we do that, they will be available as community schools for our communities, particularly in the centre of St. Helier. That is the other really key point to what we are going to do. I would invite Members of this Assembly to come and see the schools with me to see what they are doing before we stand up in the Assembly, and say ...

**The Bailiff:**

Can you bring your answer to a close, please, Minister?

**Deputy R.J. Ward:**

So there is an open invitation.

**3.3.9 Deputy J. Renouf:**

I feel like that was a bit of progress because there were some specifics in there. Can he say when he will be doing these pilots, so that we can judge whether or not there has been a success or not? There was Samarès School and meetings with St. John's.

**Deputy R.J. Ward:**

In terms of the pilots for nursery, I think I have covered that. In terms of the pilots for sports facilities, we have to have the meeting first to see what is available and see what we can start with. So that will be as soon as possible. But I would say again, to the Deputy, we seem to forget what our schools are actually doing. Across our school estate, schools are providing after school clubs, summer clubs, support for parents, support for families, opportunities for Best Start to be involved, opportunities in nursery, wraparound care. There are so many things already going on. The key is to support the things they are doing, embed them and then extend them where it is best targeted. That is what we intend to do. That is exactly what we intend to do. This is not something new, because it was thought of at the last Government or the Government before or the Government before that, and it is not something new because I will mention it and the next Government will mention it. This is something that is integral to what our schools do. What we need to do is support our schools, support our school staff, and build appropriately modern school facilities so that all of our children have the best start in life and the best access to education.

**3.3.10 Deputy K.L. Moore:**

We have heard a lot from the Minister. I am grateful to him for his answers, I think. But if I could provide an interpretation and ask him to accept whether he thinks this is the right one. It appears that the Minister is taking a slightly new approach in terms of rather than taking evidence and building an evidence base for taking action and providing a standardised provision for every child in this Island to benefit, he prefers a piecemeal approach that will result in a postcode lottery for children.

**Deputy R.J. Ward:**

A simple answer, I could not disagree more with the Deputy's interpretation of what I have just said. It is completely and utterly wrong. What is piecemeal is creating generic plans with good vibe, but then having no substance to what has happened. I want to move away from that. I want to appreciate the work that is being done in schools, appreciate teachers. The last Government failed dramatically to do that because they had an industrial dispute for years, which they did not settle, and just made worse with the letters that they sent. We settled that. We prioritised what our schools do. That is what we would be doing in the future. That is not piecemeal. That is called understanding - lived experience for myself - schools, understanding need for education, and understanding what needs to be done. It is certainly not piecemeal. That is planning ahead, that is looking ahead, and that is having a Common Strategic Policy that can be acted on.

**Male Speaker:**

Could I raise the *défaut* on the Constable of St. Helier, please?



**The Bailiff:**

Indeed you can. The *défaut* is raised on the Connétable of St. Helier. Could I ask Members and urge Members to exercise discipline both in the questions and in the answers? A number of times, and it is not only Deputy Ward who, in my experiences, has done this, the answers have gone beyond the one minute 30 seconds, which is customary to allow. That means that Members are not able to ask as many questions as they would like. Similarly, the question should not be, in my judgment ... they are there to ask for action or elicit information, not to seek support for a political statement. If there is a political statement made with a question tagged on the end, that is inevitably a long question and inevitably will give rise to a long answer. It is a matter, in my respectful judgment, that Members should try and exercise some self-control over when they are dealing with question time. Otherwise, at the moment, the way time is going, we will probably lose the last 3 questions if we continue in the same vein.

**3.4 Deputy G.P. Southern of the Minister for Health and Social Services regarding cystic fibrosis treatment (OQ.76/2024)**

I will do my best on brevity, Sir. Further to his response to Written Question 30/2024, will the Minister advise what “value for money” assessment has been undertaken, compared to alternative treatments, in relation to the medicine Kafrio, used to treat patients who have cystic fibrosis?”

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

I had a formal response to this question prepared by the appropriate person at H.C.S. (Health and Community Services) and it is rather long and rather complicated. So I have done my best to summarise it. In relation to the use of Kafrio, the value-for-money assessment has not taken place yet because N.I.C.E. (National Institute for Health and Care Excellence) guidelines have not yet approved in this particular case to which the Deputy refers. It is my understanding that the value-for-money assessment will take place when the case is reviewed during the course of the impending independent patient funding requests.

**The Bailiff:**

Yes, you certainly summarised it.

**3.4.1 Deputy G.P. Southern:**

I am just wondering where to go after that response. Does the Minister accept that there have been a number of trials of this particular treatment covering countries such as France, Scotland, Israel and even Guernsey, where it has proved to be very successful at improving lung function? Will the Minister ensure that this assessment does come to the fore in terms of how valid this is?

**Deputy T. Binet:**

Yes, I am very comfortable with that. I think the Deputy knows that I am privately supportive of this, and I shall do what I can. Obviously there are limitations as to what I can do, but I do keep in touch with the Deputy on this particular matter.

**3.4.2 Deputy T.A. Coles:**

The Minister mentions N.I.C.E. guidelines but, as we see from our proposition coming forward, that we do not always follow N.I.C.E. guidelines. Are there any other opportunities and deviations from N.I.C.E. guidelines that he has used previously and approved medications?

**The Bailiff:**

I am sorry, I think that goes far too far outside. You are asking questions about medication generally and the Minister is asked specifically about this particular medication. I think that takes it outside what is permissible.

### **3.5 Deputy D.J. Warr of the Minister for Housing regarding the Improved Residential Tenancies in Jersey: Residential Tenancy Law Reform Proposal – Findings Report (OQ.79/2024)**

Will the Minister explain why the *Improving Residential Tenancies in Jersey: Residential Tenancy Law Reform Proposal - Findings Report* was released in full in April, despite the Minister asserting in the Assembly on 7th February that it would be “reframed” and the reasons behind the delay in publication since this “reframing” did not occur?

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

The reframing did occur.

#### **3.5.1 Deputy D.J. Warr:**

In the recently published Findings document, it says: “The draft law will be published for further consultation.” In the Scrutiny hearing, the Minister suggested that this would now not be the case. Why does the Minister believe that relying on anecdotes, opinion and *ad hoc* meetings that evades both scrutiny and the Scrutiny Panel is better than gathering hard evidence and data in a transparent way to ensure that we get a Residential Tenancy Law that works for all?

**Deputy S.Y. Mézec:**

For the second time in a matter of seconds, the Deputy has stated a falsehood about statements that I have made. That is not an accurate reflection of what I said in that Scrutiny hearing.

### **3.6 Deputy J. Renouf of the Minister for Infrastructure regarding the EVie electric bike rental service (OQ.81/2024)**

Will the Minister advise what communication, if any, he has had with EVie regarding the suspension of its electric bike rental service, and what assistance, if any, the Government can provide to resolve the insurance cover challenge EVie is facing?”

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

Together with the Minister for the Environment, we met with EVie in February and then there was an exchange of emails with the Chief Executive of Evie in mid-March, around a proposal to the Government around a shared mobility bike fleet, which presented a number of alternatives for the EVie dockless electric bike business. However, on the basis of the information provided by Evie, there was not a strong business case for Government involvement and the matter was not pursued. In terms of insurance, specifically, officers in the insurance team in Treasury and Exchequer provided assistance to EVie regarding insurance of their motor fleet towards the end of 2023. As far as I am aware, to date, EVie have not requested any further assistance regarding bike insurance per se. Similar to the motor fleet situation, I understand Treasury officers would be happy to provide assistance where they can to help EVie resolve the bike insurance issue. This does not mean it would be possible to place the EVie bikes under the Government of Jersey insurance programme.

#### **3.6.1 Deputy J. Renouf:**

I find it slightly disappointing that there have been no follow-up meetings since February. The Sustainable Transport Policy next steps document includes the following Ministerial commitment to: “Continue to encourage shared mobility as an alternative to private car ownership.” It even mentions, on page 46, working explicitly with EVie, to this end. Should the Minister not be engaging actively with EVie to try and avoid the loss of this important service?

**The Connétable of St. John:**

I thank the Deputy for his question. We are happy to continue discussions with EVie. In fact, we are discussing different options with EVie. There are, I should say, a number of local businesses who provide cycles, be they traditional or electric cycles for hire. They offer collection and delivery, and we are happy to work with any of those providers.

### **3.6.2 Deputy L.M.C. Doublet:**

What data does the Minister have to understand the demographics of the people who are making use of these vehicles?

#### **The Connétable of St. John:**

I thank the Deputy for her question. I understand that 56 per cent of the users are local. I do have the ages somewhere. I believe the average age is between 20 and 40.

### **3.6.3 Deputy L.M.C. Doublet:**

Does the Minister share my concerns that those on low income would not be able to have the same accessibility to these types of bikes if the scheme is not continued?

#### **The Connétable of St. John:**

There are, as I said earlier, other providers. It will depend on the usage of the bike. The bus service is a cheap alternative to cycles. But what we are not able to do is support a business case where the numbers do not stack up for us to purchase part or all of the service.

### **3.6.4 Deputy H.L. Jeune:**

Is the Minister aware that it will be far harder to start a new shared e-bike scheme than to keep an existing service going? Should he not therefore be exploring every possible mechanism EVie's insurance issue?

#### **The Connétable of St. John:**

I will repeat, we have not been asked to resolve EVie's insurance issue for bikes; we were asked whether we would invest in the business. If EVie want help with their insurance then it is the Treasury Department that would be the people to help them.

### **3.6.5 Deputy I. Gardiner:**

Does the Minister recognise there is a big difference between the hire company and the scheme provided by EVie as an e-bike which is available now in most places around the world for locals who are not able to buy an electric bike to use it on a daily basis? If the Minister does recognise the difference between hire and the scheme, would he explore every possible mechanism to solve EVie's difficulties and to allow the service to continue?

#### **The Connétable of St. John:**

I do recognise the difference because when I visit other locations I will often hire a bike and visit sites of interest, so I am very familiar with that, and I am very familiar with the different levels of quality in those provisions. What we cannot do is spend money. At a time when we have other demands on government finances, it is not something I believe the Government should be involved in, propping up this business.

### **3.6.6 Deputy I. Gardiner:**

I agree that there needs to be consideration always to the public money and we need to be prudent with the public funds. Would the Minister engage with the Minister for Treasury and Resources and with EVie Bikes to explore an option to save this business before it disappears?

#### **The Connétable of St. John:**

We are happy to explore anything with the provider.

[10:30]

We have suggested that, like other jurisdictions, they go and seek sponsorship for the services, whether that is from perhaps a local electric company, Visit Jersey or anyone else that may be

interested in that. You will see around the country and around Europe that a lot of these schemes are sponsored by local businesses, and we have suggested that to the current provider.

**3.6.7 Deputy M. Tadier of St. Brelade:**

I am not sure I fully agree with the Better Way position of nationalising Evie, but if I could ask the Minister: where is the line that needs to be drawn when it comes to supporting one particular business which has been struggling over others in the market which may also be operating successfully?

**The Connétable of St. John:**

I thank the Deputy for his question. The business case would have to demonstrate it is sustainable and we have not seen evidence of that to date.

**3.6.8 Deputy J. Renouf:**

I think I am very disappointed that the language the Minister is using here, he has referenced the possibility of other providers, he has talked about a bus service, he has talked about not propping up this business but he has had no other contact since February with the business. I checked last night with EVie and it seems to me that this is not a Government that is working flat ... a Minister that is working flat out ...

**The Bailiff:**

Deputy, this is, at the moment, a political statement, it is not a question. It has to be a question.

**Deputy J. Renouf:**

It is about to be a question.

**The Bailiff:**

Well, if it could be a question straight away, please.

**Deputy J. Renouf:**

The whole point of my earlier point was, as a strategic policy, that it puts a long-term strategy as a priority; is he happy to see the business die on his watch?

**The Connétable of St. John:**

As I mentioned in my original answer, we exchanged emails in mid-March, I have had exchanges on LinkedIn in April, so it is wrong to say that the last correspondence was in February.

**3.7 Deputy T.A. Coles of the Minister for Justice and Home Affairs regarding convictions for homosexuality (OQ.85/2024)**

Will the Minister advise whether any conviction regarding an act of homosexuality has ever been quashed or overturned?

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

I thank the Deputy for the question, which has not been straightforward to answer. Article 1 of the Sexual Offences (Jersey) Law 1990 was registered on 28th September 1990 and enacted the decriminalisation of homosexual acts in private. The law does not give a person convicted of an offence of homosexuality prior to 1990 the right of appeal to have that conviction quashed. Following the enactment of the 1990 law, it is therefore unclear whether such an appeal is possible. If there was such an appeal it is more likely that it would have to take place in the Royal Court or the Court of Appeal. Appeals for the Magistrates Court convictions are dealt with in the Royal Court; appeals from the Royal Court convictions are dealt with in the Court of Appeal. Officers in the Judicial Greffe have reviewed judgments of the Royal Court and Court of Appeal which post-date 1990 and have not been able to find evidence of any such appeal having taken place.

### **3.7.1 Deputy T.A. Coles:**

In 2017 the U.K. introduced the Turing Law, named after Alan Turing, the computer pioneer, and was expanded again in 2023 by the Home Office. Would the Minister commit to investigating whether such a law could be passed over here to allow easy and simple overturns and quashing of these convictions?

### **Deputy M.R. Le Hegarat:**

Simple answer to that question; yes, I am more than happy to have a look and I am fully aware of this legislation.

### **3.7.2 Deputy M. Tadier:**

While the answer might have been partly given, the first answer really referred to appeals being necessary for individuals to get convictions overturned. Does the Minister really acknowledge that this misses the point; it should not be up to an individual to appeal a conviction which we now, I think, would all find morally objectionable, especially if that person may no longer be alive to do the appeal, that there should be an automatic system where all of these convictions are quashed on a wholesale basis?

### **Deputy M.R. Le Hegarat:**

I do not disagree with the principle of what the Deputy is saying. I think the only concern I might have is that there is different legislation, as in different terminology and words used. As an example, prior to the decriminalisation in 1990, the law provides that the criminal offence used was to be charged as sodomy. I can see what the Deputy is asking but my only concern is that because the data may not be up to what it should be, I am just concerned that we may miss some opportunity because there will be different terminologies and different words used and a search has been made. What I can verify as well is that the States of Jersey Police do not have any of the data either, so I think it might be a piece of work that will need to be done to see what we can do, if that makes sense, working with this and see if there is anything we can do to move this forward.

### **3.7.3 Deputy M. Tadier:**

I think the answer is helpful, first of all. In practical terms for individuals who are still around, it may be a simple case of making sure that those who have got a criminal record and for whom that criminal record is relevant and perhaps searchable and declarable, they need a way to make sure that it is no longer on their criminal record as a first step. Would the Minister agree that might be an area to look at?

### **Deputy M.R. Le Hegarat:**

Yes, I do. To me it does make sense and I think it would be the right thing to do.

### **3.7.4 Deputy L.M.C. Doublet:**

Does the Minister agree with me that if there are any pardons or if any sentences are going to be quashed that this should be accompanied by a full and unreserved apology to the victims of this institutionalised discrimination? Indeed, would she offer an apology today as a gesture on behalf of Government for the historic harms that have been caused?

### **Deputy M.R. Le Hegarat:**

I can make an apology on my own behalf but I think it would be inappropriate for me to make an apology on the behalf of anybody else. From my perspective, I think it is right and proper that an apology should be made for criminalising people in these sorts of circumstances. So, I, from my own perspective, would be quite happy to do that but I think it would be wrong and inappropriate for me to make a generic apology on behalf of anybody else.

### **3.7.5 Deputy L.M.C. Doublet:**

Would the Minister agree to engage with members of the L.G.B.T.Q.+ (Lesbian, Gay, Bisexual, Transgender and Queer plus) community, both within the Assembly and in the community, to help resolve this matter?

### **Deputy M.R. Le Hegarat:**

Yes, of course.

### **3.7.6 Deputy T.A. Coles:**

Will the Minister agree to keep this Assembly informed as to the progress to have this legislation review?

### **Deputy M.R. Le Hegarat:**

Yes.

### **3.8 Deputy L.M.C. Doublet of the Chief Minister regarding an update on the Diversity, Equity and Inclusion work (OQ.77/2024)**

Will the Chief Minister provide an update on the Diversity, Equity and Inclusion strand of work and advise how this will be progressed?

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

The Diversity, Equity and Inclusion work programme continues to be an important area of focus. Deputy Alves, as an Assistant Minister in the Chief Minister's Department, has recently been delegated as a political lead for this work and will take up the task of raising the equality and diversity agenda, including addressing such issues as the gender pay gap. This change has been made with the agreement of the Minister for Justice and Home Affairs. Deputy Alves will be reviewing the work programme of the previous Government and progressing accordingly. Just to reiterate, this Government is committed to pursuing diversity, equity and inclusion for the benefit of both the community and our own employees. Thanks to the work of a number of dedicated officers we have completed a draft of the D.E.I. (Diversity, Equity and Inclusion) strategy for Government, which is currently being reviewed before publication.

### **3.8.1 Deputy L.M.C. Doublet:**

I thank the Chief Minister for his answer and I am delighted to see that Deputy Alves has been given responsibility for this work and that it will continue. Could the Chief Minister confirm whether the previous action plan that was being progressed by myself and Deputy Jeune under the delegation from the previous Minister for Justice and Home Affairs, whether all the areas in that action plan will be continued, whether any areas will be stopped or changed?

### **Deputy L.J. Farnham:**

I cannot confirm that level of detail but I can confirm that Deputy Alves, I believe, is keen for the continuity of the programme, so I feel confident it will progress as planned.

### **3.8.2 Deputy I. Gardiner:**

Is the Chief Minister aware the Jersey International Cultural Centre has been created a year-and-a-half ago to support inclusion of the minority communities in Jersey? The work was put on hold in January to review. Can the Chief Minister confirm that he made the decision and the work of the Jersey International Cultural Centre can progress?

### **Deputy L.J. Farnham:**

Yes, I can. We are going to continue to support that work but not with a similar budget to what it had previously. I am mindful that I am due to meet with the Deputy and other interested Members

in due course to clarify the position and agree a way forward, so there will be a continuity but not in its previous format.

**3.8.3 Deputy I. Gardiner:**

The Chief Minister and myself have had a discussion in February and I thought that we have agreed on the updated budget and updated work. The community in the meantime are wondering why the project that was shortlisted to a Difera event as a government project stopped because currently none of the work that happened is happening.

**Deputy L.J. Farnham:**

It did stop due to some concern of previous aspects of the I.C.C. (International Culture Centre). Part of the new Government's ...

**The Bailiff:**

Sorry, that was extremely kind for the musical interlude who ... thank you for your contribution to the Greffier's fund. Please carry on.

**Deputy L.J. Farnham:**

I do apologise, it is taking a little longer to agree. I apologise for the delay but it is part of our work to reprioritise spending to make sure our spending is going absolutely to where it is needed, so I do undertake to get things back up to speed with that as soon as possible.

**3.8.4 Deputy L.K.F. Stephenson:**

I am also pleased to hear that Deputy Alves has been given this responsibility. Can the Chief Minister confirm, does she have resources to support her in progressing this agenda, please?

**Deputy L.J. Farnham:**

She will do. I had a conversation with Deputy Alves about that very issue yesterday, and officials, to ensure she is properly resourced to do the work.

**3.8.5 Deputy L.M.C. Doublet:**

Could the Minister keep the Assembly updated on the progress of this work?

**Deputy L.J. Farnham:**

Yes.

**3.9 Deputy I. Gardiner of the Minister for Justice and Home Affairs regarding the pilot scheme for French Nationals travelling to Jersey (OQ.72/2024)**

Will the Minister advise what progress, if any, has been made in extending the pilot scheme allowing French nationals to travel to Jersey using a French national identity card, to stay in Jersey for up to 3 days?

**Deputy M.R. Le Hagarat (The Minister for Justice and Home Affairs):**

I thank the Deputy for the question. The French Day Trip Scheme which was launched in 2023 has been very successful with approximately 49,800 day trips from France to Jersey and 17,600 of those trips, as in 35 per cent, was where travellers used the I.D. (Identification) card. It is aligned with the new Council of Ministers' commitment to develop the visitor economy and our links with our French neighbours, but we are also part of the Common Travel Area, which is a responsibility that we share. Together with Customs and Immigration I have explored options to expand the existing day trip scheme; however, there is significant security and operational risks that cannot satisfactorily be mitigated and I do not, therefore, envisage that the scheme will be widened to allow visits of up to 3 days. I will keep this under review but can confirm the existing arrangements for the day trips will continue until the end of September.

### **3.9.1 Deputy I. Gardiner:**

I thank the Minister for her response. I completely agree that we need to assess the risks; we all know about the risks. We also need to consider how we do manage the risk. Would the Minister advise how many discussions or emails she personally had with her counterpart at Westminster for discussions to maintain or expand the possible schemes and discussion about the risks?

[10:45]

### **Deputy M.R. Le Hegarat:**

In relation to Westminster, there have been 2 letters, which were received previously, which both raised concerns in relation to not only the day trip but extending it further beyond what was already the case. There is continuing work by the Immigration Department to see what we are going to be able to achieve when, at the latter part of this year, we introduce an Electronic Travel Authority because obviously at the moment our biggest want would be to be able to continue with the 24-hour day trip. Therefore, that is a priority at this stage and that is ongoing work that Customs and Immigration have had with that department. Personally I have had no direct contact with Westminster but there are 2 letters, one from a previous Minister from Westminster and one from a current one, raising concerns in relation to this particular project.

### **The Bailiff:**

Very well, we come to question 9 that Deputy ... I am sorry, Deputy Bailhache, were you looking to ask ...

### **Deputy P.M. Bailhache of St. Clement:**

I am sorry, had you closed the previous question, Sir?

### **The Bailiff:**

Yes, normally if there is no one indicating a desire to ask, then I move and close, I am sorry.

### **3.10 Deputy K.M. Wilson of St. Clement of the Minister for Sustainable Economic Development regarding artificial intelligence in Jersey's economy (OQ.74/2024)**

Will the Minister advise what approach, if any, the Government is taking to optimise the benefits of artificial intelligence in Jersey's economy?

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

It is a really interesting question because there is no question in my mind that artificial intelligence will be a key technology to helping the Island address its main economic challenges, especially around the issues of increasing the productivity of our economy but also many other areas. To fully benefit from artificial intelligence and optimise its benefits, at the moment we are focusing on the adoption of artificial intelligence as a tool by companies, particularly small and medium enterprises. We are also looking at the adaptation of our legislative framework where necessary to ensure a safe and innovative ecosystem. In that respect, I think we need to look towards places such as the European Union that have brought in a wide range of initiatives around that. Also we are focused on creating an environment where particularly innovative companies are able to develop artificial intelligence-based innovations that put Jersey at the forefront of technical innovation as part of our technology setup.

#### **3.10.1 Deputy K.M. Wilson:**

Thank you to the Minister for his answer; it is encouraging to hear. Could I ask the Minister whether he thinks there is going to be an impact on the Island's workforce and what he might do about this, how he will prepare the workforce for the introduction and development of A.I. (artificial intelligence) across the Island?



**Deputy K.F. Morel:**

There is no question that artificial intelligence has the capacity to create significant changes in the workforce and have significant impacts on the workforce, but these can be very positive in many different ways, freeing people up to focus on other, often more creative tasks than they are engaged in today. There is no question in my mind, financial services, legal profession, anywhere in the technology sector, the medical sector and the health sector, these are areas where you will find artificial intelligence both enabling greater processing and therefore creating greater evidence, particularly in the healthcare sector ... enabling greater analysis, is what I mean, of the situation in Jersey. In areas such as the financial and legal sectors, it could speed up and potentially have an impact on jobs in the administration areas of all those areas. There is a great deal written about the impact of artificial intelligence on employment and I do think it is something that, as we look back over history, whenever technology has come in and changed the workplace, we, as people who have moved on to engage in different jobs and adapt to those changes, there has not been a technology that has particularly put everyone out of work and then work not to be available afterwards, which is often the great fear of artificial intelligence. I subscribe to the view that jobs will change rather than jobs will disappear for ever.

**3.10.2 Deputy M. Tadier:**

We talk of A.I. as if it is something that is going to happen in the future, but of course we know that A.I. is already with us and it is just developing at an incredible rate. Does the Minister believe that Government is ready in terms of government structures but also the impact that artificial intelligence will have on government structures itself to make sure that we are all ready for those changes that it might bring about?

**Deputy K.F. Morel:**

I am not well placed to know whether Government as a whole is ready. What I do know is that Government is beginning to adopt the use of artificial intelligence in different areas. The use of tools such as those packaged with our existing Microsoft products that enable quicker processing of emails, things like this, that is beginning to take place within Government. My impression, but it is only an impression, is that we as a Government have a long way to go before fully understanding how we could use artificial intelligence within the administration of the Island and the impacts that it could have, but I may be mistaken because I am not best placed to have that view.

**3.10.3 Deputy M. Tadier:**

In terms of the economy, we are often told that, and I suppose the economy and taxation, people pay taxes, not companies, generally in Jersey. If we are moving to a situation where there is more productivity but because of A.I. and artificial intelligence are doing some of the jobs, has any consideration been given to how we tax work that might be being done by A.I. and the profits that might be created through A.I. which might have been ending up in people's salaries before may not happen in the future? Has consideration been given to that?

**Deputy K.F. Morel:**

Another fascinating question. Unfortunately, as taxation does not fall under my remit, I am not aware of any work that has been done in that area. The Minister for Treasury and Resources may be more aware of that but certainly I am not aware of any work in that area, but it is an interesting question and one that I believe as politicians the Assembly probably does need to think about.

**3.10.4 Deputy K.M. Wilson:**

Could I ask the Minister if he would give some consideration to some sort of a taskforce or policy think tank of some kind to explore all of the issues that have just been raised through these couple of questions?

**Deputy K.F. Morel:**

Absolutely. We will be publishing the digital economy strategy next month, and part of that refers to artificial intelligence. I agree with the Deputy that having a range of minds looking at this would be a good idea. I do believe that in Jersey we have so many people who are already experts in this field or using artificial intelligence in different ways that we almost certainly have a lot of that expertise on-Island. I do think that is a good idea and I will look to progress that.

**3.11 Deputy S.M. Ahier of St. Helier North of the Minister for Sustainable Economic Development regarding the Licensing (Jersey) Law 1974 (OQ.86/2024)**

Will the Minister advise what changes, if any, he intends to make to the Licensing (Jersey) Law 1974, to simplify and improve the law?

**Deputy K.F. Morel (The Minister for Sustainable Economic Development):**

Work is underway to bring forward a series of amendments to the existing Licensing Law rather than replacing the existing law with a new law, as was attempted in 2017 but ultimately failed. Many of these changes will be focused on the constituted policy commitment to reduce red tape and lower the barriers to business. Amendments are likely to include changes to the licence categories, the Licensing Assembly in the way that that operates, and also the regulation of drinks promotions, among others. Amendments will be shaped through engagement with the industry and other sectors of government.

**3.11.1 Deputy S.M. Ahier:**

In his Ministerial statement, part 3, he said that he intends to review the Tourism (Jersey) Law 1948, the Licensing (Jersey) Law 1974 to ensure they are fit for purpose and enable businesses to operate efficiently within the sector. When does he intend to have such a review and, if he does intend to have such a review, how long does he believe it will take?

**Deputy K.F. Morel:**

I am seeking to fast forward that. I do not want to go down the road of just a review that takes a year and then pushes things back further. I think it was mentioned recently in the media that a great deal of work has been done, and that is quite correct, on the Licensing Law, including the failed 2017 attempt to bring in a new law. We will use the work that has already been done, we will use a lot of knowledge that we already have, such as: are the licence categories fit for purpose? Almost certainly not. They were created in 1974 and things have changed since then. I think the approach that I am asking my officers to undertake is one which is more directly focused on changes to the law rather than reviewing, but we will be doing that in conjunction with the hospitality sector because they obviously need to feed into that and also areas such as the police who have to police these things as well.

**3.11.2 Deputy M. Tadier:**

Will the Minister state whether he thinks under the law things like minimum unit pricing of alcohol, opening hours and drinks promotions, who should be the people that make decisions on those kind of questions and what does the current law allow for?

**Deputy K.F. Morel:**

As I understand it, the current law allows for the Licensing Assembly to address such questions, and the Attorney General, I believe, with drinks promotions, that is what has happened in the past. I see future amendments to the Licensing Law taking that away from the Licensing Assembly and vesting it here, as we passed a proposition in the last Assembly which asked for political control of such things as drinks promotions, and so on, so that is what I intend to try to bring forward.

### **3.11.3 Deputy M. Tadier:**

We see that Government and even law drafting can act very quickly in certain areas such as cybersecurity, digital fintech, financial services laws that need to be drafted in relatively short order and which are well resourced to be able to do that. When it comes to things like unlawful entertainments and licensing laws, often these things go back 20, 25 years when the first recommendations were made and we are still being told by this Minister that it is going to take maybe 3 years in the next Government before any changes are happening in this area. Can the Minister explain perhaps why there seems to be a difference in approach to getting laws passed, on the one hand very quickly, and on the other very slowly?

### **Deputy K.F. Morel:**

I believe the answer there is well above my pay grade because I do not have a view of the Law Officers' Department, the Law Drafting Office, the Government and the judiciary to understand why some things are prioritised. I am not the Chief Minister, I cannot prioritise legislation particularly myself, so I do not have that view and do not understand that. What I will say is that I have not said it will take 3 years to bring forward all of the changes, I would like to see these changes brought in before the end of this term. With regard to the triennial regulations, the reason they are being asked for 3 years is just to make sure we have the comfort because things such as Law Drafting Officers' time are not under my control. I cannot know whether we will be able to control that or not, so that is purely for comfort. It is my intention to get this delivered in this Assembly because I do not want these changes which have been talked about ... as I mentioned earlier, in 2017 there was an attempt to change the Licensing Law. It failed, it went nowhere, maybe it has gone back 25 years, these discussions, I do not know, but I would like to see us make significant changes in this term.

### **Deputy M. Tadier:**

Can I just clarify something I said? I was not suggesting the problem was at the law drafting stage, I think it is before things get to the law ... it is just to clarify ...

### **The Bailiff:**

Well, I am sorry, Deputy, there is no opportunity for a point of clarification during question time, I am afraid. It is a question and answer and that is all it can be, Deputy.

### **3.11.4 Deputy A. Curtis:**

Following Deputy Tadier's second question there: could the Minister identify why he believes it would take so long to bring changes, even to be lodged by 2026, given the abundant evidence and knowledge base within the community about what needs to be done?

### **Deputy K.F. Morel:**

I am pleased the Deputy believes that there is abundant evidence in the community and agreement, I suggest, he is implying. I am not so sure that there is such clear agreement. I think it does depend on where you turn and who is asked. I think it is really important. I have not at any point suggested that this will take longer than this term of office. That is not something I have suggested, that seems to have come from somewhere else.

### **3.11.5 Deputy A. Curtis:**

Assuming that there is not such widespread agreement, does the Minister not agree that some very simple elements of the Licensing Law, if the law is to be amended rather than replaced, could be presented by the end of this year?

### **Deputy K.F. Morel:**

I will not make a commitment to the end of this year but I will make a commitment to as soon as possible.

### **3.11.6 Deputy J. Renouf:**

Will the Minister state whether he is of the opinion that the licensing decisions currently taken centrally by law officers and so on could be delegated to Parishes and, if so, would he put that in his list of things to be actioned before the end of this term?

[11:00]

### **Deputy K.F. Morel:**

I am not convinced that delegating further to Parishes would make life easier for any businesses. The delegation to Parishes creates 12 different Licensing Assemblies. I believe the system at the moment where Parishes have their own Licensing Assembly and provide their recommendation according to what they see as the impact on their local area is appropriate, and I think that should be maintained. I do not see delegation going any further because that, I believe, will fragment things further than they are currently are.

### **3.11.7 Deputy J. Renouf:**

Maybe there is a trade-off here; the Minister has spoken about his desire to reduce red tape. Having one Parish Licensing Assembly recommending to another Licensing Assembly seems to me to be an example of red tape. Could he not at least trial perhaps with St. Helier the idea of a Licensing Assembly at a Parish level?

### **Deputy K.F. Morel:**

I have to go back to the idea that 12 different Licensing Assemblies as the ultimate authorities will only create confusion for the business community. We are being told constantly that it is so difficult to know where the people are meant to turn when they are applying for things such as licences, so I do not agree with that. When the Deputy suggests that there is red tape in the Parish Licensing Assembly providing a recommendation to another Licensing Assembly, I understand what he is saying, but I believe that what the Parish does is give the very local view as to the impact of that licence on the Parish and the neighbourhood. I think that is really important and I think that is important to be maintained. The Licensing Assembly, in whichever form that takes, having the knowledge that the local area is for or against a particular licence, I think is really valuable knowledge.

### **3.11.8 Deputy H. Miles of St. Brelade:**

We have heard a lot about the economy strategy and tourism, can the Minister give us some reassurance that the public health aspects of the Licensing Law will be appropriately considered?

### **Deputy K.F. Morel:**

I believe there may be some role for Public Health in this but I believe that the Licensing Law is to be primarily focused on the licensing of premises and the sale of alcohol. I believe that Public Health's role is in the education of the Island around alcohol and its impacts rather than having a direct role, particularly in licensing.

### **3.11.9 Connétable D. Johnson of St. Mary:**

As regards the failure of the previous draft law in 2017 to which the Minister refers, does he accept that such failure arose from the actual withdrawal of the proposition by the Minister of the day in the face of constructive comments from the Scrutiny Panel of the day? Looking forward, will he confirm, if he is able to do so, that any future Licensing Assembly will not be made up of States Members as was envisaged by such draft law?

### **Deputy K.F. Morel:**

It strikes fear in my heart that States Members would sit on a licensing panel. I do not think that is a particularly good way to ... I do not think politicians should be tasked with awarding licences or not. There are so many dangers around that, that I would not take that sort of suggestion forward.

**The Connétable of St. Mary:**

I am grateful for the Minister's reassurance. Thank you.

**3.11.10 Deputy S.M. Ahier:**

When the Minister considers amendments, will he be considering the "no dancing on Good Friday" and other anomalies in the Licensing Law?

**Deputy K.F. Morel:**

Is that because the Deputy wishes us to maintain the "no dancing on Good Friday" or otherwise? **[Laughter]** I do believe some things which - I use this word in its loosest sense and not demeaning in any way at all - but some things which some people would view as anachronistic, this is an opportunity to look at those sorts of situations and, yes, I do believe that does need to be looked at. If people have objections obviously to dancing on Good Friday, then they should make us aware of that, but my stance would be that dancing can take place on any day. Every day is a good day to celebrate with dance.

**3.12 Deputy G.P. Southern of the Minister for Health and Social Services regarding the Troy Rule on number of ministerial positions (OQ.83/2024)**

Let us see if we can get this one right. Will the Minister advise if he consulted the Chief Minister or the chair of the Privileges and Procedures Committee before offering Deputy Bailhache responsibility for certain health matters, what responsibility the Deputy has been given, and what impact, if any, this has had on the Troy Rule which limits the number of Deputies in Government?

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

I have not appointed Deputy Bailhache as an Assistant Minister or offered him any Ministerial responsibilities for health matters. As such, I do not believe my actions have any impact on the Troy Rule and did not require me to consult with the Chief Minister or the chair of the Privileges and Procedures Committee.

**3.12.1 Deputy G.P. Southern:**

Could I ask again then: what responsibility has the Deputy been given by the Minister and what limits has this had on the Troy Rule?

**Deputy T. Binet:**

I think I can do no more at this stage than to repeat what I have just said that Deputy Bailhache was not appointed for any Ministerial responsibilities for health matters.

**Deputy J. Renouf:**

A point of order, the question was surely what kind of responsibilities had been delegated? That is what I understood the follow-up question to be.

**The Bailiff:**

The answer from the Minister was he has delegated no responsibilities. It may be that a request had been made to carry out work but the answer, I believe, unless I misunderstood you, Minister, is that you have given no responsibilities. That is, as I understood, your answer. It may be there is a different ...

**Deputy T. Binet:**

I shall stand up, no formal responsibilities for health matters.

**The Bailiff:**

Now I have got to challenge you, Minister, because you have just said no “formal” responsibilities. Your original question was “responsibilities” and now you have said no formal responsibilities. So if there are responsibilities ...

**Deputy T. Binet:**

What I said in the first instance, no Ministerial responsibilities. Apologies for that mistake.

**The Bailiff:**

No, not at all. No Ministerial, very well.

**3.12.2 Deputy J. Renouf:**

Clearly Deputy Bailhache has been asked to do something. No one is questioning the right of a Minister to ask people to try and find out information but why did the Minister not, in this instance, use his civil servants to do the work or, failing that, ask one of his Assistant Ministers’ team? Is it not the case that if the report or work or whatever it is had been commissioned through official channels, then it would have greater weight?

**Deputy T. Binet:**

The work related solely to taking a series of statements of people who wanted to speak to me. I only have a limited amount of hours in the day and it appeared that an awful lot of people wanted to make their points known to me. I thought it was appropriate to pick somebody like Deputy Bailhache who was independent of the Ministerial team and would be held in high regard for the purpose. I thought it was a good choice and it was a fairly simple request to undertake that particular piece of work.

**3.12.3 Deputy J. Renouf:**

Could the Minister clarify whether or not he spoke to his Chief Officer about this work before it was commissioned? Would he agree that the lack of formal commissioning, terms of reference or oversight means that this was just an exercise in gathering gossip, and that is not necessarily going to be particularly helpful to draw conclusions?

**Deputy T. Binet:**

That is an interesting turn of phrase “gathering gossip”. In the end, 30 senior consultants have come forward to speak to me. I would venture to suggest that there is probably nobody in this Assembly that has not been treated by one of these people or certainly one of their family members. I think they are held in high regard and I think these people have got better things to do with their time than indulge in gossip.

**3.12.4 Deputy H.L. Jeune:**

Could the Minister please clarify if there were any written terms of reference for Deputy Bailhache to follow, including what follow up, how he will present his findings to the Minister and, if not, why not?

**Deputy T. Binet:**

No, there were no formal written terms of reference because it was a simple request to take some statements. In the end it ran into a larger piece of work than I was expecting because more people wanted to speak to me than I had thought in the first instance. I did ask if Deputy Bailhache would be kind enough to just summarise his findings for me for convenience.

**3.12.5 Deputy H.L. Jeune:**

Is the Minister aware that he was asking Deputy Bailhache to tread in the very sensitive matters of employment relating to employer/employee relations and this could compromise discussions going on elsewhere of which Deputy Bailhache may not have been aware?

**Deputy T. Binet:**

No, this was simply an exercise in conveying messages from people to me because of the volume of work that I have and the fact that I was unable to do it. It involved no more than taking statements from people for that to be passed on to me.

**3.12.6 Deputy M. Tadier:**

It is strange to say that Deputy Bailhache is not doing any Ministerial work because of course he is not a Minister, therefore, he cannot be doing any Ministerial work, so the question still needs to be answered: why is a member of the Health Scrutiny Panel doing departmental work for the Minister for Health and Social Services?

**Deputy T. Binet:**

At the time of commencement, Deputy Bailhache was not a member of the Panel.

**3.12.7 Deputy M. Tadier:**

There is a wider problem here, and I am wondering if the Minister sees it as a conflict of interest which I think so many other Members do, hence why this question seems to have been lodged, that, if you are not a member of the Executive it is very strange to be asking somebody to act effectively as a private secretary for you, which might be the case in other Parliaments, when the Minister has his own fairly large Ministerial team to do that work and also civil servants to do that. Would the Minister agree to publish the nature of the work that is being done and also ask for that work to cease immediately so that this Assembly is not brought into disrepute?

**Deputy T. Binet:**

I do not think for a moment that this Assembly has been brought into disrepute. I think there were 4 or 5 requests there and I may need to be reminded of them. I will start with the last one first because I can still remember it. The work has been concluded. I will make a further statement insofar as I spoke to the chair of the Scrutiny Committee and we had an exchange of emails. I explained the nature of the work and I received on 4th April an email stating the following: "Given the fact that this work was already undertaken before the Panel was formed, we discussed the timings around when it could be concluded. I am content to give a reasonable timeframe for the work to conclude and for any conflicts to then be avoided." On that basis, we continued. I have to say, if the work was to be discontinued that was a matter for the chair of the Scrutiny Panel, between the chair and Deputy Bailhache.

**3.12.8 Deputy P.M. Bailhache:**

Would the Minister agree that very heavy weather is being made of this issue and that in a collegiate and co-operative Assembly any Backbench Member is free to offer assistance to any Minister without attracting carping criticism from other Members?

**Deputy T. Binet:**

I wholeheartedly agree with that statement.

**The Bailiff:**

Assumingly no supplementary, Deputy Bailhache? **[Laughter]**

**3.12.9 Deputy L.M.C. Doublet:**

Can the Minister please confirm that I had asked for the work to be stopped as soon as I was aware of the full nature of the work? I asked for this in a telephone conversation where I explained to the Minister the Troy Rule. I followed this up with an email where I once again explained the Troy Rule. I also requested that the work should be made fully transparent. Can the Minister confirm this, please?

**Deputy T. Binet:**

I cannot confirm the latter because that was not where the conversation ended. I am certainly happy to publish the email exchanged between us. Sorry, there was another part to the question which I have forgotten, but I am certainly happy to make the email exchanged public.

**3.12.10 Deputy L.M.C. Doublet:**

The Minister did not hear part of my question. What I had asked was: can the Minister confirm that when I asked for the work to stop that I also asked for it to be made fully transparent?

**Deputy T. Binet:**

As far as the transparency is concerned, I think everything is contained in this email exchange. When people approach me to talk privately about their concerns, I certainly do not expect Members of this Assembly to ask for that to be made public. It would be similar in another way to asking the Speak Up Guardian to make public all the comments that have been made to the Speak Up Guardian. I think that is totally out of order, if I may say so.

**The Bailiff:**

Minister, I do not think the Deputy was asking for you to publish the responses, unless I have misunderstood the position, it was to publish her view of what was going on and that she asked for full transparency. Was that not your question, Deputy?

[11:15]

**Deputy L.M.C. Doublet:**

I can clarify. In my letter I asked for the terms of reference, membership, agendas, minutes and reports of any work undertaken in a similar way to the Policy Development Board and indeed the Women's Health Strategy Group, which is also under the Minister for Health and Social Services.

**Deputy T. Binet:**

There were not any minutes or agendas. They were not formal meetings, as such. It was simply Deputy Bailhache listening to people's concerns, putting them on paper, and then handing them to me for my attention. There is a pretty serious problem in H.C.S. that I am trying to address and it is strange that Members in the Assembly seem to want to focus unnecessarily on a very simple process rather than being concerned about the issues that I am trying to resolve.

**3.12.11 Deputy I. Gardiner:**

Nobody is questioning that a Member of the Assembly can do work, the question is why this has not been made in the proper way, requesting if Deputy Bailhache can undertake specific work with the terms of reference for the Minister and explaining the reasons why the Minister cannot use the 3 Assistant Ministers, why the Minister cannot use Speak Up Guardian, why the Minister does not use the Health Board that needs to listen to the concerns and why that Deputy Bailhache was the only Member of the States who could listen to the employees which the States Employment Board is available for?

**Deputy T. Binet:**

I think I counted 7 points there; I have got a very bad memory, I cannot remember them all. I will ...

**The Bailiff:**

Well I think you can summarise them: why did you not ask for a number of other people?

**Deputy T. Binet:**



I will start with the Speak Up Guardian. Could we not assume that these 30 people that have passed on their thoughts to me are intelligent people? If they thought it was appropriate to use the Speak Up Guardian I suggest they would have done; there must have been reasons why they did not. I was not aware of a formal process for asking for this sort of what I would consider to be relatively minor work to be undertaken. It is simply conveying people's thoughts to me. As I say, if there is a process, I am not aware of it.

**Deputy L.M.C. Doublet:**

The Minister may be inadvertently misleading the Assembly because I made it very clear in my email to him what the process would be.

**The Bailiff:**

I am sorry, you will have to take this up outside of the Assembly at this point. We have reached the end of the ... you have a supplemental question you are entitled to, Deputy Gardiner, I think.

**3.12.12 Deputy I. Gardiner:**

The Minister did not respond why his 3 Assistant Ministers could not ... just a minute, can I finish the question, please? Why 3 Assistant Ministers could not undertake this work and why the Health Board could not undertake this work.

**Deputy T. Binet:**

I will take them in reverse order. The Health Board could not undertake this work because, as an elected representative, we do live in a democracy and people have got a right to speak to me. I did start to speak to some of these consultants myself and I quickly realised that I would not have the time, so there we are. In terms of why not the Assistant Ministers, I wanted to keep this work separate from the team so that I could not be accused of meddling in any way and I thought that Deputy Bailhache was an appropriate appointment for this purpose. I make no apology for this either because it is an important piece of work and I want it to be done properly.

**3.12.13 Deputy G.P. Southern:**

What I think I have heard is that the Minister is unaware of any mechanism by which he can legitimately consult with his consultants which operate the health service in the hospital in particular, is that the case? Is there no mechanism by which the Minister can consult with his consultants?

**Deputy T. Binet:**

The question is: am I free to do what I have done and I believe that I was.

**The Bailiff:**

Well, the question is: is there a mechanism in place for consultation with the consultants?

**Deputy T. Binet:**

I am certainly not ... I did make that statement before, I am not aware of one.

**3.13 Deputy I. Gardiner of the Minister for Social Security regarding the hosiery dressing scheme (OQ.73/2024)**

Further to the adoption of P.72/2023 as amended, will the Minister advise what progress, if any, is being made in extending the hosiery dressing scheme to include wound dressings to those with medical needs?

**Deputy L.V. Feltham (The Minister for Social Security):**

As I hope the Deputy is aware, the funded dressing scheme is one of my key priorities and I am pleased to report that we are now making good progress. There is now a dedicated team allocated to this project who are providing me personally with feedback on developments, and I am continuing

to monitor this progress very closely and I will be providing updates as soon as they become available. The Assembly has agreed that funding should come through the H.I.F. (Health Insurance Fund). This does require that appropriate governance and legal frameworks are in place before funds can be released but the team is doing everything that they can to implement an initial phase of the scheme as quickly as possible. We have spoken to key stakeholders, Family Nursing and Home Care and pharmacy contractors and we are looking to launch the first stage of the scheme through a number of local pharmacies as soon as possible.

**3.13.1 Deputy I. Gardiner:**

I thank the Minister for her answer, it is reassuring that it is progressing. Can the Minister confirm that she has full backing from the Minister for Treasury and Resources and the Chief Minister with the £1 million funds that was allocated to this scheme?

**Deputy L.V. Feltham:**

The funding has been allocated through the Health Insurance Fund and we have backing through the Assembly, as this amendment was approved as part of the Government Plan in December and the budgets approved within the Government Plan, but of course, as Minister for Social Security, I am responsible for the Health Insurance Fund.

**3.13.2 Deputy R.S. Kovacs:**

Can the Minister say what recent communication she had with the pharmacies to see how they can collaborate in order to be able to deliver through them such a scheme as soon as possible?

**Deputy L.V. Feltham:**

My team has been involved in active workshops with both Family Nursing and Home Care and has been in close dialogue with pharmacies. The first phase that we are looking at in the first instance will focus on existing Family Nursing and Home Care clients, as the evidence suggests that those clients have the more longer-term need for dressings and the dressings will be provided from a local pharmacy. We are still working on contractual details but we are aiming to get that stage launched within the coming weeks.

**3.13.3 Deputy I. Gardiner:**

Just for clarification, the Minister responded that the Assembly obviously approved the budget in the Government Plan, does she have full support from the Minister for Treasury and Resources, Chief Minister and the Council of Ministers to use these funds?

**Deputy L.V. Feltham:**

I am confident that I do have the support of my fellow Ministers in relation to these funds.

**3.14 Deputy L.M.C. Doublet of the Minister for Health and Social Services regarding the Women's Health Strategy (OQ.78/2024)**

Will the Minister provide an update on the development of the Women's Health Strategy and confirm when this will be published?

**Deputy A. Howell of St. John, St. Lawrence and Trinity (Assistant Minister for Health and Social Services - rapporteur):**

If I am able to respond on behalf of the Minister because he has given me a delegation for Women's and Children's Health. The Minister has proposed that officers do not progress the production of a standalone unfunded women's health strategy. This decision was supported by the Women's Health Political Advisory Group that are meeting in early April. The group recognise that there are limited staff resources to allocate to the development of a standalone strategy and agree to focus on work that is already in train. This work includes a review of the Termination of Pregnancy Law and funding for I.V.F. (in vitro fertilisation) and contraception services. The group also decided that once

we have an opportunity to reflect on the findings of the ongoing Women's Health and Well-being public consultation, we will publish a statement of intent setting out other priorities that we will seek to address once we have supported delivery of our current activity.

**3.14.1 Deputy L.M.C. Doublet:**

Please could the Assistant Minister outline which areas will not be progressed?

**Deputy A. Howell:**

It is very hard to say at the moment because we have not at the moment received the result of the Women's Health and Wellbeing consultation.

**Deputy L.M.C. Doublet:**

Sorry, could I clarify, I meant the areas that were being considered by the W.H.A.G. (Women's Health Advisory Group) to go in that strategy, which of those areas will not be progressed?

**Deputy A. Howell:**

I think I explained what we are going to be doing and what we will be taking further when we have the result of the consultation.

**3.14.2 Deputy H.L. Jeune:**

Does the Assistant Minister not agree with me that to be able to bid for funding, including when the Minister is trying to get funding for women's health within the Council of Ministers, that a strategy would be a good idea, a document to understand the way forward for women's health and therefore be easier to get funding than to stop both?

**Deputy A. Howell:**

I believe that Deputy Jeune is also a member of my Women's Health Advisory Group, and it is across the States Assembly, this group, and we will be deciding together what we should be taking forward and what we should be asking for further funding for.

**3.14.3 Deputy H.L. Jeune:**

I thank the Assistant Minister for reminding me I am part of that group. Unfortunately, I have not yet been able to meet that meeting and, of course, I would like to put on the record I would not have agreed to this ...

**The Bailiff:**

No, this has to be a question.

**Deputy H.L. Jeune:**

Yes. But I would not have agreed to that decision.

**The Bailiff:**

Deputy, really ...

**Deputy H.L. Jeune:**

So will the Minister explain ...

**The Bailiff:**

A political statement cannot be made, you should ask a question.

**Deputy H.L. Jeune:**

Yes. So will the Assistant Minister explain what concrete steps she will take to reduce the concern by Jersey women that women's health, yet again, is being kicked down the road and not given the necessary priority or funding?

**Deputy A. Howell:**

The decision not to develop a standalone strategy does not equate to a failure to recognise the importance of women's health; the opposite is the case. The Minister and I want to focus limited resource on delivering real change in key women's services as opposed to producing yet another unfunded strategy. The Women's Health Advisory Group supports that position and I welcome the fact that Deputy Jeune will be part of the next meeting.

**3.14.4 Deputy I. Gardiner:**

Does the Assistant Minister agree with the process to make sure that you need a strategy which will link to the plan, which will link to submitting a business case to ensure that the funding cannot come before the strategy? Does the Assistant Minister agree?

**Deputy A. Howell:**

We will be meeting very soon for our next group and we will discuss all this but we will be asking for funding for further things for women's health going forward.

**Deputy I. Gardiner:**

My question was not answered. My question was: does the Minister agree that the strategy will need to be able to produce a business case to be able to find the funding? This was the question.

**The Bailiff:**

Yes, I understood the question, thank you very much, and that was the question. It is: do you accept that the strategy must come before the funding?

**Deputy A. Howell:**

Yes, I said that we will have a strategy but it will not be a standalone strategy.

**The Bailiff:**

Then I think I have a supplemental question, do you not, Deputy, or have I already asked that? No, I mean Deputy Gardiner. You had asked already.

**Deputy I. Gardiner:**

Thank you, Sir,

**3.14.5 Deputy L.M.C. Doublet:**

Could the Assistant Minister please inform the members of the public that are filling in the currently open consultation on women's health and who are expecting a women's health strategy, what form this statement of intent will take, what it will look like, how long it will be, how much detail and, critically, will it be an evidence-based approach that can secure funding to make the real changes that women of this Island need in their healthcare?

**Deputy A. Howell:**

We are very minded that we should listen to the voice of women and girls on this Island. As a group, we promise that we will be really prioritising all that they say in their responses to our consultation; we take it very seriously and we are very grateful for all of those who are filling in the survey as we speak. It goes on until the end of May - May 21st - and then we will analyse what we are being told. It will be evidence-based going forward and I really prioritise women's and girls' health on this Island.

**Deputy L.M.C. Doublet:**

Sorry Sir, my question was what form will the statement of intent take, what length will it be and what will it contain?

**The Bailiff:**

Are you able to answer any of those things?

**Deputy A. Howell:**

I think we just will have to work as an advisory group. I cannot give you the detail at this time.

**The Bailiff:**

Very well. We come to Question 15, Deputy Jeune will ask of the Minister for Health and Social Services.

**Deputy H.L. Jeune:**

Sir, the Minister is not present.

**The Bailiff:**

The Minister is about to become present, it seems to me. Minister, you will not mind me saying, I am sure, that it is the responsibility of Ministers to ensure that they are present when their questions are asked.

[11:30]

**Deputy T. Binet:**

I do apologise, Sir.

**The Bailiff:**

Yes. Would you like to ask the question, Deputy?

### **3.15 Deputy H.L. Jeune of the Minister for Health and Social Services regarding funding for palliative care (OQ.87/2024)**

Will the Minister advise if sufficient funding will be provided for palliative care in the Island before the implementation of any assisted dying legislation, and if not, why not?

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

In 2023, the States Assembly agreed as part of the Government Plan to spend an additional between £2 million and £3 million per year on end of life and domiciliary care services in Jersey, thereby driving improvements in the quality of palliative care and end of life care in advance of decisions being taken in the Assembly on assisted dying. The money is supporting the delivery of Jersey's Palliative and End of Life Care Strategy, which is already helping to drive improvements to the services. At the point at which a draft Assisted Dying Law is presented to the Assembly, Members will be asked to agree that the law should not be brought into force until the Assembly is satisfied that the additional monies are delivering improvements in those services. If this cannot be evidenced, it would be for the Assembly to determine if more money should be provided to support these services. Furthermore, as explained in the assisted dying proposals, consideration is being given to bringing forward a new statutory duty requiring palliative care and end-of-life care to be provided by the Minister for Health and Social Services. It is envisaged that this statutory duty would form part of the proposed Adult Safeguarding Law, which is currently in development.

#### **3.15.1 Deputy H.L. Jeune:**

We heard from the Minister that £2 million to £3 million has already been invested in 2023. Is the Minister aware that palliative care is only available for 5 days a week, and does he think this is an acceptable level of service?

**Deputy T. Binet:**

I was not aware that that was the case, and I am not entirely sure that it is. If that is the case, then it is not ideal, but that money is in the process of being spent and the improvements are being made on an ongoing basis. We are not at the point at which that money has been fully invested.

### **3.16 Deputy D.J. Warr of the Minister for Sustainable Economic Development regarding Durrell (OQ.80/2024)**

Further to recent media coverage regarding Durrell, will the Minister advise what consideration, if any, has been given to the economic and social impact to the Island of Jersey Zoo closing its doors, or Durrell moving from Jersey?

#### **Deputy K.F. Morel (The Minister for Sustainable Economic Development):**

To my knowledge, I do not know of any work that has been undertaken to assess that impact. Obviously, it would be a terrible tragedy for the Island were Durrell to close its doors, and I do not think that is how we should be thinking. There is obviously a situation going on within the Trust itself, and it is for the Trust to work that through. I do not think that we should, as an Assembly, be jumping to a conclusion of where that may lead, because I would not like us to add to any of those problems. As a registered charity, the Trust is regulated by the Charities Commissioner; as such, they may possess such data, but we do not.

### **3.17 Deputy J. Renouf of the Minister for Health and Social Services regarding the Jersey Rheumatology Report by the Royal College of Physicians (OQ.82/20204)**

Further to the publication of the Royal College of Physicians' Jersey Rheumatology Report, will the Minister provide an update on the investigation into the care provided by the Rheumatology Department to former patients?

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

The investigation into past care and treatment provided by the Rheumatology Department is ongoing. H.C.S. have now completed the review of all patients who were on biologic drugs, disease-modifying antirheumatic drugs, or who were otherwise under the care of the doctors referred to in the Royal College of Physicians' report during the period concerned. We are now reviewing the case notes of patients seen by the 2 doctors in the period from January 2019 and who have subsequently died. To be clear, this would include many patients whose cause of death had nothing whatsoever to do with their rheumatology care. This final review involves a clinical audit to be followed by a mortality learning review for any case where concerns are raised. A further update will be provided once this final review is complete. All patients who were cared for under the Rheumatology Department in the period concerned, or were seen as outpatients under the care of either clinician whose practice was referred to in the Royal College of Physicians' invited review, have been offered a review appointment and have now been seen. Work continues to determine levels of harm that may potentially have been caused to patients. We still have a duty to write to any patient who has suffered significant harm as a result of the treatment by H.C.S. staff. This is part of the duty of candour. We will, of course, be writing to any such patients very shortly. Mindful that some patients may wish to seek legal redress, H.C.S. is working with lawyers to consider the most appropriate approach to medico-legal matters related to rheumatology. Our intention is to develop an approach that is patient friendly, not overly protracted, and which represents a patient's right to seek independent legal recourse.

#### **3.17.1 Deputy J. Renouf:**

Can the Minister provide a little more detail about the process that is currently underway to assess whether patients were harmed as a result of treatment in the Rheumatology Department, and in particular, are any outside organisations, such as the G.M.C. (General Medical Council) or the B.M.A. (British Medical Association) involved in assessing patients.

#### **Deputy T. Binet:**

These are technical points that would probably be more usefully dealt with in Written Questions. The G.M.C. and the B.M.A. I am sure have been involved in this process, but points of detail of that sort would be better submitted, I think, as a written question.

### **3.17.2 Deputy H.L. Jeune:**

What information does the Minister hold on the scale of harm suffered by patients and what action is he taking to address the seriousness of what is being discovered by the review process?

### **Deputy T. Binet:**

I personally am not taking any action. There is a process underway and we will be having a look at the results of that when that process is completed. I hope that in the course of my first response that I detailed what that process was.

### **3.17.3 Deputy J. Renouf:**

When we talk about the nature of the harms caused to the patients who have received care and treatment in the rheumatology service over the last 25 years, is he aware of any instances where patients may have died from that treatment?

### **Deputy T. Binet:**

These investigations are on-going and I think, in any event, it would not be appropriate for me to make comments on that sort of question in the Assembly.

### **3.18 Deputy K.L. Moore of the Minister for Children and Families regarding a reciprocal agreement for Jersey children in care (OQ.71/2024)**

Will the Minister advise whether he has contacted his counterpart in the U.K. Government and what progress, if any, has been made to achieve a reciprocal agreement for Jersey children who are in care?

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

I thank the Deputy for this question. Further to the Ministerial correspondence on 4th December with David Johnston O.B.E. (Order of the British Empire), M.P. (Member of Parliament), Minister for Children, Families and Wellbeing, officers from both Governments have been working to progress the shared objectives of strengthening the legislative arrangements for those children in care placed off-Island. The scope of the proposed amendment to the Children (Prescribed Orders - Northern Ireland, Guernsey and Isle of Man) Regulations 1991 has been agreed locally and communicated to officers at the Department of Education on 11th April. I have therefore not found it necessary to contact the Minister, David Johnston, as officers are engaged in this and we are moving forward. The office of the Children's Commissioner for Jersey has also been notified and briefed on the extent of the amendments sought, as I am mindful that this work is consistent with the recent concluding observations report by the U.N. (United Nations) Committee, which made specific recommendations to strengthen the governance relating to off-Island alternative care. In fact, I spoke with the Children's Commissioner in one of my first meetings with the new commissioner, saying how important I thought that it was to strengthen our position and to get these amendments made. Officers from the Department for Education have been requested to provide further advice regarding the next steps in this bilateral process, and we await their response to our communications of 11th April. The aim is to complete this project by the end of this year.

### **3.18.1 Deputy K.L. Moore:**

I thank the Minister for his answer and update to the Assembly. I would simply ask whether he has given a private briefing to the relevant Scrutiny Panel.

### **The Connétable of St. Peter:**

As yet I have not, but I am quite happy to do so, and I can make arrangements for that to happen. Thank you very much.

### **3.19 Deputy K.M. Wilson of the Chief Minister regarding the living wage (OQ.75/2024)**

Could the Chief Minister advise what government support will be provided to businesses to help them move from the minimum wage to the living wage, and how much this is likely to cost.

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

Moving to a living wage at two-thirds of the median wages previously approved by the Assembly is - as we have heard earlier - and remains a priority in the timetable that has been laid out by the Minister for Social Security. Support will include targeted support to employees and employers during the transition period and this will be achieved through focused support to individual sectors. I cannot give much more detail than that at the moment because the detail is currently being worked up by the Minister for Social Security and the Minister for Sustainable Economic Development. But this Government has been clear that we understand that businesses, especially in certain sectors, will need some bridging financial support to help achieve the journey to living wage, which in turn will benefit society and produce a more productive living wage economy.

**3.19.1 Deputy K.M. Wilson:**

Could the Minister advise if he believes that some businesses may not survive as a result of moving to living wage, and has he done any assessment of the likely impact on those who would struggle even with government support?

**Deputy L.J. Farnham:**

Assessments have been done along these lines in the past and I think it is likely that we will see job losses. I hope we do not see businesses close. I hope support can be put in place to help businesses manage the transfer. When I say “job losses”, I think we might see job losses in certain businesses as they restructure themselves to make sure they are remaining viable as a business. But we do have capacity in the economy, so while some businesses might restructure and lose jobs, I believe those jobs will be taken up in other areas of the economy so we will not see an increase in unemployment.

**3.19.2 Deputy J. Renouf:**

Can the Minister confirm whether one of the forms of support he is looking at is subsidies to business to help them pay the living wage?

**Deputy L.J. Farnham:**

I do not believe we will be going to direct cash subsidies as we did during the COVID pandemic. I think the Ministers are going to be targeting different types of support which help businesses to become more productive and provide financial support in different ways. As I said, I cannot give the detail yet because the Ministers are working that up, but I am looking forward to receiving their report in due course.

**3.19.3 Deputy J. Renouf:**

Can I then ask the same question I asked the Minister for Social Security, which is: given that some businesses have already gone the extra mile and made the living wage commitment, what message does he have to those businesses who will now see their competitors potentially receive government support to achieve what they did without support?

**Deputy L.J. Farnham:**

Well, I commend all businesses that have made that step. Businesses will make decisions based on their own circumstances and I would like businesses to be able to do that in a free market economy with as little interference as possible. But the facts of the situation are that if we are going to legislate for a living wage, then some small businesses who cannot afford to get there because of their business models and their levels of income and their current staff structure will need help to get there. My message to businesses that are operating at that level is to congratulate them on their success and thank them for moving there. But I also want to give a message to businesses that are concerned about this that we will provide as much support to them as possible.



**3.19.4 Deputy K.L. Moore:**

The Minister referred to a free market economy. Does the Minister not consider that in the free market economy, it is generally the job of a business to determine its own viability, and if it is not viable in the current conditions, then it is a matter for them to decide how to deal with that, rather than to seek further government subsidy?

[11:45]

**Deputy L.J. Farnham:**

Yes, I wholeheartedly agree with that principle, with a caveat. When a Government or an Assembly imposes a new procedure which imposes in some instances significant costs on businesses with which they have no choice, I think we are duty bound to provide support for a short period of time for those businesses to bridge the gaps. After that, then we are back to the free market economy principles.

**3.19.5 Deputy K.L. Moore:**

Whether it would be a true living wage in those circumstances is obviously a matter for some debate, and I imagine the Minister will bring that to the Assembly in the Government Plan, which we understand is due to be published shortly. Perhaps the Minister might tell the Assembly how much has been allocated in the Government Plan to provide this additional subsidy.

**Deputy L.J. Farnham:**

I will gladly tell the Assembly that when we have made the allocation. We have not started the work yet on the Government Plan; that starts this Thursday morning at 9.30 a.m., I believe. We will keep Assembly Members informed of the process and of course lodge the Government Plan in ... I think we are aiming for July.

**3.19.6 Deputy M.B. Andrews:**

The Chief Minister has alluded to financial support being given to Jersey's low wage economy businesses. However, as part of the transition, how will the Council of Ministers ensure that those businesses can be financially independent at the end of the term that no assistance then will be given?

**Deputy L.J. Farnham:**

At the end of the day, I do not think there are any guarantees that businesses will remain viable. It is up to the business owners and the business models and the way they operate their business. What I think we are duty bound to do is help them make that transition. As I said in the previous answer, once they have made that transition, then it is up to them.

**3.19.7 Deputy H.L. Jeune:**

The Chief Minister, in his previous answers, alluded to the fact that he will come to the Assembly to make these decisions on potential subsidies for businesses to go towards living wage. Yet his Minister for Social Security has said that he ... to stop the investigatory report that was published in December 2023. Can the Chief Minister assure the Assembly that evidence will be provided to the Assembly to help make those decisions, including the data that himself and the Minister for Social Security have been saying has been done since December, and also that consultations have been done with businesses around this potential subsidy and living wage, and if we will receive those results as well.

**Deputy L.J. Farnham:**

I am not sure I fully understood the question. Ultimately, any allocations to provide support to business will need the approval of the Assembly because that will have to be budgeted in the forthcoming Government Plan. I am sorry, Sir, could the Deputy simplify the other part of the question?

**Deputy H.L. Jeune:**

Yes, of course. I am asking if, when coming with that proposal to the Assembly and the Government Plan, there will be evidence to back this proposal?

**Deputy L.J. Farnham:**

Yes, we will endeavour to provide as much relevant evidence and information as possible to support our proposal.

**3.19.8 Deputy M. Tadier:**

A lot of the arguments that are being made about businesses not being able to cope or being affected by a living wage may well have been made back in 2003 when the minimum wage, which was set at £4.80, was introduced. To what extent does the Minister believe that it is Government's job to assist industries which cannot comply with minimum standards in terms of payment? If so, what is that intervention from Government going to look like?

**Deputy L.J. Farnham:**

We still do not know what that intervention is going to look like. It is going to be quite a challenge because, for example, it is difficult to look at something like social security reductions because it is very difficult to manage that by specific business or sector. As I have said a number of times, we are not sure what that is going to look like, but as soon as we do we will share that with Members. Ordinarily, it is not down to Government to prop up and support businesses; we like the economy to manage and run itself successfully. In every economy, you see great business successes and unfortunately you see business failures, but when we are changing legislation at relatively short notice, over the next 2 years, that will have a significant impact - critical impact, perhaps on smaller businesses - I think we are duty bound to help where we can. As soon as we have a model for that help, we will share it.

**3.19.9 Deputy K.M. Wilson:**

Could I ask the Chief Minister: will he give some consideration to the employers who will suffer as a consequence of this transition in terms of support for skills training and the kind of diversification, and also does he envisage any particular impact on the wider benefit system as a result of the introduction of the living wage?

**Deputy L.J. Farnham:**

I can give assurances that skills development is likely to play a key part in improving productivity and helping businesses bridge the gap. The second part of the question, could you remind me please, Deputy?

**Deputy K.M. Wilson:**

It was to do with the impact that it will have on the wider benefit system. Will we see an increase in the benefits that people will need to access if they are no longer able to either be employed through living wage? Will it require a different review of the wider benefit system as a consequence of introducing the living wage?

**Deputy L.J. Farnham:**

It is my understanding that it will not, because we do have capacity in the economy, that we should not see an increase in unemployment. Also, we should be mindful of the benefit to society of a living wage economy, which should take more people off having to rely on support.

#### **4. Questions to Ministers without notice - The Minister for Children and Families**

##### **4.1 Deputy S.M. Ahier:**

What progress has the Minister made in regard to the funding and development of a therapeutic children's home and services?

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

I thank Deputy Ahier for that question. I inherited the therapeutic home from the previous Minister and indeed supported the concept of a therapeutic home at the time. I think all of us at the time thought: "Is this not marvellous? We will be able to provide therapy for children." There were some delays in acquiring the building - and I will come to that later - but that gave us time to do more research. The outcome was that, in fact, we did not believe we needed a therapeutic home of the nature that had originally been envisaged. So, as part of the transformation programme, work is now underway to scope a therapeutic offer to all children in the care of the Minister and those that are at the edge of care. This includes funding for a service led by C.A.M.H.S. (Child and Adolescent Mental Health Service), who will oversee a multidisciplinary team to support children and young people that sit within the Getting Risk Support part of the emotional, well-being and mental health Thrive model. These are children and young people who will be looked after or at the edge of care. The team will offer therapeutic interventions, case supervision, care co-ordination and support to the children's workforce, including foster and connected carers. It has been agreed that all these placements - residential, foster care and off-Island - must be therapeutic in nature and therefore plans are being put forward to repurpose some of the original funding proposed for the therapeutic residential children's home into a specialist, enhanced multidisciplinary therapeutic team. This team will provide care, co-ordination and outreach into the key services that support our most vulnerable children and young people who sit within the Getting Risk Support part of the Thrive model. In deciding not to proceed with the purchase of a single therapeutic home we considered up-to-date sufficiency modelling and planning is required, as demand is currently below 2022, which formed the basis of the forecast presented in the social care reform case. This is being investigated ...

##### **The Bailiff:**

Minister, I must ask you to bring your answer to an end. You are at 2 minutes already.

##### **The Connétable of St. Peter:**

Sorry, Sir. I can say that, with regard to the home, issues that arose were issues in regard to change of use planning application. The owner became unwilling to sign the owner consent form, neighbours started to raise concerns and objections, and the property, after a survey, did not lend itself to wider social care usage, such as residential leaving care or semi-independent living. What I would like to say is that what we propose, I believe, will be the best offer for our vulnerable children.

##### **The Bailiff:**

Minister, I am not going to single you out, but I have indicated before it is the norm one minute 30 seconds to answer. In preparation for questions and answers, there is no reason why one should not rehearse a way of answering a question in a succinct form, it seems to me. Do you have a supplemental question, Deputy Ahier?

##### **Deputy S.M. Ahier:**

Nothing further, Sir.

##### **4.2 Connétable K. Shenton-Stone of St. Martin:**

The Minister recently ran a campaign to fund foster carers for teenagers. Could you please enlighten the Assembly about the Minister's plans for the service?

**The Connétable of St. Peter:**

I thank the Connétable for that question, as I am particularly close to and have made fostering a key part of my Ministry. We recently launched a campaign, Time for Teens, to recruit more foster carers specifically to provide homes for teenagers. The aim is to encourage more people to consider fostering teenagers, which could help change those children's lives. What is more important than having a caring family around you during what are some of the most important times of your life as you gradually move into adulthood and prepare for independence? It is particularly sad that for some children this does not happen and this can have a dramatic effect on not just your teenage years, but also in adulthood. We currently have 10 teenage children who require foster carers. Would it not be wonderful if all those children would find a home? Care homes, of course, provide a loving and caring environment, but it simply is not the same as having a family from which you can learn many of the things we take for granted. The campaign highlighted that fostering a teenager can be a hugely rewarding role and can actually be less demanding than caring for younger children, who are often more popular with foster carers, but teenagers are usually more independent. The main role for carers during this time is to provide a secure base and focusing their energy on helping young people; that is a lot easier to achieve when you are part of a family.

**The Bailiff:**

Minister, I must ask you to bring your answer to a close. You are at one minute 45 seconds.

**The Connétable of St. Peter:**

Thank you, Sir. Our campaigns are already showing some successes. So far we have 6 approvals this year, 3 more coming on, 7 more in assessment, and 2 additional approvals for connected care. From the current campaign we had 17, I think, in total people who were interested and 6 applications have so far come through.

**4.3 Deputy H.L. Jeune:**

My question was very similar but I am not sure, hearing the Minister, whether we got a full understanding of an update on the professional foster care scheme, what framework the Minister is using, how many professional foster carers the Minister believes are needed, and when will he see professional foster carers coming into the system.

**The Connétable of St. Peter:**

Thank you for that question. Professional foster carers are, of course, something that I believe we should have and we are currently looking at packages. At this point, I do not have a great deal of detail on that, but it is my belief that we should move from a position of care homes - there may always be a need for one or 2 possible care homes - move from the position of multiple care homes to a fostering service. As part of that, as I have said, we do need professionals, particularly in some of the more complex cases. I am happy to come back to the Assembly when we have a framework for that and a package agreed.

[12:00]

**4.3.1 Deputy H.L. Jeune:**

Please could the Minister explain what happens to those children while they will be waiting for professional foster carers to be trained, this framework to be put in place, and a timetable to be put, and I assume funding to be found.

**The Connétable of St. Peter:**

Well, of course those children are in our care already. They are in our care homes where we obviously try to provide a family-type environment. But, as I said in my first response, it can never be the same as being with a family. Now, the move to foster caring is a change in policy and that is going to require training people. In the interim, those children still receive the very best care that we are able

to give them today. I am aware, as I have already said, that they would be better in foster care, but we cannot train that number of people in a very short space of time. Also, fostering is something where you receive your training, but you cannot then go immediately into a situation of, for instance, intensive foster care. It takes some time to build up. Foster carers usually will take a child for a short time initially, and then gradually build up to having children full time. Some foster carers will keep them for years; the positions are different. But you can be assured that you have my commitment ...

**The Bailiff:**

Could you conclude your answer please Minister?

**The Connétable of St. Peter:**

... to make this a reality. Thank you very much.

**4.4 Deputy L.M.C. Doublet:**

Is the Minister aware of recent research on the harms caused to children by screen use and, in particular, social media? What does he plan to do to address this?

**The Connétable of St. Peter:**

I have heard very briefly about such a report; if Deputy Doublet has that report, then I would be very pleased to receive that. At this point, I do not have a great deal of information, but I would say that absolutely anything that harms our children needs to be addressed. I would be very pleased to receive that report from her.

**4.4.1 Deputy L.M.C. Doublet:**

It is not just one report; there is a growing body of evidence around this. For example, finding that social media could be as harmful to children as smoking or gambling and there are impacts in terms of depression, anxiety, misperception of body image, addiction and poor mental health outcomes. Would the Minister agree to task one of his officers with collating this research, to help inform him on this matter so that he can look into what actions he might like to take?

**The Connétable of St. Peter:**

Yes, I think I would be very happy to do that. I am aware of some of those issues; some of the effects of social media can be extremely harmful to our children. I know you have listed some of those, which I was ... and I would be very happy to do that.

**4.5 Connétable D.W. Mezbourian of St. Lawrence:**

Some children do not need to be placed into foster care because they stay with family members under residency orders. How does the payment to foster carers compare to those who look after children under residency orders? Are they comparative and if not, why not?

**The Connétable of St. Peter:**

Thank you very much, Constable, because this is an issue that I became aware of very recently through my involvement with fostering, that in fact where a residency order with a connected family takes place they do not receive the same level of payment as a foster carer. While fostering is not something that you wish to make money from, it should at least cover your expenses. I was quite concerned when I learnt about this and it certainly is something that I intend to research and try to bring uniformity. I cannot understand why, if a family relative is fostering, then they would not have the same package as a foster carer.

**4.5.1 The Connétable of St. Lawrence:**

I am pleased to hear the Minister admit that there is a disparity, which I obviously knew before I asked the question. My concern is that there are families who have struggled with the money paid to them from a residency order, and they see now those who foster receiving more financially than

perhaps they did or are receiving. My concern is that some of those children on residency orders have missed out, because the money paid to them was a low amount. Will the Minister agree ... well, he has indicated that he is looking at this, but what will he do when he realises that there are families who have received far less financially than those who are now starting to foster? Will he make back payments to those whose children have missed out because they were on residency orders, rather than being fostered? I know of examples of that.

**The Connétable of St. Peter:**

Thank you very much for that. First of all, we need to look at the situation. As I have said, I personally do not understand why there is a difference. Whether backdating can be considered, that is something that we would have to look at when we review this; I cannot make a commitment to that at the moment because I do not know the full facts. What I can say is, as I have said before, that I recently became aware of this and obviously I intended to look into it, to ask officers to review it and ...

**The Bailiff:**

I am sorry, Minister, your time is up.

**The Connétable of St. Peter:**

Thank you.

**Deputy J. Renouf:**

Can I raise a point of order?

**The Bailiff:**

Yes.

**Deputy J. Renouf:**

Can I ask, where Ministers have spoken for longer than the allotted 1½ minutes do you have the facility to increase the time available for questions to that Minister?

**The Bailiff:**

No, I am afraid not, Deputy. The view I take is that if I have caused the injury time by, for example, ruling on a point of order which has not been used for questions and answers, then I will allow a certain amount of time for that. But if it is the case that either those posing questions are not disciplined and ask long and convoluted questions or, more so, those giving answers which are not succinct and could have been done much shorter, I am afraid there is no facility. Which is why I do try and warn those answering questions more generally, that when they are exceeding the norm for answering questions and because the nature of delivering a long answer is that, quite simply, fewer people get to ask questions. That is not the principle that question time in the Assembly operates to. But I am also conscious of the fact that it is still moderately early days for Ministers dealing with questions without notice because they come on a rotational basis. It may be, therefore, that a certain amount of leeway is not unreasonable in the circumstances.

**5. Questions to Ministers without notice - The Minister for Education and Lifelong Learning**

**5.1 Deputy S.M. Ahier:**

The pupil-teacher ratio has decreased from 16 pupils per teacher in 2012 to 13 per teacher in 2024, while the number of teachers has increased over that period. Does the Minister believe that schools are now overstaffed?

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

To put my answer quickly, no I do not.

### **5.1.1 Deputy S.M. Ahier:**

How many more teachers does the Minister believe that the schools need?

### **Deputy R.J. Ward:**

That is almost an impossible question to answer without knowing the cohort and what needs will be required. What I will say is the nature of education has changed, particularly in the last 10 years, with a much greater identification of need and much more addressing of that need. I wonder whether the Deputy's figures include teaching assistants in terms of the ratio, because there has been an increase in teaching assistants, and I think it may well include that data. I am not questioning the Deputy's data, I am just asking him to question that himself. That means there are more young people served with one to one or short group support within the classroom, and that enables them to access education. That is a really key thing. So if that is what the numbers are - and I believe that is where it may be - I think we just need to look at the needs that are available.

### **Deputy L.M.C. Doublet:**

Sir, Deputy Gardiner had her light on for quite a while before me.

### **The Bailiff:**

I am afraid I did not see Deputy Gardiner, but I am perfectly happy to ... there will be time. I am perfectly happy to call upon Deputy Gardiner in due course, but I am afraid it is as is where is and when I see the light come on.

### **5.2 Deputy L.M.C. Doublet:**

Is the Minister aware of what policies our schools have around the use of smartphones on school premises, either in lessons or outside of lessons? What does the Minister think schools should be doing with smartphones?

### **Deputy R.J. Ward:**

I genuinely thank the Deputy for the question because what happens at the moment ... the responsibility around smartphones really is to do with each individual school and I think that developed during the increase in what was referred to as autonomy in schools. I do believe that schools are doing their best in terms of use of smartphones; it is very difficult to police. Young people have smartphones at an early age, particularly in secondary schools, and there are good reasons to have a smartphone. You can contact parents on your way home, et cetera, and there is a safety feature. Many schools have a rule whereby smartphones are not used in classrooms; as simple as that. It may seem an idea to say: "All smartphones will be taken into the school office at the beginning of the day." I was in a school once that tried that; it lasted 2 days because 826 smartphones had to be accounted for within the first few minutes of the day. It does not work. We also do rely on parents, and I think that is an area that we need to work with, educating and working with parents in that partnership with schools to look at the best use of smartphones and the risks around them, let us be honest about it.

### **5.2.1 Deputy L.M.C. Doublet:**

Would the Minister agree to work with the Minister for Children and Families to understand the body of evidence around this and take on the serious consideration whether some policies need to be put in place in schools to protect our children across all schools?

### **Deputy R.J. Ward:**

Yes, absolutely. I think the Children's Commissioner would be exactly the route to take. I would be wary about blanket policies in schools in terms of smartphones for all schools because it depends on what is being delivered as well. For example, within I.T. (information technology) when I was teaching I know that we were starting to develop a thing called Quizlet, which is a really good way of getting students engaged at the end, and for the last 5 minutes we might say, right, it is a way of

going through information, so we need delicate balance to have. I believe as well that it is beyond just the use of smartphones; I think we need more intelligent policies - let me use that word - on screen time in schools as well. Because it is the nature of modern education, unfortunately, but there is a balance to be struck there. I would also say again I think it is so important that parents understand what is happening with their children and smartphones. There were some quite worrying headlines in the press yesterday and today.

### **5.3 Deputy K.L. Moore:**

Does the Minister agree that the La Passerelle Primary, Springfield School and Janvrin School replacement projects should be placed on hold to make way for a skate park and a youth club on the Gas Place site?

### **Deputy R.J. Ward:**

I do thank the Deputy for this question. No, I do not agree. I brought the original amendment to the bridging Island Plan to rezone Gas Place.

[12:15]

I have been to La Passerelle Primary School and so, again, I would like to have an open invitation to any Member who wants to see the reality of what is happening in schools and the miracles that some schools are working with their young people. We desperately need to replace La Passerelle as part of the new development at Gas Place; that is in train. We do need to work on that and do it quickly. Every Member is entitled to bring propositions but just as much as that, as a Minister, I am entitled to say I simply do not agree with it.

### **5.4 Deputy L.K.F. Stephenson:**

Is the Minister confident that our children are getting enough sport and physical exercise opportunities at school and of a high enough quality?

### **Deputy R.J. Ward:**

That is a good question. P.E. (physical education) is not my specialist subject and I have covered it in my time but there you go. I think there is a set curriculum in school, certainly in primary and secondary schools in terms of delivery of P.E. One of the big obstacles to delivery of P.E. is not simply time but it is facilities. I am not trying to shoehorn this in but I have to say it, in some of our town schools where there simply is not the space that is necessary, they are having to deliver P.E. in spaces that are simply not suitable for our young people; that would be the biggest risk to the delivery of P.E., I think, in our schools. The sooner we get on with improving those facilities the better. However, the schools do undertake really good projects with the work of Jersey Sport as well with delivering some of the P.E. in schools. There is a dedicated P.E. lead in each year group, I believe, in primary schools and in secondary schools of course. We have P.E. teachers and P.E. on the curriculum all the way through key stage 3 and key stage 4, both for G.C.S.E.(General Certificate of General Education) and as a compulsory part of the curriculum in key stage 4.

#### **5.4.1 Deputy L.K.F. Stephenson:**

Does the Minister have any plans to review any part of the current curriculum or the model, which I believe is quite a hybrid one where schools decide how they spend their money and whether they bring in coaches from Jersey Sport, for example?

### **Deputy R.J. Ward:**

I sort of get a shudder down my spine when I hear the word “review”, to be honest. But I think what I would like to do is ensure that we have a better understanding of the success or not of those models. If they are working let us continue them, if they are not working let us look at replacement. I do not think one size fits all for our schools at the moment because of the nature of the facilities that they have. We have to be quite smart and adaptable in what we provide. Yes, I am happy to look at that.



I think a full-scale review is not necessary but I think as part of the development of Jersey curriculum as well, which is ongoing, it will be something that we need to look at.

**5.5 Deputy I. Gardiner:**

Following Deputy Moore's question, would the Minister confirm that he does have the support of the Council of Ministers to progress with the building of the school at Gas Place?

**Deputy R.J. Ward:**

I believe that is the case. We have not been to the Council of Ministers with this, simply because I believe it was government policy which we agree with. I am happy to go back to the Council of Ministers to get that support because I believe I have a very, very, very, very, very - how long have I got, one minute, 30 seconds, keep saying very - strong case to support the development of a new school. Indeed my list of reasons for the school, which is in very small font - and to be honest with you it is too small a font for me - is here. I will not read them all out because that will take up the rest of this 15 minutes of time. There are significant reasons for that school happening and I firmly believe I can get the support of the Council of Ministers, and I believe that is where we need to go forward.

**5.6 Deputy J. Renouf:**

Continuing on that theme, there are at least 2 formal steps that will have to be taken to progress that school; one is to submit a planning application, one would be to buy the site from Andium. Can he provide any update on the timetable for doing either or both of those?

**Deputy R.J. Ward:**

No, I cannot provide a formal update. However, one of the first things I have done is to sit down with officers and say: "We need to push this project along as quickly as we possibly can." There was a meeting the other day between myself, the Minister for Infrastructure and Minister for Justice and Home Affairs where we talked about the wider projects as well in terms of Rouge Bouillon. It was a very pleasant end to that meeting where we had absolute common agreement on the way forward, not just for the next 2 years, not for the next 10 years but up to the next 40 years in terms of the provision of schools, ambulance, fire in the centre of St. Helier, and so that is one of the larger projects that we have. But, yes, I would like to pursue as quickly as possible the purchase of the land and the planning permission. I really hope that we can have that at least at the latest in place before the next election, so it is not an election issue and then we can get on with providing that.

**5.6.1 Deputy J. Renouf:**

Will he undertake to keep the Constable of St. Helier informed of his plans for those steps?

**Deputy R.J. Ward:**

It is always a pleasure to meet with the Constable of St. Helier. We get on very well. We may have a difference of opinion on this but absolutely and indeed I would like to keep the Assembly informed. But most importantly I would like to keep the schools and the children informed as to what is going on.

**5.7 Deputy G.P. Southern:**

What plans does the Minister have under consideration in order to increase and improve equality in our school system?

**Deputy R.J. Ward:**

One of the things that happens, and there have been actions, and that I am very pleased to support is the funding formula changes. What they did was they took the funding of schools just beyond the A.W.P.U. (Average Weighted Pupil Unit) to a much wider definition, which recognise the difference in need across our schools. Funding goes specifically towards need, as well as the number of pupils,

the surface area of the school, the number of staff, et cetera. What that has done, that has focused funding into areas of more need in our 11 to 16 schools, for example. I think that has improved the level of equity in terms of funding to begin with. The second thing we need to do in that area is we need to look at our curriculum and we need to recognise that there is a false distinction between vocational and academic education and that one size does not fit all in our education system, thus, the lifelong learning remit, which I am very pleased to try and pursue.

### **5.8 Deputy H.L. Jeune:**

The Minister has outlined to the Assembly his priority to deliver a new primary school in North St. Helier but where within his priorities does the delivery of a youth centre in north St. Helier lie? Could he give us an update on that?

### **Deputy R.J. Ward:**

I am obviously very keen on a youth facility in north St. Helier. That is a delegated responsibility from the Minister for Children and Families to Deputy Ferey, and I know that he is pursuing that. We communicate each week when we have our Ministerial meetings. We have a 30-minute overlap so we can communicate with each other but I know that is being pursued. Personally, I still hang on to Nelson Street as a site because that was in the Island Plan, but I hang on to a lot of hopes in this role and in my job. But I think there are other facilities that are becoming available that may work. But, yes, I am very hopeful for a youth facility in the centre of St. Helier, simply because there were so many homes being built in that area; we need our children to have facilities.

### **5.8.1 Deputy H.L. Jeune:**

I completely agree with the Minister that due to the number of homes there does need to be a youth facility. Will the Minister be able to tell the Assembly that he will push the Assistant Minister to deliver plans as quickly as possible and at least within the next year?

### **Deputy R.J. Ward:**

He is not my Assistant Minister but I do not think I have to push him because I think he is behind it as well. Yes, absolutely and that is something that we do want to do. I think what we have in the centre of St. Helier is the need to have some really joined-up thinking about the provision in terms of a new school, which opens up other areas around Rouge Bouillon area, that produces a new park at Springfield so we have more green space, a youth facility that provides for the young people in the growing catchment area and the growing numbers who are being concentrated into the centre of town because of building. I think that we are starting to get that plan together and really look at ways forward, not just for this term but way into the future. We have to think long term when it comes to education and young people.

### **The Bailiff:**

There is no time for a further question to this Minister. You have 30 seconds, Deputy Coles, do you have a 5-second question?

### **5.9 Deputy T.A. Coles:**

Given the plans to increase the statutory age of education to 18, what plans does the Minister have to make sure this education is inclusive?

### **The Bailiff:**

Fifteen seconds, Minister.

### **Deputy R.J. Ward:**

Again, it is that division between vocational and academic education, which is somewhat false, so we need an education system up to the age of 18 that meets our needs, meets the needs of young people and is focused on the needs of this Island and the future of this Island way beyond my term.

**The Bailiff:**

Thank you very much. That is within about a second, I think that was, of the time available.

**6. Questions to Ministers without notice - The Chief Minister**

**The Bailiff:**

The final period of questions is, as usual, to the Chief Minister.

**6.1 Deputy S.M. Ahier:**

With the release of the labour market report today it is noted that there has been an increase in 450 jobs in the Government of Jersey. How does the Chief Minister justify this figure?

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

I cannot really justify that figure but I would remind the Deputy that, to the best of my knowledge, the labour report refers to December 2023, before this Government took office.

**6.1.1 Deputy S.M. Ahier:**

Will the Chief Minister, under his term of office, be increasing the amount of employees by the same amount and is this what he regards as reprioritising spending?

**Deputy L.J. Farnham:**

No. If I may draw the attention of the Deputy to our proposed Common Strategic Policy priorities - and I am looking for it here, I cannot find it without my glasses - is to curb the growth in the public sector is one of our key priorities. It is the age, I am afraid, sorry.

**6.2 Deputy T.A. Coles:**

Given that the C.S.P. pledges to keep increases in government fees and charges low, why has the Government raised parking fees by 7.22 per cent when Jersey's inflation was only 5.7 per cent?

**Deputy L.J. Farnham:**

That is a debate with the Minister for Infrastructure I had this week. There was a decision to do that, so it was made and put in train in January and we did when the R.P.I. (retail price index) was much higher. As it happened, the timing of that, the announcement was made on the day that we saw welcome news that the R.P.I. was beginning to fall, by which place all the arrangements had been made for the 7.7 per cent increase. We would, I think, have, had we foreseen it, looked to changing that. But what I can say is that that extra increase is being used for much needed capital investment in new parking law provision for electric vehicles and additional road safety measures while the department are doing work on the road safety strategy. I can also confirm that the Minister for Infrastructure has undertaken to make sure that the parking increase next year is much, much lower and will go some way to compensating for the slight increases over R.P.I. this time.

**6.2.1 Deputy T.A. Coles:**

Given that the R.P.I. figures are produced regularly and quarterly, that maybe communication is the key problem with this as well with any parking strategy, road safety strategies, does the Chief Minister commit to better communication?

**Deputy L.J. Farnham:**

We always learn and we are always caught occasionally with funding like this. Yes, I undertake to continue to learn and I am learning daily on this job.

**6.3 Deputy J. Renouf:**

We heard earlier that the Chief Minister wants to help businesses adapt in the short term to rises in the living wage. Why is his Government not prepared to provide the same bridging help for EVie,

the Island's main shared transport provider, given the high priority that the Sustainable Transport Policy places on active and shared transport?

**Deputy L.J. Farnham:**

Deputy, repeat the question.

**The Bailiff:**

Can you repeat the question, please, Deputy?

**Deputy J. Renouf:**

We heard earlier that the Chief Minister wants to help businesses adapt in the short term to rises in the living wage. Why is his Government not prepared to provide the same bridging help for EVie, the Island's main shared transport provider, given the high priority that the Sustainable Transport Policy places on active and shared transport?

**Deputy L.J. Farnham:**

To be clear, by introducing the living wage we are putting, by law, increased costs on to businesses that operate specifically in certain sectors, but that is why we are undertaking to provide bridging support in that instance. With EVie that is not the case. I do not know the detail but I think the Infrastructure alluded to it and I align with his thoughts, despite the fact that EVie is a very welcome and innovative business, it embraces its environmental credentials. I do not believe it is in difficulty for any government policy or any further cost we are imposing upon it.

[12:30]

**6.3.1 Deputy J. Renouf:**

In his statements regarding the C.S.P., the Chief Minister said that the Government should focus on doing less. Are we now seeing the first fruits of that strategic focus on doing less and that, as a result, is he content that this means less in terms of supporting sustainable transport providers in?

**Deputy L.J. Farnham:**

No, the aim is to do less, be more productive and produce more results; that is why we have selected 12 key priorities that we can deliver. Rather than a wish list of 100 or so, which we could not.

**6.4 Deputy H.L. Jeune:**

Will the Chief Minister advise if he has spoken to his counterpart in Guernsey to express concern with regard to the current border imposed between Jersey and Guernsey by the Guernsey Border Agency for those wishing to visit by pleasure boat or tour operator? If yes, what is the outcome of the discussion; if no, why not?

**Deputy L.J. Farnham:**

Not yet. The Minister for External Relations has just become aware of that and we are waiting a briefing but we will be having those discussions in due course, along with other discussions of mutual interest with our neighbours in Guernsey.

**6.4.1 Deputy H.L. Jeune:**

Is the Minister aware that tour operators are saying it is easier to travel to France than our sister islands? With the news that the Government may not pursue the extension of the French visitors I.D. scheme beyond September, which will mean no reciprocal arrangement for Jersey residents, so this route will also become harder for tour operators, will the Chief Minister explain what he is doing to support the Jersey tourist industry, specifically small businesses operating tours now they, potentially, will lose further business due to the actions of this Government?

**Deputy L.J. Farnham:**

I am not sure if I agree that it is easier to travel to France than Guernsey but we will keep a close watch on that. Inter-island travel is essential to the Channel Island economy, and I know that is something that the Minister for Sustainable Economic Development is alive to. The Minister for Justice and Home Affairs I think is aware, as I am aware, of concerns over all the importance of allowing ease of transport between France and Jersey. We have had limited success with the identity card scheme; we would like to extend that. But due to reasons outside of our control that might be difficult. But I will assure Members that we will do everything we can in the interests of Jersey, in the interests of supporting our hospitality sector. We are watching that particular issue very, very closely. As I said, to reiterate, we will do what we can to help if we can, but this is a matter that has become particularly relevant post-Brexit and it is causing great difficulties.

**6.5 Deputy M. Tadier:**

Following this Assembly's debate and decision in February on a ceasefire in Gaza, I understand that the Government has sent a letter to the U.K. Minister for Justice on 13th March confirming and notifying him of that decision. Will the Chief Minister agree to publish that letter?

**Deputy L.J. Farnham:**

I did discuss this recently with the Minister for External Relations and he said he would be pleased to publish the letter if requested by States Members. As I, I think, qualify as a States Member, can I request that he publish the letter?

**6.5.1 Deputy M. Tadier:**

It is good to have friends in high places. Could I ask why he thinks that the Minister gave a statement earlier on in the week saying that there were currently no plans to publish the letter and it was not normal for the publishing of Government to Government letters when clearly this is something of public interest? It means that we have to go slightly around the Houses to get, I think, something that should automatically be in the public domain.

**Deputy L.J. Farnham:**

Of course, the Minister for External Relations was quite right, it is not the normal protocol to publish letters between Governments. I remember that because I wanted to see the letter that was sent to the Faroe Islands but I understood was bound to protocol, and that the Minister for External Relations was rightly aligned to that. But given the importance of this matter and the importance of it to many Islanders, and I believe he has sought the views of the U.K. Government and I believe they are comfortable with that position, and on the back of that the Minister will act accordingly.

**6.6 Deputy I. Gardiner:**

Would the Chief Minister confirm that him and his Government are fully behind the Minister for Education and Lifelong Learning for building a primary school in St. Helier?

**Deputy L.J. Farnham:**

I sort of aligned to the comments of the Minister for Education and Lifelong Learning earlier. What we are alive to, as a Government and Assembly, is that we have 2 challenges. There is a drastic shortage of green space and park space in St. Helier and we desperately and urgently need a new school to replace older schools, and possibly more than that. The Minister for Education and Lifelong Learning is quite right, we need to take that to the Council of Ministers. I understand that is being planned, so that the Council of Ministers can put this to rest, make a decision and move forward appropriately. But I do reiterate both matters are urgent, as a political juxtaposition. But I am sure we can find a good solution and one that the Assembly will support.

### **6.6.1 Deputy I. Gardiner:**

On 7th February, the Chief Minister confirmed that he did not put anything on hold and he would like to have a reassurance. After 3 months it is not enough for the Council of Ministers to make the decision that the Gas Place school should be progressed and start to be built?

### **Deputy L.J. Farnham:**

The Deputy, with the greatest respect, is reacting to newspaper headlines and has gone on the front foot with it. We do not work that way. We work in a collegiate way. We work in a planned way. I did not put anything on hold because there were no plans in place. There were ideas supported by the Minister for Education and Lifelong Learning and the previous Government. But a new Government is now in place and we have not put anything on hold. We have not slowed anything up. But it is clear, because there are opposing views between the Constable of St. Helier and the Minister for Education and Lifelong Learning, we need to resolve this pretty quickly so we know in which direction we are heading. But I reiterate we accept and understand the urgency for a new school. The Minister for Education and Lifelong Learning and I visited a number of schools to see first-hand the challenges they are having but also recognise that we need more green space in St. Helier.

### **6.7 Deputy D.J. Warr:**

Just following on from that, in interview with the *J.E.P. (Jersey Evening Post)* the Assistant Minister for Infrastructure spoke about his plans for a new indoor skate park for town. Is the Chief Minister aware that there are also 4 vacant family homes with walled gardens that could be brought back into use on this site? If the alternative vision that the Assistant Minister is proposing were pursued by the Council of Ministers, would he not agree with me that bringing vacant homes back into use is an excellent way to make the best use of our built environment?

### **Deputy L.J. Farnham:**

I was not aware there were vacant homes there and in some instances it can be the best use of housing but not in all instances. I think in the instance we are referring to there, a greater and more detailed debate is required to make sure we do the right thing.

### **6.8 Deputy K.L. Moore:**

Following the Minister's responses, could he confirm please that the planning application was being drawn up for the Gas Place school and due to be presented in July, I believe, so he could confirm that? Also, in last year's Government Plan, could he also confirm to the Assembly that there was an allocation for additional parks to be created once the school was built on the Springfield School site and also adjacent to the Le Bas Centre?

### **Deputy L.J. Farnham:**

Yes, I understand there are opportunities for increasing green space at Springfield School and the Le Bas Centre. I understand that perhaps would produce more green space in extending the park. I did not know how much progress had been made with putting plans together, a proper plan for a planning application but of course we cannot make a planning application and really we do not own the land yet. The land is owned by Andium, so that is where we are with it.

### **6.8.1 Deputy K.L. Moore:**

Perhaps the Minister might agree that in future he would take a little more care, rather than simply inaccurately claiming that things had not been done by the previous Government.

### **Deputy L.J. Farnham:**

No, I do take care before I make comments on the previous Government but I undertake to continue to take care. I treat Members and this Assembly with respect and that will always be the case. Sometimes ...

**The Bailiff:**

Fifteen minutes, that is your time I am afraid.

**Deputy L.J. Farnham:**

It went very quickly today, Sir, thank you.

**The Bailiff:**

Very well. There is no longer to be a statement made by the Minister for Health and Social Services and, therefore, we would move normally on to Public Business. Is the adjournment proposed?

**LUNCHEON ADJOURNMENT PROPOSED**

**The Bailiff:**

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

[12:40]

**LUNCHEON ADJOURNMENT**

[14:15]

**PUBLIC BUSINESS**

**7. Draft Income Tax (Payment of 2019 Liability) (Jersey) Amendment Regulations 202-(P.16/2024)**

**The Bailiff:**

We continue on the Order Paper with Public Business. The first item of Public Business is the Draft Income Tax (Payment of 2019 Liability) (Jersey) Amendment Regulations, P.16, lodged by the Minister for Treasury and Resources. The main responder will be the chair of the Corporate Services Scrutiny Panel. I ask the Greffier to read the citation.

**The Deputy Greffier of the States:**

Draft Income Tax (Payment of 2019 Liability) (Jersey) Amendment Regulations 202-. The States make these Regulations under paragraph 23 of schedule 5 to the Income Tax (Jersey) Law 1961.

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

In 2020 the States agreed a package of measures to help people financially during the COVID pandemic. Part of that package was the abolition of the prior year basis of paying income tax, which marked a significant modernisation of the tax system. As a result, around 31,000 taxpayers had their 2019 personal tax bills frozen for payment at a later date. The regulations that were adopted by the States provided for generous terms of payment with 2 broad options. Affected taxpayers have the choice to make regular payments over many years to spread the cost or they could pay in a lump sum within 12 months of their retirement. In either case no interest or penalties would apply. Taxpayers also have the option of paying some or all of the bill at any time if they have the means and there is a payment service available online. Although the indications are that we may be over the worst of the recent high inflation, we are proposing a 2-year postponement to the start and end dates of the payment terms. Without these amending regulations those who want to make regular payments by instalments would need to start making payments next year and there would be a 30th September deadline this year for electing how to pay. Ministers are mindful of the continuing cost-of-living pressures on Islanders caused by the recent high inflation and increased interest rates. Adopting these regulations would mean that people who elect for instalments will not have to start making payments until 2027, with the final payment date being pushed back from 2041 to 2043. The Treasury has confirmed that this deferral is manageable in cash-flow terms because there is a steady flow of income coming in from those who are already paying upfront or as circumstances change. I ask States

Members to support these amending regulations today, which would provide a little more breathing space for those Islanders under financial pressure. I make the proposition.

**The Bailiff:**

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

**7.1.1 Deputy S.M. Ahier:**

I must admit that I have serious concerns about this proposition. We are being asked to once again delay the repayment of the 2019 tax liability. This of course is not the first time that such a *volte-face* has been proposed and I am becoming increasingly concerned about the extent of this postponement. It is noted in the proposition that around 3,000 people have already chosen to settle their 2019 tax bill; they ought to be congratulated for their social conscience. But I wonder what those taxpayers will be thinking when they see that yet again the rest of the population who owe money to the Tax Department are being allowed to defer payment of the monies owed. We have to accept that if this proposition is approved there will be financial ramifications. Inflation is running at higher levels than was expected when the original liability defer was brought to this Assembly. Each year that repayment is deferred will decrease the value of those monies due to the inflationary impact. R.P.I. has increased by roughly 30 per cent since 2019 and every year that we continue to prevaricate we will see further inflationary rises and, therefore, less revenue in real terms to the Treasury's coffers. Although the official line from the Treasury is that the proposition is manageable fiscally in cash flow terms, it does not specify how much income will be lost through any further demurral. The crux of the report for me is part 9, which states that: "The proposition will also provide more time for the successful implementation and resourcing of the payment scheme." This, in my interpretation, means that the Treasury are unable to or unwilling to fulfil the wishes of this Assembly when we voted for the Income Tax Law (Amendment No. 46) (Jersey) Law 2021. I believe that this is fiscally imprudent and I will, therefore, not be supporting this proposition and I encourage others to do the same.

**The Bailiff:**

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

**7.1.2 Deputy E. Millar:**

I thank the Deputy for his comments. I do not agree that this is any kind of *volte-face*. We are not changing anything about this arrangement. We are simply deferring payment terms by 2 years. There is otherwise no change, there is no change to the payment terms, there is nothing stopping people paying now if they wish to. I think the lost income is probably going to be negligible because people do pay. If people leave the Island their debt becomes payable immediately and becomes payable immediately on death. There will be a flow of people paying income as we go forward. We have payment terms to help people who are struggling. I accept there will be some help to the I.T. in Treasury making sure that it is absolutely ready to deal with this, that that is not the reason for making this; that is a kind of additional benefit if you like. This is really designed to help individuals who may be struggling to start paying their tax in the next year or 2 to give them a little bit more breathing space and they will then start in 2027. I think that is a reasonable measure that Treasury can make in contribution to helping Islanders with the cost-of-living crisis, as the Government has committed to doing in the C.S.P. Again, I make the proposition.

**The Bailiff:**

Do you maintain the principles? Yes. Those Members in favour of adopting the ... the appel is called for. I invite Members to return to their seats and I ask the Greffier to open the voting. The vote is on the principles of P.16. If Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. The principles have been adopted.



<b>POUR: 40</b>		<b>CONTRE: 4</b>		<b>ABSTAIN: 0</b>
Connétable of St. Helier		Deputy S.M. Ahier		
Connétable of St. Lawrence		Deputy K.L. Moore		
Connétable of St. Brelade		Deputy K.M. Wilson		
Connétable of Trinity		Deputy M.B. Andrews		
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 C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy L.J Farnham				
Deputy S.Y. Mézec				
Deputy P.M. Bailhache				
Deputy T.A. Coles				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy L.K.F Stephenson				

**The Bailiff:**

Does the Corporate Services Scrutiny Panel wish to call this matter in, Deputy Miles?

**Deputy H. Miles (Chair, Corporate Services Scrutiny Panel):**

No, thank you, Sir.

**The Bailiff:**

How do you wish to deal with the matter in Second Reading, Minister?

**7.2 Deputy E. Millar:**

May I propose the regulations *en bloc*, Sir, please?

**The Bailiff:**

Are the regulations seconded for Second Reading? [**Seconded**] Does any Member wish to speak on the regulations or any of them? If no Member wishes to speak, then I close the debate. Those in favour of adopting the regulations in Second Reading kindly show. Those against? The regulations are adopted in Second Reading. Do you propose in Third Reading, Minister?

**7.3 Deputy E. Millar:**

Yes, please, Sir.

**The Bailiff:**

Are they seconded for Third Reading? [**Seconded**] Does any Member wish to speak in Third Reading? If no Member wishes to speak in Third Reading, then I close the debate. Those in favour of adopting in Third Reading kindly show. Those against? The regulations are adopted in Third Reading.

**8. States of Jersey Development Company Limited: re-appointment of a Non-Executive Director (P.17/2024)**

**The Bailiff:**

The next item is the States of Jersey Development Company, re-appointment of a Non-Executive Director, P.17, lodged by the Minister for Treasury and Resources. The main responder is the chair of the Corporate Services Scrutiny Panel and I ask the Greffier to read the proposition.

**The Deputy Greffier of the States:**

The States are asked to decide whether they are of opinion - (a) to reappoint Carolyn Dwyer as a Non-Executive Director of the States of Jersey Development Company Limited for a further period of up to 3 years in accordance with the Memorandum and Articles of Association to take effect from the delivery to the company of the notice referred to in paragraph (b) below; and (b) to authorise the Greffier of the States, for and on behalf of the States, to deliver a notice to the States of Jersey Development Company Limited in accordance with Article 21(b) of the Memorandum and Articles of Association to give effect to the appointment.

**8.1 Deputy E. Millar (The Minister for Treasury and Resources):**

This Assembly approved at our last sitting the appointment of a new chair and a new non-executive director to the board of the States of Jersey Development Company. Those appointments resulted in a board that is gender-balanced and has an equal split between Jersey and non-Jersey resident directors. Today I stand to recommend to the Assembly a proposition that will see one of the existing non-executive directors reappointed to the S.o.J.D.C. (States of Jersey Development Company) board. The proposition requests Members to approve the reappointment of Carolyn Dwyer. Ms. Dwyer's biography speaks for itself in terms of the depth of her significant relevant experience. I do not believe in automatic reappointments simply because someone has served one term. I will challenge boards what each appointee contributes and will contribute to the board and the company as a whole in the future. My officers have looked back at the criteria applied in the recruitment campaign that resulted in Ms. Dwyer's original appointment approved by this Assembly in April

2021. At that time the S.o.J.D.C. board were keen to attract a particular skillset when appointing a new non-executive director focused around place-making and regeneration, a candidate who would bring with them an extensive track record, network and knowledge of best practice, innovation and creativity in the space. I can advise Members that Ms. Dwyer's role on the board is very much focused around E.S.G. (environmental, social and governance), particularly on the S, with a high focus on place-making and social value, something which she is very passionate about. Her background at the built environment in the City of London informs her focus on advocating for public realm and inclusive spaces. She regularly challenges the board to consider the community and how S.o.J.D.C. can benefit people in both policy setting and strategy discussions, as well as project development decisions. I believe that Ms. Dwyer will continue to contribute greatly to the work streams that the company has in progress and future projects. Members will have seen that I have lodged a proposition recommending the approval of new Articles for S.o.J.D.C., which are consistent with the Articles adopted at the last sitting of the Assembly for Andium and indeed the other States-owned entities. The net effect of these new Articles would mean that, similar to the other States-owned entities, appointments and reappointments like this will not be required to come to the Assembly going forward. Following the discussion at the last sitting, I can also confirm to Members that I have met with the new chair this week and that we will be meeting again, probably several times now, to really look at the focus of S.o.J.D.C. going forward, what its remit is, how it is delivering against that remit and to consider whether it is still appropriate and to bring any potential changes back to the Assembly for consideration. We have listened to the views of the Assembly a fortnight ago and we will be taking that forward in a constructive way. I make the proposition.

**The Bailiff:**

Is the proposition seconded? **[Seconded]** Does any Member wish to speak on the proposition? Those in favour of adopting the proposition kindly show. Those against? The proposition is adopted.

[14:30]

**9. In Vitro Fertilisation (I.V.F.) Funding (P.20/2024)**

**The Bailiff:**

The next item is In Vitro Fertilisation (I.V.F.) Funding, P.20, lodged by Deputy Stephenson. The main responder will be the Minister for Health and Social Services. There is an amendment from the Minister for Health and Social Services. Deputy Stephenson, do you accept that amendment?

**Deputy L.K.F. Stephenson:**

No, I do not, Sir.

**The Bailiff:**

You do not accept that amendment. Then we will deal with the amendment separately. I ask the Greffier to read the proposition.

**The Deputy Greffier of the States:**

The States are asked to decide whether they are of opinion - to request the Council of Ministers to commit to improving funding for In Vitro Fertilisation (I.V.F.) treatment, removing the current means-tested model and ensuring any new funding model reflects National Institute for Health and Care Excellence (N.I.C.E.) clinical guidance and to ensure that such funding is included within the proposed Government Plan 2025-28.

**9.1 Deputy L.K.F. Stephenson:**

I am going to start today in the same way that I started my proposition, and that is with a declaration, that I am a founding governor of the local fertility support charity, Tiny Seeds, and have lived experience of infertility and I.V.F. I have no financial interest, however, and made working towards a fairer funding model for I.V.F. part of my manifesto. It is not that many years ago that women in

Jersey who were struggling to get pregnant or who had sadly lost babies were sent to antenatal or maternity for treatment or assessment. They were often left to sit in waiting rooms full of heavily pregnant women, to be asked how far along they were. Being treated in labour rooms where they would have given anything to be delivering a baby, rather than fighting to get pregnant in the first place. Clearly, this was unacceptable and I am pleased to say we have come a long way since then. A large part of that progress made has been thanks to our very own Constable of St. Martin who worked with others to campaign for Jersey to have its own dedicated Assisted Reproduction Unit. That unit, dubbed the Clinic of Hope, opened in the 1990s and remains the Island's dedicated unit for fertility treatment, carrying out some fantastic work and supporting hundreds of patients every year. I feel very privileged to be stood in this Assembly today, alongside the Connétable, campaigning once again for better, fairer, more appropriate treatment for Islanders who need fertility treatment. There is a part of me, however, who finds it quite sad that it always seems to have been a fight, a battle to get there. Because infertility is a disease and it affects around one in 6 people in our community, and that is a conservative estimate. Some people would put it at more like one in 4. It does not discriminate, it affects men and women and it affects people from all backgrounds. Jersey's unique characteristics and demographics, including a higher maternal age average, means we are perhaps even more impacted by its effects than other jurisdictions. Taking the one in 6 figure, that is 8 of us in this Assembly and many more of our family, our friends, our colleagues; that is more than 1,300 of Jersey's civil servants, around 5 children in every class who will go on to be impacted during their lifetime. Even if you do not realise it, it is likely that you know someone going through or who has been through it and we are now at the stage where babies born via I.V.F. are adults living and working in our community, perhaps they are even starting and having families of their own. Infertility is not a niche subject, it is just one that is not talked about very often. A bit like mental health, for a long time there has been a stigma associated with the disease and fear and anxiety about talking about it. I first chose to speak publicly about my own experience of secondary infertility in 2020 as part of a campaign via the pages of the *J.E.P.*, seeking to get the Assisted Reproduction Unit reopened following the pandemic lockdowns. Clinics elsewhere had long since reopened but Jersey was slow to respond and patients were suffering. There was even concern that A.R.U. (Assisted Reproduction Unit) may be closed down altogether and once again it felt like a fight. The many messages, calls, emails and conversations which followed really did surprise me and they left a lasting impression, but in a hugely positive way. So many of those happy families that I had seen and envied on Facebook and Instagram and assumed had had it easy when it came to having their children, they had experience of infertility in some way and had fought their own battles. It really is true that you never know what is going on behind those social media images. There were so many A.R.U. babies out there, many, many others being longed for, so many people I knew who had experience of I.V.F. but who I have never spoken to about it. I suddenly felt far less alone, not quite as weird or like it was all my fault, no longer so isolated. It left me feeling quite empowered, which brings me on to today. As well as hopefully making a financial difference to patients, I hope that today this debate will go some way to helping those facing fertility struggles feel less alone. More seen and like we, as politicians, recognised and acknowledge at least some of what they are going through and the impact it can have on them personally but also on our community. At its heart this proposition asks that we recognise that infertility is a disease and that I.V.F. treatment should be offered to those impacted by it, in the same way any other healthcare treatment would be offered to Islanders. We do not means test any other type of healthcare, so why do we means test for this? Jersey is also believed to be unique in a European context in its means testing for access. My proposition asks for the current means-tested model to be removed. It is currently set at a level so low - household income of £40,795 and bear in mind that most people are couples going through treatment - that there is no record of anyone ever having qualified for it, certainly formally by the Health Department at least. To put that into perspective, even a couple working full-time for the minimum wage would not qualify for help. That barrier to access should be removed and means testing scrapped altogether and that is one of my concerns with the amendment, which seeks to change the wording from removing means testing to replacing the system, but I will come back to

that later. Instead I am asking Ministers to come up with a new funding model based on providing funding as per clinically-based N.I.C.E. guidance. That criteria currently states that women up to the age of 40 should be offered 3 full cycles of I.V.F. funded and women up to the age of 42 one cycle. I say “women” because although infertility can be a male factor, it is the women who go through the majority of the treatment. The Health Department would then develop its own policies around further access criteria built around that basic provision. For example, would it seek to limit access to only those without children already, to those who do not smoke, to those with a B.M.I. (body mass index) below a certain level? That is the approach taken in other places and the one that I propose we agree to today, that the Assembly agrees the basic principle that we follow the current N.I.C.E. guidance on 3 cycles and one cycle and that the department goes away and works out the finer details as part of the business plan it brings back to the Assembly as part of the Government Plan process. In an ideal world we would have no further restrictions on access but of course that would impact on affordability. Why should we fund treatment at all? There is a large amount of evidence and facts and figures contained in my report accompanying the proposition, and I do not propose that I am going to go into it all in detail. However, if Members do have specific areas or questions they would like me to provide more detail on in my summing up, please do let me know. Broadly speaking, there are 3 main areas I would ask Members to consider today. The first is medical; infertility is a disease, as defined by the World Health Organization, and we should be treating it in the same way we treat other types of health conditions. It also means that as we move forward with building and, hopefully, in the not too distant future agreeing a sustainable funding model for healthcare, then funding I.V.F. treatment should be factored into the equation. We should not be denying Islanders access to treatment because we have a historic problem with how we build and manage health budgets. The right to start a family is enshrined in local and international human rights law, with the Human Rights (Jersey) Law 2000 stating that: “Men and women of marriageable age have the right to marry and to found a family, according to the national laws governing the exercise of this right.” Providing fair and equitable access to fertility treatment should be considered in this context. The amendment describes I.V.F. as an expensive procedure. I would contend that many aspects of healthcare are expensive; hip replacements cost thousands of pounds, for example; lifelong diabetes care, significant amounts of money; every night spent in hospital has a cost attached to it and so on. At least with this proposal the ask is clear, it is defined in scope as well as time and provided to a section of the community which otherwise has a relatively low call on the healthcare purse at that point in their lives. It is also aimed at creating future taxpayers. The second consideration is financial; I.V.F. should not be a treatment that only the wealthy can pursue, yet we know that the current system prevents some Islanders from accessing treatment at all, while many others report being forced into debt or having to choose between trying to start to have a family and, say, buying a home. Some have even left or are considering leaving the Island for a cheaper way of life which will allow them to fund their treatment or because they know they can move somewhere with a more generous support system which will help them pay for treatment. I have come across people selling beloved possessions to fund cycles, including their homes, those forced to have longer than ideal breaks in treatment to be able to save up for their next cycle and that can be particularly problematic for those whose body clock literally is ticking, as fertility declines with age and even faster after the age of 35 and many, many cases of family and friends clubbing together to help a loved one go for treatment. We saw last week the latest birth rate figures for Jersey drop even further. A lot of the commentary online made a link with housing, with numerous people suggesting fewer Islanders were having children or less children or more were leaving it later in life because they could not afford a family home that had a bedroom for that child. At the very time that Islanders want to feel more financially secure and able to provide for a family, our current system is forcing many of those who require I.V.F. treatment into debt. By funding treatment we could help to ease this burden and give them a helping hand in the right direction. I cite in my report the Tiny Seeds cost-of-living survey undertaken last year, which quite clearly shows the impact of the financial pressures of treatment on Islanders. It highlights the psychological impact that these worries can have too; 96 per cent of respondents said their mental health had been negatively impacted by the cost of living specifically

in relation to their ability to pay for treatment. Fertility treatment on its own takes a toll emotionally on couples. We should be doing all that we can to ease the burdens which may make this worse, such as financially. There is also an economic case to consider. Those new figures I referred to, that were out last week, showed that there were 799 births in Jersey last year; the lowest for a long time and a 5 per cent drop on the previous year. The Island has a total fertility rate of 1.29 between 2021 and 2023. That is far below the replacement rate of 2.1 children per woman which is required to maintain a stable population. Our general fertility rate was 43, compared to England and Wales where the rate was 52. Our live births per 1,000 people was also lower than the U.K. and the proportion of babies being born to women ages 20 to 29 has declined significantly from 42 per cent to 24 per cent last year. The trends are clear, Jersey has a declining birth rate; a fertility rate below a demographically comparable jurisdiction just across the water; and women are waiting longer to have the children that they do have. Fertility declines with age and evidence shows that waiting until later in life to start a family can make it harder to conceive and lead to potentially more complicated, and that can also mean more costly, pregnancies and deliveries.

[14:45]

The latest statistics from that report last week on caesarean sections - and that showed there were 42 per cent of births between 2021 and 2023 resulted in caesarean section deliveries compared to 25 per cent in England - is testament to this fact, because there is often a link between maternal age and that type of delivery. At the same time, we know that our population is ageing and that there are significant concerns about whether Jersey will have enough working age people to be able to pay for the demographic bulge working its way through the system. If we are to truly start building a sustainable population which will not have to rely on mass immigration into the future, we need to start taking these figures seriously and considering what options there may be to addressing the falling birth rate. Providing better funding for I.V.F. treatment, so that we can help those Islanders who want to become parents but who need help, should be part of the response and seems a very logical and obvious place to start. You could also argue that Jersey has a duty more than most to help fund treatment, given its unique characteristics, which are contributing to the trends, such as the high cost of living, housing costs, the high female labour participation rate and so on. Finally, in an economic context, we should be considering our responsibility to help encourage today's working-age population to see a future in Jersey. I know of a number of people who have left or who are considering leaving the Island because of a lack of access to treatment. Some of them are working in professions where we are prioritising recruitment and retention, such as teaching and healthcare. Why am I proposing the N.I.C.E. guidelines? In answering this question, it will probably also answer why I have not accepted the amendment which removes the N.I.C.E. guidelines. N.I.C.E. are experts in evidence-based practice and value for money. It is their core purpose to help practitioners and commissioning bodies to get the best care for patients while ensuring value for money for the taxpayer. At its October meeting, the Health Advisory Board heard that the senior leadership team of H.C.S. had agreed to adopt N.I.C.E. guidance as their default position for clinical guidelines. The minutes from that meeting on 4th October state: "This does not mean that N.I.C.E. was not being used, rather this is now a clear statement that sets expectations." Currently H.C.S. is not able to provide assurance to the board regarding compliance. However, a piece of work to address this is planned for early next year. A process has been developed for any new guidance that is issued to ensure that it is incorporated into H.C.S. practice. It added that there may be legitimate circumstances where H.C.S. cannot follow N.I.C.E., but it was stressed that this must be discussed in an open and transparent way at the board, so that the people of Jersey know that they are getting what they should get, as dictated by the scientific evidence and, if not, it should be clear as to why they are not. N.I.C.E., the board heard, was adopted as H.C.S. clinicians are registered with the General Medical Council and are members of the Royal Colleges in the U.K. Jersey is not the N.H.S. (National Health Service), of course, and nor should we want or aspire for it to be, especially given its current challenges, and adopting N.I.C.E. guidance does not mean that is the intention. Instead, it is about tapping into a valuable resource for evidence-based clinical guidance which balances getting the best

care for patients with value for money and does so in the context of a system which our clinicians recognise and understand, given their registrations. That, to me, is exactly what we are trying to achieve here, so why would we not use it? We can also look to other jurisdictions for inspiration and guidance. Fertility Europe's European Atlas of Fertility Treatment Policies is a useful tool in that regard, and it is attached to my report in the appendix. In the last week or so it has been confirmed that Jersey will be officially featured in the next Atlas. Currently, we would be rated as very poor, alongside countries such as Belarus, Bosnia, Herzegovina, Georgia, Switzerland and Turkey. Belgium, Israel and the Netherlands and our near neighbour, France, all top the Atlas and are rated as excellent. Belgium provides funding for 6 cycles. Israel offers nearly unlimited free treatments to any Israeli woman up to the age of 45 until she has had 2 children with her current partner. Basic private insurances cover treatment towards the third and fourth children. The Netherlands also has an insurance-based system covering 3 cycles, while France provides funding for up to 4 cycles of I.V.F. treatment for all women. Because of Jersey's links with these places, I will also mention Portugal, which funds 3 cycles and Poland, which recently voted to reinstate government funding for I.V.F. starting from June, with up to 6 cycles covered. Finally on the N.I.C.E. guidance, updated N.I.C.E. guidance in relation to fertility treatment is due to be published in May 2025. While it is widely anticipated the new guidance will only improve what is offered to patients, the exact details are unknown. The scoping document for that piece of work indicates this direction of travel and states: "As part of the Women's Health Strategy for England, the Department for Health and Social Care has committed to removing non-clinical access criteria for fertility treatment and the requirement for self-funding for initial treatments, particularly in relation to female same-sex couples. My proposition is quite clear that it is asking for the current N.I.C.E. guidance in place today to be implemented. Any future updates to N.I.C.E. guidance should be considered by policymakers and the leadership of H.C.S. in due course, as we would expect they do when updates are made across all areas of healthcare. That is particularly important given the default position on N.I.C.E. being taken by H.C.S. as outlined by the Health Advisory Board. I am not asking Members to agree to guidance which does not yet exist. That would clearly be inappropriate. Reinforcing that clear position now also means that should this proposition be adopted then a robust business case can be brought forward as part of the Government Plan process based on a clear position. We do not need to wait for the updated guidance, which is more than a year away, to move forward. Such delays would be unnecessary and could mean patients having treatment delayed even further. Taking action and improving access as soon as possible should be a priority. Adopting the N.I.C.E. guidance that is in place today enables this to happen. At this point, I would also mention that I want to say thank you to the previous Minister for Health and Social Services for her time and support and working with me on this in our previous roles in Government. I spent a lot of time speaking to a lot of different people about this and was really pleased to get to the point that the Minister dedicated resources over the past year. The first meeting, when I looked back, was in April last year. Policy officers were working on it, researching, consulting and then there was a commitment from the previous Minister to bring forward a business case as part of the next Government Plan. Obviously things change, which is why I am here today with this proposition. Turning then to the cost, before I then finish. Estimating the potential cost of the new funding model, as proposed, is not an exact science. As individuals and cycles will each have an element of personal circumstances which could impact the cost. However, estimates can be made. Last year, 68 cycles of I.V.F. were facilitated via the A.R.U. for 51 unique couples. Prior to that, the 10-year average was around 129 cycles per year. Using the cost cited in my report, the funding required would be between £387,000 and £755,000 if all of those cycles were to be funded, which would be unlikely as not all would qualify. The Minister for Health and Social Services' amendment very kindly provides a useful calculation based on the Scottish system where the N.I.C.E. guidance is implemented in full. It is more appropriate and, I do not mind saying, does the best job yet in estimating the potential cost. By comparing Jersey's population size with Scotland, I estimate that there would be around 87 cycles of I.V.F. eligible for funding in Jersey annually if access criteria were applied which mirrored those in Scotland. On that basis, and using figures again from the Minister's amendment, it is estimated that the increase in funding required

would be around £617,744 a year. That is a potential average of £7,100 per full cycle, including frozen embryo transfer. That is potentially giving people more than one opportunity in a cycle to get pregnant. That works out as £21,300 for 3 full cycles. Split that between a couple over, say, 2 years, to allow for the cycles to take place over a reasonable time period, and that is just over £5,000 worth of benefit per person per year. I think it would be worth every single penny. I am conscious that I have spoken for a long time and thrown a lot of information at Members, but I do thank everyone for their time and attention and would repeat my offer to go into further detail in my closing speech if required. Thank you.

**The Bailiff:**

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

**9.2 In Vitro Fertilisation Funding (P.20/2024): amendment (P.20/2024 Amd.)**

**The Bailiff:**

There is an amendment to the proposition lodged by the Minister for Health and Social Services. I ask the Greffier to read the amendment.

**The Deputy Greffier of the States:**

(1) After the words: “funding for In Vitro Fertilisation (I.V.F.) treatment,” for the word “removing” substitute the word “replacing”. (2) For the words “and ensuring any new funding model reflects National Institute for Health and Care Excellence (N.I.C.E.) clinical guidance, and to ensure” substitute the words “bringing forward new access criteria that accord with good clinical standards and which has been subject to consultation, and ensuring.

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

I should probably start by commending the Deputy for making such a compelling case. However, once further evidence emerges here, Members might find that the amendment is yet more compelling. We would all agree that infertility is a disease that causes immense distress. The desire to have a child is a human experience for most people and while treatment is available it is costly and unaffordable for many. My proposed amendment does not deny that. It commits to improving funding for I.V.F. so that more Island residents can access the services they need to become parents, mainly free of charge. It also commits to replacing the current means testing model and to ensuring we provide the service that accords with good clinical standards. It does not commit to funding an I.V.F. service that accords with N.I.C.E. guidance before we have developed full access criteria. N.I.C.E. currently recommends, among other matters, that 3 full cycles of I.V.F. should be provided for women aged under 40 and one full cycle for women aged between 40 and 42. Scotland funds the N.I.C.E. recommended number of cycles, whereas in England only 3 of the 42 integrated care boards funds 3 cycles. N.I.C.E. guidelines are non-binding advice intended to assist the N.H.S. in exercising its duty to deliver services. N.H.S. trusts are not compelled to deliver against those guidelines where they are unable to do so, and that includes on grounds of costs. In Jersey we have committed to following N.I.C.E. guidelines, but that commitment is also non-binding out of necessity. We cannot offer what we cannot afford. As we know, H.C.S. is facing an estimated £18 million shortfall. I should repeat that, because that is a critical element in this debate; an £18 million shortfall. That overspend reflects increased demand for services, coupled with a historic tendency not to cost services properly or, in some cases, to implement or extend services with limited funding in place. Given the size of that overspend and the need to better manage costs, I contend that we need to develop full access criteria before making a commitment to deliver up to 3 rounds of I.V.F. for free. We need to be clear about who will get I.V.F. for free, who will not and why not. Scotland funds up to 3 cycles, but only for couples, whether heterosexual or same sex. By contrast, some areas of England fund less cycles, but may fund single women. Our Assisted Reproductive Unit currently funds I.V.F. medications for heterosexual and same-sex female couples and fertility preservation medications for people who had had cancer or for transgender people, but it does not fund single



women. The decision as to what is or what is not funded is custom and practice. It is not a decision of the Assembly or decision of any previous Minister. Access criteria matter. If you live in Cumbria you might get up to 3 cycles of I.V.F. for free, but not if you and your partner have a child from a previous relationship. If you live in Cornwall you might only get one I.V.F. cycle, but you will be entitled to it even if you have a child from a previous relationship.

[15:00]

Deputy Stephenson acknowledges the importance of these access criteria in her proposition and refers to the role they will play in managing demand for services. It is only right that we are transparent about these criteria up front and that we manage expectations. The proposed amendment also provides that we will replace the current means-tested model as the income threshold is clearly far too low, but it does not commit to removing the means testing in its entirety. We may, as a low tax jurisdiction, determine that we need to agree on means testing to manage the impact on the public purse. To be clear, this does not necessarily mean that we will means test, but that we may in some cases, depending on the access criteria that we develop. For example, we could fund 2 I.V.F. cycles for everyone who meets the access criteria but means test the third cycle. Deputy Stephenson asks us to commit to N.I.C.E. guidance, but N.I.C.E. is scheduled to publish new guidance in May 2025. We do not know what the changes will be, but N.I.C.E. are reviewing the following matters. A potential expansion of the definition of people with health-related fertility problems to include single people; people who are gender transitioning or who have gender transitioned; and people using a surrogate. This is in addition to heterosexual couples, people in same-sex relationships, and people preparing for cancer treatment that wish to preserve their fertility. They are also reviewing the procedures used in I.V.F. treatment, including use of procedures which incur additional cost. If we commit to N.I.C.E. guidance today, we do not know the cost of N.I.C.E. compliance next year or in future years. I.V.F. is not cheap, regardless of whether it is funded by individual people or the public purse. It is sometimes suggested that investing in free I.V.F. will help address declining birth rates and it will doubtless support more babies to be born in Jersey, unless it has the perverse effect of people thinking they can start families later, due to the I.V.F. safety net. The overall numbers from that will be small. It is likely that other interventions would be more successful in supporting parents to have more children or children at an earlier age, such as investing public monies in affordable childcare and initiatives that tackle cost of living. Deputy Stephenson's proposition estimates additional expenditure of around £390,000 to £750,000 per year if Jersey funds in accordance with current N.I.C.E. guidelines. Based on population predictions in Scotland, we estimate approximately £620,000 per year. However, both are basic estimates. Deputy Stephenson used historical costings provided by the department and, as a result, they do not factor in the full cost of medications. By contrast, the cost provided in the amendment include medication costs, but are also based on historical data, so may be slightly different to those. Either way, there are many variable factors that make it difficult to accurately predict the potential increase in costs. We know that the percentage of women giving birth aged 35 and older is higher in Jersey than in the U.K. If we assume that the same applies to women seeking I.V.F., we can assume that more women will need more cycles and hence costs will be more. However, we do not have the data to predict this accurately. We also do not know how the increase in potential demand will impact departmental overheads. For example, increased staffing related to routine monitoring. We have not had time to model the financial implications fully. In short, we do not know how much money we will spend. That said, my amendment accords with Deputy Stephenson's proposal in that it commits to including increased funding in the 2025 Government Plan. With the support of the Council of Ministers, I would be happy to bring forward an amount that should be sufficient to provide I.V.F. in accordance with clear access criteria, once those criteria have been developed. However, it must be understood that those costs may not be completely accurate for the reasons stated. If it transpires that demand outstrips additional resources, the Assembly will either need to provide more money; accept rationing of I.V.F., with or without means testing; a reduction in the number of funded cycles; a tightening of access criteria or in the alternative accept that we will have to reduce or curtail some H.S.C. services.

In summary, my proposed amendment supports the need for more funding. It simply asks that we do not commit to N.I.C.E. guidance when we do not know the future cost of that commitment. Instead, what I am proposing is the development of a clear access criteria, which may include a degree of means testing, for some higher earners. The Assembly can then decide whether to accept the funding associated with these criteria as part of the 2025 Government Plan. I recommend this amendment to the Assembly, thank you.

**The Bailiff:**

Is the amendment seconded? **[Seconded]** We now move on to the debate on the amendment.

**9.2.2 Deputy I. Gardiner:**

Apologies in advance if I will not just speak about N.I.C.E. guidance, but a promise to Members that I will speak once on this debate. It is almost in every portfolio, in every department, there is an elephant in the room. The amendment and the proposition are much wider for me than just I.V.F. Health, education, economy, finance, everything is anticipating the toll of demographics. The word “demographics” has not been mentioned once in the Government Common Strategic Policy. So it is no surprise ... and we know that today we have been told by this Government and especially the Health Ministerial team that they do not believe in this strategy, but when we are not thinking strategically about demographics, we do not think there is a need to fund 3 I.V.F. treatments, because it is too much; maybe we will have 3 more children and not one. Everybody shakes heads and says: “There is nothing we can do with the demographic.” It is really difficult. It is the trend around the world. We are hearing cost of living, housing, childcare, all this responsible for demographics. These are correct, but they are much more difficult and complex and costly to address. There is something that we can do about demographics. One practical tool is I.V.F. We should be excited that we can potentially have more children born in Jersey and not be reluctant in asking: “Can we afford it, if it costs 600, 700 or 900?” We do need more children in Jersey. We know this. How much is the 35 year-old full-time employer worth to our economy? Substantially, I am sure that it is much more than the cost of I.V.F. that we talked about, £5,000 per person per year. It is not our future. It is the people of this Assembly. The children who would be born through I.V.F. in the next few years, some of us maybe will not benefit from our decisions today, unfortunately. A society grows great when old people plant trees in the shade they shall never sit; Greek proverb. We must make the decision now for the benefit of Jersey’s future population and demographics. I will go to the N.I.C.E. guidelines and standards. I want to be clear, this is not the top gold standard. This is the standard that is acceptable across the medical profession. N.I.C.E. guidance standards from this proposition is something that person who care about highest medical standards will never do. N.I.C.E. guidelines were created to ensure minimum standards of care. We should aim to go above minimum standards. But I understand how it was described: we will develop our own standards, we will develop our own way. To develop our own standards we will probably employ consultants that would cost hundreds of thousands. These standards would need to be updated annually, which N.I.C.E. guidelines do anyway annually that we can proceed. As the Minister said, Scotland and England have different approaches, but they still follow the N.I.C.E. guidelines. We are already struggling with public trust in our healthy system. Would Members reflect if we all went out today and asked residents on King Street, Queen Street and on our high street what they think about the quality of care? They will praise doctors. They will praise consultants. They will praise people who are taking care of them. However, all of them would, if asked do they trust, after the rheumatology report, I do not believe they would have much confidence. After recent inquest into baby deaths, which concluded gross failure of basic midwifery care, I am not sure about the trust. Start to remove N.I.C.E. guidelines, it is not increasing the trust. It is bringing distrust of the public in our care. I am not sure how this Government even thinks to support removing the N.I.C.E. guidelines is really beyond my understanding. Anyway, I would like more detail on the schedule of treatments that the Minister is proposing, what the amendment is saying, we will do whatever we want. It is not good enough,

Minister, and I would ask to reject the amendment. A society grows great when old people plant trees in the shade they shall never sit.

**Deputy T.A. Coles:**

I am standing to note a potential conflict that I have in this subject, as a pecuniary interest, as my wife runs an acupuncture practice and advertises that she specialises in fertility and any result of this may impact her income. Just to alert the Assembly that I am conflicted.

**9.2.3 The Connétable of St. Martin:**

I thank Deputy Stephenson for bringing forward this proposition. She mentioned patients who sat in the Maternity Unit. I was one of those patients. I was one of the patients who had infertility in a labour room and in the next room you could hear a baby being born. That was not conducive to infertility treatment. That is when I found my voice. I went off to see Jack Roach, who was the president of Public Health at the time and Peter Lambert, who was head of Health Services. They were amazing. They said: "It is really surprising you have come here today because nobody else has ever mentioned this." I said: "Because it is so intrinsically personal you do not go around speaking about this." This was in the early 1990s. It was not the Middle Ages. We should not have been sitting in the Maternity Unit. We should not have been having treatment in the labour ward with babies being born next to us. A funnier side of that is they asked me what the treatment was like. I went into intrauterine insemination and Clomid injections and everything else. Because of what happens with infertility I had to mention the word "sperm". They nearly had a fit. It was almost like: "We will give you whatever you like, as long as you leave this room." [Laughter] I have been asked by the Minister for Health and Social Services and his team whether we can wait. Sometimes you need evidence to show people that you have waited a long time. So new charity to campaign for infertile couples, this is 7th March 1994. That is 30 years ago. Public Health inquest to help couples with infertility problems was May 1994. We set up a charity and raised funds, because we did not even have a scanner. This is not the Dark Ages. This is the 1990s. Patients had to raise money to get scanners. We kept being told, and we had been told time and time again: "Just wait. Your time will come. Your time will come." It has not come. Public Health inquest to help couples with fertility problems, that is 1994. Then I will not bore you with all of them. On Friday, 6th October 2000, there we all are and open the Clinic of Hope. At the moment we seem to have no hope. At that time, we had better treatment in 2000.

[15:15]

It started going downhill in 2012, with that Government. The World Health Organization recognises infertility as a disease. However, for some reason Jersey does not seem to want to do that. We are the only medical disease that is means tested. Why are we means tested? You do not run somebody over and say: "I am sorry, I am not sure whether we should take you to hospital or not". We do not means test people. The Health and Community Services Advisory Board have already acknowledged that the default position is to follow N.I.C.E. guidance. Yet we seem unable or unwilling to follow through and deliver the funding that should be put into practice. The funding model is outdated and fails to account for the needs of those who would benefit from fertility treatment. As the Tiny Seed survey found, couples in Jersey are either being forced into debt or making major financial sacrifices in order to have children when they, the Government, has the capacity to step in and provide support and should treat infertility as a disease, as it treats other diseases. Nobody should become indebted to have children. Nobody should have to sell their house or use their hard-worked-for savings which were for a deposit for a house, the place where they perhaps dreamed of raising their child in order to pay for the treatment that will hopefully bring the longed-for child to life. Public Health should mean that people are provided with the medical support they need in a safe and healthy environment. Patients with infertility should not be forced into dire financial choices that they currently have to make. As an Island with only a satellite clinic it means that we have additional costs of travel and accommodation to factor in. Patients should not be punished for this. Approving this proposition without the amendment does not deny the Minister to undertake consultation; not at all. The Minister

is welcome to seek consultation, as he is with any issue in his remit. What we have here, with this proposition unamended today, is the chance to make immediate and overwhelmingly positive reforms for fertility. I will repeat that, because this has been part of my life now for over 30 years. It is the chance today to make immediate and overwhelmingly positive reforms for fertility treatment in Jersey and to show the Island that this Assembly is willing and able to take action to resolve a problem that has needed to be resolved for decades. The consultation is to be warmly welcomed if its scope is to secure lasting long-term support for I.V.F. in Jersey. I do not see consultation yielding a better alternative than what Deputy Stephenson has proposed today. The proposition before us is about creating a more equal health service. It is about allowing those who want children and need the support the opportunity to have children. Our fertility treatment policy lags behind so many jurisdictions, including the United Kingdom and France. We need to make this decision today and vote pour for the proposition and contre for the amendment. I stand before this Assembly as someone who was diagnosed with infertility and as someone who could not and would not have had children without I.V.F. I stand here as someone who married in 1996, and because of problems we faced did not have our son born through I.V.F. until 1996. So when people say: “Oh, people are waiting longer”, I had no intention of waiting longer. It just did not happen. That happened to so many people. Please stop believing people who say we are all waiting. You have to wait a certain amount of time before you are even allowed to have the treatment. I stand before the Assembly as someone who did not have infertility due to poor lifestyle choices, but as someone who from the day I was born was one of the hundreds, the thousands, the millions of us around the world who would grow up and find that we have blocked fallopian tubes or we had hormone problems, we had endometriosis, we have low sperm counts, or whatever the diagnosis is. We are a group of people who deserve treatment just as any other person deserves the correct medical interventions. We have the modern technology to perform the correct medical procedures to aid infertile people. Who are we to determine that infertile patients do not have a right to this treatment? We should follow N.I.C.E. guidelines for 3 cycles. This is what the proposition is asking for. It is not asking for something that we do not know ... the next N.I.C.E. guidelines are not coming out until May 2025. Deputy Stephenson is quite clear, and she was clear in her speech, that we would be looking for 3 cycles. This Assembly would not dream of sitting in judgment of cancer patients or people with diabetes or degenerative heart disease or hip replacements and so many other medical conditions. Why do we feel we can sit in judgment on the person who finds they cannot conceive or cannot father a child, but who through medical intervention could? Infertility is a ticking time bomb and time is of the essence. This has been touched on, infertility appears to be the last taboo and the scapegoat of medical funding. Modern medicine is always improving. Modern medicine, as we all know, enhances people’s quality of life, prolongs lives, and improves lives. Modern medicine can help give life to those like me and like Deputy Stephenson who were born with or developed the disease where we need intervention to have children. This amendment is at best well-intentioned, but it is ill-conceived. We, as an Assembly, need to show our compassion, show our understanding, and vote against this amendment. As I said before, I have been involved in raising funds and awareness for longer than some of the people in this Assembly have been living. My son will be 27 years old this year. Wonderful women, who I would like to mention, like Fiona and Libby, were running an infertility support group from at least the mid-1980s. We are now going back 40 years. That is 40 years ago and this amendment, in essence, asks us to wait longer. Is 40 years and more not long enough to have waited? We have waited and enough is enough. Please, I implore you all, do the right thing, reject this amendment and vote for this proposition.

#### **9.2.4 Deputy M. Tadier:**

First of all, can I add my voice to those who have congratulated Deputy Stephenson for being a champion for this cause and bringing it to the Assembly in a backbench capacity and also to the previous speaker, who I know has been questioning this for a long time? It is clearly an issue which is important, not just for these 2 Members, but for the wider community. I am going to speak in general terms that I am happy to support the proposition in its general sense. That is also the position

of our party. We were grateful that Deputy Stephenson was able to come and talk to us. We had a good discussion with her. That was a helpful way to proceed. I do have to put on record that I am slightly uncomfortable sometimes, not by the way that this debate has been framed, but by sometimes the comments that we may have heard already in this debate from other Members and also the way that the argument is sometimes framed more widely in the media. We get into questions about the economy and we are told that this is a good idea because we have a declining birth rate and so we should be spending money on I.V.F. to try and help the economy. Very quickly we can descend into a paradigm where we are thinking of those unborn children simply as another unit in the economy to supplement ... call it capitalism or whatever you want to. This debate is very much a human debate. It is about a very human need about which some people feel very strongly. It is also about how we then cater for that human need in our community as well as it being quite rightly part of a medical need as well that should be provided for. The first point to cover is that I am very comfortable with the argument that we should not be means testing healthcare. People need to access all sorts of healthcare and it should be free at the point of access for those who need it. I was simply going to add that if we pursue the arguments ... and there is a time to have an argument and creative thinking about what we do about the future of our economy and that will be in a completely different context. Because if simply we want to make sure that there are enough people to do the jobs to pay the taxes to Social Security to pay for the ageing population, we do not need to do it through I.V.F. We can find other methods. Including making sure that people who come to the Island, who have children in other counties but are not allowed to bring them here, maybe should be allowed to bring them here in the first place. As I said, I do not want to digress into an argument about the economy. Where I do differ from the previous speaker, simply in terms of the conclusion that I come to, is that I am hopeful and would hope that if need be some other spokesperson for the Health Department can clarify, is that I see the opportunity to not rigidly follow N.I.C.E. guidelines in this particular instance as an advantage. First of all, you could argue at a very basic level why Jersey would need to follow the guidance of another country. We do not need to do that. We know that we have a different context in Jersey where we have traditionally in recent years seen women wait until later on in life to have children. That is, of course, partly a function of the high cost of living in Jersey, but also the fact that we have to acknowledge that women should not be seen just as baby-making factories, as I have said, for society. It is up to them to decide at what point, if at all, they want to have children and to do it when they are comfortable and maybe when they have achieved other things in their lives first. Indeed, men are able to do that and have been doing that for centuries and millennia. It then brings me to the issue of why having our own guidelines rather than following N.I.C.E. guidelines might be an advantageous thing. The first thing to say is that we should not simply be considering this matter purely from a medical clinician-led point of view, whereby we make policy on the basis of most likely technical outcomes. What I mean by that, if that has been phrased slightly clumsily, is that we, as parliamentarians, legislators and policymakers, need to take in wider considerations. We need to look at the philosophical arguments and the ethical arguments that underpin the decision about who accesses I.V.F. treatment and for how long. There is a paradox, of course, in that we say that in the U.K., for example, if you are under 40 and you are a woman you are allowed to have 3 cycles, but if you are in that bracket of 40 to 42 you are only allowed to have one cycle of treatment. What sort of message is that sending out? Then if you are over 42, because you are clearly past it at 42, you are not allowed to have any treatment on the N.H.S. Those are the guidelines. I certainly would not want that to be replicated in the Jersey context, because, as the Connétable of St. Martin already alluded to, we need to be making sure that we cater for all people in our community, bearing in mind that science does have to play a part in that. I know that others have given personal accounts today. I do not have an account to give, saying that I am an I.V.F. baby, I am not, and I have not had any I.V.F. children either. However, I can say that I have not yet reached the age my mother was when she gave birth to me. I am a 44 year-old man. I will be 45 this year. When my mother was my age she had not yet even conceived me, let alone given birth to me. What that says to me is that 45 year-old women, 46 year-old women in the past and presently are able to conceive and give birth if they want to. Sometimes it may be difficult. Sometimes they just get lucky. The rest is history in

my personal case. The point is, is it not the case, surely, statistically who is more likely to get pregnant, a 40 year-old woman or 42 year-old woman? It is the 40 year-old woman. That is what the science tells us. Therefore, you would have thought that a 42 year-old woman who is wanting to get I.V.F. treatment will need more cycles not fewer cycles.

[15:30]

Should it not be the case that if you are going to ration the amount of cycles that somebody gets that you give fewer to the younger women who are going to be more fertile and that the slightly older women might need more cycles? If we were to follow rigidly the advice given by clinicians saying: "This is going to be a waste of money if we give treatment to this group of people", we would be bound by that. However, by not adopting the N.I.C.E. recommendations we are going to have the flexibility and the ability to have that debate about what the criteria should look like. Putting my human rights hat on, you have to also acknowledge the fact that there is a gender discrimination here. If you have a 60 year-old man who is with a 35 year-old partner he is not going to get discriminated against; he is not going to be told: "Sorry, we are not going to treat you, because you are a 60 year-old man." He can go on, even if the problem is at his end, potentially, so to speak. Members get where I am going with this. There is an issue here that needs to be considered in the wider piece. If we also go into the criteria about smokers being refused treatment and if your B.M.I. is over a certain index that you are not going to be given access to I.V.F. treatment. Again, hugely problematic from a point of view that that may not be done on a discriminatory basis, but it certainly has an effect of being discriminatory. We do not say to people in the wider community who are fertile and who are able to conceive otherwise, without the help of I.V.F., that they cannot have children if they are of a certain body mass index. We do not say: "If you are a smoker you cannot have children." We do not say: "If you are a 46 year-old woman you cannot have children." Yet we are seeming to do this if we follow the N.I.C.E. guidance and we are perpetuating that narrow argumentation that is problematic; maybe not in all countries. We have heard of some very good examples of other countries. In summing up, I would like to say that my reason for supporting this proposition and also for supporting this amendment from the Minister is that I would like him to surpass the N.I.C.E. guidance. I would like him to have a Jersey context-based guidance for this, which is more inclusive than what is currently available in the U.K. We can do better than what is available in the U.K. at this present time.

### **9.2.5 Deputy P.M. Bailhache:**

I attended the briefing organised by Deputy Stephenson, which I must say I found to be extremely illuminating in a number of different ways. I had not appreciated fully the stresses that are associated with I.V.F. treatment. I certainly was not aware of all the implications of a very low birth rate of 1.3, which we have in the Island and of some of the causes. A birth rate which is so far below the level for a stable population is a cause for concern. I agree with Deputy Gardiner, it gives rise to a whole series of other issues. The funding of I.V.F. is in a sense immaterial to the central question which is why are women choosing to start a family much later than in the past, to which there are no doubt a number of answers which go beyond the scope of this debate. They seem to me to be, nonetheless, worthy of study in the Health Department. The right to found a family is a fundamental human right. Better funding for I.V.F. is, without doubt, one of the solutions to this multifaceted problem. With some reservations, much in the vein of Deputy Tadier, I am going to support this amendment. I would have liked to have known much more clearly what "replace" means in the amendment, but I am assuming that it does not necessarily involve removing means testing as an instrument of policy. I do not think that means testing should be removed. The only way in which the Health Department is going to be able to balance its books in the years ahead is by persuading those who can afford to do so to pay more for preserving and looking after their health. I hope that what the Minister means by "replace" is doubling, at least, the threshold for funding I.V.F. to £90,000 or £100,000 a year. Perhaps this is the principle: no one should be prevented by financial problems from accessing I.V.F. if they wish to do so. As to the precise rules for accessing the funding, I again agree with Deputy

Tadier that there are a number of complications around that. I hope that the Minister will develop a policy which is more generous in spirit than that encapsulated in the N.I.C.E. guidelines. Flexibility is one of the attractions of the Minister's amendment. I hope that he will take advantage of the flexibility given by his amendment to develop a policy which is characterised by generosity of spirit to those who need it.

#### **9.2.6 Deputy H.L. Jeune:**

I first wanted to thank the Connétable of St. Martin for her speech. I was very moved by what she had to say. It took me a while to go back into what I would like to say, because what I did was I listened. I would like to ask the Assembly to listen; to listen to those in this Assembly who have experienced this disease. It is not that they are talking on behalf of themselves, as individuals or as couples, but as we have heard from the Connétable and from Deputy Stephenson that have both been activists, and they are speaking on behalf of many Islanders who have experienced this because they themselves have been part of this activism, part of the community, to galvanise support. We have heard from the Connétable that this has been over 30 years in the making. I wanted to bring back into this debate that here in this amendment by the Minister, he is asking us to review and not take action, which is funny because this morning we heard from the Government that we do not want to review, we do not want to do another load of consultations, but: "We want action. This Government wants action." We heard that a lot in answers from this morning. Yet somehow in this proposition, because it is not coming from the Government, it is coming from a Backbencher, suddenly it becomes: "Whoa. Whoa, let us take some time to think about it, to gather thoughts, review and get into consultation." Yet here we are, we have heard from the Connétable of St. Martin and Deputy Stephenson that they are not just speaking for themselves, but they are speaking for a whole community that have experienced this disease for over 30 years and they themselves have been activists for many years in bringing this and talking about infertility to our attention, to the Island's attention. I would like to ask the Minister: what happens if this amendment passes and the consultation is done, the review is done, and a replacement ... and I agree with Deputy Bailhache in we do not know what "replacement" means. What happens if the Islanders themselves come back with exactly the same thing as what the Connétable and Deputy Stephenson are proposing, in what they are asking for in this proposition? They are the ones who have already done the consultation, because they are part of that community and they know that this is important for us as a community to understand that this is about social justice. It is about fairness. It is about people not paying out of pocket for a disease that affects one in 6 people, as we have heard. That is something that I would like to ask the Minister ... to understand if at the end of whatever this year, before the next one, he is delaying yet again, what happens if we come to the same proposition that we have been confronted with today? Will he accept it at that time? Then I come to the next one about clinical standards, good clinical standards. I am a bit confused. I do not know really what that means. Does it mean that Jersey is making up its own good clinical standards? Should we not be aiming for best practice on an international scale or a U.K. scale? I am not an expert on this, but I find it a bit disconcerting that we are saying that Jersey will make its own good clinical standards when we, also from this morning and from the last few weeks, have heard that the Health Department has not been up to scratch on a number of elements around good clinical standards. We have seen that from the number of reports that we have seen recently. How can we trust the Minister for Health and Social Services in saying that he will be developing Jersey's own good clinical standards if we are unable at the moment, when we are looking back at the evidence that we have just seen which has recently come to light, that this does not happen in other areas of health so why would we be confident that it would be happening for this specific area of I.V.F. cycles? Specifically on this amendment, I would like to ask the Assembly to reject this. I really do not feel we are listening to the community that is here in front of us. It is not just 2 individuals within the States Assembly. It is more than that. They have experienced this for 30 years or more and it is time for action. As the Government keeps saying: "We need action; not review, not delay, we need action." Let us get on with it and let us have action.

**Deputy M. Tadier:**

Sir, can I ask a procedural point from the Chair? It may be a point of order. When we come to the vote, do we know if the 2 amendments will be taken separately?

**The Bailiff:**

There is no suggestion that the 2 parts of the amendment would be, but allow me just to ... theoretically, there could be, but I am not sure if all of them were done, if one took separately, there would be either removing or replacing, depending upon how that went, and the addition of the words. I think theoretically they could be taken separately, but it is a proposition, so it is a matter entirely for the proposer as to whether they can be taken separately.

**Deputy M. Tadier:**

Would the Minister give consideration to take them? I think it would be helpful for the content of speeches, because that might affect it; I would have probably spoken slightly differently.

**The Bailiff:**

You have raised it as a point of procedure. I will give it further consideration, but it has been raised and the Minister knows that is therefore out there, if I can put it that way.

**9.2.7 Deputy H. Miles:**

A lot of what I would have said has been brought up by the Connétable of St. Martin and Deputy Stephenson and indeed latterly Deputy Jeune. So I really want to confine myself to this issue of clinical standards and just really to remind the Assembly that we have had 2 reports recently that are critical of local standards. The 2021 maternity services review pointed to a discordance in care where policies were open to interpretation and applied differently according to specific members of staff. They said differing guidelines from different sources, including the Royal College of Obstetricians and Gynaecology, N.I.C.E., and Jersey's own guidance, sometimes conflicted with one another, causing confusion and an inconsistency in the approach taken.

[15:45]

In 2022, we saw published the rheumatology report, which again criticised the approach of not following N.I.C.E. guidelines, they said: "Whereas there is no formal obligation to follow N.I.C.E. guidance within the Jersey healthcare system, N.I.C.E. provides a framework for peer-reviewed practice by which departments can benchmark their performance and clinical activity." It is recommended that the Rheumatology Department used N.I.C.E. guidance as part of the governance strategy. I find it very hard to understand why we would set up a system of good clinical standards that are Jersey specific when there is national best practice that is constantly under review. Given the mistakes of the past and the impact that we know it is going to have on the future of patients in Jersey, I would caution against repeating those mistakes and I would encourage people to reject the amendment and vote pour for the proposition.

**9.2.8 Deputy B. Ward:**

I wish the state that there is support for I.V.F., as it is very important for people experiencing these types of health-related difficulties. May I thank Deputy Stephenson for bringing this proposition for debate. Jersey follows in part the National Institute of Clinical Evidence, N.I.C.E., algorithm of care as it provides funding for a couple, if a couple's income is less than £42,000 a year, and does fund the cost of I.V.F. medication approximately £1,000 per cycle. So it is interesting, if we then look at the U.K. figures as collated of February 2024, which follows the same N.I.C.E. guidelines that we have all been talking about. N.I.C.E. recommends that up to 3 cycles of I.V.F. should be offered on the N.H.S. Interestingly, the integrated care boards only offer one cycle or only offer N.H.S.-funded I.V.F. in exceptional circumstances. One cycle is one fresh transfer and 2 frozen transfers of eggs. Data collated as of this year, which excluded 5 care boards as they are under review and there is no



data published, I just want to explain what that data showed. Some 54 per cent of those care bodies only provide one cycle; 15 per cent of those care bodies provide 2 cycles; and only 8.6 of those care bodies provide 3 cycles. Sadly, to date, Jersey has not funded any cycles due to the low threshold for couples to qualify, which I feel just is not right. One could conclude from the recent U.K. data that the U.K. is not following its own N.I.C.E. guidelines to the full. I do not know why. It may be due to funding issues evidenced by the inconsistencies of delivery across the U.K. It is very much a postcode lottery. While the Health Department and Government here in Jersey would wish to fully fund everything, we need to state a word of caution in respect to full funding for any specific health need. Sadly, we just do not have a bottomless purse to meet every aspect of healthcare and are unable to write a blank cheque. It is not just the Health Department that needs cash injection from the taxpayers' purse; we need new schools, infrastructure improvements, et cetera. I could go on. While we just cannot fully fund everything, I am sure the Minister for Treasury and Resources would say we must exercise caution, look at the evidence, look at good clinical governance, and balance our books. However, we do recognise that Jersey does need to provide more support, be more in tune with clinical governance, as our Health Board has indicated. Which the amendment, I believe, goes some way to do this and a willingness to increase funding for this important healthcare need. But we must be able to bring some balance in the round of funding wishes based on evidence, full data, and sustained affordability. I am sure Members will be aware of the approximate £32 million debt from last year in Health and that we have been advised that there is already a new debt accruing of some £5 million-plus since the start of this year, with a projected overspend of £18 million at the end of this year. We need to ensure we do not compound this overspend; we live within our means. We are aware that the Health Department officers are working incredibly hard in addressing this, as stated at the recent Health Advisory Board meeting via the Financial Recovery Plan, and we applaud them. In light of everything stated, the Minister, by way of this amendment, I believe goes some way in meeting the Deputy's proposition. I put in my speech addressing the current means-tested model. I did not put "replacing". But also about bringing forward new access criteria in accordance and reflection of with good clinical standards, and did not want to state N.I.C.E. because maybe we need to look a bit wider. Allow us that flexibility and obviously we need to have that consultation with interested parties. Such funding to be included within the proposed Government Plan 2025-2028. I urge Members to support this amendment as set out by the Minister for Health and Social Services. I thank you and Members for listening.

### **9.2.9 Deputy L.J. Farnham:**

Shortly after the proposition was lodged by Deputy Stephenson, I called her to offer my full support for the proposition, and I am sure I speak for all Ministers, if not the vast majority, that they feel the same way. I just wanted to reassure Members that this amendment is not to delay. In fact, it will not delay the proposition. I will explain exactly why it will not. It was born out of just a little bit of concern about perhaps a little bit of ambiguity around the wording. I know that was not intentional, but if we were to read the proposition as presented by Deputy Stephenson, it says: "To request the Council of Ministers to commit to improving funding for in vitro fertilisation (I.V.F.) treatment, removing the current means-tested model and ensuring any new funding model reflects National Institute for Health and Care Excellence (N.I.C.E.) clinical guidelines, and to ensure such funding is included within the proposed Government Plan." So we read that as potentially meaning that once we had agreed to follow the N.I.C.E. guidelines, we follow the N.I.C.E. guidelines and, if the N.I.C.E. guidelines changed, technically in line with the proposition our guidelines would change. We wanted some flexibility in that to ensure what we were going to be doing here was the right size, was the right fit for Jersey. Sometimes you cannot win because we often say we do not want to become another N.H.S. We want to have our own health service and we want to be able to choose what we do here, and we are in a good position where we can select the good bits of what other jurisdictions do, and we can create our own rules, which are right for Jersey. So that is all there is behind the amendment in relation to that, so we are not tied in perpetuity to the N.I.C.E. guidelines. Now we could say that is okay, because if those changed and we did not like the change we could just decide

not to follow them. Arguably, we would have to come back and just agree that through the Assembly if we follow the letter of the proposition. In relation to “removing”, the difference between removing and replacing, well again there was some concern there that we wanted to make sure that the money invested in this went to the people that needed it most. Now, I am in favour of removing the means testing for this because, in practice, people that are very wealthy will tend not to even think about coming to the States for help, they will go their own private way. I know many people, friends and family, who have both had help from the States and who have, because of financial means, chosen one of the best clinics in another country around the world and gone straight there at a cost they can afford. But it was just to have the option when we are doing the work to keep a bar in place to make sure that those who can easily afford it do not come on to the scheme. That might be a £500,000 barrier, we do not know, but it was just to retain that choice. In relation to timing, I want to reassure Members as well, and I give Members my word on this, that this is not to delay. The amendment commits to the same timeline as the proposition. That is why we have committed to making sure that any such funding is included within the proposed Government Plan for 2025 to 2027. That has to be lodged in July. So we have to do the work. We have to put our proposed guidelines in place so we can fund it, so we can get the estimate of funding to be in the Government Plan. So I wanted to reassure Members that this will not cause delay. This is not about delay. There was debate about whether we needed more time, and perhaps we should look at 2026, but we did not. The Council of Ministers decided we wanted to stick to the plan and stick to the timing. So I think we are all in the same place. We are all aiming for the same thing. The Council of Ministers just want to, and the Minister for Health and Social Services, the Ministerial team just wanted to make sure we had the ability to fine tune them and put what we felt were best for Jersey in the places alluded to in the amendment. Again, I want to reassure Members that we will deliver that in time, the clinical guidelines that we propose. Bear in mind, those guidelines we propose, we are free to change and amend and adapt and improve and evolve at any time we want without having to refer to the N.I.C.E. guidelines and we can have the best of both worlds. Although I think, and very much hope, the majority of what we bring in will reflect the guidelines in the first instance. So I hope Members will support the amendment on the grounds that it seeks to deliver the same thing with some flexibility for Jersey and I urge Members to do that. Again, I thank Deputy Stephenson for bringing the proposition. It is long, long overdue and the antiquated, I can only call it, financial means-tested model we had in place was, I think, ill-conceived and left unaddressed for far too long. We can put that right today.

#### **9.2.10 Deputy M.R. Scott of St. Brelade:**

I know many people, many States Members, start speeches saying they did not intend to speak, but I did not. But I felt compelled to speak after Deputy Jeune’s speech, where she asked States Members to listen to those with lived experience of infertility. I feel uncomfortable outing myself as somebody who had difficulty conceiving. But I have and I also have a beautiful great niece conceived through I.V.F. Anyone who has had a traumatic time will have strong emotions about their experience, whether or not they have the best solution is always going to be a matter of debate and I hope that the Government’s position is not something to be taken personally by anyone. Government, I am glad to say, has acknowledged the need for improvement of that, that is very clear. Also having been present at the Council of Ministers deliberations, I can assure the Deputy and others in the States Assembly of the sympathy expressed at that meeting. I also differ from the Chief Minister just in terms of I would prefer to see a means testing that excludes the most wealthy, so that there is more funding for those who would struggle with affording treatment. But I do believe it is unfair to suggest that this Government proposes not to take action. It is clear it is proposing action. I very much agree with some of the observations that have been made by Deputy Tadier and Deputy Bailhache because what is being proposed in this amendment is considered action, and therefore, notwithstanding my own lived experience, I will be supporting this amendment.

[16:00]

### **9.2.11 Deputy L.M.C. Doublet:**

There have been some really excellent speeches today, and many of them have touched, or some of them have touched on the problem of our declining birth rate, and I want to really focus in on this issue and think about why it is happening and why we urgently need to address it. Those actions, to address it, would include supporting the main proposition today and not the amendment. One of the excellent speeches was Deputy Jeune and she mentioned listening to each other, and that is something I think sometimes gets lost in the debating Chamber is the element of listening. So I hope Members will really listen and be prepared to change their minds during this debate. Some Members have spoken about their own experience of I.V.F. and the joy that their children bring to their lives. Many of us in this Chamber do have children - some do not, some do - and those of us who do, of course, we love our children deeply and unreservedly, and they bring immense joy to our lives. Those moments of joy, some of the most rewarding moments in my life, certainly. But to go back to the problem at a societal level, younger women are waking up to the fact that, as well as the joy, there is a cost to motherhood. The cost in a financial sense can be over £250,000 per child, probably more over their lifetimes. There is a cost in terms of time and energy, freedom. If you are a woman, there is a second financial impact in the form of the motherhood penalty, which sees mothers being paid less in the workplace. I am also learning a third financial impact in the form of a pension gap for women, and more to come on that from me later. Now, women who point out the costs or the downsides of reproducing are often demonised because our society runs on the invisible labour of women in the home, and in particular mothers. So when this is made visible, it is an inconvenience to some. But, women still overwhelmingly carry the load of household tasks and parenting. Research has shown this is still the case, despite apparent improvements in equality, although it has improved slightly in recent years, but it is clearly not enough for the younger generations who are realising that they want equity in their relationships. They want to share tasks with a partner and many are choosing, in greater and greater numbers, to either just have one child, to have children later, or to not have children at all. This should be devastating to us. Deputy Tadier pointed out that wanting to have children is a very human, and indeed it is a biological and evolutionary urge. Our children bring meaning and purpose to our lives. I cannot imagine life without my child. It is unthinkable. We must enable as many Islanders as possible to achieve this joy and help them however we can with things like funded childcare, with equity in relationships, by closing the gender pay gap, and by supporting families more in our community. Birthing and raising children is not a selfish act; it is an act of service to our community. Many of the costs I mentioned are not costs at all, but an investment in the future of our society. We must see the full funding of I.V.F. treatment as an investment. We must support any woman who wants to have a child or more than one child to be able to do so and remove any barriers we can. Make no mistake, this is a barrier, and Deputy Stephenson is giving us the means to remove it, and we must support her today. I think an Assistant Minister on my right here mentioned the financial problems and overspends, and other Ministers have also mentioned this. Those financial problems and overspends are going to get much, much worse if we do not have enough working citizens paying taxes to fund that healthcare. I do not support this amendment. I do support the main proposition.

### **9.2.12 Deputy L.K.F. Stephenson:**

I am really grateful to the Minister and his team for recognising in the amendment that there are improvements to be made and I am very hopeful that today we can leave this Assembly having made a positive step forward for Islanders. I am really encouraged by lots of the things that we have heard so far from Members today. It is an important recognition for me that the amendment acknowledges that infertility is a disease; states that very clearly. As I said earlier, I think that the figures that this amendment includes from the Scottish experience estimating what funding N.I.C.E. guidelines could cost Jersey are really useful and the most helpful yet in putting the potential cost into perspective. However, I am concerned by the amendment and I have 3 main reasons for that and, as the debate has gone on, my concern has grown somewhat as well. The first is the attempt to change the wording from my version of “removing means testing” to the Minister’s proposal “to replace”. This clearly

leaves the door open for some version of means testing to remain in place or to be added at some stage. This is against the principles I set out in my opening for the main proposition that we do not means test for any other healthcare and should not for access to publicly funded I.V.F. treatment either. I had written that the Minister's report was silent on the reasons for the proposed change in wording, and I think that it would have been helpful to have some explanation there. But then we have since heard from the Minister in his opening, the sentence started: "It does not necessarily mean we will have means testing but it could and then we will have means testing for higher earners." So I am taking from that the door is, not just slightly open, it is wide open and we are stepping through it. My question to the Minister in his summing up would be what is a higher earner and where is that means testing going to sit? Secondly, the amendment quite clearly acknowledges that the removal of the N.I.C.E. guidance is down to cost. That the Minister is not able or willing at this time to commit to funding 3 full cycles. There has been no argument that I have heard today from any of the Ministerial team that it is about the N.I.C.E. guidance itself or that it is a matter of principle. It has all been focused on cost and it is all, because I cannot think of a better word to describe it, an excuse not to fund 3 cycles. I think that is something that I say quite plainly like that because it is important, because we are hearing 2 quite different things from Members today. We are hearing a lot from Members saying: "Flexibility is great." I would like to see us have at least the N.I.C.E. guidance and really deliver for Islanders who are suffering here, who need increased help, and I think it would be brilliant to have Jersey guidance where we can have that flexibility and we can really deliver for people here. But from the Minister and the Minister's team, his Assistant Minister as well, so far we have quite clearly heard that this comes down to cost and that the offer from the Ministerial team that they will come up with will be less than the 3 cycles. I appreciate the nervousness around affordability, particularly in the current climate, but today I think we really do have an opportunity in this Assembly to make a positive decision to prioritise funding. Because it is a choice, we can choose to afford it as an Assembly if we want to and if we want to make it a priority. That is why this proposition asks Ministers to then go away, build a business case, which by using the clear N.I.C.E. guidance that is in place today, can be the most robust business case that there can be. To then put it into the Government Plan and then bring it back to this Assembly. We heard from the Minister about developing the further criteria. Yes, that is exactly what I would expect a Minister and his senior leadership team to go away and do. That is the policy part of it. That is the Minister's job with his team. It is my belief that those criteria should be policy that the Ministerial team or the senior leadership team can amend reasonably quickly if they need to. I do not believe that this Assembly needs to get involved every time there should be a change to that criteria. I believe that we should be agreeing this basic principle and then the Minister should go away and do his job on behalf of the Assembly to build those and create his policies. Then we hold him to account for those policies. If we think that they need to be different, we seek to amend them in our own ways. I also believe that we should be spending public money in the most effective way possible, ensuring the best possible outcomes for Islanders that we can. Numerous studies have been published which refer to the cumulative effect or power of 3 cycles, and that allows patients multiple chances at pregnancy and allows protocols and approaches to be tweaked and adjusted to ensure the best possible chance of success. Yes, it would be fantastic to start at the beginning and provide one cycle to patients, but that is potentially one opportunity to get it right. One opportunity to try the drugs for the first time and see how your body reacts. One Newcastle study from 2013 showed that, of 100 couples who were offered 3 full cycles, the cumulative pregnancy rates per each fresh cycle were 30.1 per cent for one cycle and rising to 50.2 per cent and then 60.2 per cent for the third cycle. They rose again further when frozen embryo transfers were included. By offering 3 cycles, we would be giving Islanders needing I.V.F. treatment roughly a 60 per cent chance of having a child. Some may be successful much earlier, some may require the 3 cycles, and some may require further treatment and go on to have to find their own ways of affording those themselves. Unfortunately, we must acknowledge that there will be some people who will not end up with a child at the end of it. I think it is important that we take a moment to recognise that as well, because fertility treatment is not a given that it will be successful, and that is an incredibly tough thing for those people to go through.

I would also add that I would not want to see the department opt for funding one cycle, but then remove the funding that we have heard that already exists for the medication for cycles to then pay for it. To me that is effectively moving money around the department rather than investing in a better offering for Islanders. Thirdly, I question why the department needs to create more work for itself when the evidence and research has already been done at an international and national level. I think this bit is really important because we have heard suggestion in the Assembly today that somehow we need to start at the beginning on this locally. But Health's own policy officers have been working on this and consulting on it for over a year. I sat in meetings with them last April and it also included helping to inform the Tiny Seeds cost-of-living survey that was undertaken last year, and which I have referred to in the report. The questions for that were formulated with the help of Health's policy team in order to inform their work. That is because they recognise that it is a really hard group of people to tap into and get the views of and consult with. So they reached out and we worked together and came up with some questions. Is that going to happen all over again? Health is a huge area and we are all very, very aware of how much there is to do and the pressures that the department is under. Yet it does feel to me here like we are trying to reinvent the wheel and I question why. Again, back to what Deputy Jeune said earlier, we heard a lot this morning about taking action and not wasting more time on reviews. I take the point. Let us follow it through with this as well. That refers to bringing forward new access criteria that will accord with good clinical standards. That is exactly what N.I.C.E. does. So what will be different, apart from the number of cycles offered to Islanders? Is it proposed the department is going to start the work all over again? If so, how long is that going to take and what resources will it entail? Because it is not just time and delays, it is about the resources as well. If not, and the plan is to use the work already undertaken, then why do we not have a clearer set of proposals in front of us today for Members to consider? There is no need for further unnecessary delays, especially when it comes to a treatment which, for some, every month really does count. I want to stress at this point that my opposition to this amendment, it is not meant to be adversarial, it is based on a firm understanding following many months and years of research, engagement, and consultation that what I have proposed remains the most appropriate logical way forward at this stage.

[16:15]

It is not a radical proposal. It is not world-leading or groundbreaking. It is not controversial. The proposal is clear, it is measured, evidence-based, and in line with the agreed default direction on N.I.C.E. guidance set by the Health Department and noted in October by the Health Advisory Board. It would make a tangible, transformative even, difference to Islanders who require I.V.F. treatment. I really do urge Members to reject the amendment and stick with the original wording.

### **9.2.13 Deputy K.M. Wilson:**

I will not repeat what we all believe I.V.F. to be or the reasons why it is needed, but one of the things I just wanted to talk about is what this amendment really is trying to do, and that is to introduce rationing into the debate. It is very familiar to the N.H.S., both in Scotland and England, and it is used to manage demand and the associated costs of procedures. How many times has it been said in this Assembly that our healthcare system is not the N.H.S.? But what I am querying now is how convenient is it that we are now using the N.H.S. as the basis for not doing something for Islanders? There is no 2 ways about it. But following the science in this area delivers good outcomes for Islanders. This amendment does nothing to improve outcomes. In fact, we have not heard anything about outcomes for people with fertility problems other than it continues to limit the opportunity to provide an evidence-based service to those in need. We should not be mixing our messages either to Islanders by saying on the one hand that we want you to stay and grow your family here and, on the other hand, effectively saying to those with fertility problems: "Take your problem elsewhere because we cannot afford to support you just yet", or worse: "We do not want to because we have not decided what criteria we are going to allow you to access the service from". The principle of funding cycles is what is at the heart of the debate. It is nothing more than that. All of the evidence has been done.

There is no new evidence coming forward. N.I.C.E. have identified a need to review the evidence, and when it does I am sure we will take a look at that. But the issue is now about what we can do to support people to access good care under the current arrangements. For Members, what might be also helpful to know is that N.I.C.E. also undertakes its own economic impact appraisal, the results of which are included in their technology appraisals and guidelines. So they have thought about the costs and they have thought about the relationship between this and outcomes, which is why the guidance is written in the way that it is. So we should be thinking more about the benefits and the value of the science and the longer-term outcomes as opposed to just to focus on the reasons, for cost purposes, why we should not do this. I urge Members to reject this amendment and support Deputy Stephenson's proposition.

#### **9.2.14 Deputy J. Renouf:**

I have a slight looking-glass feel about this debate because it seems to me that the arguments that are being brought to support this amendment do not tie up with what the amendment does. Everyone seems to be talking about aiming higher. But the amendment is explicitly about aiming lower. It is about excluding, not expanding. It does make me think of the comment that Deputy Stephenson made, I think early on in her speech, and which was repeated by the Constable of St. Martin, it is still a fight. Yes, it looks like it still is a fight at these basic points. As far as I can see, there would be nothing wrong with adopting Deputy Stephenson's proposition unamended and then dealing with the issues of access guidelines and the other issues that have been raised as sort of sand in the eyes for reasons why we should not vote for the main proposition, or the reason why we should support the amendment. In round numbers, we are talking about £500,000. The amendment is about preserving the option to offer a lesser service than would be the case if the proposition were passed unamended. There are 3 things that I want to talk about briefly, means testing, the demographic question, and N.I.C.E. guidelines. Means testing, we are not talking about a bottomless pit, the supporters of this amendment have said, indeed not. But we would not raise the bottomless pit when it comes to other diseases, including other non-life-threatening conditions. I think back to the Government Plan debate in December when Deputy Alves proposed free G.P. (general practitioner) consultations for adult students. There were some very interesting contributions in that. Deputy Ward said: "I am very, very, very proud that as a member of Reform we have brought consistently principled - that terrible thing called principles, they really do get in the way sometimes - those principles that we believe people should access healthcare". Deputy Mézec spelled out what the principle was when he said in his contribution: "The principle of free at the point of need, which, when it comes to healthcare, there is no finer principle". Yes, free at the point of need. The trouble is, this amendment tampers with that principle. Instead of free at the point of need, it says we need to think about whether 3 cycles are affordable. Deputy Farnham, in the same debate, had a conversion, he said: "A number of years ago, perhaps I would not have supported this. I perhaps would not have supported free buses. I probably would not have supported free G.P. visits for children. But, having seen it, and seen the benefit it brings and seen the confidence it restores in this Assembly from Islanders has been a revelation as far as I am concerned." So that was a revelation about how these measures, which are relatively small in financial terms, can transform the way in which the Assembly is perceived, the way in which we are perceived, because it is based on simple principles that people can understand. I am not sure how you can make an argument against Deputy Stephenson's proposition really; we have an amendment which takes us back to penny pinching. The argument is that Health has overspent, but that means to deny patients today treatment for the failures of the past. All healthcare costs money, any extension of healthcare will cost money. The case for this one has been very persuasively made by Deputy Stephenson, the Constable of St. Martin, and others. We cannot offer what we cannot afford, said one speaker. But I repeat, this is to condemn potential parents for the failings of the past. It is about £500,000. I think we can do it. The question of declining birth rates, I think we should just think this through for a moment, I mean in terms of our strategic goals, we all accept, I think, that it would be better if there was a higher birth rate. We are worried about declining birth rates for all the reasons that have been well-expressed elsewhere and the conversation is all

about why people are choosing not to have babies or delaying having children because of the cost of living, because the cost of housing, and so on. But, in this case, we have a cohort of people for whom this is not the case. They have chosen to have kids, they want to have kids. They are taking on those costs, those barriers, and they are saying: “No, we will do this.” They are a sure bet in terms of tackling the fertility crisis. So why would we not spend that small amount of money thinking about the long-term gains? The long-term gains in terms of our economy, in terms of the well-being of our people, and the fact that they will help us, for sure, contribute. Finally, let me come to the N.I.C.E. criteria. I do find it very disturbing that after a long battle to establish the principle that there should be, in this Island, adherence to clinical guidelines established on the basis of scientific evidence, that we have fought that battle for so long and now at almost the very first time that we come up against a small cost argument that challenges our adherence to those guidelines, we are busy talking about the need to step back from them, that they are not appropriate for Jersey. All the other exceptional arguments. I would say we start with the N.I.C.E. guidelines, then we move upwards. If we are not going to adopt the N.I.C.E. guidelines, then, as Deputy Stephenson I think said, we should be very clear what clinical reasons are there for not following N.I.C.E.; what evidence-based reasons. We have guidance of this type because we take it from elsewhere, because to a significant extent these are universal standards. Airline safety is governed by universal standards. We do not say to ourselves: “Let us have our own set of airline safety standards in Jersey”. That is the reason why we tend to take from elsewhere when it comes to this kind of guidance, because the work has been done elsewhere, it is solid, it has been built on evidence from multiple jurisdictions, and it is encapsulated in the best current form of advice. Deputy Tadier suggested that there were philosophical and ethical arguments against adopting N.I.C.E. guidelines. I suspect the Constable of St. Martin might suggest that we have plenty of time; plenty of time on ethical issues over the years. Deputy Tadier argued that N.I.C.E. does not include good provision for over-45s. This is where the looking-glass point comes into it for me. The problem with Deputy Tadier’s argument is that he is saying that we should have more extensive provision, but the amendment reduces provision. Defeat the amendment and you have wider provision. Vote for the amendment and it is not just over-45s who will lose out; it is those younger people as well who will only have one cycle. The logic does not work. “We want to have our own health service and our own health guidelines”, says the Chief Minister. The trouble is, the proposals in this amendment reduce the commitment compared to the U.K., it is less good, so we are exercising our right to be different in order to offer worse provision. We are choosing a lesser service, preserving the option of being more stingy than the U.K. That is not the kind of freedom to choose of which I feel Jersey should be proud. I think we should reject the amendment.

#### **9.2.15 Deputy R.J. Ward:**

I was not going to speak. It was a very good debate, really good debate, really interesting debate until the last speaker, who seemed to be going for his usual approach of gaslighting. I remind that speaker that he voted against free G.P. fees for children, free G.P. fees for multiple morbidities, and G.P. fees for full-time students. Now suddenly he is bringing an argument about the cost being very little and the benefits of it. I want to, therefore, as they say, extinguish that gaslight because it is inappropriate. The amendment, or the main proposition, can be voted for. The amendment does not take on the N.I.C.E. guidelines for a number of specific reasons, and it is an interesting argument. However, there have been a few arguments that I have heard and listened to very intently. While I have been sat here, it is just too hot. That is all, to be quite frank. I think I am just at an age. But I have been listening very intently. Also, this is very difficult for me to talk about because I have not experienced it. I am very lucky to have 2 children and I recognise that, and I fully recognise that, and making judgments about this is really difficult for me. So you look for some data and when I looked up the N.H.S. site, and this is a concern, and I am concerned about voicing this concern because I want to get it in the right way. But, if you look up the success rates in the N.H.S. website, it is 32 per cent for women under 35. I am not sure if you add percentages together for each cycle you increase that percentage, because each cycle is an independent approach to it, so therefore an independent set of statistics. So I would perhaps question that data. I may be wrong and, if I am, I

am absolutely fine to hold my hand up. Data is data. You get it wrong or you are right on it, and I am quite happy with that. But, for women over 44, the success rate is 4 per cent, between 43 and 44 it is 5 per cent, and between 40 and 42 is just 11 per cent. That must be horrendous for people going through this. I absolutely understand that.

[16:30]

What the amendment says is talking about replacing the current means-tested system and when I sat around the Council of Ministers table and we talked about this, I made clear that my belief - and I see the Deputy who wanted to gaslight has left - that healthcare should be free at the point of access for everybody, quite rightly, and so therefore any replacement would get rid of means testing for me, and I would speak up for that around the Council of Ministers table. If we adopt N.I.C.E. guidelines, it does not mean that we cannot have means testing if we wanted to introduce it; they are one and the same thing. This Government and this Assembly could come back and say: "We will adopt the N.I.C.E. guidelines and a number of cycles because they are guidelines, they are not rules, they are guidelines, they are good guidelines. But, however, there will be a pot of money and when that pot of money runs out, what we will have to do is we will have to limit it." That would be reasonable. I would not agree with that because I do not think it is the right thing to do, but that can be done. If we talk about the factual parts of this argument, both the amendment and the main proposition is trying, I believe, to do the same thing, which is to increase the criteria and remove the means testing. But I do feel that we have to have, and this is where my knowledge just disappears because of my lack of experience, and I absolutely accept that, in that I do not know how we deal with the provision of the type of I.V.F. services if the likelihood of success is very, very low. I do not know how we deal with that in terms of the criteria that we set. At what point do we say to couples: "We really believe that you will not be successful during this process and therefore it is not appropriate for you." I simply do not know how we do that, and that is a genuine point. I am not judging. It is a genuine point for me. When I read the amendment, new access criteria that accord with good clinical practices, which have been subject to consultation and ensuring that funding. By the way, the funding is in the same cycle of the Government Plan, so I am not sure where the delay has come from. It is in the same cycle as the Government Plan, so I am not sure I accept that argument about delay. I suppose this is about trust and it is very clear there are Members of the Assembly who simply, whatever this Government does, will not trust it. We will never win that trust because of what has gone on previously in this Assembly. It is inevitable because it has not been a very pleasant time. But I would say to Members is we have to think about what comes out of this. So we can adopt N.I.C.E. guidelines that might change next year, it might be less cycles, might be more cycles, that uncertainty that Members have talked about, or we can start and look very carefully at our own criteria and come back and debate those criteria here. So, quite simply, I have absolutely no idea what is the best thing to do in terms of number of cycles because I have no clinical expertise in this, I have no experience of this, but I am quite willing to replace the means-tested system because I do not think that is the right thing to do, but we need some really good clinical guidelines given the percentages around success. I do not know if it is false hope that I am talking about. I do not know if it is saying to numbers of couples: "You will have access to this. There you go." I do not know how this fits, but we need some sort of criteria in there that protects couples from unexpected, impossible outcomes. Plus, and this is something I have read about in the last few weeks and months and we have discussed with Deputy Stephenson between us ... that was really nice, really good discussion, much better than one of the speeches which has slightly vexed me, but I will get over it, I am a grown-up. It was a very good discussion and I thank her for that. The toll that I.V.F. takes must not be ignored. Physical toll of I.V.F. in terms of on the body. We have to think very, very carefully about what that toll is and what we are funding. So I could, if the amendment wins, I will support it. If it loses, I will support the main amendment, because I think they are more similar than I think we are looking here. I understand the lack of trust in the wording of the amendment and where that may come from, but I would hope that we could have a more constructive approach to it in this Assembly around this topic because I think we all want the same thing, which is give the best



access to people we can possibly give. However, I will say I do not think it is a problem to our demographic shift. The problems with people not having children is not simply I.V.F. That is one proportion of that. But the real problems are income inequality, expensive housing, low wages, and inequality in our society. They have to be addressed if we are going to restore what we want, which is our population and a particular demographic of our population, so I am minded at the moment to support the amendment, but I also, if it does not win, I would support the main proposition and I hope that the speakers can be hopefully as positive and not have the gaslighting. I was going to do my joke, how many narcissists does it take to change a light bulb? None, because they use gaslighting. Thank you very much.

**The Bailiff:**

When you say you were going to do your joke, and then you did it, I am not entirely sure ...

**Deputy R.J. Ward:**

It is a comedy technique. I learned it off of somebody.

**9.2.16 Deputy S.G. Luce:**

In the past, Members would have heard me speak about how fortunate I feel to live on this Island, and when I was first married, my late wife and I lived in a very small bungalow with 1½ bedrooms and had our first child. Just before our second child was born, I moved farms and took on the tenancy of a large farmhouse in St. Martin, where we had 6 bedrooms. We joked that we would have some more kids and when we thought we had enough, we would stop and count how many we had got to. We ended up with 4 wonderful children. I will stop making jokes, though, because this is a more serious debate than that. But, in those early days of our late 20s and early 30s, we never considered or thought about the difficulties and challenges of having children; it was just something that happened naturally. As we got older, one understands more about the pain and anguish of dealing with a miscarriage, or worse still multiple miscarriages. Then, even worse, the difficulties and challenges, the awfulness of not being able to conceive and the anguish that those parents, males and females feel of not being able to carry on their lines. I hate talking about health and money at the same time. So I find this next bit difficult, but I did sit up and start ... I had not meant to speak in this debate, but the Constable of St. Martin said that we do not sit in judgment on cancer patients. It started me thinking. I just want to say this to Members of the Assembly today. We need to be just careful to consider, and I do not particularly want to talk about cancer here, but we do need to consider what might happen depending which way we vote in this debate. Because, if money is not a problem, that is fine, but we know it is. If we say the Minister for Health and Social Services this additional funding of £500,000 - or considerably more that it could be if we could vote for the unamended proposition, it could be considerably more - where are you are going to make the cuts? Are you going to make the cuts on eating disorders or mental health, both really taking off in our young people these days since COVID, or diabetes and other health issues coming down the tracks at us in great numbers, or cancer itself. Where do you take that funding from, Minister for Health and Social Services? But maybe we will say: "No, Minister for Health and Social Services, your budget is ring-fenced, we can take it from some other department. So maybe out of schools and education or nursery provision or 1,001 days, which we need to get back to, police on the beat or supporting the elderly". The Minister, in this amendment, has accepted, and I think we all accept, has cut the means testing for this infertility issue. We need to do that. We need to get more people on the infertility treatment. But when it comes to the potential for a considerable increase in the funding for I.V.F., unlimited potentially funding for those in their 40s, late 40s, where it is so unfortunate that the chances of them succeeding with I.V.F. reduces to almost zero. We must give the Minister some discretion. So I would say to Members, yes, obviously cut out the means testing, but please seriously consider voting for the amendment.

**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 call upon the Minister to respond.

**9.2.17 Deputy T. Binet:**

I would just like to ask if Members would be kind enough to bear with me, I would like to address some of the points that have been made, but I have very messy handwriting and I have notes everywhere, so I might just take a little bit of time to order my thoughts. Firstly, I would like to thank all Members for their contributions, it has been an interesting debate; extremely interesting. Deputy Stephenson said this is not about funding, it is just excuses. I think I am right in saying that. I am afraid to say that for me it is all about money and precious little else, to be honest with you, because I have to say that I was not paying lip service when I said that I found the arguments extremely compelling. They are compelling and I would love to be able to support the proposition unamended, and it certainly might help to make me a little bit less unpopular than I appear to be because of this amendment. However, I just remind Members that someone has to assume the difficult job of providing a full range of health service based on a budget that is defined by this Assembly. I would just remind Members, because an awful lot of former Ministers have spoken against this amendment, and yet the budget that Health has was approved by this Assembly and proposed by them. I find it amazing how quickly ex-Ministers or former Ministers have forgotten that 2 and 2 do not make 5, they only make 4. I would refer people to ... I do not know if anybody was listening to Radio Jersey this morning, somebody drew it to my attention, so I listened to it and it was quoting me from a Scrutiny meeting when I had the unfortunate job of saying that we did not have the £1 million that we needed for the mental health strategy. I noted that the Constable of St. Martin did refer to people on I.V.F. being scapegoats, and once again I have great sympathy, but we also have people over here with serious mental illness and we have not been able to put that £1 million for them either. I would remind Members that we are running a deficit for this year of £18 million. Now, people have spoken very passionately about the need for 3 free treatments, but not one single person that has spoken against the amendment has told me or suggested to me where the money might be coming from, and that makes my life a little bit difficult. I have to say, on the business of means testing, I am not sure how comfortable I am with someone on low income paying extra taxes, because that is what is going to be required to fund 3 cycles of I.V.F. for somebody who has come over here as a 2(1)(e). I do not know why that does not sit terribly comfortably with me. I will confirm that there will not be any delay if the amendment passes, we will move as quickly as we can, and I would ask people not to be frightened of this amendment because it is realistic. I think I will finish by saying that I will be coming back to the Assembly at some point with proposals for increased funding for Health and if we decide to introduce some form of extra taxes for Health, because I really think that is where we are going to have to go, only then will we be able to deliver all of the things that we want, be that mental health, and as much I.V.F. as people need. So I think, on that sobering note, I would just ask Members to support the amendment because it makes a lot of sense.

**Deputy M. Tadier:**

So may I ask the Minister if he will take the amendments separately?

**Deputy T. Binet:**

No, I think that the idea was to run it as one and I would rather it was taken as one, if that is okay.

**The Bailiff:**

Do you call for the appel, Minister? The appel is called for. I invite Members to return to their seats. The vote is on the Minister's amendment to P.20. Members have returned to their seats, I ask the Greffier to open the voting. If Members have had the opportunity of casting their vote, then I ask the Greffier to close the voting. The amendment has been adopted.

<b>POUR: 28</b>		<b>CONTRE: 15</b>		<b>ABSTAIN: 3</b>
Connétable of St. Helier		Connétable of St. Martin		Deputy M. Tadier
Connétable of St. Lawrence		Connétable of St. Clement		Deputy T.A. Coles
Connétable of St. Brelade		Connétable of Grouville		Deputy R.S. Kovacs
Connétable of Trinity		Connétable of St. Ouen		
Connétable of St. John		Connétable of St. Saviour		
Connétable of St. Mary		Deputy L.M.C. Doublet		
Deputy G.P. Southern		Deputy I. Gardiner		
Deputy C.F. Labey		Deputy K.L. Moore		
Deputy S.G. Luce		Deputy D.J. Warr		
Deputy K.F. Morel		Deputy H.M. Miles		
Deputy M.R. Le Hegarat		Deputy J. Renouf		
Deputy S.M. Ahier		Deputy H.L. Jeune		
Deputy R.J. Ward		Deputy A.F. Curtis		
Deputy C.S. Alves		Deputy K.M. Wilson		
Deputy I.J. Gorst		Deputy L.K.F Stephenson		
Deputy L.J Farnham				
Deputy S.Y. Mézec				
Deputy P.M. Bailhache				
Deputy M.R. Scott				
Deputy C.D. Curtis				
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				
Deputy M.B. Andrews				

[16:45]

### **9.3 In Vitro Fertilisation (I.V.F.) Funding (P.20/2024) - as amended (P.20/2024 Amd.)**

#### **The Bailiff:**

We now return to the main proposition as amended. Does any other Member wish to speak on the proposition? No Member wishes to speak on the proposition. Those in favour of adopting the proposition as amended kindly show. The appel is called for. The vote is on the main proposition, as amended. I ask the Greffier to open the voting. If Members have had the opportunity of casting their votes, then I asked the Greffier to close the voting. The proposition has been adopted.

<b>POUR: 44</b>		<b>CONTRE: 1</b>		<b>ABSTAIN: 1</b>
Connétable of St. Helier		Deputy K.M. Wilson		Deputy T.A. Coles
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				

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 M. Tadier				
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 C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy P.M. Bailhache				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy L.K.F Stephenson				
Deputy M.B. Andrews				

## **ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS**

**The Bailiff:**

Very well, the Public Business for today is concluded and I invite the chair of P.P.C. (Privileges and Procedures Committee) to propose the arrangements of public business for future meetings.

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

The arrangement of public business, our next sitting is on 21st May. There have been no lodgings since the Consolidated Order Paper was published. However, we have 6 items listed: P.21 Common Strategic Policy; P.13 Pay Gap Reporting with amendments; P.15 Channel Islands Lottery Distribution of Proceeds; P.18 Assisted Dying; P.23 Reappointment of Jersey Consumer Council Chair. Bearing in mind that we have the assisted dying debate, we should be prepared to sit for at least 3 days and maybe 4 days. I make the proposition.

**The Bailiff:**

Do Members agree to take the order of public business at the forthcoming meetings proposed by the Chair of P.P.C.? Very well. That concludes the business of the Assembly and the Assembly stands adjourned until 10.30 a.m. on Thursday, 9th May, where there is a special meeting to commemorate the liberation of the Island.

**ADJOURNMENT**

[16:48]