

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 11th OCTOBER 2016

COMMUNICATIONS BY THE PRESIDING OFFICER	9
1. The Deputy Bailiff:	9
APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS	9
2. Nomination of Senator S.C. Ferguson as a member of the Corporate Services Scrutiny Panel.....	9
2.1 Deputy J.A.N. Le Fondré of St. Lawrence (Chairman, Corporate Services Scrutiny Panel):.....	9
3. Nomination of Senator S.C. Ferguson as a member of the Health and Social Security Scrutiny Panel	10
3.1 Deputy R.J. Renouf of St. Ouen (Chairman, Health and Social Security Scrutiny Panel):.....	10
QUESTIONS	10
4. Written Questions.....	10
4.1 DEPUTY S.Y. MÉZEC OF ST. HELIER OF THE CHIEF MINISTER REGARDING MEDIA TRAINING: [9635]	10
4.2 DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE MINISTER FOR HEALTH AND SOCIAL SERVICES REGARDING THE FUNDING OF HOME CARE SERVICES PROVIDED BY FAMILY NURSING AND HOME CARE: [9636]	10
4.3 DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE CHIEF MINISTER REGARDING REVENUE-RAISING MEASURES TO REPLACE THE HEALTH CHARGE: [9637].....	25
4.4 DEPUTY M. TADIER OF ST. BRELADE OF THE MINISTER FOR EDUCATION REGARDING NON-GENDER-SPECIFIC UNIFORMS IN SCHOOLS: [9638].....	26
4.5 DEPUTY M. TADIER OF ST. BRELADE OF THE MINISTER FOR EDUCATION REGARDING FUNDING OF THE JERSEY MUSIC SERVICE: [9639]	26
4.7 DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE MINISTER FOR EDUCATION REGARDING SALARY LEVELS FOR NEWLY QUALIFIED TEACHERS IN COMPARISON WITH THOSE IN THE UNITED KINGDOM: [9641].....	26
4.8 DEPUTY S.Y. MÉZEC OF ST. HELIER OF THE MINISTER FOR SOCIAL SECURITY REGARDING THE LEVEL OF JERSEY'S MINIMUM WAGE: [9642].	28
4.9 DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE MINISTER FOR EDUCATION REGARDING PROPOSALS FOR TEACHERS' PAY SCALES: [9643].....	29

4.10 DEPUTY M.R. HIGGINS OF ST. HELIER OF THE MINISTER FOR TREASURY AND RESOURCES REGARDING REPORTS IN RESPECT OF TAXES COMMISSIONED SINCE 2004: [9644].....	30
4.11 DEPUTY M.R. HIGGINS OF ST. HELIER OF THE MINISTER FOR TREASURY AND RESOURCES REGARDING TAX INCOME FROM MINING COMPANIES AND HEDGE FUNDS: [9645].....	31
4.12 DEPUTY M.R. HIGGINS OF ST. HELIER OF THE MINISTER FOR INFRASTRUCTURE REGARDING THE ENERGY FROM WASTE PLANT: [9646]	31
4.13 DEPUTY M.R. HIGGINS OF ST. HELIER OF THE MINISTER FOR TREASURY AND RESOURCES REGARDING TAX REVENUE UNDER THE ‘ZERO-TEN’ TAX REGIME: [9647].....	33
4.14 THE DEPUTY OF ST. JOHN OF THE MINISTER FOR EDUCATION REGARDING THE WORK OF THE JERSEY CURRICULUM COUNCIL: [9648] ...	35
4.15 DEPUTY S.Y. MÉZEC OF ST. HELIER OF THE MINISTER FOR EDUCATION REGARDING THE 14+ TRANSFER TO HAUTLIEU SCHOOL: [9649].....	36
4.16 DEPUTY S.Y. MÉZEC OF ST. HELIER OF THE MINISTER FOR TREASURY AND RESOURCES REGARDING ORGANISATIONS IN RECEIPT OF STATES GRANTS: [9650].....	36
4.17 DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE MINISTER FOR INFRASTRUCTURE REGARDING THE OUTSOURCING OF SERVICES FOLLOWING THE RESTRUCTURING OF THE DEPARTMENT: [9651]	50
5. Oral Questions	52
5.1 Deputy M. Tadier of St. Brelade of the Minister for Education regarding the recruitment of specialist secondary school teachers: [9659].....	52
Deputy R.G. Bryans of St. Helier (The Minister for Education):	53
5.1.1 Deputy M. Tadier:	53
5.1.2 Deputy A.D. Lewis of St. Helier:.....	53
5.1.3 Deputy A.D. Lewis:.....	54
5.1.4 Deputy G.P. Southern:.....	54
5.1.5 Deputy G.P. Southern:.....	54
5.1.6 Deputy L.M.C. Doublet of St. Saviour:.....	54
5.1.7 Deputy M. Tadier:	54
5.2 Deputy J.M. Maçon of St. Saviour of the Minister for Health and Social Services regarding support for the work of the Sexual Health Service: [9627]	55
Senator A.K.F. Green (The Minister for Health and Social Services):.....	55
5.2.1 Deputy J.M. Maçon:	55
5.2.2 Deputy J.A. Martin of St. Helier:.....	56
5.2.3 Deputy J.A. Martin:.....	56
5.2.4 Deputy G.P. Southern:.....	56
5.2.5 Deputy J.M. Maçon:	56
5.3 Deputy J.A. Martin of the Minister for Health and Social Services regarding looked-after children in the care of the States: [9652].....	56
Senator A.K.F. Green (The Minister for Health and Social Services):.....	57
5.3.1 Deputy J.A. Martin:.....	57
5.3.2 Deputy J.A. Hilton of St. Helier:	57
5.3.3 Deputy J.A. Hilton:	57

5.3.4	The Deputy of St. Ouen:.....	58
5.3.5	Deputy M. Tadier:.....	58
5.3.6	Deputy M. Tadier:.....	58
5.3.7	Deputy M.R. Higgins of St. Helier:.....	58
5.3.8	Deputy M.R. Higgins:.....	58
5.3.9	Deputy R. Labey of St. Helier:.....	59
5.3.10	Deputy G.P. Southern:.....	59
5.3.11	Deputy G.P. Southern:.....	59
5.3.12	Deputy J.A. Hilton:.....	59
5.3.13	Deputy J.A. Martin:.....	59
5.4	Deputy G.P. Southern of the Minister for Health and Social Services regarding the impact of changes to service level agreements between the department and Family Nursing and Home Care: [9653]	60
	Senator A.K.F. Green (The Minister for Health and Social Services):.....	60
5.4.1	Deputy G.P. Southern:.....	60
5.4.2	Deputy K.C. Lewis of St. Saviour:.....	61
5.4.3	Senator S.C. Ferguson:.....	61
5.4.4	Senator S.C. Ferguson:.....	61
5.4.5	The Deputy of St. Ouen:.....	62
5.4.6	The Deputy of St. Ouen:.....	62
5.4.7	Deputy M. Tadier:.....	62
5.4.8	Deputy M. Tadier:.....	62
5.4.9	Deputy T.A. Vallois of St. John:.....	62
5.4.10	Deputy G.P. Southern:.....	63
5.5	Deputy R. Labey of the Minister for Social Security regarding the potential for changes to the contributions liability of self-employed people: [9654].....	63
	Deputy S.J. Pinel of St. Clement (The Minister for Social Security):.....	63
5.5.1	Deputy R. Labey:.....	64
5.5.2	Deputy S.Y. Mézec of St. Helier:.....	64
5.5.3	Deputy M.R. Higgins:.....	64
5.5.4	Deputy G.P. Southern:.....	65
5.5.5	Deputy M. Tadier:.....	65
5.5.6	Deputy R. Labey:.....	65
5.6	Deputy M.R. Higgins of the H.M. Attorney General regarding the test used by the Law Officers' Department when deciding whether to defend States Departments: [9662].....	65
	Mr. M.H. Temple Q.C., H.M. Solicitor General (Rapporteur):.....	65
5.6.1	Deputy M.R. Higgins:.....	66
5.6.2	Senator S.C. Ferguson:.....	66
5.6.3	Senator S.C. Ferguson:.....	66
5.6.4	Deputy M. Tadier:.....	66
5.6.5	Deputy M. Tadier:.....	67
5.6.6	Deputy S.Y. Mézec:.....	67
5.6.7	Deputy M.R. Higgins:.....	67
5.7	Deputy A.D. Lewis of the Minister for Health and Social Services regarding the use of thrombolysis in Jersey for stroke patients in comparison with its use in the United Kingdom: [9658]	68

Senator A.K.F. Green (The Minister for Health and Social Services):.....	68
5.7.1 Deputy A.D. Lewis:.....	68
5.7.2 Senator S.C. Ferguson:.....	69
5.7.3 Senator S.C. Ferguson:.....	69
5.7.4 Deputy M. Tadier:.....	69
5.7.5 Deputy A.D. Lewis:.....	69
5.8 Deputy S.Y. Mézec of the Minister for Economic Development, Tourism, Sport and Culture regarding the justification for travel and accommodation expenses incurred by civil servants watching rugby matches: [9657].....	70
Senator L.J. Farnham (The Minister for Economic Development, Tourism, Sport and Culture):.....	70
5.8.1 Deputy S.Y. Mézec:.....	71
5.8.2 Senator S.C. Ferguson:.....	71
5.8.3 Senator S.C. Ferguson:.....	72
5.8.4 Deputy C.F. Labey of Grouville:.....	72
5.8.5 Deputy J.A. Hilton:.....	72
5.8.6 Deputy M. Tadier:.....	72
5.8.7 Deputy A.D. Lewis:.....	73
5.8.8 Deputy G.P. Southern:.....	73
5.8.9 Connétable M.P.S. Le Troquer of St. Martin:.....	73
5.8.10 Deputy S.Y. Mézec:.....	74
5.9 Deputy J.A.N. Le Fondré of the Chief Minister regarding measures to be taken following the Assembly's rejection of the proposed Health Charge: [9661].....	74
Senator I.J. Gorst (The Chief Minister):.....	74
5.9.1 Deputy J.A.N. Le Fondré:.....	75
5.9.2 Senator S.C. Ferguson:.....	75
5.9.3 Deputy M.R. Higgins:.....	75
5.9.4 Deputy G.P. Southern:.....	76
5.9.5 Deputy M. Tadier:.....	76
5.9.6 Deputy M. Tadier:.....	77
5.9.7 The Deputy of St. John:.....	77
5.9.8 The Deputy of St. John:.....	78
5.9.9 Deputy J.A.N. Le Fondré:.....	78
5.10 Deputy M. Tadier of the Minister for Health and Social Services regarding delays in the assessment of applicants for the Long Term Care Scheme: [9660].....	79
Senator A.K.F. Green (The Minister for Health and Social Services):.....	79
5.10.1 Deputy M. Tadier:.....	80
5.10.2 Deputy J.A. Hilton:.....	80
5.10.3 Connétable C.H. Taylor of St. John:.....	80
5.10.4 Deputy G.P. Southern:.....	80
5.10.5 Deputy G.P. Southern:.....	81
5.10.6 Deputy M. Tadier:.....	81
5.11 Deputy R. Labey of the Minister for Health and Social Services regarding the impact on hospital services of reduced funding for Family Nursing and Home Care: [9655].....	81
Senator A.K.F. Green (The Minister for Health and Social Services):.....	81
5.11.1 Deputy R. Labey:.....	82

5.12 Deputy G.P. Southern of the Minister for Education regarding the relationship between a reduced pay rate for Newly Qualified Teachers and the overall pay structure for teachers: [9656]	82
Deputy R.G. Bryans (The Minister for Education):.....	82
5.12.1 Deputy G.P. Southern:	82
5.12.2 Deputy S.Y. Mézec:.....	83
5.12.3 Deputy M. Tadier:.....	83
5.12.4 Deputy M. Tadier:.....	83
5.12.5 Deputy G.P. Southern:	83
5.13 Deputy M.R. Higgins of H.M. Attorney General regarding the recourse available to an individual in circumstances where the delayed provision of information by a States Department led to the individual's claims against that Department being 'time-barred': [9663]	84
The Solicitor General (Rapporteur):.....	84
5.13.1 Deputy M.R. Higgins:.....	84
5.13.2 Deputy M.R. Higgins:.....	85
6. Questions to Ministers without notice - The Minister for Infrastructure.....	85
6.1 Deputy J.A. Hilton:	85
Deputy E.J. Noel of St. Lawrence (The Minister for Infrastructure):.....	85
6.2 Deputy G.P. Southern:.....	85
6.3 Deputy P.D. McLinton of St. Saviour:.....	86
6.4 Deputy M. Tadier:.....	86
6.4.1 Deputy M. Tadier:.....	87
6.5 Deputy M.R. Higgins:	87
6.5.1 Deputy M.R. Higgins:	87
6.6 The Connétable of St. Saviour:.....	88
6.6.1 The Connétable of St. Saviour:.....	88
6.7 Deputy A.D. Lewis:.....	88
6.8 Deputy M. Tadier:.....	89
6.8.1 Deputy M. Tadier:.....	89
7. Questions to Ministers without notice - The Chief Minister	89
7.1 Deputy J.A. Hilton:	89
Senator I.J. Gorst (The Chief Minister):.....	89
7.1.1 Deputy J.A. Hilton:	90
7.2 Deputy K.C. Lewis:.....	90
7.3 Deputy S.Y. Mézec:	90
7.4 The Deputy of St. Ouen:.....	90
7.5 Deputy M. Tadier:.....	91
STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY.....	91
8. The Minister for Social Security - statement regarding the launch of consultation for the Social Security Review	91
8.1 Deputy S.J. Pinel (The Minister for Social Security):.....	92
8.1.1 Deputy J.A. Martin:.....	94
8.1.2 Deputy G.P. Southern:.....	94
8.1.3 Deputy M. Tadier:.....	94

8.1.4 Deputy J.A.N. Le Fondré:.....	95
8.1.5 The Deputy of St. Ouen:.....	95
8.1.6 Deputy J.M. Maçon:.....	95
8.1.7 Deputy S.M. Wickenden of St. Helier:.....	96
8.1.8 Senator P.F. Routier:.....	96
8.1.9 The Deputy of St. John:.....	96
8.1.10 Deputy G.P. Southern:.....	96
8.1.11 Deputy G.P. Southern:.....	97
8.1.12 Deputy M. Tadier:.....	97
8.1.13 Deputy M. Tadier:.....	97
8.1.14 Senator P.F.C. Ozouf:.....	97
8.1.15 Deputy J.A.N. Le Fondré:.....	98
8.1.16 Deputy J.A.N. Le Fondré:.....	98
9. The Chief Minister - statement regarding the Medium Term Financial Plan 2017-2019.....	98
9.1 Senator I.J. Gorst (The Chief Minister):.....	98
9.1.1 Deputy J.M. Maçon:.....	100
9.1.2 Deputy R. Labey:.....	100
9.1.3 Deputy G.P. Southern:.....	100
9.1.4 Deputy S.M. Wickenden:.....	100
9.1.5 Deputy J.A. Martin:.....	101
9.1.6 Deputy J.A. Martin:.....	101
9.1.7 Deputy M. Tadier:.....	101
9.1.8 Deputy M. Tadier:.....	102
9.1.9 Senator S.C. Ferguson:.....	102
9.1.10 Deputy M.R. Higgins:.....	102
9.1.11 Deputy A.D. Lewis:.....	103
9.1.12 The Deputy of Grouville:.....	103
LUNCHEON ADJOURNMENT PROPOSED	104
LUNCHEON ADJOURNMENT	104
PUBLIC BUSINESS - ARRANGEMENT OF PUBLIC BUSINESS FOR THIS MEETING	104
Deputy P.D. McLinton:.....	104
Deputy A.D. Lewis:.....	104
Deputy M.J. Norton of St. Brelade:.....	104
PUBLIC BUSINESS.....	105
10. Draft Income Support (Special Payments) (Christmas Bonus) (Jersey) Regulations 201- (P.84/2016).....	106
10.1 Deputy S.J. Pinel (The Minister for Social Security):.....	106
10.1.1 The Connétable of St. Martin:.....	106
10.1.2 Deputy S.J. Pinel:.....	107
10.2 Deputy S.J. Pinel:.....	109
10.2.1 Deputy M. Tadier:.....	109
The Solicitor General:.....	109
10.2.2 Deputy S.J. Pinel:.....	110
11. Draft Social Security (Christmas Bonus) (Jersey) Regulations 201- (P.85/2016)	112
11.1 Deputy S.J. Pinel (The Minister for Social Security):.....	112

12. Draft Food Costs Bonus (Jersey) Regulations 201- (P.83/2016).....	115
12.1 Deputy S.J. Pinel (The Minister for Social Security):.....	115
12.1.1 Deputy J.A. Martin:	115
12.1.2 Deputy J.A.N. Le Fondré:	116
12.1.3 The Deputy of St. Ouen:	116
12.1.4 Senator I.J. Gorst:	116
12.1.5 Deputy M. Tadier:.....	116
12.1.6 Deputy G.P. Southern:	117
12.1.7 The Deputy of Grouville:	117
12.1.8 Senator P.F. Routier:.....	118
12.1.9 Deputy S.J. Pinel:	118
13. Draft Price Indicators (Amendment No. 2) (Jersey) Regulations 201- (P.81/2016)...	121
13.1 Deputy M.J. Norton (Assistant Minister for Economic Development, Tourism Sport and Culture - rapporteur):	121
14. Draft Prison (Amendment No. 7) (Jersey) Law 201- (P.89/2016).....	123
14.1 Deputy K.L. Moore of St. Peter (The Minister for Home Affairs):.....	123
14.1.1 The Connétable of St. Martin:	124
14.1.2 The Very Reverend R.F. Key, B.A., The Dean of Jersey:	125
14.1.3 Deputy J.A. Martin:	125
14.1.4 Deputy S.Y. Mézec:.....	126
14.1.5 Deputy M. Tadier:.....	126
14.1.6 The Deputy of St. Peter:.....	127
14.2 The Deputy of St. Peter:	129
14.2.1 Deputy M. Tadier:.....	129
14.2.2 The Deputy of St. Peter:.....	129
15. Ratification of the Agreement between the Government of Jersey and the Government of the Republic of Chile for the Exchange of Information on Tax Matters 201- (P.90/2016).....	130
15.1 Senator P.M. Bailhache (The Minister for External Relations):.....	131
16. Ratification of the Agreement Between the Government of Jersey and the Government of The Republic of Cyprus for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with regard to Taxes 201- (P.91/2016).....	131
16.1 Senator P.M. Bailhache (The Minister for External Relations):.....	131
17. States of Jersey Development Company Limited: appointment of Non-Executive Directors 201- (P.93/2016 (re-issue))	133
17.1 Connétable J.M. Refault of St. Peter (Assistant Minister for Treasury and Resources - rapporteur):	133
18. Higher Education Funding: “in-committee” debate (R.51/2016).....	134
18.1 Deputy A.D. Lewis:.....	134
18.1.1 Deputy J.M. Maçon:	137
18.1.2 Deputy R.G. Bryans:.....	140
18.1.3 Deputy S.Y. Mézec:.....	142
18.1.4 Deputy M.J. Norton:	145
18.1.5 Deputy M. Tadier:.....	146

18.1.6	The Connétable of St. John:	149
18.1.7	Deputy D. Johnson of St. Mary:	150
18.1.8	The Deputy of St. John:	150
18.1.9	Deputy A.D. Lewis:	152
ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS		155
19.	Connétable L. Norman of St. Clement (Chairman, Privileges and Procedures Committee):	155
ADJOURNMENT.....		155

[9.31]

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

COMMUNICATIONS BY THE PRESIDING OFFICER

1. The Deputy Bailiff:

On behalf of Members I would like to welcome His Excellency, the Lieutenant Governor, to the Chamber this morning. **[Approbation]** We have distinguished visitors to the Assembly, Sir Oliver Heald, Minister of State for Ports and Justice with responsibility for the United Kingdom's relations with the Crown Dependencies, is visiting us. He is accompanied by his assistant private secretary, Elizabeth Stafford, and the new head of the Crown Dependencies team at the Ministry of Justice, Elaine Cobb, and I am sure Members would like to welcome them. **[Approbation]** We also have other distinguished visitors in the Assembly this morning, Helvetia years 5 and 6 are in the gallery this morning to watch the States in action and perhaps Members would like to welcome them. **[Approbation]** As was announced from the Chair at the last sitting, former States Deputy, Jacqui Huet died the week before last. After a career in banking she was first elected as Deputy for St. Helier No. 3 District on 9th December 1993 and was subsequently re-elected in 1996, 1999 and 2002, ultimately leaving the Assembly following the election in 2008 having served for some 15 years. While in the Assembly she served on many committees, including Planning, Harbours and Airports, Education and Housing and she was the first ever Assistant Minister for Transport and Technical Services. She was a member of the Overseas Aid Committee from 1996, becoming president of that committee in 2002 and then chairman of the Overseas Aid Commission in 2005. Even when she left politics and was challenged by illness she was active in the 2014 elections, organising seminars to encourage women to stand for the States. She is fondly remembered by those who served and worked with her for her straight talking, her earthly sense of humour, infectious laugh and kind heart. As to her sense of humour, the Bailiff has no difficulty in remembering her turning round in the Chamber to offer him a toffee shortly after he had joined the Assembly as Attorney General and then a minute later asking the Presiding Officer in her sweetest voice if the Attorney General might help on a point of law. She was a dedicated politician, dedicated to preserve the Island that she loved and committed to serving those whom she represented to the best of her ability. She was devoted to her husband and 2 children and our thoughts are with them. May I ask Members to rise for a minute in silence in memory of her? May she rest in peace.

APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

2. Nomination of Senator S.C. Ferguson as a member of the Corporate Services Scrutiny Panel

The Deputy Bailiff:

We now come to Appointment of Ministers, Committees and Panels and the first is nomination for membership of the Corporate Services Scrutiny Panel.

2.1 Deputy J.A.N. Le Fondré of St. Lawrence (Chairman, Corporate Services Scrutiny Panel):

I am delighted to nominate Senator Ferguson to be a member of the Corporate Services Scrutiny Panel and in so doing inform the Assembly that I wish to increase the panel membership to 5.

The Deputy Bailiff:

Is the nomination seconded? **[Seconded]** Are there any other nominations? If not, then I declare that Senator Ferguson is now a member of the Corporate Services Scrutiny Panel.

[Approbation] There is now a proposal for membership in connection with the Health and Social Security Scrutiny Panel.

3. Nomination of Senator S.C. Ferguson as a member of the Health and Social Security Scrutiny Panel

3.1 Deputy R.J. Renouf of St. Ouen (Chairman, Health and Social Security Scrutiny Panel):

In a similar vein I am delighted to nominate Senator Ferguson as a member of the Health and Social Security Scrutiny Panel and that would bring the numbers on the panel up to 5 in the same way.

The Deputy Bailiff:

Is the nomination seconded? **[Seconded]** Are there any other nominations? If not, then I declare that Senator Ferguson is now a member of the Social Security Scrutiny Panel. **[Approbation]** There are no matters under G and H and we therefore come to written questions.

QUESTIONS

4. Written Questions

4.1 DEPUTY S.Y. MÉZEC OF ST. HELIER OF THE CHIEF MINISTER REGARDING MEDIA TRAINING: [9635]

Question

Has the Chief Minister received media training funded by the Department since his current term of office began and, if so, would he advise when the training was provided and the cost?

Answer

No.

4.2 DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE MINISTER FOR HEALTH AND SOCIAL SERVICES REGARDING THE FUNDING OF HOME CARE SERVICES PROVIDED BY FAMILY NURSING AND HOME CARE: [9636]

Question

Following the recent announcement regarding changes to the funding of home care services provided by Family Nursing and Home Care (FNHC), will the Minister:

- (a) advise where the changes were detailed in the Draft MTFP Addition (P.68/2016) and explain why they were not brought to the Health and Social Security Scrutiny Panel for consideration and to the Assembly for debate;
- (b) agree to release to Members the minutes or file notes of meetings held by the Department since 2014 at which the delivery of FNHC services was discussed, and advise whether, at a meeting in May 2016, funding was assured until the end of 2016;
- (c) advise when FNHC was informed that funding for its services would be cut immediately, and cease altogether on 1st January 2017; and
- (d) explain what impact such action would be likely to have on FNHC in respect of its:
 - (i) Delivery of home care services;

- (ii) Staff numbers;
- (iii) Staff terms and conditions (including rates of pay, pension, holiday and sickness entitlements); and
- (iv) Charges for service users not covered by Long-Term Care or Income Support components?

Answer

a) There is no reference in the Draft MTFP Addition (P.68/2016) because P.68/2016 relates to spending plans for the years 2017 – 2019 whereas this is a 2016 initiative which was referenced in the previous year’s MTFP Addition (P72/2015). On page 83, HSSD outlines how it will deliver £7.6 million of savings in 2015-2016, including:

- “Requiring efficiencies in contracts for services with on-island providers including voluntary and community sector partners”.

We would not ordinarily go into detail about specific elements of particular proposals, especially when the work on the detail of the proposal was still ongoing and being carefully considered.

b) Key correspondence between the Department and FNHC over the period since 2014 has been shared with the Health and Social Security Scrutiny Panel and is listed at Appendix A. The minutes of the May 2016 meeting are attached (Appendix B), as are the letters from the Department to the Chair and Chief Executive of FNHC in April 2016 (Appendix C). These clearly state the intention to reduce the home care subsidy in two phases during 2016 with a view to removing the subsidy in totality from January 2017. They also advise FNHC of the need to ensure clients are using the correct funding streams (Long-Term Care Benefit or Income Support Personal Care Component) to fund their Home Care should they need financial assistance.

c) Funding for home care is not being cut. The subsidy is being reduced. The attached letter dated 18th December 2015 (Appendix D) states clearly the intention to reduce the subsidy for Home Care. It should be noted that the funding for reablement home care has been provided in full by HSSD through the Rapid Response & Reablement service.

The impact on FNHC’s Home Care provision is a matter for FNHC to answer; options are available for FNHC, but these are subject to decisions by their Committee. It should be noted that my Department offered a Deputy Director to work with FNHC one day per week to assist in considering options, but (unlike other voluntary sector organisations), FNHC did not take up this offer. Ultimately, decisions about their services and staffing arrangements are properly a matter for FNHC.

Appendix A

- July 2016 summary proposals for the 2016 contract
- 24 May notes of meeting
- 13 April letters from Senator Green to Ann Esterson and from Rachel Williams to Julie Gafoor
- 7 March letter from Julie Gafoor to Rachel Williams
- 4 February letter from Ann Esterson to Senator Green

- 4 February notes of meeting
- 7 January 2016 notes of meeting
- 21 December 2015 letter from Rachel Williams re: contract extension
- 18 December letter from Rachel Williams to Ann Esterson
- End of November letter from Ann Esterson to Rachel Williams
- 30 October letter from Julie Gafoor to John Spicer
- 29 October letter from Julie Gafoor to Rachel Williams
- 16 October letter from Rachel Williams to Julie Gafoor
- 18 May 2015 notes of meeting
- 28 November 2014 note from Derek Hoddinott to Rachel Williams Jason Turner, containing the April 2014 Commissioning Intentions which had been shared with FNHC
- 9th July 2014 notes of meeting

Appendix B

Notes of a meeting between FNHC and HSSD, 24 May 2016

Present: Julie Gafoor, Adrian Blampied

Rachel Williams, Amy Taylor

Home Care

Julie noted that FNHC accept the principle of reducing the subsidy.

Adrian noted that we need to agree the elements of the 2016 costs that need to be removed from the overhead calculations e.g. EMIS, refurbishment.

Adrian suggested that the Home Care funding from HSSD for May – December 2016 should be £555,488 (for 44,000 hours). This is pro rata at the rate of £29 per hour for 1 May – 31 July, and £21 per hour for 1 August – 31 December. Long Term Care Benefit should fund 16,973 hours.

It was agreed that, by 30 June at the latest (but earlier if possible, in order to provide FNHC with certainty) that:

- HSSD will fund Home Care for 2016 on this calculation basis
- Adrian to remove the non-overhead costs from the overhead calculation
- Amy and Adrian to agree the apportionment of overheads to services
- Adrian to refresh the other costings e.g. the Rapid Response and Reablement

District Nursing and Specialist Nurses

Julie noted that FNHC are broadly in agreement with the updated specifications. Rachel noted that there are a small number of changes that will be added following a discussion with Claire White.

Julie explained that FNHC will be piloting EMIS data collection for District Nursing, from 1st July.

Rachel explained that HSSD will be commissioning on an activity basis from 1 January – i.e. that there will be a payment for an amount of activity (which will be determined by

benchmarking and considering current activity levels). Bronwen Whittaker (Deputy Director Community & Primary Pathways) will lead on this when she is in post from 27 June. This will provide the remainder of the year to be clear on requirements and safely transition. Julie expressed her comfort with Bronwen taking this role.

Rapid Response & Reablement

The 'implementation plan' was discussed. Julie noted that this was a plan to improve productivity, not a plan to transition from Proof of Concept' to 'Business As Usual'. Julie noted that a transition plan from Proof of Concept' to 'Business As Usual' was required. She would send this to Rachel, along with the proposed budget and staffing structure.

Rachel noted that, once she has received and reviewed this, she would be in a position to agree that Rapid Response & Reablement can move into 'Business As Usual'.

Rachel noted that she is on leave from Thursday 2nd June to 13th June.

In terms of the future, Rachel noted that, like District Nursing, the intention is to commission Rapid Response & Reablement on an activity basis from 1 January 2017. This will mean that FNHC will be responsible for operationally managing the service in order to achieve that activity, and therefore will not need to seek agreement for operational matters such as changing staffing levels. Julie welcomed this approach.

Rachel noted that FNHC still need to agree a Memorandum of Understanding (MOU) with Community & Social Services, regarding matters such as staff deployment and availability. She suggested that this should be progressed as a matter of urgency, and included in the transition plan.

Policy 1

Rachel provided an update on timescales and actions, and shared the action plan with Julie and Adrian.

Julie agreed that FNHC would send letters to their clients in due course, and would assist in arranging the assessments as HSSD cannot contact FNHC's clients due to Data Protection issues.

Actions and update from February meeting

Adult Commissioning Intentions

Requested Action 1: Provide information regarding progress against contractual requirement to improve efficiency for District Nursing and Health Visiting and Invest to Save projects (electronic patient record and Clinical Management system). **Not yet received**

- Reiterated that JS would work with FNHC to identify the data / information that could demonstrate improvements in efficiency.

JG explained that the FNHC Business Plan has not yet been to their Committee. JG to send to RW when this has happened – possibly end of February. **Received**

Requested Action 2: refund HSSD for any posts that are funded but are vacant

- AB noted that 2015 accounts are not yet closed, but would be completed in draft by 12 February. AB to then confirm the unspent P82 monies. **Not yet completed**

Commissioning Intention 1 – Alter financial reporting to provide clarity regarding funding sources; progress service line costing

- AB agreed to progress this once the 2015 accounts are closed. **In progress?**

Commissioning Intention 2 – work together to align processes and criteria for Policy 1, and Commissioning Intention 4 – review all Homecare clients and transfer to appropriate funding source

- FNHC will send data to Will Lakeman this week, then meet in the week commencing 22 February. **Complete**

- JG noted that the client base is now c220, with approximately 58% at GNS 3 – 5

- RW noted that clients are assessed, their Indicative Budgets identified and the individuals then choose their providers; she suggested that FNHC should consider how to make themselves more financially competitive and/or to consider their offering in order to ensure clients continue to choose their services

- JG noted that FNHC may decide not to remain in the market for traditional home care in the future

- JG noted that the next FNHC Committee meeting is 12 April, as Ann Esterson is away for 7 weeks

Commissioning Intention 5 – HSSD to fund District Nursing, with a revised specification and metrics. **In progress**

- RW reiterated that HSSD are intending to fund District Nursing (all service provision costs). An updated service specification is required

- JS and FNHC to revise and update the service specification and metrics in Q1 (action as per previous meeting); this will include considering service models from other jurisdictions and their outputs / outcomes, modelling to understand volumes, understanding the current services and identifying gaps

Commissioning Intention 8 – produce a project plan to improve sustainability. **Not received**

- FNHC had not produced an initial draft project plan. This was an agreed action from the previous meeting, and was to be discussed in this meeting

- A short discussion ensued regarding workstreams; RW asked if FNHC needed help to produce the initial draft; JG / AB noted that they could do it

- (action from previous meeting) JS to then work with FNHC to develop the plan, to be agreed (and for actions to be progressed) no later than 31 March

AOB

- AB and AT to discuss and confirm the contract amount for the main contract

- Costed workforce proposal for RRRT still required. A word document had been received in late October, but this did not demonstrate clearly what was proposed in terms of the existing and future team. Detailed costings were received on 29th January. Both elements need to be brought together, in order to clearly show:

- 2015 staffing and cost
- Proposed staffing and how this differs from the original
- Reasons – how this will increase capacity and value for money
- Proposed cost (which must be within the original envelope)

- A short discussion was held regarding strategic / future ambitions for RRRT, including which organisation should employ staff once the team has moved to ‘business as usual’

Appendix C

Health and Social Services Department

Peter Crill House
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JE2 3QS



Ann Esterson
Chairman
Family Nursing and Home Care
Le Bas
St Saviour's Road
St Helier
Jersey
JE2 4RP

13 April 2016

Dear Ann

Re: Health and Social Services Commissioning Intentions for 2016

Thank you for meeting with myself and my officers. I think we had some useful and interesting discussions, and I hope the meeting went some way to clarifying the way forward, which we have discussed at various times over the past 2 years. As I noted at the meeting, I appreciate and value the work that is done by Family Nursing and Home Care. You are a much-loved Jersey organisation, and I know that many Islanders benefit from your services and hold you in high regard.

I have attached a letter from Rachel Williams to Julie Gafoor, which I hope will provide you with the technical detail and clarity that you have requested. I hope this addresses your questions, and also those which you raised in your email last Monday. I will try to respond to your email firstly; I have written your original email in blue, for ease of reading:

(1) Health will no longer fund any home care for the elderly (unlike the UK which funds it albeit on a limited budget). It was unclear whether homecare services currently paid through a block contract would continue to be funded by Health, typically complex child cases.

- the Long Term Care Benefit funds care for some Islanders, others will be considered within 'policy 1', which is being developed this year. Towards the end of the year we will be able to confirm the funding sources for all adults. Notwithstanding this, HSSD will continue to fund care for anyone under the age of 18.

(2) Existing funding, largely targeted at the more vulnerable elderly through FNHC, will be withdrawn. There is no intent to purchase any social care for the elderly through any provider.

- As I explained in our meeting, from 1st January 2017 we will fully withdraw the subsidy which is being used to reduce your home care charges.

(3) Jersey residents in need of homecare support will have to find a provider and pay the full cost of such services at a price the market determines. (4) Those who qualify for the Long Term Care Allowance will have a component to cover all or part of the cost (depending on fees charged by providers.)

- this is correct, and has been the case since the introduction of the Long Term Care benefit in 2014. An individual's Long Term Care Benefit amount is determined by their needs assessment and their ability to meet their initial care costs themselves.

(5) The less well-off and cash poor who don't come into the LTCA categories may be helped through the Income Support System but this has yet to be confirmed. I am unclear whether the Policy 1 proposal has been approved by the Social Security Minister, what level of support, if any, might be given and the timeframe.

- HSS is working very closely with the Social Security Department to ensure that low income households will be able to receive means tested support with care costs through an extension of Income Support Personal Care components.

(6) You want to keep FNHC in the mix of providers but may be unable to help ease the transition of the elderly receiving homecare services at a reduced to a full rate from FNHC (and also FNHC's transition to the creation of a business model arm of the organisation) after the end of this year.

- I want Islanders to have choice, in order to achieve this we need a number of providers.

(7) The policy intent is to fund District Nursing Services in full but as yet the basis of assessing full costs and timeframe is unclear.

- I understand that both of our teams have agreed to complete this work by the end of this month; Rachel's letter (attached) refers to this.

As explained in the meeting, I am clear that my Department needs to cease the home care subsidy from 1st January 2017, and also needs to improve value for money from District Nursing. To that end, Rachel has set out a clear timescale and expectations in her letter to your Chief Executive. I believe this is a considered and achievable plan, which should provide you with enough time to make any changes, for example, by considering whether you wish to subsidise your services using other funding sources. I just wanted to be clear, though, that this isn't the same as 'removing a block contract', and I was heartened that you understood this in the meeting and expressed your commitment to achieving the subsidy removal.

In terms of District Nursing, our teams will continue to work together on the service specification, and the amount of services that Islanders need. I understand that this will be complete by the end of this month.

I can also confirm that the funding for Children's services will remain at 2015 levels for the remainder of 2016.

In summary, I wanted to note that I understand you are concerned about the changes facing FNHC, but I hope you also agree that there are many opportunities to develop and integrate care in order to ensure that services remain safe, sustainable and affordable and are delivered in partnership.

I intend to continue to support the most vulnerable individuals in our society, in particular by investing in rapid response, reablement home care, mental health and sustained home visiting, and I hope that FNHC will continue to be a key partner in this journey, receiving additional funding to provide some of these new and expanded services.

I trust this letter has helped to clarify your questions, and I would like to take this opportunity to thank you again for your hard work and dedication, and to the difference you make to Islanders on a daily basis.

Yours sincerely

Senator Andrew Green MBE
Minister for Health and Social Services
States of Jersey

Copy:
Constable Refault
Deputy McLinton
Julie Garbutt
Rachel Williams
Jason Turner

Health and Social Services Department
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Julie Gafoor
Chief Executive
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Le Bas
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13 April 2016

Dear Julie

Re: Health and Social Services Commissioning Intentions for 2016

I am writing following the meeting between HSSD and yourselves on 1st April. In that meeting, and in your recent letter, you requested further clarity regarding HSSD's Commissioning Intentions and in particular regarding timescales.

I will address each of the three services in turn (Home Care, District Nursing and children's services):

Home Care

As noted at the meeting, it is useful to consider two elements separately:

1. Withdrawal of home care subsidy and reduction in home care cost base
2. Clarity over funding sources (Long Term Care Benefit and Policy 1)

To be completely clear, we are not 'removing a block contract'; we are withdrawing the (anti-competitive) HSSD subsidy and also working with you to identify the most appropriate funding sources for your clients. This needs to have been fully implemented by 1st January 2017, but the subsidy transition needs to start immediately.

I will outline each of the two elements separately:

Withdrawal of subsidy

As your Chairman recognised in the meeting, the Department cannot continue to subsidise the cost of your home care services, as these services are now provided in a competitive market; to continue the subsidy using taxpayers' money would be unfair to the other providers.

In my letter of 18th December 2015, I offered an extension to your 2015 Agreement for a further 3 months, in order to provide you with some additional time to transition (noting that

the subsidy withdrawal had first been signalled in 2014). It was agreed that you would produce a project plan, and John Spicer was made available to you 1 day per week to assist with either reducing your cost base / increasing productivity (a contractual obligation from 2014 and 2015), or making decisions regarding utilisation of charitable funding to subsidise your market rates.

Calculations undertaken by our Finance Department indicate that your direct costs of home care are c£40 per hour; I am aware that you receive income of £11 per hour from clients, therefore the required subsidy is £29 per hour. If the income you received from clients was set at the market rate of £19 per hour, you would require a £21 per hour subsidy from HSSD in order to achieve your current full direct cost recovery of £40 per hour.

With this in mind, the following timescales will apply:

- i. From 1 May, HSSD will fund 100% of Home Care activity at £29 per hour (i.e. covering your direct costs of care)
- ii. From 1 August, HSSD will fund at £21 per hour (i.e. covering the direct costs of care after deducting the market rate for care)
- iii. From 1 August, all 48 clients currently receiving LTCB will no longer receive any HSSD subsidy.

The rate at which you market your services is, of course, a matter for you to decide. Whilst we cannot require you to utilise alternative funds to subsidise your Home Care, I would expect you to consider using your charitable funds or reserves in the period to 1 January 2017 (when the Income Support Personal Care Component 4 is planned to be introduced), in order to protect individuals from financial hardship.

In terms of the safe transition and achievability of my proposals, my understanding is that you are projecting home care activity in 2016 that is 30% below your activity levels from 2015; I am assuming this will have an associated cost base reduction and, when considered along with the financial information above, an immediate reduction in HSSD's subsidy should be safely achievable.

Funding Sources

I understand that previous discussions have clarified there are 4 categories of clients:

1. Individuals currently in receipt of Long Term Care Benefit, who are already appropriately using this to purchase home care services
2. Individuals currently in receipt of Long Term Care Benefit, who are not using this to purchase home care services
3. Individuals who may be eligible for the Long Term Care Benefit, but have not yet been assessed
4. Individuals who do not meet the Long Term Care Benefit criteria ('policy 1')

I understand that you have reduced the number of clients for whom you provide home care, to approximately 220 individuals, c58% of whom you believe have care needs at GNS 3 – 5. You also currently have 48 clients who are already in receipt of Long Term Care Benefit.

With this in mind, I am proposing that, over the course of 2016, we will assess all of your clients using our standard assessment tool, and will transfer their funding to the Long Term Care Benefit at that point.

I have asked Chris Dunne to confirm the timescales for these assessments with you.

As you are aware, we are also progressing political decisions regarding 'policy 1'; this being the clients who are not eligible for the Long Term Care Benefit but for whom the States will in future provide means tested funding through Income support. This policy will be complete by Q4 2016.

In our January meeting you agreed to alter your financial reporting to provide clarity regarding funding sources, and to progress service line costing once the 2015 accounts are closed; this should provide you with clarity in order to robustly plan the transition of funding sources.

District Nursing

As stated in the Commissioning Intentions and in meetings in January and February, HSSD will commission and fund District Nursing, against a revised specification and metrics. I understand that the specification has been completed by John Spicer and Tia Hall; the next step is to specify the level (volumes) of services that HSSD wish to commission, based on International benchmarks. This will be complete by 30th April 2016.

The new specification, with clear commissioned volumes and metrics, will be introduced from 1 January 2017; until then, HSSD will continue to fund District Nursing at the same levels as in 2015. Given the 2014 contractual requirement to improve productivity and efficiency, and the fact that your funding has increased with inflation since that time rather than reducing to take account of increased productivity, this should provide you with sufficient financial headroom to transform services safely in the remaining 8 months of the year.

Children's Services

I can confirm that the funding for Children's services will remain at 2015 levels for the remainder of 2016. Andrew Heaven will discuss any required changes to Children's services with you in Q3 2016.

Any new Agreement will apply from 1 January 2017 for 2 years, during which time, HSSD may decide to re-tender services.

Summary

I understand your concerns regarding the changes facing FNHC, but I hope you also agree that there are many opportunities to develop and integrate care in order to ensure that services remain safe, sustainable and affordable and are delivered in partnership. Both P82 and the Sustainable Primary Care Strategy are important in this regard, and FNHC have been a key partner in this journey, receiving additional funding to provide new services such as Rapid Response and Reablement.

I trust this letter has clarified the required timescales and funding levels, and I look forward to continuing our regular meetings and to working together as you move safely towards the new funding arrangements.

Yours sincerely

Rachel Williams

Director of System Redesign and Delivery

Health and Social Services

States of Jersey Department

cc. Ann Esterson; Senator Green; Constable Refault; Deputy McLinton; Julie Garbutt; Rachel Williams; Jason Turner

Appendix D follows

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JE2 3PU



Ann Esterson
Family Nursing and Home Care
Le Bas
St Saviour's Road
St Helier
Jersey
JE2 4RP

18 December 2015

Dear Ann

Re: Health and Social Services Commissioning Intentions for 2016

Thank you for your letter (undated) following your recent Committee meeting.

I understand your concerns regarding the changes facing FNHC, but I hope you also agree that there are many opportunities to develop and integrate care in order to ensure that services remain safe, sustainable and affordable and are delivered in partnership. Both P82 and the Sustainable Primary Care Strategy are important in this regard, and FNHC have been a key partner in this journey, receiving additional funding to provide new services such as Rapid Response and Reablement, as noted in the Commissioning Intentions from 2014.

I was surprised to see your assertion that there has been a 'sudden decision' regarding the funding of home care, as it has been discussed with senior officers for FNHC since May/June 2014, when the original Commissioning Intentions were produced. You asked us not to implement the Commissioning Intentions at that time as you were producing your Strategy, and we agreed to delay their implementation whilst your strategic review was underway. The FNHC Strategy was subsequently published in March 2015. The October 2015 Commissioning Intentions are intended to clarify and re-state the Intentions from 2014; the intention remains to commission District Nursing in full, and to fund reablement home care.

At the time of the original discussions regarding Commissioning Intentions, and the development of your Strategy, new funding streams became available; these apply to some of your clients, and I have assumed that this is incorporated into your Strategy and your long term Funding Plan. We now need to utilise these funding streams by transitioning eligible clients onto Long Term Care Scheme or Income Support funding in the coming months.

In terms of HSSD funding, we are currently considering what traditional home care we need to commission for those who are not eligible for Social Security funding – you will have heard this referred to as 'policy 1'. In order to do so, we need to identify individuals who are in receipt of Long Term Care Scheme funding and/or Income Support, and we are currently awaiting a data exchange between yourselves and SSD for this purpose.

Regarding the costs and charges for home care, I am sure you can appreciate that the Department cannot continue to subsidise this, as it is now provided in a competitive market; to do so would be unfair to the other providers. As a charity, you can of course utilise your charitable funding in order to subsidise your costs and/or provide services for those who are not eligible for States support; or you could decide to charge those clients who can afford to pay for your services. I understand that you are working to reduce your costs and increase productivity for the home care that you decide to continue providing; this was a contractual obligation in 2014/15, and I understand you are progressing this, which should significantly assist in reducing your costs closer to market levels.

In order to provide you with some additional time to transition, I am willing to agree an extension to your 2015 Agreement for a further 3 months. This will take you to 31 March 2016, which will be almost 2 years since the Commissioning Intentions were first published, and a year after your Strategy was produced.

I look forward to receiving your long term Financial Plan, which will need to be cognisant of the Commissioning Intentions. I also reiterate my offer to continue to fund John Spicer 1 day per week to work with FNHC to help improve your financial position and sustainability, up to 31 March 2016. I understand that John is meeting with Adrian this week to continue discussions regarding sustainability.

I hope this letter clarifies our position and responds to the points made in your letter; Julie Gafoor and I are due to discuss these matters further in the new year, after she returns from leave.

Yours sincerely

Rachel Williams

Director of System Redesign and Delivery
Health and Social Services
States of Jersey

cc.

Senator Green
Constable Refault
Deputy McLinton
Julie Garbutt
Susan Devlin
Jason Turner

4.3 DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE CHIEF MINISTER REGARDING REVENUE-RAISING MEASURES TO REPLACE THE HEALTH CHARGE: [9637]

Question

What measures, if any, does the Chief Minister have under consideration to replace the revenue that would otherwise have been raised by 2019 via the health charge and when does he expect to be in a position to bring proposals to the Assembly; and will he ensure that any required tax-raising measures will not exempt those with the highest incomes and will not be regressive in nature?

Answer

Jersey is in a strong position. We have considerable reserves, minimal debt and assets of nearly £6 billion. We are in this position because we have consistently looked ahead and prepared for the future, and we want to keep it that way. The Medium Term Financial Plan will maintain this success for future generations by allocating investment in our key public services.

The Fiscal Policy Panel supported our overall fiscal approach and accepted that, post Brexit, it was reasonable to extend the target for balanced budgets to the next MTFP period. We now need to work with Members to find a way to maintain the balance between income and spending while also supporting investment in essential services.

We must also act on what the FPP advised in August: the States should support the economy in the short term and move towards a more sustainable position in the medium term, irrespective of the exact future relationship between the UK and the EU.

Two weeks ago this Assembly approved the Medium Term Financial Plan. This plan sets the direction of the island's public finances for the next three years and provides a comprehensive financial planning structure for the States.

Its approval has given the go-ahead for investment in projects that will make a real difference to islanders. A number of announcements will follow in the coming weeks and months to update islanders on the progress of this work.

Members, on balance, decided not to approve the proposed health charge. By 2019 this will leave a funding gap of £15m per year.

As well as this reduction in ongoing States income, Health and Social Services will lose £15 million from its cash limits over the three years of this plan. This is because the three planned transfers of £5 million a year in 2017, 2018 and 2019 from the Health Insurance Fund will not now go ahead – as they were dependent on the introduction of the health charge.

Ministers remain committed to the important investment in Health and social care, as outlined in the plan. But we are also committed to ensuring we can afford the investment and do not undermine our progression towards sustainable finances. So we are considering how to achieve this planned investment in a sustainable, affordable way. Without adequate savings, efficiencies and revenue raising – we cannot fund the planned growth.

We plan to take time to explore the options for replacing ongoing States income as this will not be a quick fix. We intend to engage with Members as we develop these options, and will be issuing invitations to a number of workshops in the New Year.

4.4 DEPUTY M. TADIER OF ST. BRELADE OF THE MINISTER FOR EDUCATION REGARDING NON-GENDER-SPECIFIC UNIFORMS IN SCHOOLS: [9638]

Question

Will the Minister state what policy, if any, is in place regarding non-gender-specific uniforms in schools and explain what choice is given to students who wish to wear uniforms not traditionally associated with their birth gender?

Answer

Policies relating to transgender issues in Jersey schools are currently being developed in conjunction with the Law Officers' Department. In the meantime best-practice guidance from UK schools is being used, where necessary, to support transgender young people. Head teachers and other school staff have recently taken part in training on the Discrimination (Jersey) Law 2013, including gender issues. This professional training was provided by the Jersey Advisory and Conciliation Service (JACS).

Jersey schools are intended to be inclusive environments and will work with transgender young people to ensure flexibility so that that any distress is minimised and they feel supported. School uniform should not present an issue: just as for any other pupil, transgender students in a mixed school would be expected to follow the school uniform policy for their preferred gender. Where a school is single sex or where specific issues arise, schools will work with individual students to ensure their needs are met.

4.5 DEPUTY M. TADIER OF ST. BRELADE OF THE MINISTER FOR EDUCATION REGARDING FUNDING OF THE JERSEY MUSIC SERVICE: [9639]

Question

What plans, if any, are there to reduce funding for the Jersey Music Service during the course of the current Medium Term Financial Plan?

Answer

The Medium Term Financial Plan for 2017-2019 includes a proposal, which we are now examining in detail, for a new operating model for the Jersey Music Service from 2019. A working party has been formed to prepare a detailed plan over the next two years.

4.6 DEPUTY M. TADIER OF ST. BRELADE OF THE MINISTER FOR EDUCATION REGARDING THE PLAY PARK AT LES QUENNEVAIS PLAYING FIELDS: [9640]

Question

What progress, if any, has there been on consulting with current and potential users of the play park on Les Quennevais playing fields in order to improve facilities for users?

Answer

This facility comes under the remit of the Sports Division, which has been the responsibility of the Economic Development, Tourism, Sport and Culture Minister since 1st January 2016. The Education Department is therefore not involved in any consultation.

4.7 DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE MINISTER FOR EDUCATION REGARDING SALARY LEVELS FOR NEWLY QUALIFIED

**TEACHERS IN COMPARISON WITH THOSE IN THE UNITED KINGDOM:
[9641]**

Question

Will the Minister inform Members whether his statement in the debate on Newly Qualified Teachers' (NQTs) salaries, (P.68/2016 (Amd)), that "NQTs starting work in Jersey currently earn up to £16,000 or 70% more than their counterparts in the UK" compared teachers employed on a like-for-like basis at the same entry point and, if not, on what basis that comparison was made; and will he complete the following table to show the different levels of starting salary available to NQTs here and elsewhere?

	Jersey	Inner London	England and Wales	England and Wales adjusted for comparison with the Jersey cost of living
Entry point	£	£	£	£
U				
1				
2				
3				

What evidence does he have to support his assertion that reducing NQTs' starting salaries by £8,000 would leave such salaries "still 9% higher than the rate for teachers in Inner London"?

What monetary incentive does he intend to offer to Jersey NQTs compared to UK NQTs, given the difference in price levels between the two jurisdictions (as shown in the final column of the table)?

Answer

“Question

Will the Minister inform Members whether his statement in the debate on Newly Qualified Teachers' (NQTs) salaries, (P.68/2016 (Amd)), that "NQTs starting work in Jersey currently earn up to £16,000 or 70% more than their counterparts in the UK" compared teachers employed on a like-for-like basis at the same entry point and, if not, on what basis that comparison was made; and will he complete the following table to show the different levels of starting salary available to NQTs here and elsewhere?"

Answer

	Jersey	Inner London	England and Wales	England and Wales adjusted for comparison with the Jersey cost of living
Entry point	£	£	£	£

Unqualified	30,411	17,368	16,298	Not available
1	33,900	27,819	22,244	Not available
2	36,097	30,795	24,002	Not available
3	38,296	32,400	25,932	Not available

“Question

What evidence does he have to support his assertion that reducing NQTs’ starting salaries by £8,000 would leave such salaries “still 9% higher than the rate for teachers in Inner London”?”

Answer

In practice, all newly qualified teachers in Jersey start on entry point 3, which is £38,296. This is the actual starting wage. Points 1 and 2 have not been used for more than four years because of the requirement for our teachers to have a degree at the 2:2 grade or above.

Reducing this actual salary to £30,296 would mean it is 9% higher than the inner London starting wage, which is entry point 1 or £27,819.

“Question

What monetary incentive does he intend to offer to Jersey NQTs compared to UK NQTs, given the difference in price levels between the two jurisdictions (as shown in the final column of the table)?”

Answer

This will be subject to the forthcoming consultation and negotiations between the States Employment Board and the teachers’ unions.

4.8 DEPUTY S.Y. MÉZEC OF ST. HELIER OF THE MINISTER FOR SOCIAL SECURITY REGARDING THE LEVEL OF JERSEY’S MINIMUM WAGE: [9642]

Question

Will the Minister advise whether Jersey's minimum wage will fall behind those of both the United Kingdom and Guernsey if the recent proposal from the Employment Forum is adopted, and would she undertake to implement a more substantial rise than is being proposed to ensure workers in Jersey earn more than their counterparts in Guernsey?

Answer

This information is already in the public domain. As stated in R.102/2016, I have accepted the recommendation of the Employment Forum that the minimum wage should be increased to £7.18 per hour with effect from 1 April 2017. This rate applies to all employees aged 16 and above¹.

¹ A trainee rate is also available which does not depend on age, but rather on the provision by the employer of approved training. I have accepted the Forum’s recommendation that, from 1 April 2017, the trainee rate will be £5.39 for the first year of training and £6.28 for a second year of training.

That report also states the position in the UK and Guernsey where differential minimum wage rates are set depending on the age of the employee. In the UK, hourly rates range from £4.00 per hour for those aged 16 and 17 to £7.20 per hour for those aged 25 and above. In Guernsey (subject to approval later this month), a rate of £6.50 per hour is proposed to be paid to employees aged 16 and 17 from 1 January 2017, with a rate of £7.20 proposed for those aged 18 and above.

The Employment Forum is an independent body that undertakes a comprehensive review each year before making its recommendation on the level of the minimum wage. This year they came to a unanimous decision taking into account a range of factors, which include the economy of Jersey and competitiveness.

I fully support the proposal put forward by the well-respected Employment Forum and have no plans to challenge their recommendation.

4.9 DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE MINISTER FOR EDUCATION REGARDING PROPOSALS FOR TEACHERS' PAY SCALES: [9643]

Question

Will the Minister advise:

- (a) what proposals, if any, are being considered for teachers' pay other than a reduction in Newly Qualified Teachers' (NQTs) pay scales;
- (b) where on the pay spine NQTs will be placed when their qualification year ends;
- (c) what measures, if any, will be taken to avoid a two-tier pay structure between those who arrive having achieved their NQT status elsewhere and those who qualify in Jersey; and
- (d) what measures, other than pay incentives, will he be pursuing in order to attract the best quality teachers to the Island; and
- (e) whether the budget for teachers' pay will be reduced following consultation on workforce modernisation?

Answer

- (a) A review of the terms and conditions for teachers will take place as part of the overall Workforce Modernisation plan. This has not yet started so there are no proposals at this stage other than the proposed reduction in the NQT starting salary.
- (b) Any change to pay for teaching staff would be subject to consultation and negotiation between teaching unions and the States Employment Board.
- (c) Candidates who come from the UK to complete their NQT year will earn the same as those training through the Jersey Graduate Teacher Training Programme. The Education Department has no plans to change this arrangement unless it is raised in the forthcoming negotiations. Teachers who are already qualified and have completed their NQT year will be on a different salary level to NQTs. This applies irrespective of where they trained.
- (d) The Education department will continue to liaise with high quality UK universities to enable direct recruitment of their graduates. There will be higher profile national advertising.
- (e) The future budget for teachers' pay will depend on the outcome of negotiations between the unions and the States Employment Board.

4.10 DEPUTY M.R. HIGGINS OF ST. HELIER OF THE MINISTER FOR TREASURY AND RESOURCES REGARDING REPORTS IN RESPECT OF TAXES COMMISSIONED SINCE 2004: [9644]

Question

Will the Minister list the number of reports into taxes that have been commissioned in Jersey since 2004, stating whether they were internal or external reports, what they were specifically about, their cost, and which were not made public?

Answer

The reports 'into taxes' commissioned since 2004 are included in the table below, along with their cost. All listed were externally produced.

Year	Description	Provider	Cost	Published
2015	Property rates – jurisdictional comparison and advice	Deloitte	£20,000	No
2014	Property tax review – focus groups	4Insight	£4,230	Yes
2014	Property tax review	PwC	£50,000	Yes
2013	Report on the basis of charge applicable to UK resident individuals who have elected to be subject to tax on the remittance basis pursuant to ITA 2007	KPMG	£4,000	No
2012	Tax advice relating to interest relief	PwC	£35,000	No
2012	Counsel's Opinion on General Anti-Avoidance Rule	Graham Aaronson QC	£15,000	No
2012	What is the economic impact of a change in Jersey business tax?/ The economic impact of specific potential changes to the taxation of, or application of charges to, specific activities in Jersey	Oxera	£113,000	Yes
2011	Taxes Function Review	Deloitte	£98,099 & £91,599	No
2011	Review of 1(1)(k) regime for the States of Jersey	Withers LLP and Panopticon Policy	£65,606	Yes
2010	Statutory Company Fees	Deloitte	£12,500	Yes
2010	Consultation report on the Fiscal Strategy Review	Involve	£10,400	Yes
2009	Post implementation review GST	HMRC	£2,271	Yes
2008	Further analysis of	Oxera	£9,000	Yes

	land/development-based environmental taxes			
2007	Jersey Income Tax Office Review	Deloitte	£24,500	No
2007	Review of Income Tax (Amendment No.29) (Jersey) Law	J Crowther, MA, FCA, CTA	£2,700	No
2007	What is the economic and distributional impact of an owner-occupied immovable property tax?	Oxera	£10,000	Yes
2006	Environmental spending and tax policies: What is the impact on Jersey?	Oxera	£73,000	Yes
2005	Which tax is best suited to Jersey's objectives?	Oxera	£97,000	Yes
2004	Fiscal Strategy: Background Paper	Oxera	£59,000	Yes

4.11 DEPUTY M.R. HIGGINS OF ST. HELIER OF THE MINISTER FOR TREASURY AND RESOURCES REGARDING TAX INCOME FROM MINING COMPANIES AND HEDGE FUNDS: [9645]

Question

With regard to States income, will the Minister provide details of:

- (a) the number of mining companies operating from the Island since 2008 to date, and the total amount which they have generated in taxation each year; and
- (b) the number of hedge funds operating in the Island each year since 2008 with details of the total amount of taxation they have generated each year?

Answer

The Taxes Office does not currently identify either mining companies or hedge funds as separate trade classes for statistical purposes; and is unable therefore to extract the information requested from its computer systems.

The trade-classification system used in the Taxes Office is currently being reviewed with a view to improving statistical and information systems – as part of the planned renewal of the Taxes Office computer systems (for which we have recently invited tenders). This will most likely involve classifying all entities with a Jersey tax reporting obligation by reference to the standard industrial classification (SIC) codes from 2007. This will ensure a consistent approach to trade classification across the States of Jersey.

4.12 DEPUTY M.R. HIGGINS OF ST. HELIER OF THE MINISTER FOR INFRASTRUCTURE REGARDING THE ENERGY FROM WASTE PLANT: [9646]

Question

With regard to the Energy from Waste Plant, will the Minister provide full details of:

- (a) how much money was allocated to landscaping / reducing the visual aspect of the Plant, with a breakdown of how exactly this money was spent;
- (b) how much energy has been generated by the Plant each year since it was commissioned to the present, and how much money has been generated from the resultant sale of electricity and how this compares with budgeted figures for this period;
- (c) the total number of times the plant has broken down since it was commissioned, with details of the causes, the duration, and cost to the public of each incident; and
- (d) how close to capacity the Plant has been operating at since it was commissioned to date, giving the cost of failing to operate to capacity in terms of lost revenue?

Answer

- (a) The breakdown for the landscaping and planting for the Energy from Waste (EfW) project is as follows:

	£
Engineers Fees	£14,134.99
Survey Fees	£3,577.00
Main Contract	£53,492.00
Civils Contract	£86,934.04
Landscaping	£383,458.36
Direct labour	£90,599.30
Capital Manpower Expenditure	£26,777.65
Total	£658,973.34

- (b) The breakdown of the electricity generated is as follows:-

Year	Electricity Generated (GWh)	Actual Income £'000	Budget Income £'000
2011	32.9	£1,171	£2,064
2012	43.3	£1,670	£2,000
2013	37.6	£1,216	£2,300
2014	36.38	£1,075	£2,358
2015	40.67	£1,170	£2,358
2016 (As at 30 th September 2016)	32.9	£746	£905

Since the commissioning and operation of the new EfW plant at La Collette, the income received from the Jersey Electricity Company in respect of power has steadily reduced, due both to market conditions and the volumes of waste received which have reduced as a result

of the success of the Island's recycling initiatives and the current economic downturn. The net effect of this is that the income budget was unrealistically high, and in 2016 the Department received a growth bid totalling £1.2 million and was able to reduce its budgeted income to a more realistic total.

- (c) The Department does not have a record of the total number of times the plant has broken down since it was commissioned, with details of the causes, the duration, and cost to the public of each incident.

The plant has a significant number of technical mechanical and electrical components that break down and cause temporary operational difficulties which is expected on a plant of this size and complexity.

The Bellozanne Incinerator was shut down at Christmas 2010 and since then the new EfW plant has successfully processed all the waste that has been delivered to it.

- (d) The plant has a capacity of 105,000 tonnes of waste per annum at a calorific value of 9.2MJ/kg. Presently the Island does not produce 105,000 tonnes of waste so unless waste is imported it is not possible to continuously run the plant at full capacity. The Island waste arising is a complex issue which can be influenced by population, prosperity and international waste regulations. The plant was designed and sized to remove the risk of having a plant that is too small for the Island need and thus at the moment there is spare capacity.

The Island is producing about 70,000 tonnes of waste per year however the CV is slightly higher than the designed 9.2MJ/kg. This leaves a spare capacity of approximately 20,000 to 25,000 tonnes per year. If this waste were available the increase in revenue would be approximately 25%.

4.13 DEPUTY M.R. HIGGINS OF ST. HELIER OF THE MINISTER FOR TREASURY AND RESOURCES REGARDING TAX REVENUE UNDER THE 'ZERO-TEN' TAX REGIME: [9647]

Question

With regard to the 'zero-ten' tax regime, will the Minister explain:

- (a) how much tax revenue has been generated for each year since its inception to the present by:
 - (i) financial service firms paying at 10%;
 - (ii) utilities paying at 20%;
- (b) the estimated loss of tax revenue each year to present from externally-owned companies since the regime came into force; and
- (c) the estimated loss of tax revenue each year to present from locally-owned companies due to
 - (i) tax evasion; and
 - (ii) tax avoidance?

Answer

- (a) The information requested has been recently published in response to a States Written Question (9383) from Deputy Mezec tabled on 26 April 2016 (2009 to 2013 years of assessment) and a response to a Freedom of Information request (2014 year of assessment) published in September this year.

The data provided in those responses is summarised in the following table:

Year of Assessment	2009	2010	2011	2012	2013	2014
	£m	£m	£m	£m	£m	£m
Tax revenue generated by financial services firms paying at 10%	43.8	39.1	48.1	67.0	62.7	69.8
Tax revenue generated by utility companies paying at 20%	3.1	5.1	4.4	3.4	2.6	2.8

1. 2009 to 2013 data extracted from Taxes Office system as at 6 April 2016
2. 2014 data extracted from Taxes Office system as at 19 September 2016

(b) An answer to this question in respect of non-financial services companies was provided in the States Assembly on 5 October last year in response to an oral question from the Deputy. The best estimate of tax lost each year from externally owned trading companies available at that time was £7.6m. The estimate was based on the tax returns submitted by non-locally owned, non-finance trading companies for the 2008 year of assessment – the last year for which they were required to submit accounts and pay tax at 20%. It is not possible to refine this estimate at this time for various reasons which include:

- The historic nature of the last specific data on tax payable
- The global recession and return to growth over this period
- The movement of companies in and out of the Island over this period

It is not possible to provide any specific data re financial services companies that are externally owned. However the above referenced question did address the position with regard to financial services companies as a whole.

For the future, the Taxes Office is gathering more information via the corporate tax returns.

From the 2015 tax return, data is being gathered in respect of the profits of companies regarded as resident in Jersey or with a permanent establishment in Jersey and subject to tax at 0% where a Jersey resident individual ultimately owns more than 2% of the ordinary share capital of the company. This information will be available some time after 1 January 2017 when the 2015 return deadline has closed.

The 2016 tax return will require details of profits from all companies subject to tax at 0% and carrying out trading activities in Jersey. This information will be available some time after 1 January 2018 when the 2016 return deadline has closed.

(c) The Assembly is aware from an earlier written answer that the Taxes Office is proposing to undertake work to estimate Jersey's "tax gap" – that is the difference between what ought to

be taxed and what is collected. Work is likely to commence in summer 2017 and take around two years to complete.

To assist Members' understanding in this area the OECD defines tax avoidance and tax evasion as follows:

“Tax Avoidance” – A term that is difficult to define but which is generally used to describe the arrangement of a taxpayer's affairs that is intended to reduce his tax liability and that although the arrangement could be strictly legal it is usually in contradiction with the intent of the law it purports to follow.

“Tax Evasion” – A term that is difficult to define but which is generally used to mean illegal arrangements where liability to tax is hidden or ignored (i.e. the taxpayer pays less tax than he is legally obligated to pay by hiding income or information from the tax authorities).

4.14 THE DEPUTY OF ST. JOHN OF THE MINISTER FOR EDUCATION REGARDING THE WORK OF THE JERSEY CURRICULUM COUNCIL: [9648]

Question

Will the Minister advise in relation to the Jersey Curriculum Council:

- (a) How many times the Council has met;
- (b) Who the Council has consulted in respect of the Jersey Curriculum;
- (c) How much information has been disseminated by the Council and how the public are able to access this information;
- (d) What consideration, if any, has been given to jurisdictions other than the United Kingdom (UK) for research and advisory purposes; and
- (e) What ability the Council has, if any, to depart from the UK's Key Stage 4 curriculum decisions?

Answer

- (a) The Jersey Curriculum Council is a statutory body created under the Education (Jersey) Law 1999 that meets every academic term. So far in 2016 it has met in February and July. The third meeting is due to take place later this term.
- (b) During the formulation of the Jersey Curriculum there was widespread consultation with the teaching profession, particularly through the curriculum groups that bring together specialists in specific subjects.
- (c) The changes to the Jersey Curriculum have been primarily communicated to parents through schools so that parents have the opportunity to raise issues directly with the relevant teachers. A parents' guide to the new primary curriculum was produced and, as well as being available in schools, this is online at gov.je along with the whole curriculum from Key Stage 1 to Key Stage 4.
- (d) In the early stages of the work to update the Jersey Curriculum comparisons were carried out with a number of other jurisdictions including Ireland, Singapore, Finland, Scotland, Wales, Northern Ireland and England. The International Baccalaureate system was also explored. As a result of research, the Jersey Curriculum is based on the National Curriculum of England but differs from it in a number of ways to reflect the Island's unique circumstances. For instance, history and geography have been adapted to include Jersey-centric study, and Personal, Social and Health Education (PSHE) has been retained as a mandatory subject for all students. The Jersey curriculum at Key Stage 4 also includes the drama option as a discrete subject, unlike the UK.

- (e) The Key Stage 4 courses of study are designed to ensure that Jersey students achieve recognized Level 2 qualifications, which are GCSE and equivalents. These enable them to progress to Level 3 to take A-levels, the International Baccalaureate or equivalent qualifications and then go on to university. The list of approved qualifications is reviewed annually and there is scope to alter it if there is demand or need for other qualifications.

4.15 DEPUTY S.Y. MÉZEC OF ST. HELIER OF THE MINISTER FOR EDUCATION REGARDING THE 14+ TRANSFER TO HAUTLIEU SCHOOL: [9649]

Question

What consideration, if any, is the Minister currently giving to reviewing the 14+ entry point to Hautlieu School and will he be seeking any reforms to this aspect of Jersey's education system?

Answer

There are no plans to change the 14+ entry point to Hautlieu School. As you would expect, all aspects of the education system are part of ongoing professional discussions but any proposal for major structural change would be the subject of a States debate.

4.16 DEPUTY S.Y. MÉZEC OF ST. HELIER OF THE MINISTER FOR TREASURY AND RESOURCES REGARDING ORGANISATIONS IN RECEIPT OF STATES GRANTS: [9650]

Question

Will the Minister provide a list of those organisations which previously regularly received a States grant and which have either had that grant reduced or cut entirely since the Minister took office?

Answer

Grants to organisations are at the discretion of each department based on an evaluation of whether they support the objectives of the Department and the overall Strategic Objectives of the States of Jersey. Due to the discretionary nature of grant funding, the level of funding and recipients of grants vary between years. In some cases, there will be continuity in the organisations receiving grant funding but the reason for the grant may change to support different objectives. Equally, different organisations may be in receipt of grant funding in different years to achieve the same objective. For that reason, it is important to consider the wider allocation of grants and their targeted nature in response to this question.

All grant allocations are disclosed in the States of Jersey Financial Report and Accounts (Accounts) and the corresponding Annex. Any significant individual grant, now defined as £75,000 and over, is identified in the Grants Note in the Accounts (page 154 in the 2015 Accounts). Grants below this amount are listed in the Annex in Appendix A.

The Minister took office in 2014 so the analysis provided in this response focuses on changes in grants allocated between 2014 and 2015. 2016 grants will be reported in the 2016 Accounts and Annex.

Appendix 1 below provides a comparison of grants allocated in detail for 2014 and 2015 and at a higher level for 2012 and 2013 organised by the awarding Department. Appendix 2 expands this to provide detail of every grant allocated in 2014 and 2015 organised by the recipient organisation's name.

Appendix 1 – Grants Allocated by the States of Jersey 2012 – 2015 (Summary)

Grants made during 2012 - 2015

The section below summarises grants of £75,000 (£100,000 in 2012) and over made by the States of Jersey in 2015.

Some organisations below may have also received grants below £75,000 (£100,000 in 2012).

Full details of grants below £75,000 (£100,000 in 2012) are given in Appendix A of the Annex to the Accounts.

Issuing Dept	Grantee	2015 £	Stopped 2015 £	Reduced 2015 £	Increased 2015 £	2014 £	2013 £	2012 £	Reason for Grant (Strategic Priority)
CMD	Government of Jersey London Office	495,000		(461,000)		956,000			Grant for the operation of the Government of Jersey London Office (4)
CMD	Jersey Financial Services Commission	248,965				248,965			Assist with the costs of the Anti Money Laundering Unit (4)
CMD	Channel Islands Brussels Office	360,785			62,187	298,598			Grant for the operation of the Channel Islands Brussels Office (4)
CMD	National Trust	-	(3,575,000)			3,575,000			Support the purchase of Plemont Holiday Village
CMD	Association Bureau des Iles Anglo-Normandes (formerly Bureau de Jersey)	-	(88,039)			88,039			Development of Jersey/France relations - promoting French language and culture
JOAC	Overseas Aid Grants	10,315,126			614,492	9,700,634			Humanitarian aid provided in response to sustainable grant projects, disaster and emergency relief and community work project initiatives (N/A)
EDD	Jersey Finance Limited	4,870,000		(91,500)		4,961,500			Market and promote the Finance Industry and provide technical assistance to Government (4)
EDD	Visit Jersey Limited	2,585,074			2,585,074	-			To market and promote Jersey for inbound tourism purposes in overseas markets and provide policy advice to Government (4)
EDD	Digital Jersey	1,250,000			289,000	961,000			To market and promote the Digital sector on/off Island and provide technical assistance to Government (4)
EDD	Jersey Business Limited	715,000			45,860	669,140			To provide wide ranging business support, advice and guidance to local Jersey businesses on behalf of Government (4)
EDD	Jersey Competition Regulatory Authority	353,500		(45,000)		398,500			Work with the JCRA to create a more competitive commercial environment through the application of the Competition (Jersey) Law (1, 4)
EDD	Woodside Farms Limited	259,600			259,600	-			Provide support for innovation and business diversification (4)
EDD	Royal Jersey Agricultural and Horticultural Society	219,141		(30,859)		250,000			Services to support the dairy industry, e.g. bull proving and artificial insemination (4)
EDD	The Jersey Royal Company	197,810		(20,446)		218,256			Area Payments support to underpin a base level of farming activity in the countryside (2, 4)
EDD	Jersey Conference Bureau Limited	165,321		(55,974)		221,295			Support the operation and winding up of the Jersey Conference Bureau (4, 5)
EDD	Jersey Product Promotion Limited	162,870			3,870	159,000			Support for promoting Jersey products e.g. Genuine Jersey (4)
EDD	Battle of Flowers Association	130,000		(15,000)		145,000			Battle of Flowers - Event grant (4, 5)
EDD	Jersey Consumer Council	117,000		(14,000)		131,000			To provide wide ranging consumer advice and support to local citizens (4)
ESC	Jersey Heritage Trust	2,803,340		(414,187)		3,217,527			To support the Trust in its operation of more than 20 historic sites in Jersey made available to the public (3)
ESC	Beaulieu School	2,053,504			69,568	1,983,936			Support the operation of Beaulieu School in delivering the Jersey Curriculum to its students (3)
ESC	De La Salle College	1,857,416		(14,656)		1,872,072			Support the operation of De La Salle College in delivering the Jersey Curriculum to its students (3)
ESC	2015 Island Games Organising Committee	588,716		(11,284)		600,000			Support the organisation of the 2015 Island Games (2)
ESC	Jersey Arts Trust	572,000		-	-	572,000			To repay the Opera House refurbishment loan (3)
ESC	The Jersey Opera House	467,303			1,101	466,202			To operate the Opera House as a public resource for the Island; and to deliver the specific objective contained in the Opera House's annual business plan as agreed with the Minister for Education (3)
ESC	Jersey Arts Centre Association	453,425		(7,354)		460,779			To support the operation of the Jersey Arts Centre – comprising theatre, gallery and activity rooms – to enable it to offer a wide range of professional events (3)

Appendix 1 – Grants Allocated by the States of Jersey 2012 – 2015 (Summary)

ESC	FCJ Primary School	425,444		(11,406)		436,850	Support the operation of Convent FCJ School in delivering the Jersey Curriculum to its students (3)
ESC	Serco (Jersey) Limited	400,972		(98,780)		499,752	Subsidy in respect of the operation of the Waterfront Pool (2)
ESC	Jersey Childcare Trust	178,800				178,800	To support the Jersey Childcare Trust (JCCT) in the provision of its core services, staff, accommodation and resources (2, 3)
ESC	Jersey Arts Trust	159,700		(4,055)		163,755	To support a programme of arts development including grants to local artists, events which engage with Island artists and help support their work, and connect them with artists from other places to increase the standard and variety of creative practice in the Island (3)
ESC	Le Don Balleine Trust	148,783			1,719	147,064	To support the teaching of Jèrriais and Jersey Studies in schools, adult Jèrriais classes and a range of language promotion, including the support of cultural events which use the Jèrriais language (3)
ESC	Prince's Trust	145,929		(750)		146,679	To support the operations of the Prince's Trust including employing a Coordinator, Youth worker, Administrator, Vehicle hire from TTS and some programme costs (3)
ESC	St Michael's School	75,124		(89,991)		165,115	To support the school in delivering the Jersey Curriculum to its students in accordance with the teaching and culture of the school (3)
ESC	St John Centre Limited	-	(220,000)			220,000	Support the completion of the Youth Project wing at St Johns Recreation Centre
ESC	Jersey Heritage Trust	-	(95,000)			95,000	Support the restoration of Kempt and Rocco Towers
HA	Freedom for Life Ministries	200,000			200,000	-	To cover the one-off cost of refurbishing the Life Centre drop-in facility for ex-prisoners and other ex-offenders (2)
H&SS	Citizen's Advice Bureau	228,708				228,708	Provide information and advice to members of the public (2, 3)
SSD	The Jersey Employment Trust (JET)	972,600				972,600	Assist people with disabilities by providing sheltered work and additional training and development for the most severely disabled (4)
SSD	The Jersey Employment Trust- Grant not increased instead relocated from Autism Jersey and Jersey Mencap.	870,100			173,146	696,954	To provide employment opportunities for those with learning difficulties or on the Autistic Spectrum (4)
SSD	Autism Jersey (Vocational Day Scheme) - Grant not stopped instead relocated to JET	-	(92,315)			92,315	Provide employment opportunities for those with learning difficulties or on the Autistic Spectrum
SSD	Jersey Mencap (Vocational Day Scheme) - Grant not stopped instead relocated to JET	-	(80,831)			80,831	To provide employment opportunities for those with learning difficulties or on the Autistic Spectrum
	Total Vocational Day Scheme	870,100	(173,146)		173,146	870,100	
SSD	Jersey Advisory and Conciliation Service	385,800			32,800	353,000	Provide a free employment relations service to help employers, employees and trade unions work together for the prosperity of Jersey business and the benefit of employees (4)
TTS	Parish of St Helier	83,000			83,000	-	Contribution to the Parish for regeneration (5)
Judicial Greffe	Jersey Legal Information Board	-	(100,000)			100,000	To assist with running costs
CILF	Association of Jersey Charities	453,996		(657,926)		1,111,922	Grant aid to various registered Jersey Charities (2)
TDF	aMaizin! Adventure Park	235,091			235,091	-	Purchase indoor equipment (4)
TDF	Samarès Manor	75,279			75,279	-	To achieve botanical status (4)
TDF	West Park Marine Lake Trust	-	(115,000)			115,000	Support the cost of restoring the West Park swimming pool
Ports	Jersey International Air Display	90,000		(20,000)		110,000	Jersey International Air Display - event grant (2)
	Total significant grants awarded	36,370,222	(4,366,185)	(2,064,168)	4,731,787	38,068,788	31,363,155 29,396,185

Appendix 1 – Grants Allocated by the States of Jersey 2012 – 2015 (Summary)

Appendix 1 – Grants Allocated by the States of Jersey 2012 – 2015 (Summary)

Payments made under Significant Grant Schemes during 2015

The section below summarises payments under States of Jersey Grant Schemes where total payments exceeded £25,000 in 2015. Full details of these grants, and any grants are given in Appendix A of the Annex to the Accounts. Details of grants under £25,000 awarded under States of Jersey Grants Schemes are also given in Appendix A of the Annex to the Accounts.

Issuing Dept	Name of Scheme	2015 £	Stopped 2015 £	Reduced 2015 £	Increased 2015 £	2014 £	2013 £	2012 £	Reason for Grant (Strategic Priority)
DoE	Energy Efficiency Service	562,784		(69,324)		632,108	666,504	745,324	Initiative to assist low-income and vulnerable households reduce their energy bills and keep warmer through the winter (2)
DoE	Countryside Enhancement Scheme	162,263		(86,242)		248,505	272,977	177,644	Environmental financial support to land owners for the benefit of the Island's population (2)
EDD	Area Payments to Individuals	527,571		(64,286)		591,857	614,677	994,763	Support to underpin a base level of farming activity in the countryside (2, 4)
EDD	Quality Milk Payments to Individuals	393,176		(38,842)		432,018	459,630	481,909	Transitional support to allow the industry to implement their Dairy Industry Recovery Programme (4)
EDD	Rural Initiative Scheme	98,163			4,660	93,503	144,194	170,598	Provides support for innovation and business diversification (4)
EDD	Skills Accelerator Grant	67,612		(147,220)		214,832	45,042		- To provide skills training to employees with the aim of making a difference to the sustainability or development of their employer's business (3)
EDD	Fisherman's Aid Pack	-	(92,433)			92,433	-		- One-off support for commercial fishermen to compensate for losses during the storms of 2013/14
EDD	Employment of Apprentices	-				-	44,866	167,144	Grants to employer in respect of apprentices employed (1,2)
ESC	Nursery Education Fund	1,964,448			245,697	1,718,751	1,552,075	1,583,565	Provide pre-school learning through the Nursery Education Fund (3)
ESC	Support for travel to participate in sports events	320,190			38,235	281,955	141,195	115,188	To support individuals, clubs and associations in travel to participate in sports events (2)
ESC	Support for purchasing equipment and organising activities	184,933			55,623	129,310	172,500	157,913	To support sport and leisure clubs and associations in purchasing equipment and organising activities (2)
ESC	Grants to individuals (Jersey College for Girls)	133,616			4,563	129,053	121,271	112,706	To assist students in the payment of fees (3)
ESC	Grants to individuals (Victoria College)	54,726		(15,305)		70,031	73,958	74,679	To assist students in the payment of fees (3)
SSD	Other grants under the Vocational Day Scheme	-		-		-	70,104	92,723	Provide employment opportunities for those with learning difficulties or on the Autistic Spectrum (4)
SSD	Various employment schemes	858,069		(406,477)		1,264,546	631,794		- Additional employment opportunities for the unemployed - includes Back to Work , Enhanced Workzone, Advance Plus (4)
Total significant grants awarded under States of Jersey Grant Schemes		5,327,551	(92,433)	(827,696)	348,778	5,898,902	5,010,787	4,874,156	
Total other Grants and Subsidies		1,311,332	See more detailed analysis			1,511,809	848,643	1,192,616	
Grand Total - Grants and Subsidies awarded		43,009,105				45,479,499	37,222,585	35,462,957	

Appendix 1 – Grants Allocated by the States of Jersey 2012 – 2015 (Summary)

Grantee	Reason for Grant (Strategic Priority)	2015	Stopped 2015	Reduced 2015	Increased 2015	2014
Autism Jersey (Vocational Day Scheme)	The Jersey Employment Trust- Grant not increased instead relocated from Autism Jersey and Jersey Mencap.	-	(92,315)			92,315
Jersey Mencap (Vocational Day Scheme)	Autism Jersey (Vocational Day Scheme) - Grant not stopped instead relocated to JET	-	(80,831)			80,831
The Jersey Employment Trust	Jersey Mencap (Vocational Day Scheme) - Grant not stopped instead relocated to JET	870,100			173,146	696,954
Total Vocational Day Scheme		870,100	(173,146)		173,146	870,100
2015 Island Games Organising Committee	Support the organisation of the 2015 Island Games (2)	588,716		(11,284)		600,000
2015 Island Games Organising Committee	Mobile spectator seating	40,190			10,388	29,802
2015 Island Games Organising Committee	Video Filming Costs	15,000			15,000	
A A Rive Limited	Grant to employer in respect of apprentices employed		(1,250)			1,250
A A Rive Limited	Refund of 2014 Grant to employer in respect of apprentices employed	(35)		(35)		
Adjustment - over accrual from previous year re VDS grant paid to Les Amis, MIND, Autism Jersey	Adjustment - over accrual from previous year re VDS grant paid to Les Amis, MIND, Autism Jersey	(23,185)		(23,185)		
Air Heating & Manufacturing (1990) Ltd	Grant to employer in respect of apprentices employed		(1,250)			1,250
Air Heating & Manufacturing (1990) Ltd	Refund of 2014 Grant to employer in respect of apprentices employed	(275)		(275)		
Air Training Corps	Equipment and Training Needs		(8,349)			8,349
Alliance Francaise de Jersey	Development of Jersey/France relations - promoting French language and culture	10,000			-	10,000
Alliance Francaise de Jersey	To support organisations involved in supporting the Council of Culture	400			400	
aMaizin! Adventure Park	Purchase indoor equipment (4)	235,091			235,091	-
Amal-Grow Limited	Area Payments	13,138		(24,583)		37,721
AMW (Jersey) Ltd	Area Payments	6,544		(206)		6,750
AMW (Jersey) Ltd	Quality Milk Payments	11,856		(988)		12,844
Anneville Farm Ltd	Area Payments	3,487		(380)		3,867
Annika Binet	Equipment and general expenses for survey concerning Jersey's bats	647			647	
Apprenticeship Grants to individuals	Grants to individuals who complete their apprenticeships		(2,985)			2,985
Archers of Jersey	Support for travel to participate in sports events	2,300		(700)		3,000
Archery Association of Jersey	Support for travel to participate in sports events		(4,900)			4,900
Area Payments to Individuals	Area Payments	81,449			5,678	75,771
Army Cadet Force	Contribution to HMS Duke Visit	5,000			5,000	
Art In The Frame	Textile workshop		(3,034)			3,034
Association of Jersey Charities	Grant aid to various registered Jersey Charities (2)	453,996		(657,926)		1,111,922
Aston Services Ltd	Grant to employer in respect of apprentices employed		(433)			433
Aston Services Ltd	employed	(300)		(300)		
Band of The Island of Jersey	Grant to assist the cost of Uniforms	20,000			-	20,000
Battle of Flowers Association	Battle of Flowers - Event grant (4, 5)	130,000		(15,000)		145,000
Bayview Livery Ltd	Area Payments	1,389		(99)		1,488
BeachAbility	Marketing of disability Wheelchairs	5,330			220	5,110
Beaulieu School	Support the operation of Beaulieu School in delivering the Curriculum to its students (3)	2,053,504			69,568	1,983,936
Bel Val Farm Ltd	Area Payments	5,970		(239)		6,209
Birds on the Edge Project	Winter bird feeding project		(453)			453
Blue Badge Guides	Jersey Tourist Guide Association Training	20,900			20,900	
Bon Air Stables	Area Payments	939		(68)		1,007
Bowls Jersey	Support for travel to participate in sports events	6,000			1,400	4,600
Brady & Gallagher (1999) Ltd	Grant to employer in respect of apprentices employed	300		(450)		750
Branchage Film Festival	Branchage Film Festival held 24 - 28 Sep 2014		(10,000)			10,000
British Show Jumping Association	Support for travel to participate in sports events	7,405			945	6,460
Brook (Jersey)	To support the operations of Brook (Jersey) and the 'Baby Think it Over' project	20,000			20,000	
Bureau des Îles Anglo-Normandes	Development of Jersey/France relations - promoting French language and culture	67,394		(20,645)		88,039
Butler Ltd	Rural Initiative Scheme reduction of the 2014 grant	(2,464)		(2,464)		
Butler Ltd	Rural Initiative Scheme		(47,225)			47,225
C & J Carpenters & Builders Ltd	Refund of 2014 Grant to employer in respect of apprentices employed	(300)		(300)		
C and A Jersey Royals Ltd	Area Payments		(5,921)			5,921
C and J Carpenters and Builders Ltd	Grant to employer in respect of apprentices employed		(1,028)			1,028
C I Contract Bridge Association	Support for travel to participate in sports events		(300)		42	300
C I Freshwater Fishing Association	Support for travel to participate in sports events	2,020			520	1,500
Caesarean Croquet	To support the development of facility identified in 'Fit for Future' Sports strategy		(49,880)			49,880

Grantee	Reason for Grant (Strategic Priority)	2015	Stopped 2015	Reduced 2015	Increased 2015	2014
CAF Engineering Limited	Area Payments	911		(65)		976
Chalet Jersey Ltd	Area Payments	11,102		(1,299)		12,401
Chalet Jersey Ltd	Quality Milk Payments	31,476		(2,258)		33,734
Channel Island Air Search	Support provision of a air search service	8,000			8,000	
Channel Island Lawn Tennis Association	Support for travel to participate in sports events	14,000			14,000	
Channel Islands Air Search	Monies for operation		(8,000)			8,000
Channel Islands Brussels Office	Grant for the operation of the Channel Islands Brussels Office (4)	360,785			62,187	298,598
Charitable Trust Caring Hands	To provide emergency assistance. The Charity provides a range of support services with the aim of supporting residents back to independent living		(40,000)			40,000
Child Accident Prevention Jersey	To support the operation of Child Accident Prevention (CAP) in Jersey	2,610			525	2,085
Citizens Advice Bureau	Provide information and advice to members of the public (2, 3)	228,708			-	228,708
Citizens Advice Bureau	Provide an online directory for key health contacts	21,000		(7,500)		28,500
Classic Herd Ltd	Area Payments	10,915		(1,567)		12,482
Classic Herd Ltd	Quality Milk Payments	7,800		(1,923)		9,723
Classic Herd Ltd	Rural Initiative Scheme		(2,436)			2,436
Clos Du Roncier Residents Group	Children's Christmas function	100			100	
Clos Du Roncier Residents Group	Start up grant for residents group	250			250	
Combined Cadet Force	Contribution to annual running costs	10,000			-	10,000
Commonwealth Games Association of Jersey	To support travel costs to Commonwealth Games	12,000			-	12,000
Commonwealth Games Association of Jersey	Support for purchasing equipment and organising activities	3,000			3,000	
Commonwealth Games Committee	To support travel costs to Commonwealth Games presentation event in London		(1,760)			1,760
Community Relations Trust	Contribution to annual running costs	27,500		(43,300)		70,800
Community Relations Trust	One off funding to support a new programme of activity	8,300			8,300	
Community Savings and Credit Limited	Grant to Community Savings	50,000			-	50,000
Countryside Enhancement Scheme Various recipients	Environmental financial support to land owners for the benefit of the Island's population	162,263		(86,242)		248,505
Cowley Farm Ltd	Area Payments	13,942		(996)		14,938
Cowley Farm Ltd	Quality Milk Payments	27,864		(2,322)		30,186
Crabbe Clay Pigeon Shooting Club	Support for travel to participate in sports events		(1,000)			1,000
Cross Cottage Farm Ltd	Area Payments	4,027		(333)		4,360
Cross Cottage Farm Ltd	Quality Milk Payments	6,923			387	6,536
D A Richardson Ltd	Area Payments		(13,513)			13,513
D A Richardson Ltd	Rural Initiative Scheme	2,340			2,340	
D I S Electrical Contractors Ltd	Refund of 2013 Grant to employer in respect of apprentices employed				325	(325)
D J Farming Ltd	Area Payments	4,288		(440)		4,728
Dandara Jersey Ltd	Grant to employer in respect of apprentices employed		(1,615)			1,615
Darren Le Feuvre Plumbing and Heating Ltd	Grant to employer in respect of apprentices employed		(600)			600
De La Salle College	Support the operation of De La Salle College in delivering the Jersey Curriculum to its students (3)	1,857,416		(14,656)		1,872,072
De La Salle College	Creation of a vegetable garden	50			50	
De Mond Gymnastics	Support for travel to participate in sports events		(5,000)			5,000
Devon Villa (1991) Ltd	Area Payments	3,213		(5)		3,218
Didier Hellio Ltd	Area Payments	10,198			406	9,792
Didier Hellio Ltd	Rural Initiative Scheme		(640)			640
Digital Jersey	To market and promote the Digital sector on/off-Island and provide technical assistance to Government (4)	1,250,000			289,000	961,000
Douet Farm	Area Payments	921			921	
Durrell Institute of Conservation and Ecology	Study on the Grass Snake project		(1,000)			1,000
Durrell Wildlife Conservation Trust	Rural Initiative Scheme		(6,088)			6,088
East Riding Ltd	Area Payments	474		(34)		508
Elmina Lifestyle Ltd	Refund of 2013 Grant to employer in respect of apprentices employed				950	(950)
Energy Efficiency Service - Various recipients	Initiative to assist low-income and vulnerable households reduce their energy bills and keep warmer through the winter	562,784		(69,324)		632,108

Grantee	Reason for Grant (Strategic Priority)	2015	Stopped 2015	Reduced 2015	Increased 2015	2014
European Plant Protection Organisation	Contribution to plant research	21,492		(2,788)		24,280
Faux Bie	Community Area enhancement	1,856			1,856	
FCJ Primary School	Support the operation of Convent FCJ School in delivering the Jersey Curriculum to its students (3)	425,444		(11,406)		436,850
Field Farm	Area Payments		(639)			639
Fire and Rescue Service Cadets	Contribution to annual running costs	5,000		(5,000)		10,000
Fisherman's Aid grant to Individuals	Fisherman's Aid Pack		(80,581)			80,581
Fosse Au Bois Growers Ltd	Area Payments	30,263		(2,898)		33,161
Freedom Farms Ltd	Area Payments	7,398		(55)		7,453
Freedom Farms Ltd	Quality Milk Payments	12,818		(1,081)		13,899
Freedom Farms Ltd	Rural Initiative Scheme	1,170			1,170	
Freedom for Life Ministries	To cover the one-off cost of refurbishing the Life Centre drop-in facility for ex-prisoners and other ex-offenders (2)	200,000			200,000	-
G J M Developments Ltd	Grant to employer in respect of apprentices employed		(265)			265
Gelaires Hair and Beauty Ltd	Refund of 2013 Grant to employer in respect of apprentices employed				325	(325)
Girlguiding Jersey	To support youth activities in the island		(4,000)			4,000
Gold Leaf Farm Ltd	Area Payments	4,621			66	4,555
Gold Leaf Farm Ltd	Quality Milk Payments	12,912		(984)		13,896
Goldsmiths College	To support Culture in Jersey		(6,050)			6,050
Government of Jersey London Office	Grant for the operation of the Government of Jersey London Office (4)	495,000		(461,000)		956,000
Grand Vaux	Community Area enhancement	30			30	
Grant payment to Individual	Sponsorship of Street Pianos Project	2,976			2,976	
Grant to Individual	Jersey Darts Festival - 13 - 15 Nov 2014		(5,500)			5,500
Grants to Individuals	Grants to individuals who complete their apprenticeships	2,100			2,100	
Grants to individuals (Highlands College)	To assist students with educational visits	1,222			4,943	(3,721)
Grants to individuals (Jersey College for Girls)	Assist students in the payment of fees	133,616			4,563	129,053
Grants to individuals (Victoria College)	Assist students in the payment of fees	54,726		(15,305)		70,031
Grants to Students (Education)	To assist students in the payment of fees	17,161			20,690	(3,529)
Helping Jersey Charities Ltd	Marketing & promotion plan	20,000			20,000	
Highbury Court	Community Area enhancement	570			570	
Hi-Ho Growers Ltd	Rural Initiative Scheme	1,170			1,170	
Icon Flexpack Ltd	Fisherman's Aid Pack		(3,400)			3,400
Institute of Law	Assist with re-stocking hard copy law library	30,000			-	30,000
Island Games Association of Jersey	To support delivery of the Sports Strategy, 'Fit for Future'	30,000			-	30,000
J & S Growers (2009) Ltd	Area Payments	14,337			1,412	12,925
J E Perchard Ltd	Area Payments	4,196		(531)		4,727
J E Perchard Ltd	Quality Milk Payments	6,238		(4,396)		10,634
Jacksons (CI) Ltd	Grant to employer in respect of apprentices employed		(300)			300
Jersey Advisory and Conciliation Service	Provide a free employment relations service to help employers, employees and trade unions work together for the prosperity of Jersey business and the benefit of employees (4)	385,800			32,800	353,000
Jersey Agility Club	Overseas marketing	695			695	
Jersey Agility Club	Support for travel to participate in sports events	2,580			1,930	650
Jersey Air Training Corps	Contribution to annual running costs	10,000		(1,500)		11,500
Jersey Aquatic Rescue Club	Support for travel to participate in sports events	3,000		(2,700)		5,700
Jersey Archery Society	To support the implementation of the Sports Strategy	3,000		(300)		3,300
Jersey Army Cadet Force	Contribution to annual running costs	10,000			-	10,000
Jersey Arts Centre Association	To support the operation of the Jersey Arts Centre – comprising theatre, gallery and activity rooms – to enable it to offer a wide range of professional events (3)	453,425		(7,354)		460,779
Jersey Arts in Health Care Trust	Provide therapeutic services through the promotion of the arts	4,438			4,438	
Jersey Arts Trust	To repay the Opera House refurbishment loan (3)	572,000			-	572,000
Jersey Arts Trust	To support a programme of arts development including grants to local artists, events which engage with Island artists and help support their work, and connect them with artists from other places to increase the standard and variety of creative practice in the Island (3)	159,700		(4,055)	44	163,755

Grantee	Reason for Grant (Strategic Priority)	2015	Stopped 2015	Reduced 2015	Increased 2015	2014
Jersey Arts Trust (Council for Culture)	To support the costs of creating new exhibition with Primary schools for 2015 Island Games		(60,000)			60,000
Jersey Athletics Association	Support for travel to participate in sports events		(19,000)			19,000
Jersey Badminton Association	To support employment of Development Officer to deliver new programmes to young people	30,000			30,000	
Jersey Badminton Association	Support for travel to participate in sports events	5,000			1,435	3,565
Jersey Barn Owl Conservation Network	Refurbishment of Jersey's owl nesting boxes	868			206	662
Jersey Brook Advisory Centre	To support the operations of Brook (Jersey) and the 'Baby Think it Over' project		(20,000)			20,000
Jersey Business Limited	To provide wide ranging business support, advice and guidance to local Jersey businesses on behalf of Government (4)	715,000			45,860	669,140
Jersey Canoe Club	Jersey Kayak Symposium		(7,000)			7,000
Jersey Capoeira	Support for travel to participate in sports events	200			200	
Jersey Chess Club	Polar Capital Jersey Open Chess Tournament	4,500			4,500	
Jersey Childcare Trust	To support the Jersey Childcare Trust (JCCT) in the provision of its core services, staff, accommodation and resources (2, 3)	178,800			-	178,800
Jersey Classic & Modern Trials	International 2 day trail event	3,411			3,411	
Jersey Competition Regulatory Authority	Work with the JCRA to create a more competitive commercial environment through the application of the Competition (Jersey) Law (1, 4)	353,500		(45,000)		398,500
Jersey Conference Bureau Limited	Support the operation and winding up of the Jersey Conference Bureau (4, 5)	165,321		(55,974)		221,295
Jersey Consumer Council	To provide wide ranging consumer advice and support to local citizens (4)	117,000		(14,000)		131,000
Jersey Council for Safety and Health at Work	Promote occupational health and safety in the work place	28,922			-	28,922
Jersey Cricket Board	Support for purchasing equipment and organising activities	34,000			19,000	15,000
Jersey Cricket Board	Support for travel to participate in sports events	2,450		(370)		2,820
Jersey Cycling Association	Support for travel to participate in sports events		(9,870)			9,870
Jersey Cycling Association Youth Academy	Support for travel to participate in sports events	7,440		(660)		8,100
Jersey Dairy	Area Payments	3,581			3,581	
Jersey Dairy	Quality Milk Payments	2,090			2,090	
Jersey Domestic Violence Forum	Contribution to annual running costs		(33,420)			33,420
Jersey Dressage Club	Support for travel to participate in sports events	4,180			380	3,800
Jersey Electricity Plc	Grant to employer in respect of apprentices employed		(325)			325
Jersey Electricity Plc	Refund of 2014 Grant to employer in respect of apprentices employed	(300)		(300)		
Jersey European Agility Festival	Support for travel to participate in sports events	900			900	
Jersey Evening Post Ltd	Grant to employer in respect of apprentices employed		(425)			425
Jersey Family Mediation Service	Provision of service to separating or divorced couples to assist in reaching agreements	12,238			12,238	
Jersey Family Mediation Service	To assist with running costs	60,000			-	60,000
Jersey Fencing	Autumn Fencing Festival		(3,000)			3,000
Jersey Fencing	To support travel costs and fees for visiting tutors		(3,000)			3,000
Jersey Fencing	Support for purchasing equipment and organising activities		(3,000)			3,000
Jersey Fencing	Support for travel to participate in sports events	2,000		(7,600)		9,600
Jersey Film Festival	Purchase of sound equipment	3,760			3,760	
Jersey Finance Limited	Market and promote the Finance Industry and provide technical assistance to Government (4)	4,870,000		(91,500)		4,961,500
Jersey Financial Services Commission	Assist with the costs of the Anti Money Laundering Unit (4)	248,965			-	248,965
Jersey Folklore Festival	Fund part of overall project	28,798			28,798	
Jersey Football Association	To support employment of Community Development Officer to work in Schools and at Springfield to develop new programmes of activity.	15,000			15,000	
Jersey Football Association	Support for purchasing equipment and organising activities	30,000			15,000	15,000
Jersey Football Association	Support for travel to participate in sports events	13,010		(2,550)		15,560
Jersey Freshwater Angling Association	Support for travel to participate in sports events	1,500			1,000	500
Jersey Guide Association	To support youth activities in the island	4,000			4,000	
Jersey Gymnastics Club	Support for travel to participate in sports events	4,790		(730)		5,520
Jersey Heritage Trust	Support the restoration of Kempt and Rocco Towers	-	(95,000)			95,000
Jersey Heritage Trust	To support the Trust in its operation of more than 20 historic sites in Jersey made available to the public (3)	2,803,340		(414,187)		3,217,527

Grantee	Reason for Grant (Strategic Priority)	2015	Stopped 2015	Reduced 2015	Increased 2015	2014
Jersey Heritage Trust	Ice Age Project and Ice Age Interpretation Project		(73,000)			73,000
Jersey Heritage Trust	Neanderthal model	9,500			9,500	
Jersey Heritage Trust	To support organisations involved in supporting the Council of Culture	1,109			1,109	
Jersey Hockey Association	Support for travel to participate in sports events	22,600			13,600	9,000
Jersey Hockey Association Development Fund	Support for travel to participate in sports events		(4,700)			4,700
Jersey Horse Driving Society	Support for travel to participate in sports events	3,000		(270)		3,270
Jersey Hyperbaric Treatment Centre	Contribution towards specific costs of the hyperbaric treatment centre	8,282			8,282	
Jersey in Transition	Funding for a permaculture event		(153)			153
Jersey Indoor Bowling Association	Support for travel to participate in sports events	1,650			360	1,290
Jersey Inshore Fishermen	Rural Initiative Scheme		(5,280)			5,280
Jersey International Air Display	Jersey International Air Display - event grant (2)	90,000		(20,000)		110,000
Jersey International Motoring Festival	Marketing & attractions	57,906			57,906	
Jersey Irish G A A Club	Support for travel to participate in sports events	4,000			900	3,100
Jersey Judo Association	Support for travel to participate in sports events	4,000		(385)		4,385
Jersey Language Adventure	Marketing for the language school		(983)			983
Jersey Legal Information Board	To assist with running costs	-	(100,000)			100,000
Jersey Maritime Trust Limited	Grant payment for Port Galots for development of Les Galots Site for Community use		(14,550)			14,550
Jersey Military Vehicle Club	Hospitality, Low loader & fuel costs	10,705			10,705	
Jersey Motor Cycle & Light Car Club	Support for travel to participate in sports events	12,000			-	12,000
Jersey Muzzleloaders and Antique Firearms	Support for travel to participate in sports events		(500)			500
Jersey Netball Association	Support for purchasing equipment and organising activities	30,000			15,000	15,000
Jersey Netball Association	Support for travel to participate in sports events	29,000			24,000	5,000
Jersey Netball Association development	Support for travel to participate in sports events		(19,550)			19,550
Jersey Oyster Company Ltd	Rural Initiative Scheme	25,000			25,000	
Jersey Petanque Association	Support for travel to participate in sports events	2,000			760	1,240
Jersey Pistol Association	Support for travel to participate in sports events		(1,650)			1,650
Jersey Pistol Club	To support travel costs and fees for visiting tutors		(1,219)			1,219
Jersey Pistol Club	Support for travel to participate in sports events	1,380			1,380	
Jersey Primary School Football	Support for travel to participate in sports events	2,000			2,000	
Jersey Primary Schools Sports	Support for purchasing equipment and organising activities	17,797			2,087	15,710
Jersey Product Promotion Limited	Support for promoting Jersey products e.g. Genuine Jersey (4)	162,870			3,870	159,000
Jersey Riding Club	Support for travel to participate in sports events	2,000			2,000	
Jersey Rifle Association	Support for travel to participate in sports events	1,715		(495)		2,210
Jersey Rowing Club	Support for travel to participate in sports events		(1,850)			1,850
Jersey Rugby Association	To support individuals, clubs and associations in travel to participate in sports events	48,000		(2,000)		50,000
Jersey Rugby Development Committee	Support for purchasing equipment and organising activities	20,000			5,000	15,000
Jersey Sea Cadets	Contribution to annual running costs	10,000			-	10,000
Jersey Sea Farms	Rural Initiative Scheme	9,900			9,900	
Jersey Search and Rescue	Replacement of equipment and protective clothing and training for new members	5,000			5,000	
Jersey Seasearch	Support the production of a diving book		(10,075)			10,075
Jersey Seasearch	Air refills and training in relation to a seabed survey	750		(35)		785
Jersey Secondary School Sports Association	Support for purchasing equipment and organising activities	16,000			10,400	5,600
Jersey Smallbore Shooting Association	Support for travel to participate in sports events	2,000		(1,260)		3,260
Jersey Softball Association	Support for travel to participate in sports events	2,000		(3,200)		5,200
Jersey Spartan Athletic Club	Support for purchasing equipment and organising activities		(15,000)			15,000
Jersey Spartan Athletic Club	Support for travel to participate in sports events	22,000			22,000	
Jersey Sport Foundation	To provide strength and conditioning programmes for Jersey's top athletes to help them achieve their best possible performances	50,000	-			50,000

Grantee	Reason for Grant (Strategic Priority)	2015	Stopped 2015	Reduced 2015	Increased 2015	2014
Jersey Sports Association for Disabled	Support for travel to participate in sports events	11,850		(1,790)		13,640
Jersey Squash and Racketball Association	Support for travel to participate in sports events	5,000			450	4,550
Jersey Squash Racquets Association	Support for purchasing equipment and organising activities	15,000			-	15,000
Jersey Surfboard Club	Support for travel to participate in sports events	7,500			3,350	4,150
Jersey Swimming Club	Support for travel to participate in sports events	(1,200)		(2,400)		1,200
Jersey Table Tennis Association	To support the implementation of the Sports Strategy	5,000			5,000	
Jersey Table Tennis Association	Support for purchasing equipment and organising activities	15,000			-	15,000
Jersey Table Tennis Association	Support for travel to participate in sports events	7,800		(370)		8,170
Jersey Ten Pin Association	Support for travel to participate in sports events	1,050			1,050	
Jersey Tennis Association	Support for travel to participate in sports events		(15,000)			15,000
Jersey Touch Rugby	Support for travel to participate in sports events	4,000			4,000	
Jersey Tourist Guide Association	To support the training of 19 new blue badge guiders		(8,500)			8,500
Jersey Triathlon Club	Support for travel to participate in sports events	9,000			2,290	6,710
Jersey Variety Sailing Trust	Charitable Donation	2,735			2,735	
Jersey Volleyball Association	Support for travel to participate in sports events		(5,460)			5,460
Jersey Voluntary & Community Services	To support some of initial costs associated with the management of the Charities (Jersey) Law	70,000			30,000	40,000
Jersey War Tunnels	Refurbishment of 'The OT Gallery'	30,000			30,000	
Jersey Waterpolo Association	Support for travel to participate in sports events		(710)			710
Jersey Youth Bowling Club	Support for travel to participate in sports events	450		(150)		600
Jerzy Journey Boutique	Marketing support for Russian trips		(6,980)			6,980
JHA Development Fund	Support for travel to participate in sports events	9,200			9,200	
JMEC Limited	Grant to employer in respect of apprentices employed		(565)			565
JMEC Limited	Refund of 2014 Grant to employer in respect of apprentices employed	(600)		(600)		
John Warener Plumbing & Heating	Grant to employer in respect of apprentices employed		(950)			950
John Warener Plumbing & Heating	Refund of 2014 Grant to employer in respect of apprentices employed	(17)		(17)		
JPM Ironworks Services Ltd	Grant to employer in respect of apprentices employed		(1,188)			1,188
JPM Ironworks Services Ltd	Refund of 2014 Grant to employer in respect of apprentices employed	(300)		(300)		
JR Jersey Horticulture Limited	Area Payments		(679)			679
K C Engineering Ltd	Grant to employer in respect of apprentices employed	25		(1,190)		1,215
Kut & Kurls	Grant to employer in respect of apprentices employed	300		(600)		900
La Ferme Ltd	Area Payments	15,954			7,412	8,542
La Ferme Ltd	Quality Milk Payments	37,764		(5,214)		42,978
La Ferme Ltd	Rural Initiative Scheme	16,391			16,391	
La Hougue Farm (1975) Ltd	To support the building of a new indoor play barn		(64,908)			64,908
La Mare Vineyards Ltd	Area Payments	1,076		(284)		1,360
La Pompe Ltd	Area Payments		(920)			920
La Robeline Cider Company Ltd	Area Payments	2,114			377	1,737
La Robeline Cider Company Ltd	Rural Initiative Scheme	8,720			8,720	
Labey Farms Ltd	Area Payments	11,628		(4,708)		16,336
Labey Farms Ltd	Rural Initiative Scheme	1,170			1,170	
Larsen Ltd	Grant to employer in respect of apprentices employed		(1,133)			1,133
Le Don Balleine Trust	To support the teaching of Jèrriais and Jersey Studies in schools, adult Jèrriais classes and a range of language promotion, including the support of cultural events which use the Jèrriais language (3)	148,783			1,719	147,064
Le Gresley Farms Ltd	Area Payments	6,702		(1,005)		7,707
Le Gresley Farms Ltd	Quality Milk Payments	10,212		(609)		10,821
Le Marais Fete	Community event	1,255			1,255	
Le Pav Ltd	Area Payments	1,105			1,105	
Le Rendu & Son Ltd	Area Payments	1,476		(106)		1,582
Le Sech Farms Ltd	Area Payments	3,008		(1,010)		4,018
Le Squez Residents Association	Relinquishment of Garage (Grant fom 2014)	(40)		(40)		
Le Squez Residents Association	Set up grant for residents group		(300)			300
Le Squez Tenants Association	Rental of Garage		(1,092)			1,092
Les Cinq Chenes Residents Group	Grant for Fun Day		(300)			300
Les Cotils Farms Ltd	Area Payments	4,384		(448)		4,832
Les Landes School	Equipment for their garden and nature area	395			395	
Les Ormes Farm Ltd	Quality Milk Payments	9,282			9,282	
Liberation Court Tenant Group	Grant returned				250	(250)
Literary Festival	Off-Island marketing campaign	24,695			24,695	
Lodge Farm Ltd	Area Payments	14,129		(1,029)		15,158
Lodge Farm Ltd	Quality Milk Payments	30,527		(1,356)		31,883
Lodge Farm Ltd	Rural Initiative Scheme	2,000			2,000	
Luxury Jersey Hotels	New website	750		(12,750)		13,500
MacAlister Elliott and Partners	Fisherman's Aid Pack		(4,068)		47	4,068
Master Farms Ltd	Area Payments	30,327		(1,720)		32,047
Master Farms Ltd	Quality Milk Payments	13,872		(1,329)		15,201
Meadow Vale Farm Ltd	Area Payments	9,484		(1,134)		10,618
Meadow Vale Farm Ltd	Quality Milk Payments	24,096		(2,217)		26,313
Melech 2007 Ltd	Area Payments	34,278		(7,014)		41,292

Grantee	Reason for Grant (Strategic Priority)	2015	Stopped 2015	Reduced 2015	Increased 2015	2014
Meleches 2007 Ltd	Rural Initiative Scheme	1,170			1,170	
Michael Moyse Hair Fashion (2000) Ltd	Refund of 2013 Grant to employer in respect of apprentices employed				325	(325)
Michelle Hairstyles Ltd	Refund of 2013 Grant to employer in respect of apprentices employed				300	(300)
Motor Mall (CI) Ltd	Grant to employer in respect of apprentices employed		(265)			265
Mr Ian Buxton	Replacement netting equipment for an ongoing bird ringing project	483			483	
Mr R McDonald	Support for travel to participate in sports events	650			650	
Mr S Mottershaw	Support for travel to participate in sports events	150			150	
Mrs L Bizouarn - Liberation Court Residents Group	Summer Community event		(250)			250
Music In Action Ltd	To support the development music in Jersey through Cultural events		(5,000)			5,000
National Trust	Support the purchase of Plemont Holiday Village	-	(3,575,000)			3,575,000
National Trust for Jersey	Ecological survey of St Ouen's Pond		(1,100)			1,100
National Trust for Jersey	Seed for sustaining winter birds	399			399	
National Trust for Jersey	Wetlands Centre Project		(41,870)			41,870
Natures Way of Life Ltd T/A Passion	Refund of 2013 Grant to employer in respect of apprentices employed				325	(325)
Nursery Education Fund	Provide pre-school learning through the Nursery Education Fund	1,964,448			245,697	1,718,751
Ocean Dream Ltd	Area Payments	1,312		(94)		1,406
Overseas Aid Grants	Humanitarian aid provided in response to sustainable grant projects, disaster and emergency relief and community work project initiatives (N/A)	10,315,126			614,492	9,700,634
P A and C Gay Fisheries Ltd	Fisherman's Aid Pack		(4,384)			4,384
Paradox Ltd	To support the cost of new shower unit for the Haut de la Garenne site		(20,000)			20,000
Parish of St Brelade	La Fete de Noué Sponsorship	1,000			1,000	
Parish of St Helier	Contribution to the Parish for regeneration (5)	83,000			83,000	-
Parish of St Helier	Island Games 2015 - Street Lighting	5,000			5,000	
Parish of St Helier	La Fete de Noué Support	35,000			35,000	
Parish of St Helier	Refund of 2013 Grant to employer in respect of apprentices employed				325	(325)
Parish of St Helier	Street Dressing Island Games	14,555			14,555	
Person & Freire Ltd	Area Payments	1,844		(131)		1,975
Potage Farm Ltd	Area Payments	1,477		(106)		1,583
Premier Contracting and Shopfitting (2005) Ltd	Refund of 2013 Grant to employer in respect of apprentices employed				300	(300)
Prince's Trust	To support the operations of the Prince's Trust including employing a Coordinator, Youth worker, Administrator, Vehicle hire from TTS and some programme costs (3)	145,929		(750)		146,679
Printemps Farm Ltd	Area Payments	3,919		(1,988)		5,907
Prison! Me! No Way!!	Contribution to annual running costs	61,000		(8,000)		69,000
Quality Milk Payments to individuals	Quality Milk Payments	58,195		(33,630)		91,825
R Le B Ltd	Area Payments	11,998		(2,529)		14,527
R Le B Ltd	Quality Milk Payments	33,713		(3,492)		37,205
R Le B Ltd	Rural Initiative Scheme	5,132			542	4,590
Raffray Ltd	Grant to employer in respect of apprentices employed		(950)			950
Raffray Ltd	Refund of 2014 Grant to employer in respect of apprentices employed	(300)		(300)		
Regent Gymnastic Club	Support for travel to participate in sports events	4,750		(1,550)		6,300
Rondel Farms Ltd	Area Payments		(2,951)			2,951
Royal C I Yacht Club	Support for travel to participate in sports events		(575)			575
Royal Jersey Agricultural and Horticultural Society	Services to support the dairy industry, e.g. bull proving and artificial insemination (4)	219,141		(30,859)		250,000
Royal Jersey Military Army Cadets	Equipment and Training Needs		(8,349)			8,349
Rural Initiative Scheme payments to individuals	Rural Initiative Scheme	13,100		(4,270)		17,370
Safer St Helier	Contribution to costs of Taxi Marshall Scheme	5,500			-	5,500
Salvation Army	Provide support for the development of a Community Resource Centre.	50,000			-	50,000

Grantee	Reason for Grant (Strategic Priority)	2015	Stopped 2015	Reduced 2015	Increased 2015	2014
Samares Manor Ltd	To achieve botanical status (4)	75,279			75,279	-
Samares Manor Ltd	To support the building of a new visitor centre		(17,721)			17,721
Secrets Beneath Productions Ltd	Marketing & promotion plan	8,884			8,884	
Serco (Jersey) Limited	Subsidy in respect of the operation of the Waterfront Pool (2)	400,972		(98,780)		499,752
Skills Accelerator Grant to Individuals	To provide skills training to employees with the aim of making a difference to the sustainability or development of their employer's business	67,612		(147,220)		214,832
Societe Jersiaise (Botany Section)	Equipment for the collection of precise plant record data		(328)			328
Societe Jersiaise (Botany Section)	Plant identification training course	450			450	
Somerleigh Farms 1996 Ltd	Area Payments	23,332		(1,676)		25,008
Somerleigh Farms 1996 Ltd	Rural Initiative Scheme		(16,898)			16,898
Somerville Fabricators Ltd	Refund of 2013 Grant to employer in respect of apprentices employed				325	(325)
St Brelades College	To support the costs of attending overseas marketing events		(2,400)			2,400
St Catherines Sailing Club	Support for travel to participate in sports events	8,420		(1,500)		9,920
St Helier Community in Bloom	Sponsorship	250			-	250
St John Centre Limited	Support the completion of the Youth Project wing at St Johns Recreation Centre	-	(220,000)			220,000
St Lawrence Charity Horse Show	Support for travel to participate in sports events	150		(150)		300
St Lawrence Growers Ltd	Area Payments	7,167		(23,710)		30,877
St Michael's School	To support the school in delivering the Jersey Curriculum to its students in accordance with the teaching and culture of the school (3)	75,124		(89,991)		165,115
St Saviour's Bowls Club	Support for purchasing equipment and organising activities	4,136			4,136	
Subsidies Public Sector Scheme	To assist people with disabilities into employment within the Public sector where the employing department contributed to an appropriate level of the person's salary equating to the person's ability	8,866		(1,869)		10,735
Sweetspot Group Ltd t/a Tour Series	Grant for UK finale of the Tour Series		(70,000)			70,000
Syret and Turner Ltd	Grant to employer in respect of apprentices employed		(848)			848
T and R Perchard Ltd.	Area Payments		(6,766)			6,766
T H Barette Ltd	Area Payments	24,650			16,494	8,156
T H Barette Ltd	Quality Milk Payments	30,254			13,305	16,949
Tarka Sea Trips	Marketing fishing trips		(644)			644
Tenants Forum Admin Support - High Rise Panel	Temp for Tenants Forum	549		(157)		706
The Association of Jersey Architects	Sponsorship of Jersey Architecture week	23,778			23,778	
The Jersey Arts in Healthcare Trust	Provide therapeutic services through the promotion of the arts		(4,438)			4,438
The Jersey Arts Trust	To support organisations involved in supporting the Council of Culture	11,700			11,700	
The Jersey Biodiversity Centre	Continuation of the Jersey Biodiversity Centre	1,000			1,000	
The Jersey Employment Trust	Assist people with disabilities by providing sheltered work and additional training and development for the most severely disabled (4)	972,600			-	972,600
The Jersey Family Mediation Service	Provision of service to separating or divorced couples to assist in reaching agreements		(12,238)			12,238
The Jersey Hyperbaric Treatment Centre	Contribution towards specific costs of the hyperbaric treatment centre		(8,282)			8,282
The Jersey Opera House	To operate the Opera House as a public resource for the Island; and to deliver the specific objective contained in the Opera House's annual business plan as agreed with the Minister for Education (3)	467,303			1,101	466,202
The Jersey Paddle Club	Support for travel to participate in sports events	2,000			2,000	
The Jersey Race Club	Marketing support and website design		(6,000)			6,000
The Jersey Race Club	Support for travel to participate in sports events		(450)			450
The Jersey Royal Company	Area Payments support to underpin a base level of farming activity in the countryside (2, 4)	197,810		(20,446)		218,256

Grantee	Reason for Grant (Strategic Priority)	2015	Stopped 2015	Reduced 2015	Increased 2015	2014
The Jersey Royal Company	Rural Initiative Scheme	3,900			3,900	
The Kennel Club Of Jersey	Support for travel to participate in sports events	200		(400)		600
The Reserve	Area Payments	4,183		(299)		4,482
The Scout Association	To support youth activities in the island	4,000			4,000	
The Sea Cadets T S Jersey	Equipment and Training Needs		(8,349)			8,349
The Smokey Shed	Rural Initiative Scheme reduction of the 2014 grant	(611)		(611)		
The Smokey Shed	Rural Initiative Scheme		(1,000)			1,000
Tigers (Jersey) Swimming Club	Support for travel to participate in sports events	9,100		(1,570)		10,670
Trinity Manor Farm Ltd	Area Payments	11,563		(146)		11,709
Trinity Manor Farm Ltd	Quality Milk Payments	25,284		(2,107)		27,391
United Electrical Contractors	Grant to employer in respect of apprentices employed		(808)			808
United Electrical Contractors	Refund of 2014 Grant to employer in respect of apprentices employed	(300)		(300)		
Valley Foods Ltd	Rural Initiative Scheme	7,000			7,000	
Various employment schemes	The provision of a range of measures to encourage additional employment opportunities for the unemployed. Includes Back to Work, Enhanced Workzone and Advance Plus	858,069		(406,477)		1,264,546
Various recipients	Contribution to Guernsey fisheries licence appeal	2,500			2,500	
Vermont Farm Ltd	Area Payments	2,947		(442)		3,389
Vers Les Monts Organic Farm	Area Payments	626		(45)		671
Victim Support Jersey	Contribution to annual running costs	30,000			-	30,000
Victoria College - Combined Cadet Force	To support the operations of the Combined Cadet Force (CCF)	12,750		(9,250)		22,000
Victoria College CCF	Equipment and Training Needs		(8,349)			8,349
Victoria College Foundation	To support the operation of the school foundation	34,400		(8,700)		43,100
Vincent Court	Community Area enhancement	2,880			2,880	
Visit Jersey Limited	To market and promote Jersey for inbound tourism purposes in overseas markets and provide policy advice to Government (4)	2,585,074			2,585,074	-
Wallace and Cairney Plumbing and Heating Ltd	Refund of 2013 Grant to employer in respect of apprentices employed				300	(300)
West Park Marine Lake Trust	Support the cost of restoring the West Park swimming pool	-	(115,000)			115,000
Woodfire Limited	Installation & maintenance of sanitary facility	40,000			40,000	
Woodside Farms Ltd	Provide support for innovation and business diversification (4)	259,600			259,600	-
Woodside Farms Ltd	Area Payments	59,585			13,073	46,512
Woodside Farms Ltd	Rural Initiative Scheme				8,024	(8,024)
Young Enterprise	To support Young Enterprise in Jersey	2,000	-			2,000
		43,009,105	(5,269,057)	(3,126,195)	5,924,858	45,479,499

4.17 DEPUTY G.P. SOUTHERN OF ST. HELIER OF THE MINISTER FOR INFRASTRUCTURE REGARDING THE OUTSOURCING OF SERVICES FOLLOWING THE RESTRUCTURING OF THE DEPARTMENT: [9651]

Question

Following the recent restructuring of the Department, will the Minister detail:

- which specific services have been outsourced to private companies, giving the names of those companies;
- which services have been retained in house;
- how many staff have been retained in house, and at which grades;
- how many staff have left the Department, indicating the number leaving through retirement and those receiving severance or redundancy payments; and
- what costs have been incurred in the outsourcing process and what budget savings have been achieved?

Answer

38 employees have been retained in house as part of the new Parks, Cleaning and Contracts structure.

Breakdown of roles and grades as follows remaining in DfI.

Job Role	Grade
Manager (1)	13
Assistant Manager (4)	9
Chargehand (5)	3 at 6 2 at 5
Skilled Gardener (6)	4
Forestry (1)	5
Highways (7)	4
Andium Homes (12)	10 at 3 2 at 2
Gardener JEND (2)	2

The following 11 roles in the Playing Fields team are transferring to EDST&C

Job Role	Grade
Assistant Manager	9
Chargehand (2)	6
Groundsperson (4)	4
Tractor Driver (2)	5
Apprentices (2)	

(d) How many staff have left the Department, indicating the number leaving through retirement and those receiving severance or redundancy payments.

In total 130 employees have left this section in total since 2009.

Between 1 January 2016 and 3 October 2016, in total 95 employees have left Parks, Gardens and Cleaning and the breakdown is as follows for 2016;

Reason for leaving 2016	Number of People 2016
Retirement	3
Redundancy	74
Family Reasons	2
Contract expiry	1
Leaving Jersey	1
Other Employment	5

VER	1
Resign prior to management action	1
Ill health retirement	3
Transfer to other departments	4

9 employees are on the redeployment register and are receiving ongoing outplacement support and in many cases redeployment trials have already been identified.

(e) What costs have been incurred in the outsourcing process and what budget savings have been achieved?

Costs are made up of the following; the Change team, workshops for affected staff, project management time and advertising costs incurred for the outsourcing of Parks, Gardens and cleaning for 2016 to date are £174,000. Resourcing for the project has been utilised from existing Dfl Employees and no external specialists/consultants have been employed.

Budget savings are estimated to be in excess of £800,000 per annum and there will be savings for other departments.

[9:45]

5. Oral Questions

The Deputy Bailiff:

We now come to Questions with Notice and the first ...

Deputy G.P. Southern of St. Helier:

If I may?

The Deputy Bailiff:

Yes, Deputy.

Deputy G.P. Southern:

Sorry to interrupt you but I have got a question, 9641, which is a written question, I wish to follow up in Oral Questions and the answer has not been printed. I have got a chart to fill in, question 9641, question 7 in written questions. There is an answer to it I have seen but it has not been circulated because it is not in the documentation. There is no answer there. I would be grateful if the Greffe could arrange to get a copy of the answers and circulate it before we come to question 12. A nod from the ...

The Deputy Bailiff:

Thank you, Deputy, you have made that clear and the Greffe informed you that that is certainly possible. Very well, we come to Questions with Notice, the first question Deputy Tadier will ask of the Minister for Education.

5.1 Deputy M. Tadier of St. Brelade of the Minister for Education regarding the recruitment of specialist secondary school teachers: [9659]

What evidence, if any, does the Minister have that the challenges to secondary school teacher recruitment in the United Kingdom in many specialist areas have eased, and if none, what incentives are there in place to attract such teachers to come and work in Jersey?

Deputy R.G. Bryans of St. Helier (The Minister for Education):

Thank you to the Deputy. The school workforce census is the main source of information of school staffing in England and its latest figures: “Show there are reasons to be cheerful”, that is a quote from them. Teacher numbers are up overall and there was a slight increase in the number of recruits. The number of teachers in history, English and P.E. (Physical Education) is buoyant. Our Jersey Graduate Teacher Training Programme is still successful with a further 11 trainees currently enrolled and training for secondary posts in science, English, modern foreign languages and other subjects. In total, more than 60 candidates have so far completed the training. The challenge is certainly not over, particularly in maths and physics, but more efforts are being made to attract trainees into the profession in the U.K. (United Kingdom) and Jersey stands to benefit if that is successful. Jersey schools are fully staffed at the moment with only a small number of vacancies. There are currently no financial incentives for teachers other than the inflated N.Q.T. (Newly Qualified Teachers) starting wage but Jersey offers shorter days, a shorter term, lower taxes for higher earners and an attractive lifestyle.

5.1.1 Deputy M. Tadier:

I thank the Minister for that answer. Does he accept that the information he has given in the written question, although it would be nice to have the figures in the table as well, suggests that he is not comparing like to like when saying that Jersey compares well with the starting wage for inner London? He says in that written answer that Jersey effectively starts all teachers on level 3 because of the requirement for all teachers to have 2:2 grade degree or above but yet he proceeds to compare the figures to the level 1 figures in inner London rather than the level 3 comparable figures which would be much higher than the starting wage for Jersey. So could he explain why he is being very selective with his use of figures which may unintentionally mislead Members of this Assembly and the public?

Deputy R.G. Bryans:

Yes, I think I have tried to explain this a few times. Since, I think it was 2000, wages were inflated to deal with a recruitment problem back then and they have never been tackled since that point. Over the last 4 years the starting salary for a teacher in Jersey has been £38,000; that is what I was relating to. So it is comparable in the sense that if you are starting in the U.K. you start on level 1 but here you start on a level 3.

5.1.2 Deputy A.D. Lewis of St. Helier:

I would just be curious if the Minister could answer as to what incentives are given to local existing staff to either retrain or further develop their skills? So if there is a staffing shortage in certain areas we can perhaps mitigate from within.

Deputy R.G. Bryans:

Could I just clarify, are you talking about actual teachers themselves?

Deputy A.D. Lewis:

Yes.

Deputy R.G. Bryans:

There is no particular incentive. I mean I have just talked about the Jersey Graduate Teachers Programme which has been very successful particularly in identifying areas of concerns that we have got and that is what we have directed people who are upskilling and coming out of various occupations. I spoke to one just a couple of weeks ago who has been working in the Civil Service and has decided to join teaching and had made a conscious decision, looking at the circumstances

that we find ourselves in, to apply as a maths teacher. So people are aware of the situation we are in and identifying that area.

5.1.3 Deputy A.D. Lewis:

Supplementary. Does the Minister not agree that there should be some kind of contractual obligation among the staff to train, retrain and continue to develop their skills? Is there a contract obligation to do that?

Deputy R.G. Bryans:

Staff are constantly retraining their skills and we have all manner of programmes to identify that; leadership programmes of one form or another. Just to go back to the Jersey Graduate thing, I think one of the things that is important to mention, which I did not mention earlier, is that we have a retention rate of Jersey graduate teachers of 86 per cent, which is quite phenomenal really when you consider it. So once they are trained up and once they go in to the schools they remain there.

5.1.4 Deputy G.P. Southern:

Is it not the case that in the majority of parts of the U.K., including inner London, a newly qualified teacher will enter the salary point at 3 if they have a 2:2, an Honours degree, or above? Is that not the case elsewhere as well as Jersey and should the Minister not be comparing like with like and comparing entry point 3 with entry point 3?

Deputy R.G. Bryans:

The Deputy is quite correct. If there is an opportunity for students on a degree level to go in at a certain point that is what happens in the U.K. What I was trying to illustrate is exactly what happens in our schools at this moment in time.

5.1.5 Deputy G.P. Southern:

Does the Minister accept that he was unintentionally misleading the House when he did not compare entry point 3 with entry point 3?

Deputy R.G. Bryans:

No, I was not misleading the House. What I was trying to explain to the Assembly, and I have done it several times and will keep doing it, the situation we have in Jersey is that when degree students enter the Jersey education system; over the last 4 years we have nobody, not one person, who has entered on a newly qualified teachers level as coming in anything lower than 3.

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

What would the starting salary be at level 1 for a new teacher coming into the profession in Jersey who did not achieve a second class degree or above?

Deputy R.G. Bryans:

It would be around £33,000.

5.1.7 Deputy M. Tadier:

I think we have finally teased **[Interruption]** ... put it back to the Minister. Does he accept that a level 3 Jersey teacher which, in his answer, says is with 2:2 degree, which is what they will be necessarily because that is a requirement, compared to an inner London teacher at £32,400, under the Minister's proposals to reduce that salary by £8,000 the Jersey teacher will be worse off by £2,104 a year compared to the inner city teacher on the same 2:2 degree when starting off in teaching?

Deputy R.G. Bryans:

As I think the Deputy is aware, when the situation has prevailed, when the negotiations are entered into with regard to the teacher salary, what we were doing by advising the Assembly, and everybody else, that we have this inflated situation was that this is the proposal for both the unions and S.E.B. (States Employment Board) and our officers to work together to, if possible, reduce the salary down to something akin to £30,000. If we were to do nothing more than reduce it down to the level 1, which is what everybody is discussing, we would still be reducing that down by about £6,000.

Deputy M. Tadier:

Point of order, sir.

The Deputy Bailiff:

No, I am sorry, Deputy. That was a final supplementary. Point of order; what ruling do you want me to make?

Deputy M. Tadier:

I would like a ruling because I think the Minister is obfuscating and under the Code of Conduct he is required to give open and straight answers. I believe that was a simple yes and no answer and when a Minister cannot answer that question in such a fashion I do not think it does much for the repute of this Assembly and especially not the Council of Ministers.

The Deputy Bailiff:

I do not think that that is a matter on which I can make a ruling. How the Minister answers a question is a matter for him, provided it is within reasonable parameters.

5.2 Deputy J.M. Maçon of St. Saviour of the Minister for Health and Social Services regarding support for the work of the Sexual Health Service: [9627]

Will the Minister put on record his appreciation of the work of the Sexual Health Service and does he support the proactive work of officers of that service that have undertaken to raise the profile of the service at public events recently, such as Jersey Live and Jersey Pride?

Senator A.K.F. Green (The Minister for Health and Social Services):

I thank the Deputy for his question but I have spent an evening wondering what the supplementary might be. But to answer his question, indeed I would like to place on record my appreciation of the important work undertaken by the staff of the Sexual Health Service, also to express my support for their attendance at public events such as Jersey Live and Jersey Pride to help raise the service's profile in the Island particularly, and I mean this, among young adults. But while I am on my feet can I also acknowledge the essential work of Brook and the contraceptive service that caters for different demographics, those under-21, largely focusing on contraception and that has achieved the lowest unwanted pregnancy rate in Jersey compared with neighbouring countries. **[Approbation]**

5.2.1 Deputy J.M. Maçon:

Thank you and I am sure the officers from both services will appreciate the words of the Minister today and it is quite right, it is about the supplementary. So will the Minister further show his appreciation of the service by ensuring that in the new hospital the service has dedicated (a) facilities, and (b) software as proposed in the 2007 and 2015 Sexual Health Strategies.

Senator A.K.F. Green:

We are straying into design. We have yet to agree the proposed hospital site but there will be a sexual health facility, whether that be in the new hospital or in the annex adjacent to the hospital, in

out-patients and what we would refer to as non-hot clinics, but there will certainly be something within the hospital for those services.

Deputy M. Tadier:

I did not wish to speak. It is just the very thick bundle of written questions was leaning on the light.

5.2.2 Deputy J.A. Martin of St. Helier:

Can the Minister absolutely assure the House the failure to get their health charge through will not result in this service being cut in the next few years?

Senator A.K.F. Green:

We are not about cutting services. We are about investing in services. This is what the health charge was all about, investing in services for the future and helping to share the cost between the generations of today and the generations of the future. We are one of investment, this Council of Ministers.

5.2.3 Deputy J.A. Martin:

Supplementary. So the Minister's speech last week ... a couple of speeches where if they did not get this, that and the other there would be cuts, was totally inappropriate or totally misleading. Which is true?

Senator A.K.F. Green:

The Deputy is twisting my words because had one of the amendments, taking all the vacancies away, which would have resulted in £17 million being removed from my service there would most definitely have been cuts but fortunately the Members rejected that amendment.

5.2.4 Deputy G.P. Southern:

On a list of potential cuts, for want of a better word, at one stage I saw a provision to cut the grant to Brook Services by 50 per cent. Was that followed through or were they saved in the end?

Senator A.K.F. Green:

Yes, but it is all in delivery of the message, is it not? There was a cut with the funding of Brook at their request because they no longer had to send an annual subscription to the U.K.

5.2.5 Deputy J.M. Maçon:

I appreciate that we are still working towards the new hospital but I think it is important that the service knows where it is going. As outlined in the 2007 - 2015 Sexual Health Strategies one of the barriers identified to access to the service is a designated waiting room. Can the Minister ensure that within the new design, whether it is in the new hospital or associated building, that a designated waiting room will be provided for the service as has been highlighted as a barrier for the service by not having one currently?

Senator A.K.F. Green:

This week I met with the head of microbiology and the nurse running this area and one of the successes is the fact that people can come into a building that other people come into and, therefore, it is not obvious why they are seeking treatment in the hospital. But I do understand the need for proper facilities for people to wait in and of course that is one of the reasons why we need a new hospital. It is about patient safety and about patient dignity.

5.3 Deputy J.A. Martin of the Minister for Health and Social Services regarding looked-after children in the care of the States: [9652]

How many looked-after children are currently in the care of the States including those in foster care and in homes and is responsibility for Children's Services delegated to either of the Assistant Ministers?

Senator A.K.F. Green (The Minister for Health and Social Services):

Currently at the end of September there are 88 looked-after children. Of these; 33 are in foster care, 24 have been placed with family or friends, 26 are in residential placements and 5 are placed with parents. Children's Services is so important that when I became Minister for Health and Social Services I made the decision not to continue the practice of delegating responsibility for the service to one of my Assistant Ministers. As Members will be aware, Children's Services is a high area of priority for my department and we are planning and are indeed investing significant levels of additional funding in increasing and improving Children's Services.

[10:00]

That is to ensure that the most vulnerable that are at risk are properly supported.

5.3.1 Deputy J.A. Martin:

Supplementary. Since I first asked this question in 2000 or 2001 the number of looked-after children has been between 85 and 95. Would the Minister say that this is normal for this amount of population and also the head of the last children ... who was head of Children's Services before was very concerned about this being a constant figure for this amount of time? Has the Minister got any explanation for this please?

Senator A.K.F. Green:

I would have thought the Deputy, when she was Assistant Minister with responsibility for this area, during some of the time that she mentioned, would understand the challenge here. We have got more children in care than we would like to have but it is always for the best interests of the child. I cannot add any more to that. Always when considering whether to support a family and the child, because it is about supporting both, the best interests of the child is paramount; their safety, their development, their future. We do have more than we would like to have there. We are developing another service called the Edge Service, which will give more intensive support around families for children if they are appropriate but always the safety of the child comes first and the Deputy knows that.

5.3.2 Deputy J.A. Hilton of St. Helier:

The Minister has just informed Members that there are currently 26 children in residential placements. My understanding is we have not got 26 residential placements in the Island for children. Can he tell Members how many children are currently placed in the U.K. and is this as a direct result of a lack of suitable foster parents?

Senator A.K.F. Green:

Based on the figures I have got here I think, but I would like to check this, there are 20 children currently placed in the U.K. Of course, 2 of those are significantly large families.

5.3.3 Deputy J.A. Hilton:

In answer to the second part of my question, is part of the reason that we have such a high number of children placed in residential care in the U.K. because we simply do not have enough suitably qualified foster parents in the Island?

Senator A.K.F. Green:

The number of foster parents is a challenge and we are working to improve that but I can assure the Deputy that in the cases of 2 families, they are there because that service that they need, that specialist service - these are very damaged children - that service is not available in the Island.

5.3.4 The Deputy of St. Ouen:

What is the Minister's response to a Royal Court decision issued on 14th September, which expressed concern that looked-after children need to get know and trust their social workers, and that is not possible in circumstances where 5 social workers were appointed to them within a 12-month period?

Senator A.K.F. Green:

Great concern, and relationships are built up between children and between families and social workers and when it works you want to try and maintain that and that is why we have adjusted to being a little more flexible around the age limit so that social workers can go beyond the age of children into young adulthood. That said, we are having trouble recruiting. We have put 22 extra social workers in. Most of those are interim because we are struggling to attract people permanently to the Island.

5.3.5 Deputy M. Tadier:

Following on from Deputy Martin's supplementary question, could the Minister state how the Jersey figures compare with, for example, the U.K. figures in terms of percentage of population?

Senator A.K.F. Green:

I do not have that information available but I believe they are slightly higher in Jersey than they are in the U.K. but we are picking up a lot of legacy cases that need to be dealt with.

5.3.6 Deputy M. Tadier:

Does the Minister believe that there is a correlation between socioeconomic wellbeing, equality of income, et cetera, and the relatively high numbers of children in care in the Island?

Senator A.K.F. Green:

It is very difficult for me to say that because I do not believe, however difficult people might find life financially, which is what I think the Deputy was saying, there is any excuse for abuse or neglect of children.

5.3.7 Deputy M.R. Higgins of St. Helier:

The Minister said that there were 2 seriously damaged families in the U.K. Is he aware of how many other families within the Island need such support because I can certainly think of at least one?

Senator A.K.F. Green:

The decision to place a child in care or to seek specialist help in the U.K. or to intensively support a family has to be a matter for the professionals. It is not for me to say: "Well, I think that family should have that treatment and that family should have that." It has to be properly assessed by professionals at the appropriate time to ensure that the child is always at the centre of everything we do.

5.3.8 Deputy M.R. Higgins:

Just following up, the Minister did not answer the question. Is he aware of how many other families could do with the assistance that is being provided to these 2 families in the United Kingdom?

Senator A.K.F. Green:

No other families have been brought to my attention. It has to be a matter for the professionals to provide the appropriate treatment, whether it be in Jersey, whether it be wrapped around care with the family, whether it be in the U.K.

5.3.9 Deputy R. Labey of St. Helier:

The Minister will forgive me if I have missed an announcement on this by him but I wonder what have been the ramifications within the department of social workers moving the wrong child from school.

Senator A.K.F. Green:

It is out of this question but I am happy to answer it. The social worker was not a social worker, it was a care assistant. They did not remove the wrong child from the school. They collected a child and they took that child to a prearranged appointment. They did not remove the child from the school.

5.3.10 Deputy G.P. Southern:

What incentives, if any, does the Minister have in place to improve recruitment and retention, particularly among the social work professionals?

Senator A.K.F. Green:

It is something we are looking at at the moment. We are fishing in a very small pool, to use the term, because the U.K. has the same problems but we are determined to fill our vacancies permanently because that relationship that Deputy Renouf was talking about is so important.

5.3.11 Deputy G.P. Southern:

Does the Minister not accept that that is symptomatic of the way in which we treat our professionals; teachers, nurses, medics and social workers and that unless we treat them better we are going to continue to have recruitment and retention problems in this area.

The Deputy Bailiff:

I am sorry, Deputy, that is not within the parameters of the question which is specific to Children's Services and not more generally to retention and recruitment. We have time for a question from Deputy Hilton and then a final supplementary from Deputy Martin.

5.3.12 Deputy J.A. Hilton:

Since the implementation of Williamson in 2008 the number of residential beds has decreased substantially, wrongly, in my view, because Williamson was relying on foster carers coming forward to look after children in care. Does the Minister believe that the time has come to increase the number of residential beds in the Island so that more Island children can be looked after in the Island rather than being sent away from their families, in the U.K.?

Senator A.K.F. Green:

As usual the Deputy always asks a very good question. It is something that I am looking at at the moment because I am concerned but that said, a significant number of those that are already placed in the U.K. could not ... they need more than residential care. They need significant intensive treatment and support so in those cases it would not happen but I am concerned and we are looking at the residential placement.

5.3.13 Deputy J.A. Martin:

I totally agree with the Minister, this is exactly why I am asking the questions because, as I said, when I was the Assistant Minister with responsibility the new head of Children's Services said: "I would ask questions about the static number and the same amount of number that are in the care of the State", hence the question, and I will be coming back next year with the same question. Finally, the question is: how many heads of Children's Services have the department had since 2005 and is there a current person in place at the head of this service?

Senator A.K.F. Green:

I cannot answer the question completely but I can answer since I have been Minister, we had one interim who left, a permanent replacement was eventually found. Unfortunately she did not settle in Jersey and we have another acting person in place at the moment. That is something that is really exercising me because we have to get the right professional lead in place. So I agree with the Deputy.

Deputy J.A. Martin:

So is that 3 in just under 2 years?

The Deputy Bailiff:

I am sorry, Deputy, that was the final supplementary.

5.4 Deputy G.P. Southern of the Minister for Health and Social Services regarding the impact of changes to service level agreements between the department and Family Nursing and Home Care: [9653]

What measures have been, or are being, taken to ensure that any changes to service level agreements between the department and Family Nursing and Home Care will not see an increase in costs or the reduction or removal of services for people requiring home care services and will the Minister explain when any such changes were communicated to clients and if not why not?

Senator A.K.F. Green (The Minister for Health and Social Services):

Answering the Deputy's question, not in necessarily the order in which he asked the different points, and I apologise in advance because it is a slightly longer than normal answer but there are several questions there. The subsidy reduction has been subject to discussion since 2014. Implementation has been phased in to help the Family Nursing and Home Care manage transition. The Family Nursing and Home Care manages and communicates its change with its own service users. It is the responsibility of that organisation to communicate changes, not my department. Health and Social Services provides, and will continue to provide, funding of over £7 million a year. Over 80 per cent of the overall funding, a relatively small proportion of this related to the Home Care Service. Family Nursing and Home Care are not the only provider on the Island but they are the only provider that is subsidised by my department. In my view, it is not fair to customers in general that Family Nursing are able to charge £11 an hour because of a subsidy from Health and Social Services. We have always been mindful of the effect the increase in rates might have on low income households and support for anyone needing financial assistance with the costs of such care, whichever approved provider is supplied, is already available through the long-term care scheme or on the personal care component of income support. The intention is to target financial support where it is most needed, not to provide an unfair subsidy which means that all clients, whatever their means, can access subsidised rates.

5.4.1 Deputy G.P. Southern:

Is the Minister content that his long-term care scheme has the reach to ensure that no one in need of home care will be deprived of the finances with which to pay for it? The Minister appears to say

that the new scheme, Income Support Personal Care Level 4, was already in place. Is it not the case that that is not in place until January at the earliest?

Senator A.K.F. Green:

Funding changes are not taking place until January and the Deputy is right, we are bringing in a new scheme to support people that fall between the lower levels of the long-term care scheme and the income support scheme and that will support people in their own homes better than they are currently. There is a gap there and it will support people better than they currently are and we hope to have that in place by January. In fact 2 extra staff have been put in place to ensure that the assessments are carried out as quickly as possible to support people.

5.4.2 Deputy K.C. Lewis of St. Saviour:

I think we all appreciate that savings need to be made however Family Nursing and Home Care does provide an absolutely essential service to this Island with regard to care in the community and savings should not be made in this regard. Does the Minister not agree?

Senator A.K.F. Green:

Family Nursing and Home Care is a much loved organisation. It delivers good care in the community. **[Approbation]** Traditional home care will continue to be funded but at the correct level. District nursing will be fully funded. Sustained home visiting, part of P.82, fully funded. Enablement, P.82, fully funded. Rapid response, P.82, fully funded. Children's Services, including the new palliative care service starting very shortly, fully funded. That is investment in the community.

5.4.3 Senator S.C. Ferguson:

Given that 80 per cent of the funding is provided by the States does the Minister not think that cutting the funding is undermining the whole of his care in the home policy? Does he not realise that the home care service is extremely valuable and does he not realise that putting the cost of it up from £11 an hour to £19 an hour is going to hit the least able to protest and make a protest about this, the elderly, the pensioners?

[10:15]

Would the Minister not reconsider and look at this again because this is going to hit the pensioners ...

The Deputy Bailiff:

Senator, if you could finish your question please.

Senator A.K.F. Green:

I will do my best with this but I thought we had a long-term care scheme in place and we are bringing also a level 4. This is not aimed at cutting, as the Senator says. What we are is paying the market rate for a job. The market rate is around £19 an hour. Currently the department subsidises it to the tune of about £40 an hour. The service users are paying £11 an hour. Now, if they need support that is what they will get through the long-term care scheme or if they do not need support then they will pay the market rate. There are 20 other providers, by the way, in the market.

5.4.4 Senator S.C. Ferguson:

Can the Minister be certain, a supplementary, that the other providers are providing the same quality of service as Family Nursing?

Senator A.K.F. Green:

Well, they are registered, licensed and regulated, so yes.

5.4.5 The Deputy of St. Ouen:

Would the Minister accept that it may not be possible to conclude all the long-term care assessments by the end of this year and neither, it may not be possible, to introduce the additional benefit the Minister has spoken about above the current income support components? Therefore, in those circumstances will the Minister commit to continue funding the home care services provided by the charity at 2016 levels until all those provisions are in place?

Senator A.K.F. Green:

I have put extra resources and approved extra resources again on Friday to ensure that we meet our target. If we do not meet our target then the Family Nursing and Home Care have sufficient reserves in order to be able to tide them over that very short period but I am confident that we will meet the requirement to carry out those assessments by January.

5.4.6 The Deputy of St. Ouen:

I do not think this relates to the reserves held by the charity, which are often donations or legacies. This relates to the charges that will be imposed upon the clientele of the Family Nursing so why cannot the Minister commit to maintaining funding at existing levels if the measures to help clients are not in place by the beginning of next year?

Senator A.K.F. Green:

As I said, I am hoping that they will be in place by the beginning of next year but it is a matter for Family Nursing how they decide to deliver their service. We are giving them a budget on what we are prepared to pay, which equals the market rate, and they have sufficient reserves if they wish to subsidise it themselves.

5.4.7 Deputy M. Tadier:

In previous debates we talk about stability. Now, does the Minister accept that this is a completely unacceptable short lead-in period for Family Nursing and Home Care, their staff and their users? Even if it is the right thing to do, which is still a moot point, does the Minister think that it is absolutely discourteous the way that he has dealt with this and he needs to be communicating better and also giving a long and decent enough lead-in period for any of these changes which will affect, necessarily, some of the most vulnerable but also some of our great care staff that work very hard in the community?

Senator A.K.F. Green:

We have been negotiating with Family Nursing for 2 years. How they negotiate with the staff is a matter for them. They employ the staff. They direct the staff. That is a matter for them.

5.4.8 Deputy M. Tadier:

That may be the case if the Minister says that but when it comes to the users of the service, is that not something that falls under the Minister's remit and a care of duty which he has and, by implication, all of us have on the users of that service?

Senator A.K.F. Green:

Which is exactly why we brought in this other policy, which we hope to have in place by January; that will pick up those people that fall just below it. But the matter of communicating with the staff and their customers is a matter for Family Nursing.

5.4.9 Deputy T.A. Vallois of St. John:

Could the Minister explain what responsibility, if any, Family Nursing and Home Care have under the service level agreement to Health and Social Services and also their clients?

Senator A.K.F. Green:

Sorry, I did not catch the beginning of the question.

The Deputy of St. John:

Could the Minister explain what responsibility, if any, Family Nursing and Home Care have under the service level agreement with regards to use of the money provided by Health and Social Services and for the client?

Senator A.K.F. Green:

They have a responsibility to use the £7.2 million that we give them appropriately and that is why I said that the district nursing is fully funded. They are using the money for home visiting, fully funded. Reablement, fully funded. Rapid response and new children's services. The only thing we have in dispute is the cost of the home care service which we are going to fund at the correct level.

5.4.10 Deputy G.P. Southern:

Since, sadly, there has been a lack of communication with recipients of home care and that it is likely that many recipients will be listening to this broadcast as it goes out over the airwaves, will he give the assurance that no one in receipt, who should be in receipt, of home care allowances will be left high and dry come January?

Senator A.K.F. Green:

What the listeners will be listening to is the fear put about by Deputy Southern and co, we are a Government ... what other governments around the world have a long-term care scheme in place? What other governments recognise that there is a gap between that and the personal care component and do something about it? So we are there to support people and making them feel that they are going to be left high and dry is nothing short of worrying people but it is not true. The plan is to support people in the community at the right time but at the right price.

5.5 Deputy R. Labey of the Minister for Social Security regarding the potential for changes to the contributions liability of self-employed people: [9654]

Following the Minister's advice to the Assembly earlier this year that self-employed contributions were to be one of the first areas examined as part of the Social Security review and given the continuing difficult economic climate, will the Minister advise whether the requirement for self-employed people to pay both employer and employee contributions will be stopped?

Deputy S.J. Pinel of St. Clement (The Minister for Social Security):

Members will see from their Order Paper that I will be making a statement on the Social Security review immediately after this part of the agenda. I will set out the principles of this review in that statement and answer any questions that Members may have at that time. In response to the specific query of the Deputy, I have instructed officers to ensure that the issue of class 2 contributions is addressed at a very early stage within the whole review. This will be an examination of some detail of the scheme as to how it affects class 2 individuals. Any decision to adjust the percentage rate paid by class 2 individuals will need to be included within the main review. In 2015 class 2 provided £16.6 million of contributions into the fund. Reducing the level of these contributions significantly would require increased contributions from class 1 employees and employers to make up the shortfall. Alternatively, the income into the fund could be reduced which would place a greater strain on the reserves. For this reason I do not intend to make any

decision on the class 2 level of contributions until the public have had the opportunity of responding to the overall review.

5.5.1 Deputy R. Labey:

So do we take it then from the Minister that she agrees that this is unfair, the case that I state is unfair, but that the review is there to make up a shortfall if it were made fairer? Is that the position? Do we need a review to tell us that this is not fair?

Deputy S.J. Pinel:

I do not recall ever having said it was unfair. I said at the moment it will be part of the bigger review and I am sure most Members are aware that there is a deferred rate of contributions for class 2 contributors. In the past there has been criticism of somebody starting a new business being charged class 2 contributions based on their previous salary rather than the earnings from the new business. This could make it difficult of course to cover the cost of contributions when starting out. But in 2012 the department introduced a new scheme to assist new business owners and they can now opt to pay contributions on a set income of £16,300 or so per annum for the first 2 or 3 years of the new business and this was set out specifically to help new businesses.

5.5.2 Deputy S.Y. Mézec of St. Helier:

I thought somebody else had their light on before me but ...

The Deputy Bailiff:

No, you are the next that I noticed, Deputy.

Deputy S.Y. Mézec:

I was not but okay. Given that ending the unfair situation which exists with social security contributions for self-employed people was virtually the only clear policy that was included in the Chief Minister's election manifesto, is it not the case that we are spending quite a lot of money, quite a lot time, on dealing with something that was just a straightforward political promise made at the beginning of this term and really these things should be done much quicker, does she not agree?

Deputy S.J. Pinel:

I cannot say more than I have said before. We are doing a major review, the first one in 20 years, which I will be announcing later, on the whole contribution scheme of Social Security. As I have promised the Assembly before, that the self-employed contributions will be one of the first things to be approached.

5.5.3 Deputy M.R. Higgins:

Just following up on Deputy Labey's question, does the Minister herself think the self-employed paying both contributions is fair?

Deputy S.J. Pinel:

I have never said it was unfair but, as I said in my opening remarks, that the balance has to be made with contributions from employers and employees and it is appreciated that it is a lot for a new business starting out which is why we introduced the deferred rate to which I spoke earlier.

Deputy M.R. Higgins:

The Minister again did not answer the question. Does she think it is fair or unfair at 50 per cent? Can we have a straight answer please, yes or no?

Deputy S.J. Pinel:

I could not say whether it was fair or unfair. This is what the review will find out when we go out to consultation and it is going to be one of the questions in the consultation paper as to what self-employed contributors, which is not just people with their own business, it covers a whole section of class 2 contributions, and that will be one of the first things to be addressed.

5.5.4 Deputy G.P. Southern:

Again, the Minister reveals a rather strange version of fairness. But can she set herself some smart targets here. We are talking about £16 million out of total contributions of 200. It is relatively small and any adjustment to it would be even smaller. Will the Minister promise to return to the House within 12 months with a costed and tested mechanism to ameliorate class 2 contributions?

Deputy S.J. Pinel:

No, I will not promise to return to the House within 12 months because this major review, as I say, the first one in 20 years, it is going to go out to consultation in the next 2 weeks and we will have the results of that consultation in January by which time I will be able to return to the House with some of the opinions in that consultation but I would not promise to, as the Deputy says, ameliorate class 2 contributions within that timeframe.

5.5.5 Deputy M. Tadier:

Perhaps to clarify matters, would the Minister put on record now whether she believes that the current class 2 contribution rate for self-employed people are fair or is the situation fair or not in her opinion?

Deputy S.J. Pinel:

No, I am sorry to disappoint the Deputy but I will not say whether they are fair or unfair other than they are being addressed, as I promised they would be.

5.5.6 Deputy R. Labey:

If the Minister were designing a new social security system from scratch, would she include in it, as part of that design, for the self-employed being charged both employee and employer contributions?

Deputy S.J. Pinel:

I thank the Deputy for his follow-up question. This is why we are now going out to consultation.

5.6 Deputy M.R. Higgins of the H.M. Attorney General regarding the test used by the Law Officers' Department when deciding whether to defend States Departments: [9662]

What test, if any, is used by the Law Officers' Department when deciding whether to defend States departments and officers from legal proceedings brought against them?

Mr. M.H. Temple Q.C., H.M. Solicitor General (Rapporteur):

I thank the Deputy for his question. Firstly, it is important to distinguish between a civil claim brought against a Minister or officer and a criminal prosecution brought by the Attorney General. The Law Officers' Department would not defend a States department which is prosecuted for a criminal offence nor would it represent an individual officer who is so prosecuted. Secondly, the Law Officers' Department does not act for individual officers or Ministers in relation to civil claims which arise in their private capacity. If a claim is made against a Minister or officer in relation to the exercise of his or her ministerial functions or the officer's duties then the Law Officers' Department would defend the claim. The decision on the approach to be taken in relation to the defence of a civil claim against a Minister or officer is taken on a specific case-by-case basis. So if

the claim is strong my advice might be to settle the claim but if it is weak then the advice would be to defend it to trial.

[10:30]

But the merits of a case can change over time as further evidence is received and I emphasise that the approach taken to the defence of a claim will be particular to the claim.

5.6.1 Deputy M.R. Higgins:

Giving an example of defamation, where an officer has defamed a member of the public through ...when I say “members of the public” I mean you could say in the course of their duty they have made statements which are false, totally untrue and so on. Would the Law Officers’ Department defend those individuals in cases such as that?

The Solicitor General:

If the claim was made in the course of the officer’s duties then the presumption would be that it is appropriate for the Law Officers to get involved in that claim. As to the Deputy’s assertions about whether those statements that have been made by the officer were totally untrue, then that would need to be a case that would need to be investigated by the Law Officers’ Department and then a decision taken following that review. Until that review had been undertaken, until the evidence had been assessed, the approach taken to defend the claim could not be determined.

5.6.2 Senator S.C. Ferguson:

It has been shown by Save Our Shoreline that the Department for Infrastructure has been breaking the terms of their discharge permit for the Bellozanne outfall. The total nitrogen levels have reached a factor of up to 6 times the legal limit and, for the period January 2009 to August 2016, the levels have been consistently well above permitted levels. At what point do you, as Her Majesty’s Attorney General, decide that a case should be brought against the Department for Infrastructure for such breaches and, if not, why not?

The Solicitor General:

I would have to say that I am not personally familiar with this claim; I know a little about it, but very little. So it may be a case of looking at historic levels of pollution or whether those levels of pollution are continuing currently, and there would need to be expert evidence in relation to whether or not it was possible to prevent those levels of pollution and how they can be remediated. But I do not think I can assist the Senator further in relation to that beyond what I have said, because I regret that I am not sufficiently familiar with that particular claim to comment further.

5.6.3 Senator S.C. Ferguson:

I might have a supplementary. If the Attorney General does decide that a case should be brought against the department for such breaches, would you also defend it?

The Solicitor General:

No, we clearly could not both prosecute and defend the same department.

5.6.4 Deputy M. Tadier:

Getting back to Deputy Higgins’s question about the defence: what weight does the department give to the veracity of the allegations, be it defamation or anything else, and not simply versus the chances of success of defending the case?

The Solicitor General:

Sorry, could I ask the Deputy to explain that question further; I did not understand it?

Deputy M. Tadier:

I will try and put it in a different way: when defending a case, for example in the case where a Minister or a department has allegedly defamed somebody, is any reference or consideration given to whether that claim is true and not simply just to the fact of whether it can be defended successfully, when deciding whether to defend that case?

The Solicitor General:

Clearly, we would assess the nature of the claim on its face but, in my experience, there are always 2 sides to a story and we would also have to try and look at the other side of the story. If we are acting for the defendant to that claim then we have a duty towards that defendant to advance the defence as best we possibly can. Clearly, we would not simply ignore the merits of a statement; we could not do that. We would have to assess it in its proper context and we would have to look at the other side of the story.

5.6.5 Deputy M. Tadier:

A supplementary that I think arises from this: how does the Attorney General, or Law Officers' Department decide when to defend a case and when to prosecute and, if in fact, there are arguments on both sides, of course, if a Minister or a department is being prosecuted, he or she presumably still needs to be defended; how is it decided in the Law Officers' Department who does that, or if they do it at all? What mechanisms are there for Chinese walls and proper separations to be kept within that department?

The Solicitor General:

I think a number of questions arise there. As I said at the outset: if it is a criminal prosecution then we would not be acting to defend the claim because we are bringing the claim to prosecute a criminal proceedings. If it is a civil claim then, potentially, we can act for the Minister or officer concerned, but I do not think I can add further to what I have said.

5.6.6 Deputy S.Y. Mézec:

This follows on from the question that Senator Ferguson asked. It would be entirely reasonable for local businesses which feel that they are suffering a loss as a result of the consequences of the Bellozanne outfall, which have been shown to be drastically exceeding the legal limit, may want to bring legal proceedings against the department for allowing that to happen. So what, therefore, happens for the Attorney General where, presumably, as the government's legal adviser, he will be asked to give legal advice or represent a department which is having a claim brought against it? But that claim is being brought against it for breaching the law and that is something that presumably in another context would want to be dealt with. Is there not at least a perception of a conflict of interest in the roles that the Attorney General would have to perform in a situation like this?

The Solicitor General:

In relation to that sort of situation, if the Attorney General is contemplating bringing criminal proceedings then he clearly could not advise the Minister or department concerned. It may be possible that another member of the department, or I, for example, as Solicitor General, could advise the Minister in relation to potential civil claims, but in those circumstances there would be strict Chinese walls that are put in place so that the Attorney General could not access, for example, my file in relation to advising the Minister, and I could not access his file in relation to any criminal prosecution. I hope that assists the Deputy.

5.6.7 Deputy M.R. Higgins:

Does the Solicitor General feel that the system is fair in the sense that a States department, when it has, let us say, committed a civil wrong, is defended by the Law Officers' Department using public funds, and the people who are bringing the actions are normally litigants-in-person? Does the Solicitor General think that the balance is totally skewed favour of States departments because of that?

The Deputy Bailiff:

I am sorry, Deputy, I do not think that falls within the parameters of the question. You are calling on the Solicitor General for an opinion as to fairness as opposed to how his department deals with matters, and I do not think that is within the parameters.

Deputy M.R. Higgins:

In that case, Sir, I will ask another question, if I may?

The Deputy Bailiff:

No, I am afraid we have run out of time for this question.

Deputy M.R. Higgins:

I will come back on the next question then, Sir.

The Deputy Bailiff:

You do have another question for the Attorney later on so I am sure you will be able to offer it at that point.

5.7 Deputy A.D. Lewis of the Minister for Health and Social Services regarding the use of thrombolysis in Jersey for stroke patients in comparison with its use in the United Kingdom: [9658]

Further to the response given to my written question on 26 September 2016, can the Minister advise whether the percentage of Jersey patients who are prescribed thrombolysis brain clot-busting drugs when admitted for strokes, compares favourably with the use of this drug in the U.K.?

Senator A.K.F. Green (The Minister for Health and Social Services):

I thank the Deputy for his interest in this area because it has focused my mind a little bit on this. The latest benchmark statistics show that in Scotland thrombolysis is used in 9 per cent of stroke patients, in England 12 per cent and in Jersey 6 per cent. It is therefore fair to say that it does appear in Jersey to be below the U.K. comparison, but we do not capture the same data as the U.K. and we are now going to audit our stroke pathway more carefully to see if we can identify areas for improvement. Jersey does follow a very clear pathway for patients who present to the emergency department with symptoms that might suggest a stroke, and these are based on the U.K. regional guidelines using what is known as the R.O.S.I.E.R. (Recognition of Stroke in the Emergency Room) score as a stroke recognition tool. Not all stroke patients are eligible for thrombolysis; and, in fact, the use of that medication has to be entirely a clinical decision.

5.7.1 Deputy A.D. Lewis:

Does the Minister therefore accept or feel that, where the limits we are meeting are only 50 per cent of what the U.K. gets to with this particular treatment, it is acceptable? Does he believe that we have adequate resources to act quickly? He will appreciate that this is a life-changing situation if you do not administer this drug; in particular cases it creates huge disability and onward life-changing circumstances. Does he believe that only meeting 50 per cent of what the U.K. target is, is acceptable in our current system?

Senator A.K.F. Green:

I thought I had very clearly said that I am concerned that it is only 6 per cent, or appears to be, and that is the important point, only 6 per cent. The fact is the drug is available and it is a clinical decision whether to use or not. There are a number of instances where you would not use it. We get about 80 stroke patients a year in the Emergency Department so, for example, if the stroke was caused by a haemorrhage rather than blood clot, you most definitely would not use that medication. It has to be a judgment call for the clinician. The tools are available there for them. On occasions they may choose not to use it, in discussion with the patient and their family but, again, it is a matter, on balance, for the clinician.

5.7.2 Senator S.C. Ferguson:

Given that a stroke is effectively a brain attack and speed is of the essence, has the Minister not brought the Lean concept in to look at how stroke patients are dealt with in order to speed up the treatment?

Senator A.K.F. Green:

I am not suggesting that everything is perfect in the department; what we are doing is carrying out an audit to see if we can improve it, but the medication is available. It is a clinical decision whether to use it or not. It is not suitable in all cases; at least 25 per cent of the 80 stroke patients are haemorrhages. If you give them this clot-busting medication they will have an even bigger stroke. It has to be weighed up against the risk of the application of that medication to the benefit to the patient. That has to be a clinical decision. However, we are going to audit it to see (1) if the figures in Jersey are correct, and (2) whether there is anything that can be done to ensure that patients receive it, if appropriate to do so clinically.

5.7.3 Senator S.C. Ferguson:

A supplementary. I am sorry, the Minister did not answer my question. I said why has he not applied the Lean principle, or the systems approach, to the Stroke Department because of the absolute necessity of dealing with it with as much speed as you do with a heart attack?

Senator A.K.F. Green:

Because I am a Minister who does not interfere in clinical decisions. I will ask the clinicians to do their work and deliver the service that they should be delivering without political interference.

5.7.4 Deputy M. Tadier:

The Minister has spoken of an audit about stroke processes and everything related to it. Will there be an opportunity to engage with families or friends of stroke victims to talk about their experiences, for example to find out whether they were kept sufficiently informed during the whole process and whether appropriate rehabilitation care, et cetera, was given in those cases to find out what worked and what, perhaps, was not done that should have been?

Senator A.K.F. Green:

The Deputy asks a very good question and I have to say that my initial response to the audit was to ensure whether we had the right information in relation to the use of thrombolysis, but the Deputy raises a really good point, and I do commit - I do not often commit to things - to speaking to the Stroke Association and Headway, to hear their point of view as well, as part of that work.

5.7.5 Deputy A.D. Lewis:

I am delighted to hear that the Minister is undertaking an audit in this area. The Minister referred to lack of data; does he believe there is enough data collected about stroke patients in Jersey? I

have also discovered that Jersey does not submit data to S.S.N.A.P. (Sentinel Stroke National Audit Programme), which is the U.K. national audit programme which collects data on stroke victims across the whole of the U.K. Without access to good data, how can the Minister be absolutely sure that the current care standards are adequate?

Senator A.K.F. Green:

I think I said I was not sure.

[10:45]

We are measuring 6 per cent; I do not know whether it really is higher than that. That is why we are going to carry out the audit. But let us be absolutely clear about one thing: this is a clinical decision whether to provide treatment or not, it is not a matter of resources; the resources are there to treat people when they need it, safely, at the appropriate time.

The Deputy Bailiff:

I am sorry, Deputy, that was the final supplementary.

5.8 Deputy S.Y. Mézec of the Minister for Economic Development, Tourism, Sport and Culture regarding the justification for travel and accommodation expenses incurred by civil servants watching rugby matches: [9657]

Given that just under £6,000 has been spent by the department since August 2012 on travel and accommodation expenses for civil servants to watch rugby matches, will the Minister advise what the justification was for such expenditure?

Senator L.J. Farnham (The Minister for Economic Development, Tourism, Sport and Culture):

Tickets for international matches are part of the sponsorship package with Jersey Rugby. They are used carefully and strategically to help secure inward investment from individuals and businesses. Inward investment is a key pillar of the States Strategic Plan and the economic growth and diversification strategy. The other Crown Dependencies and England, Scotland, Wales, Ireland and jurisdictions small and large, place the highest priority and expend many millions of pounds on activity designed to attract investment that provides jobs for the benefit of residents, and helps build communities. Locate Jersey is a fully-functioning business development agency carrying out important legitimate business development activity. Indeed, it is for this very reason that Locate Jersey was established. Make no mistake, this is a highly competitive market with over 800 inward investment agencies active in Europe alone, all of whom want the business we are competing for. Locate Jersey has to work hard to stand out from the crowd. We invest thousands in Locate Jersey but, as published figures clearly identify, that investment returns millions of pounds to the Treasury; income that helps pay for nurses, teachers and the broad range of public services we deliver to the community.

The Deputy Bailiff:

If you could bring your answer to a close, Minister, you are well over the ...

Senator L.J. Farnham:

Yes, Sir. I believe that this expenditure is not only fully justified, but delivers excellent return for the taxpayer's money. The Deputy's question contains a fundamental misconception.

The Deputy Bailiff:

I am sorry, Minister, it has now been 2 minutes after the question; I would be grateful if you could bring your answer to a close.

Senator L.J. Farnham:

Okay. Finally, it would be remiss of me not to address, and this is important, some of the Deputy's social media activity on this subject. Please hear me out, Sir.

The Deputy Bailiff:

I am sorry, no. That is not directed as an answer to the question that has been put, I am afraid, Minister. The answer must be ...

Senator L.J. Farnham:

I am afraid, Sir, that the Deputy has connected it to the question, because I have here a ream of screenshots of social media activity that needs to be addressed.

The Deputy Bailiff:

Senator, I must ask you to stop now and sit down because that answer is not directed to the thrust of the question, which is the justification to the expenditure, and nothing more than that. A supplementary, Deputy Mézec?

5.8.1 Deputy S.Y. Mézec:

Thank you for that ruling, Sir, which was entirely justified, but can the Minister provide tangible evidence, and when I say "tangible", that is the key word, that there has been an economic benefit as a direct result of this particular expedition and this particular expenditure which his department is engaged in? Tangible evidence that can be proved, not just some theoretical outcome he might anticipate.

Senator L.J. Farnham:

The Deputy's question is clearly based on a very poor appreciation of the work that my department, specifically Locate Jersey, does. Our records show that the Deputy has never set foot in my department, he has never contacted any of my staff, Assistant Ministers, or even myself to try to understand more about what we do, which is a great shame. I wish the Deputy would stop gurning at me across the Chamber; it is very off-putting. He is very welcome, and I extend an open invitation, not only to him, but his comrades in the Reform Party, and any other Members of the Assembly who wish to come and discuss this. There is tangible evidence that Locate Jersey delivers millions of pounds worth of benefit to this Island. It creates jobs, inward investment and wealth. The Deputy might not like that, but it is true. It is working well and I and my Assistant Ministers fully support its work, and the great efforts of the staff that bring in that investment.

5.8.2 Senator S.C. Ferguson:

What analysis has been done to establish that sports events are effective in attracting business or high-net-worth individuals to Jersey? Why was rugby chosen, and what other sports events, or what other events, even, were considered?

Senator L.J. Farnham:

I am surprised that the Senator does not understand what sport tourism and sports can do for the economy and the community. She just has to think back to the Olympics, or even in our case the Island Games, and the tremendous economic boost that that gave us. We get a number of bonuses from sponsoring rugby. Locate Jersey started sponsoring rugby in 2012 and has gradually been reducing its sponsorship now to make way for other commercial sponsors. We get a tremendous

return on the people who visit Jersey for the rugby, and we get a tremendous benefit for the community as now hundreds, if not thousands, of children are involved in the sport.

5.8.3 Senator S.C. Ferguson:

I was talking about analysis to establish whether such invitations were effective. I suppose the follow-up question is: is rugby a particular interest to senior members of staff?

Senator L.J. Farnham:

I think I have answered the Senator's question, it is very clear. If she cannot see the benefit to the Island of Jersey playing in the top tier of national rugby then, I am afraid, I cannot help her any further.

5.8.4 Deputy C.F. Labey of Grouville:

I do see the benefit of Locate Jersey's networking, however, could the Minister confirm if it is Locate Jersey that is issuing the grant or is it the Economic Development Department? If it is not Locate Jersey, why does it have automatic rights to these tickets? If they are given to the rugby club, why are the tickets not allocated to volunteers, to aspiring young rugby players and public people? Why should they go to the officers of Locate Jersey every time?

Senator L.J. Farnham:

If the Deputy lengthened her research slightly, she would find out. That is exactly what Jersey Rugby does. It gives a lot of tickets to youngsters, people participating in the sport. Locate Jersey gets a small percentage of those and the Locate Jersey Department is part of the Economic Development Department but it has its own budget. The rugby sponsorship is paid from that budget. She did mention tickets are going to the staff, and this is where there was a fundamental misconception in the original question, because the staff do not claim expenses to go out on a jolly and watch rugby matches; they claim expenses because they are working, work this Assembly has tasked them to, work in hours above their normal working hours, often evenings and weekends, and beyond that which is reasonably required of them. They do that to target developing Jersey's highly successful inward investment programme, and they do it because, like me and you, Sir, and the Council of Ministers and all of the Members in this Assembly, they believe in Jersey and they want Jersey to continue to succeed.

The Deputy Bailiff:

There are a number of Members who still wish to ask questions. Given the time available, I will not be able to allow supplementary questions to the questions that are asked simply because there are too many people who now want to ask and there is a limited amount of time available to us. Deputy Hilton?

5.8.5 Deputy J.A. Hilton:

I do not doubt for one moment the value of the work carried out by Locate Jersey, but this is taxpayers' money and it is important the public is aware of how its money is being spent. My question is: can the Minister confirm whether any States Members availed themselves of tickets and complimentary hospitality to watch rugby at Twickenham?

Senator L.J. Farnham:

I cannot. I think it is highly unlikely, but I will find out and check and get back to the Deputy. I certainly have not; I can tell her that much.

5.8.6 Deputy M. Tadier:

To try and deconstruct the false dichotomy that the Minister is perpetuating, I do not think anyone would suggest that Jersey Rugby is not great value for money; it has got to be one of the best investments that was made and it brings lots of money to the Island, but that is not the same as justifying spending £6,000 so that civil servants can go and sit and watch rugby matches there. Presumably their presence in the crowd was of utmost importance, and perhaps the camera focused on their faces while they were sitting in the crowd wearing their Jersey banana pin badge, and doubt that justified the £6,000. But could the Minister say for the record what they were doing, and state also for the record whether it was the same South Africa jolly golf boys that were going on these trips to watch the rugby, and what they achieved during those visits that required them to watch rugby?

Senator L.J. Farnham:

I refer the Deputy to my previous answer. When we put things into context, about £4,000 was incurred in costs over a 4-year period.

5.8.7 Deputy A.D. Lewis:

I wonder if it might be helpful if the Minister could explain the long period of time it sometimes takes to convert business leads of the like that may have been achieved from this type of hospitality? If the Minister could explain that it might become more apparent as to what the tangible return from this type of activity is. I think he might agree that it takes a long time to convert such business leads through such activity.

Senator L.J. Farnham:

I refer the Deputy to the published figures. I ask him to look at the number of inward investors, the number of high-net-worth individuals, the fact that we had 4 per cent economic growth in 2014 and 2 per cent in 2015. I could go on, but I will not. Locate Jersey is working. Our economy is growing and the Locate Jersey contribution, in which we invest thousands, returns millions. I urge Members to continue to support it, because it is very important. We are creating jobs that we need. This is not short-termism, this is creating foundations, this is building on foundations for the future to give Jersey a good long-term economic outlook.

5.8.8 Deputy G.P. Southern:

The Minister may have given up on Senator Ferguson but can he explain to me, and can he produce the evidence that says the approach he and his officers are taking is producing returns?

Senator L.J. Farnham:

At the risk of repeating myself, I refer the Deputy to the numerous amounts of published facts about the benefits that Locate Jersey is delivering. They are all there in black and white, and I urge the Deputy to have a look at them now and again and get some facts.

5.8.9 Connétable M.P.S. Le Troquer of St. Martin:

Much has been said about the £6,000 which has come about from the Freedom of Information request, however, it now looks like the Minister and the department have been caught out. Could the Minister explain if there are other similar expenses incurred in attracting such residents and make those public so that we do not look like we are being caught out every time.

Senator L.J. Farnham:

We have not been caught out at all. I am extremely proud of the work Locate Jersey does. I am extremely proud of the work that the members of staff in my department do. I am proud of the fact that Locate Jersey works with Jersey Finance and Digital Jersey and Visit Jersey and Jersey Business and Farm Jersey and Genuine Jersey; all working together. We, the States Assembly,

agreed to invest millions of pounds in promoting our Island and promoting the economy, and I am very proud of that. I really think that a few thousand pounds on targeted corporate hospitality as part of a sponsorship package that has given tremendous support to our local rugby club, which has not only helped develop our business links but has helped develop the community, is a very good investment and it is money well spent. I have no problem at all with continuing to give it my full support. In direct answer to the question: yes, there is other money spent on corporate hospitality by all the agencies involved in promoting the Island, and some of the Ministers involved in supporting that, and it is very worthwhile, in my opinion.

[11:00]

5.8.10 Deputy S.Y. Mézec:

With advance notice of this question the Minister could have reasonably foreseen that a supplementary question would be to produce tangible evidence that there is specific benefit from these specific trips. Instead, he chooses to cast aspersions against other Members in a weird justification of the jollies that his department is serially involved in. I ask him a final time: can he cite ... he is not even listening; I do not know why I am particularly bothering to ask the question. Could he cite a specific study, report or review that has concluded that particular endeavours like this do have a tangible benefit, and if he cannot find a specific one to cite right now, will he promise to send that particular report or study to Members so they can see directly that these trips, not other trips, not other endeavours, are of a benefit to taxpayers who are making a return that is greater than the amount that is spent on it?

The Deputy Bailiff:

Can you point to a report or reports, or something like that, Senator?

Senator L.J. Farnham:

I can report to record numbers of people employed, record economic growth. I do not think it is necessary to commission and spend money and waste time on producing reports when the facts and figures are already there. The Deputy does not like it because it is success and we are being successful. Very fortunately, this society is not all poor. Society works hard and the majority of people in this Island are making a strong success of their lives and this Government and Assembly work for all people across all walks of society. They are not all the Deputy and the Reform Party's clients, but we work for everybody and we are doing a very good job, Locate Jersey is doing a very good job. We must all work hard and work together to continue with this economic growth that is creating really vital jobs.

5.9 Deputy J.A.N. Le Fondré of the Chief Minister regarding measures to be taken following the Assembly's rejection of the proposed Health Charge: [9661]

What steps, if any, does the Chief Minister propose to take in order to address the financial impact of the Assembly's rejection of the Health Charge?

Senator I.J. Gorst (The Chief Minister):

The Medium Term Financial Plan sets the direction of the Island's public finances for the next 3 years and provides a comprehensive financial planning structure for this Assembly. Ministers are committed to investment in health and social care, but we are also committed to ensuring we can afford that investment and do not undermine our progression towards sustainable finances. We will take time to explore the options for replacing the Health Charge, we will engage with Members as we develop these options and we will be arranging a number of workshops in the New Year to do so.

5.9.1 Deputy J.A.N. Le Fondré:

A 30-second question; please bear with me. Would the Chief Minister agree that during the debate on vacancies brought by the Corporate Services Scrutiny Panel, the net financial impact of which was, broadly speaking, the removal of the Health Charge, Ministers claimed that the following would occur: the world would end for the most vulnerable in society, care in the community was going to be affected, as would mental health and children's services? It would equate to the entire funding for mental health services, the entire funding for the youth service, the careers services and early years provision. The I.T. (information technology) was not going to have the funds to enter into contracts with suppliers, Community and Constitutional Affairs would not have been able to meet their duties with regards to the prison, and would have shut the police and crime intelligence unit, impacted on drugs investigations, counter-terrorism and border control as well as shutting down health P.82. It would also necessitate the closure of 8 one-form primary schools.

The Deputy Bailiff:

The question was ...

Deputy J.A.N. Le Fondré:

The question was at the very beginning, Sir, which was: would the Chief Minister agree that during the debate that is what Ministers claimed?

Senator I.J. Gorst:

Absolutely not. I was very clear in my summing up, Ministers were clear, about what potential impacts on their departments might be, but I was absolutely clear: that in that M.T.F.P. (Medium Term Financial Plan) debate there was not project fear, as members of the Corporate Services Scrutiny Panel try to suggest and they try to confuse the Assembly about what they were proposing. They were taking £35 million out of the budgets from departments, reallocating £20 million so they did not have to do the Health Charge. We know what the result of the debate was: overwhelmingly, around £2 billion worth of expenditure into improving citizens' lives in our community was approved. On balance, this Assembly, finely balanced, said that they did not want us to introduce, in principle, the Health Charge, they wanted us to do more work. We have listened, we believe in democracy and we are going to work with Members to do that further work.

5.9.2 Senator S.C. Ferguson:

Has the Chief Minister not considered the fact, when he is reviewing the concept of the Health Charge, that this is, in effect, a highly regressive charge?

Senator I.J. Gorst:

We will be undertaking that review. I would, however, point the Senator to the work that the Economics Unit did looking at the implication of all the measures in the Medium Term Financial Plan. I have got no doubt that some people, because they said so in the debate, felt that they wanted more detail on the Health Charge because they were not satisfied where the cap currently sat. We are going to engage Members, we are going to ask Members for their opinions. There are no easy answers. Health needs that extra money. We are committed to providing those services, but we are going to work with Members to make sure there is a sustainable mechanism into the future so that we can provide that care that the community needs.

5.9.3 Deputy M.R. Higgins:

Does the Chief Minister agree with the statements made by the Minister for Treasury and Resources and the Minister for Health and Social Services, immediately after the loss of the

proposition for the charges, in criticising States Members, saying that they were going to undermine the provision of care for children, social work and so on?

The Deputy Bailiff:

I am sorry, Deputy, I do not think that is within the tenor of the question. The question asked the Chief Minister what he proposes to do to deal with the financial impact, not whether he agrees with what Ministers might have said afterwards, unless that is to do with the financial impact.

Deputy M.R. Higgins:

They were criticising the States for their own failures of providing a commission, Sir.

The Deputy Bailiff:

That is not a question that can be asked in this context.

Senator I.J. Gorst:

I would happily like to answer that question, because accusations have been made about Ministers and would just hang in the air.

The Deputy Bailiff:

Chief Minister, the Deputy has asked his question. If you really want to answer a question that is not on topic then it is going to be quite difficult to keep questions on topic.

Senator I.J. Gorst:

In that case, Sir, I bow to your ruling.

The Deputy Bailiff:

Thank you. Deputy Southern.

5.9.4 Deputy G.P. Southern:

I would just like to remind the Chief Minister that he has a microphone. Does he accept that the rejection by this House of his proposals for a health tax were about the regressive nature of it and the fact that it focused almost entirely on middle earners? Has he learnt the lesson and will he be bringing back something with that in mind?

Senator I.J. Gorst:

I have spoken to a number of Members over the course of the last week and they had various reasons for their finely-balanced vote, and those reasons will be explored. Ministers respect the decision of this Assembly and we will work together. The important thing is that Health have got the funding in the short term for the period of this M.T.F.P., and I will be making a statement about this later, and that there is a long-term sustainable mechanism to ensure that Health have got the funding that they require to provide the services (a) that we need today, but (b) we know we are going to need more of into the future.

Deputy G.P. Southern:

Do I detect a yes or a no in that answer?

Senator I.J. Gorst:

If the Deputy was listening to the earlier answer I gave: for some Members I acknowledge that was the reason why they did not support the in-principle decision, because they were concerned about where the cap was being proposed.

5.9.5 Deputy M. Tadier:

Does the Minister not think that this kind of consultation, talking to Members about why they voted against it, would have been done better before the actual debate, saying: “What would you likely support?” as P.P.C. (Privileges and Procedures Committee) has done with its multiple push-button approach? But, more fundamentally, does the Chief Minister agree that this is not just about political pragmatism: “What can I get through this Assembly, no matter what it looks like or whether it is fair?” That fundamental principle of fairness. Because we all use health services potentially, they are all important to us, and if we are going to have a rate of tax which is going to be applied, it should be done at least across the board, if not progressively. Is that not the starting point that the Minister should have? Because it is certainly there within his own strategic plan when it talks about fairness in the tax system.

Senator I.J. Gorst:

Can I just say I look forward to P.P.C.’s proposal that is going to get the support of this Assembly to change the way that we vote for Members, if that model has been so successful, but let us wait and see? It is quite clear that there is no doubt this Assembly has asked Ministers in the past to come forward with a sustainable funding mechanism. Members have spoken to me and said one of the reasons that some of them did not support the in-principle decision, the details were still to be agreed, of course, let us not forget that, was around where the cap was set. Others have quite clearly said that they did not want such a charge; what they would have preferred was a simple increase to the basic rate of tax. All these issues are going to have to be considered before we come forward with a new proposal. The Assembly has spoken, finely-balanced as it was, 23, 23 with one abstention; we will now work with Members in order to ensure that in the future Health has the funding that it requires to provide the services that our community needs and expects that we will provide.

5.9.6 Deputy M. Tadier:

Does the Chief Minister accept that in most other jurisdictions or parliaments, such a defeat of government’s key planks of one of their fiscal policies would have resulted, not simply in calls for votes of no confidence, but in a resignation?

The Deputy Bailiff:

I am sorry, Deputy, I cannot allow ...

Deputy M. Tadier:

It is to do with the impact of the health charge not being ...

The Deputy Bailiff:

No. The question relates to what the Chief Minister is going to do to address the financial impact, and that is where I am trying to focus the questions. Deputy of St. John then final supplementary.

5.9.7 The Deputy of St. John:

The Health Charge was first mooted in P.82 4 years ago. Since that time there have been no reviews on the actual Health Charge, and it is the first time, this year, that we have been asked for an in-principle vote. Why does the Chief Minister find it difficult to accept that health services should be provided through the tax base and not through some anonymous charge which does not mean anything?

Senator I. J. Gorst:

I think the Deputy knows there have been reviews looking at potential ways to fund the growth in health services, I think KPMG undertook one. It is quite clear, I believe, that members of the public want to see a link, if we are going to ask for them to be paying more, between what we are

asking them to pay and the service that they are going to be receiving. That is what takes me away from automatically thinking, which some Members I acknowledged earlier do think, that we should just simply change our basic rate of income tax. I think it is far better to have a proposal where we can link what we are asking the public for in extra money to them being able to see the service that they receive, as happens in the Health Insurance Fund, for example.

5.9.8 The Deputy of St. John:

In the answer the Chief Minister has just given he has explained there has already been a review, so why another review? Also if there is a linkage, why has that never been suggested before? A linkage has never been suggested directly to a specific part of the health service for this Health Charge, so why was that not discussed before?

Senator I. J. Gorst:

I was quite clear when I attended Scrutiny and they questioned me about it, that the proposal was that there would be a fund in Treasury that the money would go into, but I think that the Scrutiny Panel felt, again, that they wanted more detail, and to see how that would work and what the connection was between the fund and the services being provided. That extra work can now be undertaken.

5.9.9 Deputy J.A.N. Le Fondré:

I will pick up on the comments of the Chief Minister earlier: the only difference between the corporate amendment and where we are now is that the department would have had to justify posts above a certain percentage level. Therefore, in terms of cash, there is no difference to where we are now.

[11:15]

Therefore, in relation to the list of effects read out by me earlier, which were summarised directly from speeches by Ministers, in particular the Minister for Health and Social Security, that is the Deputy Chief Minister, the Minister for Education, could the Chief Minister clarify why those Ministers making those claims were not inadvertently misleading the Assembly through exaggeration and hyperbole?

The Deputy Bailiff:

Sorry, Deputy, that falls down for exactly the same principle: that it is not a question dealing with what the proposal is to address the financial impact of the Assembly's decision.

Deputy J.A.N. Le Fondré:

If I can just clarify that, Sir. Because obviously the impacts that were held out were financial impacts. The point was that it was going to be mental health, entire funding for the Youth Service ...

The Deputy Bailiff:

Yes, you read those out.

Deputy J.A.N. Le Fondré:

So now the Chief Minister is suggesting that those are not going to happen.

The Deputy Bailiff:

I think that is a legitimate question. Yes, Chief Minister.

Senator I.J. Gorst:

Forgive me, I am not quite sure what the Deputy was asking.

The Deputy Bailiff:

I think the Deputy from the list that he has given out, particularly those relating to health, is asking is it now the case that those are not going to happen.

Deputy J.A.N. Le Fondré:

Shall I just repeat the question?

The Deputy Bailiff:

Very well.

Deputy J.A.N. Le Fondré:

The point I was making, Chief Minister, was that the only difference between where we are now and the amendment of the Corporate Services Scrutiny Panel of the day is there is no difference in cash if it meant that at the time departments would have had to justify posts above a certain percentage level. In other words, the arguments around everything being different, we are no different in cash terms where we are now where we were on that amendment. Therefore, could the Chief Minister determine why the various examples I cited, which were directly summarised from the speeches by, for example, the Deputy Chief Minister, the Minister for Health and Social Services, and the Minister for Education were not inadvertently misleading the Assembly through exaggeration and hyperbole, in other words, were they genuine options being offered in terms of financial impacts for the loss of the health charge?

The Deputy Bailiff:

All right, were they genuine options being suggested for impact for the loss of the health charge?

Senator I.J. Gorst:

I do not want to rerun the M.T.F.P. debate in questions in this Assembly. Members supported the Medium Term Financial Plan but, as I have said, on a finely-balanced vote they said that they did not support the health charge. To go back to another question that you felt was slightly out of order, £2 billion worth of expenditure was approved at the last States sitting to provide the services that this community needs but Members decided that £15 million worth of what was being proposed, they wanted us to go and review and consider in more detail. Ministers during that debate spoke on many occasions about the potential implications on their individual departments if they were made to make those changes. Let us not forget, Corporate Services' own Scrutiny Panel adviser said that if you are going to make the changes to vacancy management, then the health service should not be subject to such a change. They are not my words; they are the adviser to Corporate Services Scrutiny Panel. We are now respecting the decision of this Assembly and we are going to work with Members to ensure that the services that the community needs are provided and that we work on a sustainable mechanism for the future that Members feel in a position to support.

5.10 Deputy M. Tadier of the Minister for Health and Social Services regarding delays in the assessment of applicants for the Long Term Care Scheme: [9660]

What progress has been made to ensure that any delays in assessing applicants for the long-term care scheme are kept to a minimum, and what is the average delay that applicants currently face?

Senator A.K.F. Green (The Minister for Health and Social Services):

The success of the long-term care scheme means that social work teams have had to deal with an unprecedented increase in demand for care assessments. At the same time, there has been a significant number of existing care packages that required reassessment to establish long-term care funding appropriately. I might surprise the Deputy when I say that we have struggled with introducing this excellent initiative but to manage some of the critical areas of pressure, we have committed active social work input to out-of-hospital services, in other words, to get people back into the community to be helped by Rapid Response, 2 extra social workers to work as part of the hospital discharge team, and last week the Chief Executive authorised the employment of a further 2 social workers to assist with this work in addition to the 3 social workers funded by my colleague at Social Security. Pressure on social workers does remain and we are responding as quickly as we can. But the Deputy is right, we have struggled to meet our commitments.

5.10.1 Deputy M. Tadier:

Can the Minister specifically say what the figures are? So how many remain to be dealt with currently and how does that reflect as a proportion of applications?

Senator A.K.F. Green:

I believe that we have currently 44 applicants in what is known as category 1, the high category, and they will be allocated within 18 days. The length of time it takes to carry out an assessment can be less but it is normally about 10 days. We have got 44 in the high category, we have got 44 in the medium category and 15 in the low category at the present time.

5.10.2 Deputy J.A. Hilton:

This is a question I wanted to ask earlier but it is related to social workers in the Health Department. It is to do with the number of clients that Family Nursing have who will have to be assessed when the home care package finishes. I understand that there are 162 clients who are currently not in receipt of long-term care. Really it is reiterating what my colleague, the Deputy of St. Ouen, said earlier about how sure can you be that you have enough social workers in situ to deal with that high number of additional clients?

Senator A.K.F. Green:

The Deputy raises a good point and I believe the figures are somewhat lower than the Deputy has just said and I cannot be absolutely certain but I believe that to be the case. For that very reason, last week we approved the appointment of 2 further temporary social workers on top of the 3 temporary ones paid for by Social Security and on top of the 2 extra that we had already taken on. We are able to appoint without too much difficulty the interim; it is getting permanent staff that are difficult. But in this case we need interims and we are determined to get this work done in that time.

5.10.3 Connétable C.H. Taylor of St. John:

I have a parishioner whose family approached me. They applied for the long-term care in September last year and they still are going through the hoops and have still not received a single penny towards the very, very expensive costs they are incurring. Would the Minister accept that that is not acceptable?

Senator A.K.F. Green:

It is not but I do not know the circumstances to that case and if the Constable lets me have the circumstances, we will find out whether there is a problem in getting the information needed to carry out that assessment.

5.10.4 Deputy G.P. Southern:

Can I concentrate on the numbers again? We are talking there about a 100-plus being dealt with, how does that reflect on the total who are already in the long-term care scheme? How many is there? In particular, the expansion into P.C. (Personal Care) level 4 for those who do not qualify for long-term care, there are, for example, 334 people last year on level 3, how many is he expecting to meet the criteria for level 4?

Senator A.K.F. Green:

The truth is, I do not know that at the moment. I just do not understand sometimes when you spot a gap between one system and the other and you bring in a system, or propose to bring in a system, to plug that gap, to support the most vulnerable in our society, you get criticised for that. This is a good-news story. This is about people who just fall below the long-term care scheme being able to access support paid for, if the circumstances are right, by the States. I have no idea yet what the numbers will be; I am waiting for that information.

5.10.5 Deputy G.P. Southern:

If I may? I think it is absolutely vital the Minister is aware of the total market that he is trying to reach to know if he is going to succeed or not. He has expressed the hope that he will have this done by January; he has expressed the determination to have this done by January. The fact is, funding from his department will be withdrawn in January. Can he guarantee that sufficient services will be in place, funding will be in place, to guarantee that people in need will not be failed?

Senator A.K.F. Green:

I do not think the Deputy is listening to me. We have already allocated extra funding and extra staff to this. We are endeavouring to ensure that we have got it done by January. We will be monitoring our approach to it to see how we are getting on but this is a good-news story, not a bad news. We are going to be supporting people who would not be supported normally, that fall just below that line in the Long-term care scheme. It is going to be administered once the assessments are done by my colleagues in Social Security, a fair, a transparent and appropriate system meeting the needs of those in the community, fulfilling P.82.

5.10.6 Deputy M. Tadier:

Could the Minister give the figures for those who he mentioned on the medium and low bands? He said there were 44 and 15, what are the average processing times for those bands?

Senator A.K.F. Green:

The average processing time for those on high priority, 18 days, and it can take 10 days to do the assessment. Those in hospital waiting for discharge takes 5 days. Those on medium, 83 days, and the very low level assessment triage is 120 days.

5.11 Deputy R. Labey of the Minister for Health and Social Services regarding the impact on hospital services of reduced funding for Family Nursing and Home Care: [9655]

Is it current policy to invest in community health services in order to relieve pressure on the General Hospital and, if so, how does the decision to reduce funding for Family Nursing and Home Care fit within that policy, will that reduction generate so called “bed blockers” at the hospital which can hamper clinical operations and, if so, will the Minister reconsider his decision?

Senator A.K.F. Green (The Minister for Health and Social Services):

I would just like to start before I answer the question in detail by telling off my dear friend, Deputy Labey of St. Helier, because we do not refer to patients as “bed blockers”, they are people’s family

members, mothers, fathers. They are not bed blockers, they are patients, but I will answer the question now. H.S.S.D. (Health and Social Services Department) is reducing the subsidy it provides to Family Nursing and Home Care. I think I have explained that fully, not only today, but particularly today. There are 21 other providers of home care that are available for people wishing to use them. Family Nursing, by their own admission, and I do not like doing this because I have a lot of respect for Family Nursing; I spoke last night at length with the Chief Executive, but Family Nursing, by their own admission, anticipate providing 30 per cent less home care this year, so they are already making a change. Patients discharged from hospital could be delayed if they cannot yet cope living at home and would be eligible for the Rapid Response and Reablement system which I think is one of our great successes. But to pick up on the investment, we have invested £35 million in community services through P.82 in the 4-year programme. This includes an additional £2.6 million in Family Nursing since 2014 of which £1.8 million was the Rapid Response and Reablement. We have further funding of £731,000 to support community provision.

5.11.1 Deputy R. Labey:

Aside from the Minister's conversation last night with the Chief Executive, I wonder if any direct discussions with Family Nursing were undertaken by the Minister with them prior to last night's discussion. The department has said that they want more detailed information over the weekend, does that indicate a poor decision basis?

Senator A.K.F. Green:

Absolutely not. Two years of discussions, several meetings with the Chief Executive and the Finance Director, including myself and officers, one meeting with the whole board, let us be clear, the Chief Executive and the Finance Director signed the contract; they were not made to sign it. They came in in August and signed the contract. As far as I was concerned, the box was ticked, we were on our way until the last meeting when we were doing the Medium Term Financial Plan. I do not intend to review my decision. It was a negotiated settlement agreed with Family Nursing but I will support my officers in ensuring that those who have difficulty funding their care following an increase in rate, if eligible, will be supported through the Long-term care scheme.

The Deputy Bailiff:

Would you like a final and further supplementary? Very well.

5.12 Deputy G.P. Southern of the Minister for Education regarding the relationship between a reduced pay rate for Newly Qualified Teachers and the overall pay structure for teachers: [9656]

How will the Minister incorporate a reduction in pay rates for Newly Qualified Teachers into the overall pay structure for teachers?

Deputy R.G. Bryans (The Minister for Education):

As Minister for Education, I am not directly involved in the negotiations. The details will be worked out by officers and negotiated on behalf of the States Employment Board.

[11:30]

There is an established reward team at central H.R. (Human Resources) who will do the majority of the background work in line with existing procedures and the negotiations will be carried out in partnership with the teaching unions.

5.12.1 Deputy G.P. Southern:

Is the Minister aware that the removal of £8,000 from the salary scale for Newly Qualified Teachers takes the salary below that for unqualified teachers who could be in off the street? Is he aware of that and what does he propose to do to make sure that we do not race to the bottom and have unqualified teachers earning more than qualified teachers?

Deputy R.G. Bryans:

As I say, I will not be part of the negotiations. We have already plotted out with the officers the route that we are taking; the Assembly has already had the debate regarding this in the M.T.F.P. Negotiations will be, as I say, with the States Employment Board and working with the unions, so it will be for them to make those sort of decisions.

5.12.2 Deputy S.Y. Mézec:

The Minister has said that he obviously will not take part in the negotiations on pay but does he have concerns about the impact there could be on morale for teachers if this leads to a 2-tier payment system? Does he believe that that detrimental impact on morale would not be a good thing to have in our schools?

Deputy R.G. Bryans:

Thank you to the Deputy for the question. Yes, we met with the unions on Thursday. Obviously they are quite upset about the decision that we have made but it is an open discussion that we have with the unions. We have got a very good partnership that we will keep on track as we go along. I understand his concerns about morale but at the moment, if Members will remember, when we put the survey out to teachers, 86 per cent of teachers in Jersey say that they are very happy with their situation currently.

5.12.3 Deputy M. Tadier:

In the light that the department, S.E.B. and the teaching unions cannot come to agreement and they cannot negotiate a settlement, what is the plan after that?

Deputy R.G. Bryans:

I do not think there has ever been a situation where there has never been an agreement reached. I think there is some time to do this and I think there is quite a way to go before we reach a final conclusion but I do think that a conclusion will be met.

5.12.4 Deputy M. Tadier:

As part of the wider policy, the Minister talked about not just cutting the starting salary for N.Q.Ts. but also to incentivise recruitment in other areas. What incentives will be put in place to attract teachers where there is a perceived difficulty or an actual difficulty for recruitment? Will any new money be allocated to increase those starting salaries for those particular disciplines?

Deputy R.G. Bryans:

It gives me the opportunity to remind Assembly Members that we have already begun the process of recruiting specialised teachers. Last year we recruited 4 science teachers from the Newcastle University and this year we embarked on recruiting 4 maths teachers. At this moment in time there is no incentive considered but that again will be part of the discussions to have with the union.

5.12.5 Deputy G.P. Southern:

There is a serious risk, I believe, that we will end up with a 2-tier workforce of one paid at the old rates and one paid at the new rates. Can he, for example, assure Members that entry point 4 which currently stands at £39,418 will not be dragged down to accommodate the change in salary structure for newly-qualified teachers?

Deputy R.G. Bryans:

There is no consideration to drag anything down. The situation that we have described is a negotiated salary for N.Q.Ts. and as I have explained previously, the N.Q.Ts. that come on to this Island come in at £38,000; that is at level 3. I am very fortunate within the department, because this is an area that the Deputy has raised before, we have an award-winning ex-head of an inner city school in London and the N.Q.T. start level, even if you are a degree student, is at level 1 at £27,000, so the consideration of dragging things down is not on our agenda.

5.13 Deputy M.R. Higgins of H.M. Attorney General regarding the recourse available to an individual in circumstances where the delayed provision of information by a States Department led to the individual's claims against that Department being 'time-barred': [9663]

What recourse, if any, does an individual have in circumstances when a States department has delayed the provision of information to an individual to the extent that any legal claim by the individual against the department is "time-barred"?

The Solicitor General (Rapporteur):

The question assumes that the claim became time-barred as a result of a delay in the provision of information. However, there may not have been a causal connection between the delay and the provision of the information and the claim becoming time-barred. It is difficult to answer the question in detail without knowing more about the nature of the claim which is in issue. The law prescribes time periods for various claims to be brought as there is a public interest in litigation being brought to an end. If an attempt is made to bring a claim that is time-barred, then it is liable to be struck out by the court on the application of the person against whom it is brought. A claim might not be time-barred if a reasonable person in the particular circumstances in which the complainant was placed would have been subject to a practical impossibility from bringing a claim. This is known in Jersey law as *empêchement*. If a court finds that there was an *empêchement*, then time would be deemed only to run from when that practical impossibility was eventually lifted. If the court finds that the delay in the provision of certain information to a claimant constituted *empêchement*, then time will not run against the claimant while they are under the *empêchement*. In those circumstances, the claimant's claim can proceed.

5.13.1 Deputy M.R. Higgins:

I welcome the answer from the Solicitor General. It has been my experience, there are a number of cases I have been helping people with where we are receiving absolute obstruction from departments, whether it be on subject access requests or whether it is the provision of information or documents relating to their files which are needed to bring an action against the department concerned. To what degree of information do we have to show the obstruction of the departments to be able to claim the *empêchement*?

The Solicitor General:

Well again those cases will turn on their own facts but if the information is not in the possession of the individual, if it is only in the possession of the department, and if that information is vital to bringing the claim and without that information the claim is *empêchement* or is under a practical impossibility of bringing the claim, then time might not run against that claimant. But it is a case of looking at each case on its facts because the court might find the claimant is assisted by a lawyer, for example, they were having legal advice, and in those circumstances the claimant could bring a claim anyway against the particular department concerned. So, in those cases, there is a possibility

that the claim might become time-barred. I do emphasise that each claim does turn on its own facts.

5.13.2 Deputy M.R. Higgins:

What assistance can departments expect to have or the courts expect litigants in person to have? Obviously the cost of going to court these days is so expensive that ordinary people cannot afford it and more and more people are acting as litigants in person and they are, in particular, experiencing lots and lots of delays by States departments. Is there any advice you can give them about tackling States departments who are obstructing them? This is a quite common occurrence, I might add.

The Solicitor General:

In terms of access to justice, that is an issue that is being looked at by a working party but currently we do have a legal aid scheme in which, if individuals comply with financial criteria, they will get assistance from a lawyer in bringing a claim. In certain circumstances, individuals can club together if they have got a common interest in bringing a claim, then they can share the expenses of bringing that claim. But access to justice is something that courts are inevitably concerned with and if a court finds in a particular case that the individual has been prevented from bringing a claim because of lack of access to information, then the court might find that individual is *empêchement* but it is a practical impossibility of bringing the claim which is quite a high test. I do not think I can assist further at the moment.

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

The Deputy Bailiff:

Very well, that brings questions with notice to an end. We now come to questions to Ministers without notice and the first question period is for the Minister for Infrastructure. Deputy Hilton.

6.1 Deputy J.A. Hilton:

I met with the Minister and senior officers a couple of months ago to discuss the sea lettuce problem in St. Aubin's Bay and my question to the Minister is: has any progress been made with the third party who attended that meeting on some of the ideas that he had put forward?

Deputy E.J. Noel of St. Lawrence (The Minister for Infrastructure):

It is my understanding that that third party is in discussions with the regulator, being the Department of the Environment, and on conclusion of those discussions I am sure that my department will be tasked with carrying out some certain actions on St. Aubin's Beach and indeed maybe that third party will start up their oyster farm as well.

6.2 Deputy G.P. Southern:

Can the Minister inform Members what services he has outsourced to which private companies, what the cost of these services are and what savings will be made within the department in the outsourcing of cleaning and gardening services?

Deputy E.J. Noel:

I refer the Deputy to my answer to his written question which has that information attached to it.

Deputy G.P. Southern:

I do not believe it has. It is a separate set of questions on different subjects to the one I just asked. Will he note what I have just asked and please attempt to give me an answer to it either today or at another time?

Deputy E.J. Noel:

I am happy to review Hansard when it is available and provide the information to the Deputy that I can.

6.3 Deputy P.D. McLinton of St. Saviour:

I am sure the Minister is delighted in the uptake of more and more people using 2 wheels to get around, both electric power and using their own muscles. I was wondering if the Minister could inform this Assembly what considerations his department have to extending the cycle network on this Island and whether or not he has given any consideration to the possible rental of thin slices of fields neighbouring roads for the cost of the crop lost to provide an even greater network for cyclists on this Island to maintain their safety and their health.

Deputy E.J. Noel:

I appreciate the question from Deputy McLinton. Obviously it will not go amiss that we have opened the first section of such a path in St. Peter's Valley, not only for cyclists, but for all users, pedestrians similarly. That is ongoing that project. Hopefully it will be finished by the end of 2017, linking up a route from the heart of St. Helier all the way through to the north coast of St. Mary. We are doing similar works on other parts of the Island and yesterday I had a meeting with Deputy Russell Labey and my Assistant Minister to discuss routes through Havre des Pas and on to the eastern side of our Island.

6.4 Deputy M. Tadier:

With regard to R.137 which was presented to the States by the Minister on 16th December last year which is to do with the feasibility of kerbside recycling collection, would he state what progress has been made towards the 3 recommendations that are found in that report, specifically the one which says: "Each parish not currently delivering kerbside recycling to discuss and agree a timescale with T.T.S. (Transport and Technical Services) now D.f.I. (Department for Infrastructure) for implementing a scheme which develops into a joint action plan for kerbside recycling"?

Deputy E.J. Noel:

Obviously Deputy Tadier knows that during that period St. Brelade has brought online very, very successfully the kerbside recycling in that Parish and I pay public thanks to the Constable in that instance for driving that forward, along with the backing of his parishioners. As I understand it, the Parish of St. Saviour are due to start a kerbside recycling scheme in 2017 and ...

Connétable S.A. Le Sueur-Rennard of St. Saviour:

Sorry, could I just have a point of order? St. Saviour is discussing it; they are not guaranteeing ...

The Deputy Bailiff:

I am sorry, that is not a point of order, Connétable, because there is nothing on which the Chair can make a ruling. Do continue.

Deputy E.J. Noel:

I welcome the Constable's intervention.

[11:45]

Yes, indeed, St. Saviour is discussing it with a view to bringing it in subject to the necessary approvals from the Parish Assembly in 2017. We are also discussing it with other Constables when we are meeting them on a one-to-one basis generally to discuss other matters such as waste collection.

6.4.1 Deputy M. Tadier:

A supplementary? I am aware that obviously ongoing work goes on anyway with the Parishes who decide autonomously whether they want a scheme or not but specifically would the Minister be able to state whether those 3 recommendations which were made in the report have been implemented? If he cannot do it now, could he certainly circulate that to Members and myself?

Deputy E.J. Noel:

I am happy to circulate that further information. We are working towards those 3 recommendations and I will give an update to the Deputy.

6.5 Deputy M.R. Higgins:

My question has come from the written answer the Minister gave me this morning, question number 12. He mentions the breakdown for landscaping and planting for the Energy from Waste Project, cost £659,000. I would like to know if that was money well spent, considering I cannot see any landscaping. The second part is: I asked a question about breakdowns at the plant: "The department does not have a record of the total number of times the plant has broken down since it was commissioned with details of the causes, the duration and the cost to the public of each incident." Is that good enough? Surely the Minister should have some information.

The Deputy Bailiff:

What is the explanation for the landscaping; is that good enough?

Deputy E.J. Noel:

The landscaping, we have discovered since the trees were planted, I believe they are at some 2 metres height now, is that that is a very hostile environment and the growth rate is less than what was originally expected. But is it good value for money? Yes, it is. We have got some 2,000-plus trees on that site. It is a big building and even when those trees are fully mature, it will not be completely hidden. That is a fact that I have no ability to change; I cannot make the trees grow taller. With regard to the breakdowns of the E.f.W. (Energy from Waste) over its current life, there are some 4,000 different components in that facility; it is not one big machine. It is a significant number of smaller ones and, therefore, such a detailed record is not kept. But I reiterate my invitation to Deputy Higgins, which I have done before, please come down and have a view of the plant, please come down to be fully briefed on the day-to-day operations of it and how we maintain it. Indeed, I extend that invitation to any States Member who wishes to have a visit.

6.5.1 Deputy M.R. Higgins:

A supplementary? First of all, I will take the Minister up on his offer, but does he really think it is acceptable that a £106 million plant that has broken down on a number of occasions and for certain extended periods of duration, does he think it is not good enough to have records so the public can see the value for money and what it is costing us to use this plant?

Deputy E.J. Noel:

As I have tried to explain, it is not one piece of kit; there is some 4,000 different pieces of kit in that facility and we do keep many spares on site to replace them as and when they fail through natural causes. We have had some downtimes of the plant outside the scheduled downtimes for maintenance, primarily we do when we have had erroneous things in the waste stream such as flares, which have caused fires and such as parts of motor vehicle engines which have caused damage to the grate. These are factors that are outside our control. One of the benefits of being able to charge for our commercial waste is that items such as engine components will be cheaper

for the garages concerned to dispose of them in their correct way as opposed to them ending up in our Energy from Waste plant.

6.6 The Connétable of St. Saviour:

It is no secret that I am absolutely paranoid about the speed and the traffic in my Parish. The road from the Red Houses to the airport in Les Quennevais has approximately 7 crossings on it. Please could I ask that the courtesy is also given on the Longueville Road to the parishioners of St. Saviour that they could have the same amount of crossings? The road is exactly the same width and I cannot understand why we cannot have that common courtesy, please.

Deputy E.J. Noel:

The Parish of St. Saviour does have that common courtesy as outlined in the information I provided at the last States sitting to the question from Deputy Doublet. We do have a planned investment in St. Saviour for making the roads in St. Saviour safer and that includes Longueville Road. In terms of the actual number of crossings required for the Longueville Road, that is a matter for the traffic engineers who deal in road safety to come up with and present those proposals to myself and to the parish. That is exactly what we are doing with the Parish, working together to make St. Saviour a safer place for all.

6.6.1 The Connétable of St. Saviour:

My term of office is up in 2018, could I have it done before, please?

Deputy E.J. Noel:

The Constable does know the timetable. We have given the timetable to the Parish, we are carrying out those works in 2017 and 2018; the funding is there. I am grateful to this Assembly for passing the M.T.F.P. which means I now have the funding to do such schemes. I am also grateful because I now have the funding to bring in a disabled bus concession pass as well which I am grateful to Members. So we are working with the Parish. My term of office is also up at the same time as the Constable, as are all of ours, and we endeavour to get as much done between now and May 2018 as possible.

6.7 Deputy A.D. Lewis:

My constituents and I in the First Tower area put up with the inconvenience and smell of course of the green seaweed all summer. Could the Minister advise as to what plans he has during this winter when the weed is not such an issue to plan for next summer when no doubt the natural conditions, which our constituents do appreciate are somewhat beyond your control, but will there be a plan hatched during the winter to deal with this problem which no doubt will probably reoccur next summer? Thank you.

Deputy E.J. Noel:

There are no plans to be hatched as such over the winter because we are working on them currently. We are working with a third party via the Department of the Environment to do effectively furrowing of the beach to trial it to see if it disrupts the life cycle of the algae. That will be carried out in the spring subject to the regulator approving access to the beach. We are also encouraging that third party to invest in an oyster farm at either end of the bay again so the oysters can reduce the nitrate levels. We are working with our partners in France on a suitable piece of machinery that we can extract the seaweed from the water. So we are working on a number of things but, most importantly, we are working on a replacement sewage treatment plant that will reduce the nitrate levels coming from Bellozanne into the bay. Obviously that is a longer-term project that is going to take 3 to 4 years, but it is ongoing. The problem is not just a problem for Jersey, it is a problem for

many places in the western world and in the eastern world. Our neighbours in France have a serious green seaweed problem. Although ours looks serious, compared to our neighbours it is not.

6.8 Deputy M. Tadier:

Back to the subject of cycle paths in Jersey. Does the Minister accept that it is critical that we get St. Helier and the urban areas fit for purpose when it comes to cycle paths? Currently the one-way traffic system around much of town makes it very difficult to cycle. What progress is being made to the instalment of contraflows, et cetera, in a meaningful way?

Deputy E.J. Noel:

Our Future St. Helier group, which is chaired by the Minister for Environment, with myself and the Constable of St. Helier on it, are working at bringing in increased cycle routes through St. Helier, also increased better pedestrian routes through St. Helier. It is a long piece of work, it will require some substantial funding over the years, hopefully coming from planning again and maybe a tariff on development in St. Helier and elsewhere but we are working on it. We are extending hopefully in 2017, if not 2018, the 2 pier heads along the old harbour. That will be the final link from Havre des Pas all the way through to Corbière without having to go on a main road.

6.8.1 Deputy M. Tadier:

Are there some quick wins that could be implemented pretty quickly such as getting rid of no-cycle zones? One example might be the one at Colomberie Precinct which I think is certainly large enough as a pedestrian zone, could easily become a pedestrian and cycle zone to allow certain areas of town to be joined up without too much difficulty.

Deputy E.J. Noel:

Cyclists and pedestrians need to work together and to carry out their daily lives in harmony. Those particular stretches that Deputy Tadier mentions I know are dear to his heart but those are quite short distances and I am sure it is not too difficult for a cyclist to hop off their bike for 50 metres and then hop back on again. We do need to be mindful of other road users; we share the space and we need to share it in a courteous manner.

7. Questions to Ministers without notice - The Chief Minister

The Deputy Bailiff:

That brings the question time allocated to this Minister to an end. The next period of questioning is for the Chief Minister. Deputy Hilton.

7.1 Deputy J.A. Hilton:

It was reported in the media last week that the Chief Minister may fly to China early next year to build on political and trade links with the Chinese. Does the Chief Minister agree with me the practice of skinning and boiling alive 10,000 dogs for the Yulin Dog-eating Festival is a practice which should be condemned for its barbarity? Would the Minister consider raising this matter with his Chinese counterparts during his visit?

Senator I.J. Gorst (The Chief Minister):

It never ceases to amaze me that others seem to know what my diary contains in advance of myself but such is the job. I am aware that there is a potential visit planned for early or during the course of next year. I am also aware that the Minister for External Relations, as has been said in answer to the Deputy previously, has the particular issue that she raises under consideration, but I do not think any Member of this Assembly would condone cruelty to animals in any form.

The Deputy Bailiff:

I am sorry, I am afraid we are inquorate. Could I invite Members please to return to the room; the States are currently inquorate.

7.1.1 Deputy J.A. Hilton:

A supplementary? I do not believe the Chief Minister answered the second part of my question which was, will he consider raising the matter with the Chinese when he visits next year?

Senator I.J. Gorst:

The first port of call is for me to consider the consideration that the Minister for External Relations is giving to the matter. We follow the British foreign policy approach. The second course of action, if the Minister for External Relations thought it was necessary would in the first instance be to raise it with the Foreign Office.

7.2 Deputy K.C. Lewis:

The U.K. Prime Minister, Theresa May, has stated that she will be invoking Article 50 at the end of March 2017. Yesterday, the Right Honourable David Davis, who is the Secretary of State for Exiting the European Union, stated that he would take no action whatsoever without full consultation with devolved governments. Will the Chief Minister, with his Minister for External Relations, be seeking an audience with the Right Honourable gentleman or will he be pursuing Jersey's interests through other means?

Senator I.J. Gorst:

The Deputy will know from correspondence that the new Prime Minister has confirmed her acknowledgement that Jersey, together with the other Crown Dependencies, will be involved and consulted and taking part in the consideration of those particular areas which affect us. Ministers, during the course of the Conservative Party Conference, which was attended not only by myself but Senator Ozouf, when I was speaking to Ministers in the Department for Exiting the European Union, they reconfirmed that position; they reconfirmed invitations for us to meet more formally with Ministers in London. Senator Ozouf, in his attendance upon the I.M.F. (International Monetary Fund) earlier this week, also had that same position reconfirmed by the Chancellor of the Exchequer. We have had it reconfirmed by other Ministers in the Treasury Department and in the Foreign Office, so we will continue to make sure that Jersey's interests are heard, they are represented and they are acted upon.

[12:00]

7.3 Deputy S.Y. Mézec:

Members will know that we have been lucky to have the new Minister of State for Courts and Justice from the United Kingdom visiting the Island. In his discussions with him, could the Chief Minister inform Members whether or not they discussed the issue of the separation of powers in Jersey and, if so, how did that conversation go?

Senator I.J. Gorst:

In this instance, we have not discussed that, but I have certainly discussed it with previous Ministers in that position.

7.4 The Deputy of St. Ouen:

Would the Chief Minister advise the Assembly what, if any, research he has conducted to establish the nature of the 690 new jobs created in the private sector as zero-hour jobs in the past year?

Senator I.J. Gorst:

No, we have not. Of course that information comes from the Statistics Department, but I know that the Department for Economic Development, Tourism, Sport and Culture will be doing further work to understand more the detail of those particular numbers, together with the Social Security Department.

7.4.1 The Deputy of St. Ouen:

Does the Minister not agree that this indicates that zero-hour jobs are continually being created and none of them, or very few of them, are being reviewed and converted into full-time jobs, permanent positions, once a business is satisfied that positions do become permanent, but no, instead the employees are stuck on their zero-hours jobs? Does the Minister agree?

Senator I.J. Gorst:

The Deputy I do not think can make the assertion from the headline figure. That may be his conclusion, but we would need to understand more of the detail before we could make that assertion. I think it is fair to say that there needs to be clarification of when a zero-hours contract is a zero-hours contract and when an employer is perhaps using something that they consider to be a zero-hours contract, but where there should be other benefits provided for that contract because it has been for a set period of time, for a set number of hours and therefore the employee becomes entitled to other benefits, so there is more work to do for us to understand that further.

7.5 Deputy M. Tadier:

Can the Chief Minister confirm whether a date has now been set for the visit of Lord Carswell and whether Members have been informed of that date so they can put it in their diary?

Senator I.J. Gorst:

Another diary question. As I understand it, it is set for either the 10th or the 11th. I cannot recall exactly which of those 2 dates it is, but I also understand that Members were being invited. They may not have yet received that formal invitation, but it is during the order of those 2 dates, I think.

7.5.1 Deputy M. Tadier:

I thank the Minister for that clarification. It seems to me that the date I have in my diary is 11th November and I am sure Members would be grateful, given that it is a month away now, to have as much notice. Also given the fact it is Armistice Day, I am not sure if there is anything else going on that day, that we might need to consider a clash for that event.

Senator I.J. Gorst:

I thank the Deputy for knowing the answer prior to asking me. I am delighted that he has received an invitation from my department and has been made aware of the date of that meeting. I have got no doubt whatsoever that it clashes with many events in my diary. I am thankful for the Deputy reminding me of such. I would suspect that perhaps the other Members have been invited. If they have not, I shall clarify that position and ensure that they are.

STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

8. The Minister for Social Security - statement regarding the launch of consultation for the Social Security Review

The Deputy Bailiff:

If there are no other questions of the Chief Minister, then that brings this question period to an end. There is nothing under J and we now come on to K, which is Statements on a Matter of Official Responsibility and the first statement is to be made from the Minister for Social Security.

8.1 Deputy S.J. Pinel (The Minister for Social Security):

Today I am pleased to launch a major review of the Social Security scheme. I would like to start with a very quick look back at my predecessors. It was Senator Philip Le Feuvre who guided the original Social Security Law through the States, against significant public opposition: 13,000 people signed a petition against the introduction of the new law; 1,500 people expressed their disapproval at a meeting in the People's Park and a coffin was carried through the streets as part of the final demonstration. Despite this public outcry, Senator Le Feuvre stuck to his principles and received the support of States Members for the introduction of a compulsory insurance scheme to provide pensions for local workers. That was back in 1951 and there have been many changes since then. A common theme runs through this area of social policy, politicians who have understood the need for long-term planning and have taken decisions, sometimes unpopular, to ensure that this Island has a healthy pension scheme to support workers in old age. The last major review of Social Security was conducted 20 years ago. Senator Terry Le Sueur was the committee president at that time in the late 1990s. He understood that the number of pensioners would start to rise as the baby boomer population moved towards pension age and that by taking early action, he would place the Social Security Fund in a good position for the future. He carried through significant increases in contribution rates over a 5-year period to allow a reserve to build up. As a result of that foresight, the Social Security Fund now has total assets of £1.4 billion. That said, those same baby boomers are heading to retirement now and the problem of an ageing population is no longer in the future. The department's annual report, published last week, shows the total number of pensioners drawing a Jersey pension has risen above 30,000 for the first time. Pensions in 2015 cost £167 million; that is just under 80 per cent of the cost of all benefits paid out of the Social Security Fund last year. The Social Security scheme in Jersey supports the cost of pensions and a range of working-age benefits. These are mainly designed to support workers at times when they are not able to work. As well as sickness benefits, support is provided to new mothers, to carers and to people who have recently lost their partner. All these benefits are paid for out of contributions received. Alongside the Social Security scheme, the department provides health and long-term benefits that are also funded through contributions into separate funds. However, support for low-income groups is not paid from these funds. Instead, income support and other means-tested benefits are paid for using an allocation of taxpayers' money agreed by the States from year to year. It is now time to look again at the contributory Social Security scheme and plan for the next 20 years. Previous generations have been well-served by the fund and I want to pass this on to the next generation. It is important to remember that the Jersey Social Security pension is based on pay as you go, meaning that your contributions are not saved in your own pension pot and each generation relies on the next to pay for their Social Security pensions. Over the next 20 years, the number of people over 65 will increase significantly, while the number of people under 65 will stay relatively the same. This will mean that the number of working-age people supporting each pensioner will fall. Most other developed countries are also facing this challenge now. The Social Security pension is an important element in the income we look forward to in retirement. However, it is just one element of retirement income and we need to review this area as a whole. Today we are publishing the first part of our review, *Living Longer: Thinking Ahead*. This asks for public feedback on the issues of income in retirement and the Social Security scheme. This is the start of a public conversation that will help to set the direction of Jersey's Social Security scheme and retirement income system for the next 30 years. We are generally living longer and healthier lives and many more people enjoy active lives into their 80s and 90s, our Queen, for example. This is a great achievement, but it means that we face new challenges. One of these challenges is making

sure that we will have enough income and savings to look after ourselves after we have stopped working. We need to understand the public's views on living longer and having a longer retirement so that the Government can play the right role in helping people to save for their retirement in the future. People can save for their own retirement; they can decide to carry on working; some workers are enrolled in a workplace pension scheme and others choose to invest in a private pension. It is also true that many people working in Jersey today have not made any plans for their retirement. The questions we need to ask ourselves are how should we plan for these extra years; do employers have a role in encouraging the working-age population to save more for their retirement; can the Government do more to help people make their own arrangements for retirement; what role should the Social Security pension play; do we need a compulsory workplace pension? For example, last week I spent the day with the Guernsey Social Security ministerial team and they gave us details of the workplace pension scheme that they are developing. This is an opportunity for Government, employers and citizens to work together and ensure we find the right solution for Jersey. I am on record as saying every good Minister listens to advice. My approach, as clearly set out when I stood for election and as Minister for Social Security, is based on 3 principles: affordability, balance and common sense. Of course this is not as easy as A, B, C, but I think this is a reasonable framework to engage with our community and to explain what we are trying to do with the resources available. I would expect my A, B, C of political decision-making to guide this review. We need plans that are affordable, we need to get the right balance between the responsibilities of different generations and we need to always draw on common sense. We are a small Island and must concentrate on providing simple, clear support. Importing grandiose schemes from bigger countries is unlikely to be the answer. Alongside this general examination of income in retirement, we also committed in last year's Medium Term Financial Plan to a major review of the Social Security Fund itself. Many aspects of our current scheme have remained essentially unchanged since the last Social Security (Jersey) Law was introduced in 1974, some 42 years ago. Refreshing my political alphabet for this part of the review, we will be looking at the A, B, C of the Social Security scheme: A, age, whether we should look at increasing the Social Security pension age beyond 67; B, benefits, whether we should limit the amount of money people receive from the scheme and this could be for pensions or working-age benefits or both; C, contributions, whether we should increase the amount of money paid into the scheme and who should pay more, employers, employees, high earners, everyone. The consultation *Living Longer: Thinking Ahead* that I am publishing today sets out these high-level questions and is just the first stage in this review. At the same time, the U.K. Government Actuary has almost finished his 3-yearly review of the state of the Social Security Fund and this will be released before the end of the year. In 2017 we will be publishing more detailed information and a second public consultation, including some costed options for future changes. From all the views gathered, I hope to publish a firm set of recommendations before the elections in 2018, giving clear guidance to the next Council of Ministers as to the wishes of the public and the costs and benefits of different options. Action is needed, but the Social Security Fund is in a healthy position and there is no need to make any hasty decisions. If it is decided to make changes to the scheme, they can be phased in during the 2020s. I do not underestimate the scale of this work, nor the time it is going to take. Nor, however, do I underestimate the significant opportunities this review presents to us. Over the next few months there will be many ways for people to express their views, as well as a printed consultation paper. We will be publishing information on the gov.je website and through social media. We are keen to hear from everyone. For example, visits to schools will be just as important as meetings with business organisations. I am honoured to be the Minister responsible for this next phase of the Social Security Fund and I hope that all Members will actively participate in the review and encourage the general public to express their views and help us shape the future of the fund.

[Approbation]

The Deputy Bailiff:

There is a period of 15 minutes for questions relating to the statement made by the Minister. Deputy Martin.

[12:15]

8.1.1 Deputy J.A. Martin:

The A, B, C, age, benefits and contributions, it is a very depressing outlook. I hope this is not set in stone. It is working longer, getting less benefits and paying in more for that less benefit you get back. I hope the Minister can confirm that this is not a foregone conclusion. We may need to pay more, but work longer and get less, is that what the Minister is really telling us?

Deputy S.J. Pinel:

I thank Deputy Martin for her question. Anything that asks people to work longer and pay more is not necessarily going to be exhilarating. However, this is what the consultation is all about and we are wanting to get public opinion across the board as to what we can review, how to review it and what the outcome will be.

8.1.2 Deputy G.P. Southern:

My question is: will the Minister be seeking any external advice, apart from the Government Actuary, as a part of this process?

Deputy S.J. Pinel:

No, it is purely a Jersey public consultation and the Social Security Department and the team of people there, who are very competent, will be assessing all the results. There is no expert advice coming from outside.

Deputy G.P. Southern:

Could I express my disappointment that we are not receiving external advice? Pension schemes are intensely complex matters that we could probably do with some advice, especially when if it is all internal, the most recent decision the internal officers made was to cut benefits for single parents by £40 a week.

The Deputy Bailiff:

This has to be a question, Deputy. It is only open to Members to ask questions, not to make statements. Deputy Tadier.

8.1.3 Deputy M. Tadier:

On the third bullet point on the third page of her statement, the Minister seems to be already, before the review has started, leading Members and potentially leading the public, making a statement saying: "Importing grandiose schemes from bigger countries is unlikely to be the answer." It is already telling us what she thinks the answer is unlikely to be. If she had said: "Well-thought out and effective schemes, even if they do come from bigger countries, might be worth looking at" it would put a completely different perspective on it, complexion. Does the Minister accept that it is very important during this review not to be leading in any of the questions that are asked, to be completely dispassionate, to solicit the best objective answer as possible?

Deputy S.J. Pinel:

Yes, absolutely. I agree with the Deputy, and when I said "grandiose schemes" I meant if, for instance, one compared oneself to the U.K.; what happens there is not necessarily appropriate for a

small jurisdiction like Jersey, but as I mentioned in my opening remarks, we are already looking at and working with Guernsey on the in-work pension scheme that they are developing.

8.1.4 Deputy M. Tadier:

A supplementary following on from that theme and Deputy Southern's earlier question: is it not important to get outside perspectives on this to avoid the risk of 'group think' that may come from internal staff, pre-existing staff members, who are the only ones currently proposed to be working on that?

Deputy S.J. Pinel:

Again, as I mentioned in the opening statement, we have the Government Actuary Department giving their review before the end of this year, and that is an outside perspective on the whole of the Social Security Fund and the contributions, which obviously we will take advantage of and notice of. In answer to Deputy Southern's question, I was not seeking external expertise in the form of a consultant.

8.1.4 Deputy J.A.N. Le Fondré:

From memory, I think we are just on the cusp in relation to the pension side of things, where we are going to be paying out more than we receive in. Could the Minister just remind me approximately how long is left in the fund, in other words, is it 30 years, is it 50 years, whatever it is, under the present assumptions we are operating under?

Deputy S.J. Pinel:

Yes. In answer to the Deputy's question, there is about 5 years' capacity in the fund at the moment if no more was paid in than is being paid out. It has been very well-invested, fortunately, so it is doing extremely well at the moment, but we cannot afford to rest on our laurels and wait for 20 years until such time as there is nothing left.

Deputy J.A.N. Le Fondré:

Sorry, Sir, I think the Minister may have misunderstood me. When does the fund run out? When do all the reserves get used?

Deputy S.J. Pinel:

I am sorry, Sir, I thought I had answered that question. Without paying any more in and without further investment revenue, 5 years.

8.1.5 The Deputy of St. Ouen:

Like a previous question, I was concerned about the reference to "grandiose schemes from other countries" and would like to ask the Minister if she agrees that we can always learn from other jurisdictions, and specifically, would the Minister agree to research schemes in other countries, for example, workplace pension schemes, produce evidence and prepare discussion papers with that evidence for circulation to Members of the Assembly and public in general so that we can have that information from other jurisdictions and consider it?

Deputy S.J. Pinel:

This is just the launch of the Social Security review. There is a consultation paper going out in about a week's time and that will give us the first information of what the Jersey public think and we will follow that up, depending on what those views are.

8.1.6 Deputy J.M. Maçon:

Can the Minister confirm that within this review specifically it is going to look at self-employed people and the contributions that they have to make, because that is a large area of concern I often get raised by constituents? Can I further encourage the Minister to look at other jurisdictions, for example, Germany, which does a lot with regard to micro jobs and how that could be tailored in order to help with the Jersey situation as well?

Deputy S.J. Pinel:

Yes, I think I answered that in the question from Deputy Labey; the questionnaire does include self-employed contributions. We, in answer to the previous questioner, will be looking at other jurisdictions, but the first stage of this review, which is going to take about 2 and a half years, is starting next week and we will start with Jersey.

8.1.7 Deputy S.M. Wickenden of St. Helier:

Could the Minister please inform the Assembly, if she knows, what is the return on the fund so far this year?

Deputy S.J. Pinel:

It has to be said that that varies from day to day, Deputy. There was a Brexit bounce, I think it might be called, after the Brexit announcement, which did the fund a huge amount of good, but equally, as any investment, it can go up as quickly as it can go down.

8.1.8 Senator P.F. Routier:

The Minister in her opening comments spoke about the introduction of the scheme and the review 20 years ago, which I was a member of that committee at the time. The question I would like to ask is what value she puts on the importance of announcing any changes and the notice period that is given to our community to get ready for any changes, because 20 years ago, that is what was done; there was plenty of notice and a slow introduction. Does she share the same view that that would be of value to our community?

Deputy S.J. Pinel:

I thank the Senator for his question. Yes, this consultation and review - there will be 2 consultations - is due to be finished by early 2018 and no changes will be made until the early 2020s.

8.1.9 The Deputy of St. John:

Could the Minister explain what she will be doing with regards to responses that may be received in terms of getting the Social Security Fund mixed up with income support, which is also provided by the Social Security Department? There may be a mixture of understanding what it means in this consultation with regards to benefits, so could she explain how she would ensure that the responses are directly related rather than with regards to income support?

Deputy S.J. Pinel:

Yes, the Deputy has raised a very good point. I think it is quite complicated for people to understand the differences. Income support is directly tax-funded and will not be considered in this consultation at all. This is really to review the sustainability of the pension fund and the contributory part of the Social Security Fund, which includes maternity and adoption grants, maternity allowance, death grants, incapacity benefits, which is short-term incapacity, and long-term incapacity, the home carer's allowance and survivor's benefits. It does not include any income support, which is tax-funded related.

8.1.10 Deputy G.P. Southern:

Just for information, the answer to Deputy Wickenden's question, last year it was £35 million in growth from the investments. But my question to the Minister is will she make extended use of the Statistics Department in order to ensure that the questionnaires that she produces are strictly value-neutral and are open-ended questions so that we can get a genuine response and no leading questions?

Deputy S.J. Pinel:

The review includes a questionnaire in the centre of it, which has already been printed and published, and that is a general overall, albeit quite high-level, review. There will be a second consultation based on what the response is to that. Obviously we take into account the Government Actuary and the statistics.

8.1.11 Deputy G.P. Southern:

The review that is already printed, was it consulted on with the Stats Department or not?

Deputy S.J. Pinel:

We are constantly working with the Statistics Unit, yes.

8.1.12 Deputy M. Tadier:

Will there be a section in the consultation paper about small income exemptions, about when contributions are credited, about when they are waived and about the whole fairness of that in the mix specifically so people can have the valid information to start off with before they are asked for answers on those?

Deputy S.J. Pinel:

Yes. The review paper is considerably smaller than the one made 20 years ago, which even double-sided was 2 inches thick. This is much smaller, much more user-friendly and the consultation, which is only 4 pages in the middle of it, is quite simple to follow, which is the intention. There will be questions more specifically directed to your question in the second consultation.

8.1.13 Deputy M. Tadier:

A supplementary: specifically on the questions, has any outside body or Scrutiny or anyone else been able to look at the questions in order to have input to say whether they are valid questions, whether they are leading and whether they are asking the right question to solicit the right information? Has that work been done?

Deputy S.J. Pinel:

I keep trying to emphasise that this is the launch of a review and this is the first consultation and it is deemed to be appraised so that it is user-friendly for people to understand and encourage them to take part in this. So many people think retirement is way into the future and pensions will automatically arise. That is not the case and people have to learn to take responsibility for their own future and retirement. The first questionnaire is deemed to be fairly broad-based.

8.1.14 Senator P.F.C. Ozouf:

Would the Minister agree that it would be a good idea for Members to read her consultation and also listen to the Radio 4 programme "Breaking Promises" where Paul Johnson, the Director of the Institute of Fiscal Studies, examined all of these issues of pensions, and if we would have been interviewed, would have been shown to be one of the leading countries in the world?

Deputy S.J. Pinel:

I thank the Senator for his comments. I think the fact that we are addressing a situation - and as I said in answer to Deputy Le Fondré - without any need for hasty decisions, because we are addressing it now and looking at 30 years forward, I think we are being very responsible in doing so.

The Deputy Bailiff:

Time for one more question. Deputy Le Fondré.

8.1.15 Deputy J.A.N. Le Fondré:

Sorry, I am going to just press the Minister back on my earlier question. I think she said that the fund would run out in 5 years if no more income was paid in. What I was asking was assuming things carry on, in other words, contributions stay at the levels they are at, the existing assumptions we are operating under, when does the fund run out? Is it in 2030 or 2040 or 2050, for example? What is the life left on the fund under our existing system?

Deputy S.J. Pinel:

I am not sure I quite understand the Deputy's question. I have answered it, inasmuch as if no further contributions were made, then the fund would last for 5 years. If we carry on with the situation as it is, then who can tell what investments are going to do? There is not a concrete answer to that question and we do not want to ever be in the position where we are in that situation of the fund potentially running out, which is why we are addressing it now.

8.1.16 Deputy J.A.N. Le Fondré:

Sorry, normally there is a valuation done that says - and I am sure we have been told in the past - the fund has a certain life to it. Normally it is about 2035 or 2060 or something along those lines, but surely there must be a rough answer the Minister has.

Deputy S.J. Pinel:

The Government Actuary Department will give a review of the past 3 years by the end of this year, which I have already said. That will give a closer idea, but that is the past 3 years, not a prediction for the future. Further than that, I cannot answer the question.

9. The Chief Minister - statement regarding the Medium Term Financial Plan 2017-2019

The Deputy Bailiff:

Very well, that brings the period of questions for this Minister on the statement to an end. There is now a statement to be made by the Chief Minister, again which will be followed by a period of questions of about 15 minutes. Chief Minister.

[12:30]

9.1 Senator I.J. Gorst (The Chief Minister):

Jersey is in a strong position. We have considerable reserves, minimal debt and assets of nearly £6 billion. We are in this position because we have consistently looked ahead and prepared for the future and we want to keep it that way. The Medium Term Financial Plan will maintain this success for future generations by allocating investment to our key public services. We are prioritising health, education, St. Helier, economic growth and essential infrastructure. In order to do this, we will increase productivity and efficiency, reduce costs, reprioritise our spending and introduce some user-pays charges. These measures will help us provide the investment that is needed while broadly balancing our books by 2019. Two weeks ago, this Assembly approved the

Medium Term Financial Plan. This plan sets the direction for the Island's public finances for the next 3 years and provides a comprehensive financial planning structure for the States. The approval of this plan has given the go-ahead for investment in projects that will make a real difference to Islanders. A number of announcements will follow in the coming weeks and months to update Islanders on the progress of this work. The Fiscal Policy Panel supported our overall fiscal approach and accepted that post-Brexit it was reasonable to extend the target for fully balancing budgets to the next M.T.F.P. period. We must also act on what the F.P.P. (Fiscal Policy Panel) advised in August. The States should support the economy in the short term and move towards a more sustainable position in the medium term, irrespective of the exact future relationship between the U.K. and the E.U. (European Union). The recent news on our economic performance has been encouraging. G.V.A. (Gross Value Added) growth was stronger than expected in 2015 and employment is at an all-time high in the private sector, while employment in the public sector is down 350. Employment in the private sector is up 1,600 and in the finance sector it is up 190. Members, on balance, decided not to approve the proposed health charge. By 2019, this leaves a funding gap of £15 million per year. As I said earlier, Ministers remain committed to the important investment in health and social care, as outlined in the plan, but we are also committed to ensuring we can afford the investment and do not undermine our progression towards sustainable finances, so we are considering how to achieve this planned investment in a sustainable, affordable way. We plan to take time to explore the options for replacing ongoing States income, as this will not be a quick fix. We will engage with Scrutiny and States Members as we develop these options and will be issuing invitations to a number of workshops in the New Year. In the short term, we will also need to manage the £5 million shortfall in Health's 2017 cash limit and we are proposing first to look at underspends in 2016. Indications are that savings are ahead of target and some of the resulting underspends could be given to Health in 2016. We will then work with all departments to develop more sustainable options for 2018 and 2019. We do understand concerns about the change in the balance of taxation in recent years. While we strongly believe that the Zero/Ten corporate tax regime is essential to Jersey's prosperity, we have listened to those concerns and are reviewing various aspects of the personal taxation system. The Taxes Office is currently reviewing the tax regime for high-value residents introduced in 2011 to see whether it is achieving its aims. The Statistics Unit is reconciling the population figures with the Taxes Office records of the number of taxpayers. The Taxes Office is also collecting more information on companies taxed at zero per cent. We will analyse the impact of immigration on public finances, investigate the tax gap and review the model used to forecast personal income tax. This is a significant amount of work and it will need to be carefully considered before any alternative proposals are brought forward. Jersey needs to remain competitive and certainty and stability are essential for our healthy economy. We want a system to be fair to Islanders as well as competitive for our economy and 44 per cent of Jersey's economy comes directly from an industry that thrives because of our position in a highly-competitive arena and many other business sectors also benefit from activity in financial services. We have just published some detailed tax data in response to a question from Deputy Le Fondré. It shows the combined impact of the various changes that have been made to our taxation system since 2005. Broadly speaking, the data shows that the higher earners in our community are paying more income tax now than they did in 2005, while the lower earners are paying less and are receiving more in benefits. Generous income tax thresholds have protected people on lower incomes from paying any income tax and have reduced the tax paid by middle earners. Our income tax threshold for a single person is more than £14,000. That compares to £10,000 in Guernsey and £10,600 in the United Kingdom. This exempts lower earners from paying income tax and the long-term care charge and it reduces the amount paid by those on the marginal rate of tax. About 30 per cent of Islanders do not pay any income tax. Of those that do, most are on the marginal rate and the vast majority pay much less than 20 per cent of their income in income tax. In fact, the average rate of income tax is closer to 13 per cent. All the

data gathered will inform work by the Treasury and Taxes Office to develop sustainable revenue-raising measures as a potential alternative to the health charge. This work will involve engagement with States Members and Scrutiny through workshops and briefings and will culminate in measures proposed as part of Budget 2018. I am grateful that Members supported the 3-year spending plan. Departments are now getting on with work that will improve the lives of Islanders. As I have said, Ministers will now reflect on the views expressed by Members during the debate and will hold workshops to draw on those views in developing ways to fund the growing cost of health care. We will continue to draw on the expert independent economic advice as the local and global outlook changes and we will ensure we maintain enough flexibility in our plans to respond to change. There will be another update of F.P.P. economic assumptions and States income forecasts next spring before any proposals are finalised.

The Deputy Bailiff:

There is now a period of 15 minutes in which questions can be put to the Chief Minister on his statement.

9.1.1 Deputy J.M. Maçon:

Where the Chief Minister in his statement starts comparing the income tax rates between different jurisdictions, would it not be helpful that within that same comparison that the cost of living is included, because otherwise those figures do not really have the full meaning behind them?

Senator I.J. Gorst:

That information is already available and I see no reason why a refresher of that information to Members cannot be provided at the same time.

9.1.2 Deputy R. Labey:

Could the Chief Minister tell us exactly how well the Common Investment Fund has performed this year and has there been a Brexit bonus factor and could he put a figure on it?

Senator I.J. Gorst:

The Minister for Social Security, as Ministers for Social Security are, was cautious in her explanation of how her £1.3 billion Social Security Reserve Fund has performed post the Brexit decision, but I think her fund has put on something like £250 million in value. I understand that the latest figure from the Strategic Reserve, which is not quite as healthy as the Minister for Social Security's pension fund, has put on at least £150 million. Of course we know what is happening with the value of the pound, we know what is happening with the exchange rate and that means that our reserves are in an even more healthy position than they were prior to the E.U. decision and the market turbulence.

9.1.3 Deputy G.P. Southern:

I note that the Minister talked about personal taxation being, on average, around 13 per cent. Does he have the equivalent figure for company tax on the Island?

Senator I.J. Gorst:

I do not have that with me. This was a statement about the M.T.F.P. but I am sure that if those figures are available ... and not all of them are, which is why the Treasury and Taxes Department is undertaking further work to analyse those numbers so that we can have them in the future.

9.1.4 Deputy S.M. Wickenden:

On the eighth paragraph of the Chief Minister's statement, he states there will be a funding gap by 2019. While income projects have already been revised upwards and economic growth figures in

2016 are double that which the Fiscal Policy Panel projected - and last week we saw statistics that recorded record employment figures in Jersey, far exceeding the expectations - is the Chief Minister confident in his statement that there will be a funding gap?

Senator I.J. Gorst:

What we are talking about here is a budgeted projection based on a forecast. The Deputy will know that the economy has performed better than the forecast for 2015, so we might expect to see an improved income position based on that forecast. But the Treasury quite clearly have been prudent and have been cautious, and we said this during the M.T.F.P. debate, but based on that, based on a record number of people in work, based on those people paying tax and contributing to the Exchequer, I think we can look at those numbers and think that the projection was cautious, but we may see an improved income line because of that economic underlying data. I hope that that is the case.

9.1.5 Deputy J.A. Martin:

Yes, on the last paragraph, first page, the Chief Minister talks about plugging the shortfall with underspends, indicating that some savings are ahead of target in some departments. Could he state which departments and also can he assure us that these savings on underspends are not vacancy rates?

Senator I.J. Gorst:

During the course of the M.T.F.P. debate, we were quite clear that some of the underspends and some of the savings were on vacancy rates, because that is what we are asking departments to do. What we said to Members, and in response to the Corporate Services Scrutiny Panel, is you cannot count them twice. Let us count them once, let us bank the savings, let us give their headcount back and let us make sure that we are delivering services more efficiently and more effectively into the future. We have not yet seen the third quarter numbers, but my understanding is from the preliminary work that the Treasury Department is undertaking that there will be underspends and that some of those underspends, once we have reviewed them, once we have looked at the work that individual departments are doing, will be available to help Health during 2017.

9.1.6 Deputy J.A. Martin:

Sorry, is the Chief Minister not counting these vacancies twice, not myself and not the rest of the States Members? You cannot have it both ways. Does he not agree?

Senator I.J. Gorst:

Sorry, I did not hear the opening question. We are not counting twice. It is extremely important that we do not count twice. Budgeting is an inexact science. I have said many, many times, as much as we accountants might like to budget, the fundamentally important position is what we are spending.

9.1.7 Deputy M. Tadier:

On the sixth paragraph on the second page of the statement, the Chief Minister said: "The data shows that the higher earners in our community are paying more tax since 2005 and the lower earners are paying less, receiving more in benefits." Is this not just another way of saying what the Income Distribution Survey has already told us, that the gap between the rich and poor is growing, and that it shows that the Chief Minister and his ministerial colleagues have failed in their attempts to have a fair and equitable society when it comes to those aims?

Senator I.J. Gorst:

I ask the Deputy to look at the answers in the written answers today and then reconsider whether the premise of his question is accurate or not. He knows that what the Income Distribution Survey told us was that the effect of housing costs and the interest rate environment meant that that differential had grown. Previously, of course, it had slightly narrowed. That is a good thing. We want to see it narrowing, but we have got to understand what is driving those numbers. When he looks at the answer to the very, very detailed question, he will see the information provided in that paragraph is accurate.

[12:45]

9.1.8 Deputy M. Tadier:

A supplementary, Sir. The facts speak for themselves: it is that the gap between the rich and the poor has got higher and it has happened over the last 10 years, during which time coincides with the Chief Minister's presence in this Assembly and many of his senatorial and ministerial colleagues.

The Deputy Bailiff:

Could we have a question, please, Deputy?

Deputy M. Tadier:

The question is when he talks about supposedly generous thresholds of £14,000 for individuals, does he accept that this does not take into account the very high rents that people are paying and that whether you own your own home and have inherited your property, pay no rent whatsoever, no mortgage, or whether you are paying very high rents, that £14,000 threshold is exactly the same. Perhaps it needs to be based on disposable income rather than anything else.

Senator I.J. Gorst:

It seems to me to be a case when the facts prove somewhat incorrect we will move the argument on to another particular ground. It is quite clear from the answer to those questions that as a rule of thumb those earning - and there is lots of detail in there so Members will need to review it and then they can see clearly - around £50,000, less than, they have benefited from the tax changes that we have made from increasing thresholds. You see there that comparison. It is a very generous threshold and they have benefited from the changing benefits. The issue of the cost of housing is a separate issue and it is an issue that the Minister for Housing is addressing with various schemes to encourage people into home ownership. It is an issue that is being considered by the Minister for Treasury and Resources as well and we might hear more about that in the near future. It is quite clear what the evidence says.

9.1.9 Senator S.C. Ferguson:

I am so pleased to see so many of the queries I have raised in the M.T.F.P. being included in this. Would the Chief Minister like to say whether the work is going to be done internally or will he be using external advisers?

Senator I.J. Gorst:

I would like to say I am surprised at the Senator's question but perhaps I am not because she knows that during at least 2 meetings that the Minister for Treasury and Resources and I had with her the basis of us suggesting that this approach was the best approach was that this work was either already being undertaken or we were proposing to undertake it, so it should come as no surprise to her. It will be a combination of internal and external.

9.1.10 Deputy M.R. Higgins:

I would like to refer to paragraph 3 from the end of page 2. It says: "About 30 per cent of Islanders do not pay income tax." Can the Chief Minister tell me how many do not earn enough because they are some of the 12 per cent of Islanders who are on zero-hour contracts, which is counter to the policy of achieving economic growth? The biggest generator of economic growth is consumer spending and people on zero-hour contracts have very little to spend and absolutely no certainty of income.

Senator I.J. Gorst:

The rate of pay and the certainty of income are 2 separate things and the Deputy absolutely knows that. People can be earning considerable amounts of money and be on zero-hour contracts. There is not a correlation between them and he absolutely knows that.

9.1.11 Deputy A.D. Lewis:

Could the Chief Minister advise whether he feels sufficient enough work was done before proposing a health charge? On page 117 of the M.T.F.P. it only gives one alternative to the health charge, which is raising G.S.T. (Goods and Services Tax). This piece of work that he refers to in paragraph 4 on page 2 where he says: "There is a significant amount of work that will need to be done to carefully consider before any alternative proposals are brought forward," is he saying that he needs the whole of 2017 to do that to propose some alternatives and why did he not do that before putting it into the M.T.F.P. from the taxes we already have in place? Why was a proposal other than the G.S.T. not one option and the one option of health charge proposed? Why were other things not done in the lead-up to the M.T.F.P.?

Senator I.J. Gorst:

A number of pieces of work were done. The Council of Ministers considered on a number of occasions what was a suitable approach to take. I do not want to rehearse the answers that I gave earlier in this session. On balance, this Assembly decided that that approach was not one that they wished to support 2 weeks ago. Ministers respond to that democratic decision and say, okay, if Members did not want to make that decision in principle 2 weeks ago, we do now have a number of pieces of work being undertaken and it seems sensible to us, perhaps in light of some of my responses to Deputy Wickenden, perhaps in light of some of the issues that Members raised, that we take a bit more time now. We consider the work that is being undertaken but we do, be in no doubt, Members of this Assembly, need to have a sustainable funding mechanism for health into the medium and long term. That is non-negotiable.

9.1.12 The Deputy of Grouville:

Is this analysis, review of model and forecast the Chief Minister is proposing tantamount to a root and branch review of our tax system and, if not, why not?

Senator I.J. Gorst:

Nor do I want to rehash the argument that we had a fortnight ago on that particular issue. There are extremely important reasons why we have Zero/Ten and we will be undertaking work to re-explain what Zero/Ten is about. It is about making sure that there is not an extra layer of taxation applied in this jurisdiction. Tax is paid where the money is originating. Tax is paid where the money is then invested and delivering benefit to the economies of Europe because of what is happening here. We do not layer another tax on that. We have an open, transparent and co-operative approach to our corporate tax rate, but there are things around the margin. The Deputy knows because she challenged many times the previous Minister for Treasury and Resources. The Treasury Department did a review in 2012 looking at various potential options. All of them they carried out in great detail. There is a small piece of work the Treasury is currently undertaking.

Fundamentally, Zero/Ten is serving this community well. What we are doing is looking at the personal tax regime, as we said, and we will engage Members in that work.

The Deputy Bailiff:

That brings the period of questions to this Minister to an end. Is the adjournment proposed?

LUNCHEON ADJOURNMENT PROPOSED

The Deputy Bailiff:

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

[12:51]

LUNCHEON ADJOURNMENT

[14:20]

PUBLIC BUSINESS - ARRANGEMENT OF PUBLIC BUSINESS FOR THIS MEETING

The Deputy Bailiff:

We now move on to Public Business. The first item of Public Business is an in-committee debate.

Deputy P.D. McLinton:

Sorry, I wonder if I might propose that we move the Higher Education Funding in-committee debate to the end of the Order Paper and ask the Assembly their views on that if possible.

The Deputy Bailiff:

Well, it is open to any Member to propose a movement of any proposition. I think, technically, you would be asking that all the other propositions are moved above the in-committee debate, because it is not a proposition, but the effect is precisely the same. There is a proposition to move this. Is that seconded? **[Seconded]** Does any Member wish to speak on the proposal to move this to the end?

Deputy A.D. Lewis:

If I may, this has been on the agenda now for a couple of weeks. Members of the public are most interested in this. Some may even appear in the public gallery. If we were going to change this, it should have been done a week or so ago. To do it on the hoof right now, I think would be quite discourteous to members of the public, who are expecting it to be debated about now.

Deputy M. Tadier:

I do not want to speak on the merits or not of moving this, just to inform Members that I will be withdrawing for today anyway P.88 so I can consider the comments and amendment from P.P.C. so that will not be on the Order Paper today. It does seem to me that, by the way, we should be able to get around to the in-committee debate this afternoon with the relatively light amount of work on the Order Paper.

The Deputy Bailiff:

Thank you, Deputy. Does anyone else wish to speak on the proposition that the in-committee debate is moved to the end of the Order Paper in the light of Deputy Tadier's confirmation that his proposition will not be proceeding?

Deputy M.J. Norton of St. Brelade:

The reason why I have seconded this is for the very reason that the proposer has put this forward and that is that to have an in-committee discussion, debate, that we would be having it would seem appropriate to have after we have concluded our Public Business where we are making decisions. That is why I will be supporting it.

The Deputy Bailiff:

Does any other Member wish to speak on whether this matter should move to the end of the Order Paper? That has been proposed and seconded. Would the proposer like to respond?

Deputy P.D. McLinton:

Can I just call for the appel, please, and put this to the vote?

The Deputy Bailiff:

Very well, the appel is called for. Any Members not in the Chamber who wish to vote, would they kindly return to their seats? The vote is on whether or not to postpone the first item of Public Business so it appears as the last item of Public Business on the Order Paper today. I ask the Greffier to open the voting.

POUR: 25		CONTRE: 7		ABSTAIN: 1
Senator P.F. Routier		Connétable of St. Lawrence		Deputy R.G. Bryans (H)
Senator A.J.H. Maclean		Connétable of Grouville		
Senator I.J. Gorst		Deputy K.C. Lewis (S)		
Senator P.M. Bailhache		Deputy J.M. Maçon (S)		
Senator A.K.F. Green		Deputy A.D. Lewis (H)		
Senator S.C. Ferguson		Deputy of St. Ouen		
Connétable of St. Mary		Deputy G.J. Truscott (B)		
Connétable of St. Ouen				
Connétable of St. Brelade				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy J.A. Hilton (H)				
Deputy M. Tadier (B)				
Deputy E.J. Noel (L)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Peter				
Deputy S.Y. Mézec (H)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy T.A. McDonald (S)				
Deputy of St. Mary				
Deputy P.D. McLinton (S)				

This matter then moves down the Order Paper to be last on the list.

PUBLIC BUSINESS

10. Draft Income Support (Special Payments) (Christmas Bonus) (Jersey) Regulations 201- (P.84/2016)

The Deputy Bailiff:

We come then to Draft Income Support (Special Payments) (Christmas Bonus) (Jersey) Regulations, lodged by the Minister for Social Security, and I ask the Greffier to read the citation.

The Greffier of the States:

Draft Income Support (Special Payments) (Christmas Bonus) (Jersey) Regulations 201-. The States, in pursuance of Articles 8 and 18 of the Income Support (Jersey) Law 2007, have made the following Regulations.

10.1 Deputy S.J. Pinel (The Minister for Social Security):

Moving quickly on to the Christmas Bonus from pensions, this time last year the States faced significant financial challenges and it was only possible to agree the details of the first year of the M.T.F.P. Jersey's financial outlook has improved over the last 12 months and I am very pleased to report that, in total, an additional million pounds has now been identified to provide targeted benefits to lower income households. In 2015, £200,000 was earmarked to improve the 65-plus health plan. Regulations were approved earlier this year and preparations for the rollout of the revised scheme are now well under way. Today I am very pleased to put forward proposals for a new targeted Christmas Bonus, which will be provided automatically to 4 groups of vulnerable, low income claimants. Alongside this protection for our most vulnerable households, the Medium Term Financial Plan Addition also provides funding for a Christmas Bonus to a broader group of pensioners and for the renewal of a Food Costs Bonus. Taken together, these new measures amount to growth funding of £800,000 of extra support to lower income households on top of the £200,000 already agreed. Turning back to these Regulations, they cover all income support claimants aged 65 or above. The bonus will also be paid to some younger income support claimants. It will be paid to any adult or child who has a significant disability and is also claiming a long-term care benefit at home, or is receiving a personal care component at level 2 or above. Finally, it will be paid to those who care full time for someone with a disability and receive a carer's component. In addition, a Christmas Bonus will be available to people, who do not receive income support because they live in a care home, but they rely on a means-tested, long-term care benefit to support their day-to-day living costs. A bonus will continue to be available at the full value of £84.87. It will be paid in early December to individuals in these groups, who meet the criteria in the preceding November. Individuals do not need to do anything. They will receive this extra payment automatically. The Regulations create a special payment under the Income Support Law to each eligible individual and as such all the existing framework of the Income Support Law applies to the payments. Additional administration costs will be minimal, as the one-off payment at Christmas will be incorporated into existing payment cycles. Up to 2,900 income support claimants will be eligible for this payment. The cost in 2019 is estimated at just over £250,000. I propose the principles.

The Deputy Bailiff:

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

10.1.1 The Connétable of St. Martin:

The proposition troubles me a little bit, probably not for the reasons that some Members may think. This is better than nothing, but is it fair? Is it fair to those who have paid their taxes throughout their life that they will not receive a Christmas Bonus this year? The proposals, as we have heard, only benefit those who fall in the identified groups that we have the proposed Regulations for.

Some may say that is good. Some 5,100 claimants are likely to qualify from over 18,000 I think it is, nearly 19,000, who qualified and received a bonus in 2015. Yes, we all accept that the number will increase and spiral upwards, quickly making it unsustainable. No, I am not speaking because I have reached the magic age either. I know some of you cannot believe it, but I have. If my calculations are correct today and the proposition approved, then just over a quarter of those who received the bonus last year will receive a bonus this year. Or, to put it the other way, 3 in every 4 who received the bonus last year will not receive the bonus this year, but it is not discriminatory. The only reason I am speaking today on the proposition is for those near 14,000 people, who will drop off the list. While accepting that a good number of those would not need a Christmas Bonus, I am quite sure there are many others who fall out of the proposed criteria that would. I have heard many times that it is for that special time of the year. It is all very romantic, but not for those struggling pensioners with a low interest rate that they are relying on to supplement their pensions. Article 3(2)(c), I think it is, allows the bonus to be paid up until July. When we go through the Articles, maybe the Minister will explain if we proceed later, but receiving your Christmas Bonus next July cannot be seen, I do not think, even in the broadest sense of the term as helping at a special time of the year. If these proposals are just aimed at those in the greatest of need, then why not increase the benefits throughout the year instead of just at Christmas? I suppose it is because it is just £1.63 a week. Those that would save that personal sum of money in a little thrift club of their own ready for Christmas? Probably nobody. The Connétables annually find themselves trying to seek a way to collect rates, Parish and, of course, the Island-wide rate, too, from some who cannot budget their income support benefits throughout the year. I looked in the supermarket last night. £1.63 might get me a tin of soup and £1.63 might get me a packet of biscuits, but it would not get me a ready-cooked meal for £4, or a small box of teabags. When I was a child, my mum used to keep separate little envelopes in the lining of a little rug in the bedroom in which she put sums of money each week that would pay for the electric bill and the gas, water, the television licence and for the special Christmas treats. I am not sure that control caution happens much now. Maybe it does. I stand here today and may be reminded again that once before in the Assembly the Connétable of St. Martin said to me: “Bah humbug.”

[14:30]

I hope he was joking. I think the Minister and, indeed, the Chief Minister have been aware of my concerns on this proposition for some time, and I know a member of the public was, because one of my emails got mis-sent to a member of the public, who returned it to me immediately. The Chief Minister corrected me, too. That money was not from my social security payments I have paid throughout my life, since I was an apprentice, but from my taxes, which I have also paid for throughout my working career. Despite not supporting the amendment brought last time, because of the financial situation we faced, I will support the proposition today, because it will assist some, those in need at Christmas time. Yes, I have changed and no bah humbug, but I really have to say sorry today to all those other pensioners, all those who have contributed their taxes throughout their working lives and possibly beyond into retirement, to apologise to them today for telling them that they will not be included in the reversal of last year’s decision and will, therefore, not qualify and probably not in the foreseeable future, if ever again, for a Christmas bonus.

The Deputy Bailiff:

Does any other Member wish to speak on the principles? I call on the Minister to respond.

10.1.2 Deputy S.J. Pinel:

I thank the Connétable for his contribution. Just to make it clear: it is not a reversal of what was debated last year. That was to remove the Christmas Bonus Law, because it was not targeted and was costing £1.6 million a year. This is a completely new approach and we listened to what was

being said and realised that, yes, as the Connétable said, it is a very important time of year, especially for those who do not have a high salary or any work at all necessarily. So, this has been totally directed and targeted, which is what we have always expected to do with bonuses or benefits, to those who need it, who are vulnerable or disabled or both or are carers, which is why we have come forward with this proposition.

The Deputy Bailiff:

Very well, those in favour of adopting the principles kindly show?

Deputy J.A. Martin:

Can we have the appel, please?

The Deputy Bailiff:

The appel is called for. I invite any Members out of the Assembly to return to their seats. I ask the Greffier to open the voting.

POUR: 36		CONTRE: 1		ABSTAIN: 0
Senator P.F. Routier		Connétable of St. Saviour		
Senator A.J.H. Maclean				
Senator I.J. Gorst				
Senator P.M. Bailhache				
Senator A.K.F. Green				
Senator S.C. Ferguson				
Connétable of St. Peter				
Connétable of St. Lawrence				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Brelade				
Connétable of St. Martin				
Connétable of Grouville				
Connétable of St. John				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy J.A. Hilton (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy E.J. Noel (L)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy R.G. Bryans (H)				
Deputy of St. Peter				
Deputy S.Y. Mézec (H)				
Deputy A.D. Lewis (H)				
Deputy of St. Ouen				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				

Deputy T.A. McDonald (S)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy P.D. McLinton (S)				

The Deputy Bailiff:

This is a matter for the Health and Social Security Scrutiny Panel. Chairman, do you wish to scrutinise this?

The Deputy of St. Ouen (Chairman, Health and Social Security Scrutiny Panel):

No, Sir.

The Deputy Bailiff:

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

10.2 Deputy S.J. Pinel:

En bloc, please.

The Deputy Bailiff:

You propose them *en bloc*. Are they seconded *en bloc*? **[Seconded]** Does any Member wish to speak on the regulations? Deputy Tadier.

10.2.1 Deputy M. Tadier:

It is just to speak on Article 3. I do not know if I am reading this right, but it seems strange the way it is worded and perhaps the Solicitor General might be on hand to explain if need be. 3(2) says: "Payment of the Christmas Bonus must be made in the month of December." Then (b) says: "Where reasonably practicable, it must be made before Christmas Day in each such year" and (c) says that: "In any event it must be made before the end of the next July the following year." It seems to me that (c) is extraneous because, of course, to me all of those Articles contain a "must" rather than a "may". I am not sure what the (c) part is doing in that. Could I put that question to the Solicitor General, please?

The Deputy Bailiff:

Solicitor, can you assist?

The Solicitor General:

As I read the draft Regulations, (c) is a long stop. So, yes, the correct payment of the Christmas Bonus must be made in the month of December each year, but then in (b) it says it must be made before Christmas Day in the December of each year. But that is subject to the qualification "where reasonably practicable", and if there is some practical difficulty as regards payment of the Christmas Bonus in December, then there is a long stop that it is to be paid before the end of next July. That is the way I read the draft Regulations.

The Deputy Bailiff:

Very well. Do you wish to continue your speech, Deputy?

Deputy M. Tadier:

Yes. I take that point and I am sure it was not necessarily the Solicitor General who drafted this particular part himself, but it does seem to me that (c) should not be there. If we took (c) out completely, it would make sense. With (c) in there it does not make sense. So in the situation

where the payment was not made for whatever reason in December and it was made in January or February, presumably the recipient would have a right to a complaint to the department under that Article. It seems to me that (c) just muddies the waters in this and I find that strange. That is all I wanted to put on record.

The Deputy Bailiff:

Does any other Member wish to speak on the regulations? I call on the Minister to respond.

10.2.2 Deputy S.J. Pinel:

I think the Solicitor General has done it for me. I am not quite sure that I need to reply to Deputy Tadier. I think he just wants it on record. So I maintain the Regulations.

The Deputy Bailiff:

The Regulations are moved *en bloc*.

Deputy M. Tadier:

May I ask for 3 to be taken separately?

The Deputy Bailiff:

Yes. Very well, Minister, shall we deal with Regulations 1 and 2 first and then come on to 3 separately?

Deputy S.J. Pinel:

Yes, please.

The Deputy Bailiff:

Those Members in favour of adopting Regulations 1 and 2 kindly show. Those against? Regulations 1 and 2 are adopted. We come to Regulation 3. Those Members in favour ...

Deputy M. Tadier:

Can we have the appel, please?

The Deputy Bailiff:

The appel is called for. I invite Members to return to their seats. I ask the Greffier to open the voting. The vote is on whether or not to adopt Regulation 3.

POUR: 32		CONTRE: 3		ABSTAIN: 0
Senator P.F. Routier		Connétable of St. Saviour		
Senator A.J.H. Maclean		Deputy M. Tadier (B)		
Senator I.J. Gorst		Deputy S.Y. Mézec (H)		
Senator P.M. Bailhache				
Senator A.K.F. Green				
Senator S.C. Ferguson				
Connétable of St. Lawrence				
Connétable of St. Ouen				
Connétable of St. Brelade				
Connétable of St. Martin				
Connétable of Grouville				
Connétable of St. John				
Deputy J.A. Martin (H)				
Deputy of Grouville				

Deputy J.A. Hilton (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy K.C. Lewis (S)				
Deputy E.J. Noel (L)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy R.G. Bryans (H)				
Deputy of St. Peter				
Deputy A.D. Lewis (H)				
Deputy of St. Ouen				
Deputy R. Labey (H)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy T.A. McDonald (S)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy P.D. McLinton (S)				

There are now Regulations 4 and 5. Do you wish to take these together, Minister?

Deputy S.J. Pinel:

Together, please.

The Deputy Bailiff:

Those in favour of adopting Regulations 4 and 5 kindly show. Those against? Regulations 4 and 5 are adopted. Do you wish to deal with the matter in Third Reading, Minister?

Deputy S.J. Pinel:

Yes, please.

The Deputy Bailiff:

Is the matter seconded in Third Reading? **[Seconded]** Does any Member wish to speak in Third Reading? If nobody wishes to speak, those Members in favour of adopting the Regulations in Third Reading kindly show.

Deputy M. Tadier:

Can we have the appel, please?

The Deputy Bailiff:

The appel is called for. I invite Members to return to their seats. I ask the Greffier to open the voting.

POUR: 35		CONTRE: 1		ABSTAIN: 0
Senator P.F. Routier		Connétable of St. Saviour		
Senator A.J.H. Maclean				
Senator I.J. Gorst				
Senator P.M. Bailhache				
Senator A.K.F. Green				
Senator S.C. Ferguson				

Connétable of St. Lawrence				
Connétable of St. Ouen				
Connétable of St. Brelade				
Connétable of St. Martin				
Connétable of Grouville				
Connétable of St. John				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy J.A. Hilton (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy E.J. Noel (L)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy R.G. Bryans (H)				
Deputy of St. Peter				
Deputy S.Y. Mézec (H)				
Deputy A.D. Lewis (H)				
Deputy of St. Ouen				
Deputy R. Labey (H)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy T.A. McDonald (S)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy P.D. McLinton (S)				

11. Draft Social Security (Christmas Bonus) (Jersey) Regulations 201- (P.85/2016)

The Deputy Bailiff:

The next item of Public Business is the Draft Social Security (Christmas Bonus) (Jersey) Regulations, lodged by the Minister for Social Security. I ask the Greffier to read the citation.

The Greffier of the States:

Draft Social Security (Christmas Bonus) (Jersey) Regulations 201-. The States, in pursuance of Article 2 of the Social Security (Bonus) (Jersey) Law 2014, have made the following Regulations.

11.1 Deputy S.J. Pinel (The Minister for Social Security):

I thank the Assembly for their support in the last proposition. We have just agreed to provide a Christmas Bonus to vulnerable households that receive income support. These Regulations now extend the Christmas Bonus to additional pensioners. During the discussions earlier this year, when the Island's improved financial position became clear, the Council of Ministers was very keen to consider extending a targeted Christmas Bonus to a broader group of pensioner households. This legislation achieves that aim using a new set of regulations under the Social Security (Bonus) Law. The income support system looks at all the circumstances of a household, the composition of the family, their total income and their total assets. These Regulations in a much simpler form also

look at the overall income and assets of the claimant and the household to identify people who have limited financial resources to draw upon at Christmas. The eligibility conditions for this Christmas Bonus are the same as the eligibility conditions agreed by the Assembly a couple of months ago for the improved 65-plus health scheme. As the target audience for both the 65-plus health scheme and this Christmas Bonus are the same, we will provide a Christmas Bonus this year to everyone who is a member of the existing 65-plus health scheme. This will be done automatically and pensioners do not need to take any action if they are already on what was known as the Westfield 65-plus scheme. During the course of next year, existing claimants will be moved onto the new health scheme and at that time will be asked to confirm if they wish to receive a Christmas Bonus going forward. We are aware that not all pensioners, who are eligible for the 65-plus scheme, are members of the scheme. We will be writing to all pensioners aged over 65 to remind them about it and encourage them to join. If they join before November, they will get help with their health costs and will also receive a Christmas Bonus this year. New applicants will also be able to request a Christmas Bonus from next year onwards. Once an individual has made an application, they will automatically receive bonuses in future years, unless their circumstances change. This will minimise the cost of administration. I propose the principles.

The Deputy Bailiff:

Are the principles seconded? [**Seconded**] Does any Member wish to speak on the principles? All those in favour of adopting the principles kindly show. Those against? The principles are adopted. Again, this is a matter for your panel, Deputy. Do you wish to ...?

The Deputy of St. Ouen (Chairman, Health and Social Security Scrutiny Panel):

No, Sir.

The Deputy Bailiff:

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

Deputy S.J. Pinel:

I propose the Regulations *en bloc*, please.

The Deputy Bailiff:

Are the Regulations seconded? [**Seconded**] Does any Member wish to speak on the Regulations in Second Reading? All those in favour of adopting the Regulations ...

Deputy M. Tadier:

Could I ask for 5 to be taken separately, please?

The Deputy Bailiff:

Yes, very well. Do you wish to take 1 to 4 then, Minister, and then we will take 5?

Deputy S.J. Pinel:

Yes, please.

The Deputy Bailiff:

Very well, the vote is those in favour of adopting Regulations 1 to 4 inclusive kindly show. Those against? Regulations 1 to 4 are adopted. Those in favour of adopting Regulation 5 kindly show.

Deputy M. Tadier:

Can we have the appel, please?

The Deputy Bailiff:

The appel is called for. I invite Members to return to their seats. I ask the Greffier to open the voting.

POUR: 34		CONTRE: 2		ABSTAIN: 0
Senator P.F. Routier		Deputy M. Tadier (B)		
Senator A.J.H. Maclean		Deputy S.Y. Mézec (H)		
Senator I.J. Gorst				
Senator P.M. Bailhache				
Senator A.K.F. Green				
Senator S.C. Ferguson				
Connétable of St. Peter				
Connétable of St. Lawrence				
Connétable of St. Ouen				
Connétable of St. Brelade				
Connétable of St. Martin				
Connétable of St. Saviour				
Connétable of Grouville				
Connétable of St. John				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy J.A. Hilton (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy K.C. Lewis (S)				
Deputy E.J. Noel (L)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy R.G. Bryans (H)				
Deputy of St. Peter				
Deputy A.D. Lewis (H)				
Deputy of St. Ouen				
Deputy R. Labey (H)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy T.A. McDonald (S)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy P.D. McLinton (S)				

The Deputy Bailiff:

Do you wish to take 6 to 10 inclusive?

Deputy S.J. Pinel:

Yes, please.

The Deputy Bailiff:

Very well, those Members in favour of adopting Regulations 6 to 10 inclusive kindly show. Those against? Regulations 6 to 10 are adopted. Do you propose the matter in Third Reading, Minister?

Deputy S.J. Pinel:

Yes, please.

The Deputy Bailiff:

Is the matter seconded in Third Reading? **[Seconded]** Those Members in favour of adopting the matter in Third Reading kindly show. Those against? The matter is adopted in Third Reading.

12. Draft Food Costs Bonus (Jersey) Regulations 201- (P.83/2016)

The Deputy Bailiff:

We now move to the Draft Food Costs Bonus (Jersey) Regulations, also lodged by the Minister for Social Security, and I ask the Greffier to read the citation.

The Greffier of the States:

Draft Food Costs Bonus (Jersey) Regulations 201-. The States, in pursuance of the Order in Council dated 28th March 1771 and the Order of Council made on 14th April 1884, have made the following Regulations.

12.1 Deputy S.J. Pinel (The Minister for Social Security):

Triennial regulations have been used a number of times to provide an annual G.S.T. bonus and more recently a Food Costs Bonus. The 2016 payment of the Food Costs Bonus was made over the summer and that was the last payment covered by the current regulations. It was not possible to identify funding for a renewal of the Food Costs Bonus last year, but that funding has now been identified and the Medium Term Financial Plan Addition, that we agreed at the last sitting, included a growth bid to maintain the payment of the Food Costs Bonus for the last 3 years of this Medium Term Financial Plan. Under these new triennial regulations, the eligibility of the scheme will remain unaltered. Households, who do not receive income support but do not pay income tax, can claim as long as they satisfy a 5-year residency condition. The bonus will continue to be paid at the current level of £226.95 per household, at a total cost estimated in 2019 at £364,000. With some very minor drafting amendments, the Regulations remain the same as the previous set of Regulations approved by the Assembly. I will be glad to answer any questions and I propose the principles.

The Deputy Bailiff:

Are the principles seconded? **[Seconded]** Does any Member ... Deputy Martin.

12.1.1 Deputy J.A. Martin:

On the last 2 and as it has always been, the Minister said nobody needs to do anything. Again, this is my concern. I think the uptake is getting larger, but on page 4 it says: "This allows for up to 1,600 households to receive a bonus of £226.95."

[14:45]

On the previous page it says: "During 2015, just under 1,300 bonuses were paid at a cost of £291,000" which is still quite a few households not filling in the form. I would like to be reassured that the Minister is looking at bringing in these Regulations as they are in the others that we have just passed, having to do nothing, just knowing you are in that bracket and you will get your cheque for £226.95 every year, as this was what it was meant for. It is the G.S.T. on the food. This is what we brought it in for. As I say, I hope that we will get to a point where people do not have to fill in forms as the Minister knows exactly how many people there are, because it is in her report.

12.1.2 Deputy J.A.N. Le Fondré:

Almost in a similar vein - because I certainly agree with the point when it was originally introduced I think the objective was that it would be eventually automatic - what I wanted to really stress, and I hope the Chief Minister will take note as well, the whole point of this - and it is a slightly messy solution but it is one that works - was to give a measure of protection to those people who could not be protected by other means in relation to G.S.T. on food. That was the will of the Assembly at the time. Otherwise, you were going to get into having to exempt food. This was the solution, so what I was really concerned about is the phrase: "This is to provide for one further renewal of the Food Costs Bonus Regulations", because it implies that that is it, it is going to be going. The reason these people could not be helped by another method was because they do not get income support - income support, as I recall, was adjusted for G.S.T. at the time - and because they do not pay tax - tax allowances and all the rest were also adjusted for G.S.T., particularly on food and things like that at the time - if you were in that bracket where you did not get income support but you did not pay tax, you would, unless this was in place, be charged G.S.T. on your food and you could not be compensated elsewhere. So, the whole point of this measure was to protect those individuals. If one then starts getting into the argument: "I know it is a bit inconvenient for the department, it is a bit messy," *et cetera*, and we start going down the lines of removing this, which is what this implies, the unintended consequence in 3 years' time potentially will be reopening the whole debate on food exemptions and potentially costing us £1 million a year at least. So the point I would like to make to the Council of Ministers is, surely, they should not be scratching around in carry forwards to sort this out and that by the time that this thing finishes, particularly, perhaps as part of the tax review or whatever, they will hopefully have a permanent solution in place properly funded.

12.1.3 The Deputy of St. Ouen:

I believe there will be a group of people who will be slightly above the income tax threshold and have a very minimal tax liability, but will not be eligible for this Food Costs Bonus. They will find that those, who are slightly under the tax threshold, will suddenly be receiving a bonus and, therefore, they will find that those, who are not paying tax, will jump above them. There seems to be a bit of inequity in that situation and I wonder if the Minister has taken any steps to investigate tapering this benefit, so that it might equally apply to those who are just that bit over the income tax threshold.

12.1.4 Senator I.J. Gorst:

I just wanted to follow on from Deputy Le Fondré, particularly in light of the Deputy of St. Ouen's comments. Deputy Le Fondré will recall that the Minister said it was a growth funding bid, so it has gone into the bottom line now and this Regulation just keeps it in place for that period of time. Whoever is the Minister in future will need to bring forward regulations to give the money, but it has gone into Social Security's bottom line, so it is there much more permanently. To the Deputy of St. Ouen, I would simply resay what Deputy Le Fondré said. This is a continuation of a benefit that was put in place when G.S.T. was first introduced. The income tax thresholds were uprated at that time to offset the effect of the introduction of G.S.T. We already uprated income support twice for the benefit of G.S.T. If we were to follow the Deputy of St. Ouen's suggestion, we would be giving it twice, 3 times, 4 times, for a one-off effect on people's pockets. So, it has already been factored into the existing system and this simply continues the benefit that was agreed back in 2007, I think it was, maybe 2008. So the Deputy of St. Ouen does not need to be concerned about the issue that he just raised, because it was addressed at the start of G.S.T.

12.1.5 Deputy M. Tadier:

Following on from the Deputy of St. Ouen, who is also the Chairman of the Social Security Scrutiny Panel, I think those concerns are valid and if we tie them in with the previous comments

that were made by Deputy Le Fondré I think many of us, who have stood either more recently, or in the past and were here at the time of the introduction of G.S.T., stood on a platform that it was fundamentally wrong to tax life essentials, including food. Not everyone did that, but a lot of people in sufficient numbers did that, and they said they did not necessarily have a problem with G.S.T. but it certainly should not go on things like learning materials, clothes, and certainly should not go on basic raw foodstuffs. I think that is where the thrust was coming to. It is trying to find some compromise for that position when faced with a system of lots of exemptions, which was perceived or presented to be overly complicated to run. With that in mind, if it is wrong to tax life essentials ... and let us quote one of the current Ministers. A quick Google search shows a BBC Jersey article from 9th December 2010 where it said, in his summing up, then Deputy Andrew Green said G.S.T. was regressive and morally wrong. He said: "Even if you think that we are making things complicated, I do not think we are, compared to other things that we passed. The principle is very simple." So, I think going forward, if I may be allowed to say that, I hope that the scheme is kept on, but it seems strange to me that we might be scrabbling round for potential revenue funds to maintain this benefit when, of course, the revenue stream is already there. It is called G.S.T. It is what these people are paying on their food. It is what we are all paying and that is the revenue stream from which it should be coming. It is not going to go anywhere and, indeed, if certain Ministers had their way, as was the case in 2010, they would be trying to put G.S.T. up. So, I think we have to remember that, but it seems to me that the best way to implement that system, perhaps in the future, is to say that everybody who buys food in the Island should be entitled to get that G.S.T. refunded, so just have a completely non-means-tested way of doing it. If you do the sums, the £226.95 is basically based on an average spend of some £4,500. That is what is calculated for the spend of G.S.T. that is due to be reimbursed to that very small group of people who fall between income support and paying income tax. But, quite rightly, there are many people in our society who are struggling with general high costs of living, not specifically food, but food is obviously a part of that and it is also a part which is completely essential. It is not an area which you can do without. You can, perhaps, buy cheaper foodstuffs with high sugar content, high fat content, high salt content, and that may bring the cost of those foods down. It is not simply people at the bottom end, although it is definitely those individuals, not only those people in receipt of this bonus, but many more people who could receive that benefit. So food for thought, I think, in the future. Is it simply just to give everybody a food bonus because, at the end of the day, everybody who is resident is paying G.S.T. on food and might be in a position to appreciate that recompense for it?

12.1.6 Deputy G.P. Southern:

How well, unfortunately, I remember the original debate on G.S.T. when, I am afraid to say, the Jaffa cake won. My Chairman, the Chairman of the Health and Social Services Scrutiny Panel, pointed out one of the facts about any form of means testing. If you introduce means testing for a benefit, then there is always a group, just above that means test, who will not qualify. That is what happens when you introduce means testing. It is inevitable, as night follows day. The fact is we decided to introduce a thoroughly regressive tax back then, which affected the poorest most. To salve our conscience, we decided we had better give some of that money back and that is what we are doing here, and merely that. It follows that if you are going to introduce a tax like that, somewhere along the line you have to compensate some people for it. There is nothing more to say about that.

12.1.7 The Deputy of Grouville:

In a similar vein to previous speakers and the Constable of St. Martin's sentiments in an earlier debate, I feel again we are targeting those just above, those who do not pay tax and, as we learn, those with 5-year residency who do not pay tax. What about those, who have lived and worked in

Jersey all of their lives, who do pay tax, who do pay their dues? They might not be wealthy, they might be on the marginal tax rate and they are receiving very little and they expect to receive very little, especially single households. They struggle to pay bills and I just feel that a tapered support of some description ... I still disagree with taxing food basics and, in actual fact, I was having a conversation last night with the Minister for Economic Development about agriculture and how to help our farmers, many of whom are struggling with the potato crop. Why can we not see our fields put to better use the rest of the time? But they are competing against the import of vegetables, mass produced and all the rest of it. In our tax review, call it what you will, why not look at our locally grown produce, our tax, and helping people just above the rate, helping the farmers? I think this needs to be taken into account with the Minister for Economic Development and with this tax review. It is all in the round and we should be helping more people, not just those on low income support, people that have been here all of their lives and have paid tax and are still struggling.

12.1.8 Senator P.F. Routier:

This debate brings back lots of memories for me. Certainly, when we were having the G.S.T. debate, at that time the Minister for Treasury and Resources and the Minister for Social Security, at the time, identified that there was a need to plug this gap. The Minister for Social Security, at that time, was myself. We recognised that the people, who are on income support, were going to be protected by having an increased rate to cover the cost of the G.S.T. on their food, which was put in place. It was also recognised that the income tax payers had their threshold increased, as well, to cover the cost of the G.S.T. on food. This group in the middle at one stage were being missed out, so it was agreed that this Food Costs Bonus would be introduced. So, all bases were covered to ensure that the principle of having a low, flat rate G.S.T. could be maintained. It was a long debate about whether food should be included within the G.S.T. parameters and it was decided by this Assembly that it was far better to have a low, low rate, as low as we could possibly have, for the introduction of G.S.T., but that would go on food as well. But everybody was going to be protected in another way, so that we were able to maintain that. I find these sort of debates are sometimes quite depressing, because we always seem to make a meal out of something that is really good. We are replacing something, which has been around for a while and it is ... we are protecting people. We have made it a struggle; there have been some real negative comments about the previous debates about reintroducing the Christmas Bonus. We should be singing about them to say that we are doing something positive; we are introducing the Food Cost Bonus, we are bringing back the Christmas Bonus and we should be fully behind those things and congratulate the Minister for Social Security for doing that.

[15:00]

The Deputy Bailiff:

Does any other Member wish to speak upon the principles? I call upon the Minister to respond.

12.1.9 Deputy S.J. Pinel:

I thank the Members for their comments. The original Food Costs Bonus, when it was introduced, was set at £75 for a full year based on a 3 per cent G.S.T. rate, and when the rate increased in 2011 to 5 per cent it was agreed, then, to provide the bonus for a further 3 years, reflecting the higher rate of G.S.T. By that time it also incorporated an additional payment to reflect the rapid increase in food costs. However, food costs have stabilised since then, there has been little inflation in food prices, so that is one of the reasons for proposing this, and I thank Senator Routier, because this should be a good news story inasmuch as putting in a growth bid, which has been accepted by the Assembly, to carry on this for another 3 years. Very briefly, in answer to Deputy Martin's question: yes, people will have to apply for it, it is an annual payment and circumstances change so

quickly within households that applications will have to be made for it. Deputy Le Fondré, it is a triennial regulation and it will come up again at the end of this Medium Term Financial Plan as to whether it is renewed again. That is the way we are doing it as just reiterating the triennial regulation. Deputy Renouf, a threshold, there has always got to be a threshold when things are means tested, there has got to be a level set, above which some people lose out, below which some people gain; I am afraid that is the way the system works. Deputy Tadier questioned, I think, the 226 figure based on 4,000. There is also the comparison of the income tax thresholds, which are very different if you look at our sister isle, the closest jurisdiction, the income tax threshold in Guernsey is £10,000, here it is £14,000, so considerably more generous. I think Deputy Southern also mentioned the threshold of means testing and that is the way the income support system works. I thank the Chief Minister and Senator Routier for their comments and targeting those of 5 years, who have paid into the system, I think is totally appropriate. So I maintain the principles.

Deputy J.A.N. Le Fondré:

Point of clarification.

The Deputy Bailiff:

On the speech of the Minister?

Deputy J.A.N. Le Fondré:

Yes, Sir. Only because the Minister ... I am still slightly confused. I was not and then she has just confused me again. So, these triennial regulations, although the report refers to one further renewal of food costs, which implies this is the last one, that is my interpretation, for one further renewal of the Food Costs Bonus Regulations. Could the Minister just confirm that either she, because I presume it will be done in the time before 2018, will be introducing further triennial regulations, or the department will be required to bring in normal regulations that do not have to be renewed every 3 years? Is that where we are or is it this is it, this is the last time?

Deputy S.J. Pinel:

This is a renewal of the triennial regulations which will take us to 2019, the end of this Medium Term Financial Plan, by which time we will be back to exactly where we are at this moment if the renewal of the triennial regulations wishes to go on.

The Deputy Bailiff:

Very well. All those in favour of adopting the principles kindly show?

Deputy J.A.N. Le Fondré:

The appel, Sir.

The Deputy Bailiff:

The appel is called for. I invite Members to return to their seats. I ask the Greffier to open the voting.

POUR: 37		CONTRE: 0		ABSTAIN: 0
Senator P.F. Routier				
Senator A.J.H. Maclean				
Senator I.J. Gorst				
Senator P.M. Bailhache				
Senator A.K.F. Green				
Senator S.C. Ferguson				
Connétable of St. Peter				
Connétable of St. Lawrence				

Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Brelade				
Connétable of St. Martin				
Connétable of St. Saviour				
Connétable of Grouville				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy J.A. Hilton (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy E.J. Noel (L)				
Deputy of St. John				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Peter				
Deputy S.Y. Mézec (H)				
Deputy A.D. Lewis (H)				
Deputy of St. Ouen				
Deputy R. Labey (H)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy T.A. McDonald (S)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy P.D. McLinton (S)				

The Deputy Bailiff:

Chairman, this, again, is a matter for your Scrutiny Panel, do you wish to scrutinise it?

The Deputy of St. Ouen (Chairman, Health and Social Security Scrutiny Panel):

No, Sir.

The Deputy Bailiff:

Very well. How do you wish to deal with the Regulations, Minister?

Deputy S.J. Pinel:

I will take them *en bloc*, please, Sir.

The Deputy Bailiff:

Very well. Are the Regulations seconded? **[Seconded]** Does any Member wish to speak on the Regulations? Could you reset the vote, please? Thank you. Does any Member wish to speak on the Regulations? Those in favour of adopting the Regulations kindly show. Those against? The Regulations are adopted. Do you wish to propose the matter in Third Readings?

Deputy S.J. Pinel:

Yes, please, Sir.

The Deputy Bailiff:

Is there a seconder in Third Reading? **[Seconded]** Those Members in favour of adopting the regulations in Third Reading kindly show. I am sorry, that was well under half of the people who managed to stand up. **[Laughter]** Those in favour of adopting the Regulations kindly show. Thank you very much. Those against? The Regulations are adopted. Very well.

13. Draft Price Indicators (Amendment No. 2) (Jersey) Regulations 201- (P.81/2016)

The Deputy Bailiff:

We now come to the Draft Price Indicators (Amendment No. 2) (Jersey) Regulations lodged by the Minister for Economic Development, Tourism Sport and Culture, and I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Price Indicators (Amendment No. 2) (Jersey) Regulations 201-. The States, in pursuance of Article 2 of the Price and Charge Indicators (Jersey) Law 2008, have made the following Regulations.

13.1 Deputy M.J. Norton (Assistant Minister for Economic Development, Tourism Sport and Culture - rapporteur):

This is very much a case of tidying up anomalies where digital has caught up with analogue. I think it might be helpful for some Members if I just give you a very brief outline of the Regulations and the background. Some Members may recall that the States approved the Price and Charge Indicators (Jersey) Law on 7th November back in 2008. The law enables the States to make Regulations requiring the price of goods, or the charge of services, to be indicated where they are offered for sale. The Price Indicators (Jersey) Regulations were introduced under this law giving uniformity and certainty in the way in which retailers must indicate the price of goods. The Regulations support the fundamental principle of what you see is what you pay. Members may also recall there were a number of exceptions, where slightly different rules applied. A number of goods, principally food and books and newspapers and periodicals are marked before being imported into Jersey. Many of these are zero U.K. V.A.T. (Value Added Tax) rated and, therefore, priced on that basis. It is clearly impractical and uneconomical for retailers to have to reprice each individual good that include our flat rate G.S.T. Members, who shop often, will therefore be familiar with notices alongside the goods bringing to their attention that a percentage, or an amount, will be added at the till to determine the final selling price inclusive of the V.A.T. These rules, as they are, which only apply to excepted goods, have been in place since the introduction of G.S.T. and have proved a sensible and practical solution for our community of shoppers. The first amendment seeks to extend the scope of these exceptions to allow for the digital importation of books, newspapers and periodicals. This digital content can then be printed on Island, and as many Members will be aware that is happening now with our national newspapers in its original format, allowing the retailers to continue using these rules and, therefore, maintaining their current pricing practice and not incurring additional costs to the business through editorial amendments. The second amendment introduces an additional option to indicate the selling price of excepted goods. This has become a common practice to display the selling price, G.S.T. inclusive, of excepted goods on the shelf edge label with a small notice indicating the price charged is the price on the shelf and not the price on the pack. The rule was inadvertently not accommodated for in the existing regulations, which only allows for additional amounts, or a percentage, to be displayed. Most retailers prefer to display the inclusive selling price alongside the excepted goods which makes it easier for consumers to make an informed choice as they can see the G.S.T. inclusive

price, rather than having to calculate it themselves; it is easier for retailers to check the price charged at the till corresponds with the displayed price that they saw, and it is more closely aligned to that principle of what you see is what you pay. These 2 amendments to the Regulations, I believe, strike the right balance, as they provide an appropriate level of consumer protection, informing consumers while addressing the very real needs and concerns of the business, and I would like to take the opportunity to thank the Trading Standards officers for their work in bringing this to our attention and making these amendments. That is why I conclude that I am confident these amendments to the Regulations best meet the needs of our community. I hope that Members will agree to support them, they are a tidying up method of the Regulations and I do move to the preamble.

The Deputy Bailiff:

Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles? All those in favour of adopting the principles kindly show. Those against? The principles are adopted. This is a matter for the Economic Affairs Scrutiny Panel, does your panel wish to scrutinise it?

Deputy S.M. Brée of St. Clement (Chairman, Economic Affairs Scrutiny Panel):

No, Sir, we do not.

The Deputy Bailiff:

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

Deputy M.J. Norton:

I will take the whole lot together, please.

The Deputy Bailiff:

You wish to take them *en bloc*? Are the Regulations seconded? **[Seconded]** Does any Member wish to speak on the Regulations in Second Reading? All those in favour of adopting the Regulations kindly show. Those against? The Regulations are adopted in Second Reading. Do you wish to propose the matter in Third Reading, Assistant Minister?

Deputy M.J. Norton:

Yes, I do, Sir.

The Deputy Bailiff:

Is the matter seconded? **[Seconded]** Does any Member wish to speak in Third Reading? All Members in favour of adopting the Regulations **[Interruption]** ... the appel is called for. I invite Members to return to their seats. I ask the Greffier to open the voting.

POUR: 35		CONTRE: 0		ABSTAIN: 0
Senator P.F. Routier				
Senator I.J. Gorst				
Senator P.M. Bailhache				
Senator A.K.F. Green				
Connétable of St. Clement				
Connétable of St. Peter				
Connétable of St. Lawrence				
Connétable of St. Mary				
Connétable of St. Brelade				
Connétable of St. Martin				
Connétable of St. Saviour				
Connétable of Grouville				

Connétable of St. John				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy J.A. Hilton (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy E.J. Noel (L)				
Deputy of St. John				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Peter				
Deputy S.Y. Mézec (H)				
Deputy A.D. Lewis (H)				
Deputy of St. Ouen				
Deputy R. Labey (H)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy T.A. McDonald (S)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy P.D. McLinton (S)				

The Deputy Bailiff:

Very well, Deputy Tadier has already given notice that the next matter ... are you withdrawing it, Deputy, or are you deferring it?

Deputy M. Tadier:

I would like to defer it just so I can have more time to consider the amendment of P.P.C. and I hope to put it back on the next Order Paper.

14. Draft Prison (Amendment No. 7) (Jersey) Law 201- (P.89/2016)

The Deputy Bailiff:

I am sure the Chairman will have taken note of that in that case. We then come to the Draft Prison (Amendment No. 7) (Jersey) Law lodged by the Minister for Home Affairs and I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Prison (Amendment No. 7) (Jersey) Law 201-. A Law to amend further the Prison (Jersey) Law 1957. The States, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law.

14.1 Deputy K.L. Moore of St. Peter (The Minister for Home Affairs):

This proposed amendment to the Prison Law will provide for changes in 4 main areas. The primary purpose of the amendment is to allow for the establishment of an Independent Prison Monitoring Board, which will replace the current Prison Board of Visitors. This would represent an important step towards ensuring the Island complies with the requirements of the United Nations Optional Protocol on the Convention Against Torture and other Cruel, Inhumane or Degrading Treatment or

Punishment, otherwise known as O.P.C.A.T. I wish, at this stage, to express my appreciation to all the Jurats who, as members of the Prison Board of Visitors, have provided exemplary service over many decades. In particular, I should like to pay tribute to the current Chair and members, not only for their service to the board, but also for the helpful and constructive manner in which they have responded to this recommendation for change. It is simply the case that if Jersey is to comply with the requirements of O.P.C.A.T., and our policy objective to have O.P.C.A.T. extended to the Island, it is not possible that the Jurats continue to serve as members of the Prison Board of Visitors. That is why we are making the recommendation for the establishment of an Independent Prison Monitoring Board. I wish also to thank the Education and Home Affairs Scrutiny Panel, on whose recommendation this proposal for change is being brought forward. Should Members support the draft amendment, Regulations will be brought to the Assembly at a later date, which will establish and specify the functions of the Independent Prison Monitoring Board. Secondly, this draft amendment introduces a new provision, which will allow the Minister for Home Affairs to enter into co-operation schemes with prison services from other jurisdictions. Such provisions already exist for the police and fire services and make allowance for special circumstances when additional resources might be required. Furthermore, the draft amendment introduces a new provision enabling the appointment of a prison chaplain, who is a clergyman of a religious denomination other than the Church of England. Finally, the draft amendment updates provisions relating to the conveying of items into or out of the prison and the associated penalties which have been increased in line with similar penalties elsewhere in the British Isles. The updated penalties have been reviewed by the Attorney General. I move the principles of the draft amendment.

The Deputy Bailiff:

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

[15:15]

14.1.1 The Connétable of St. Martin:

I thought some other Members might want to speak. Although there are a number of amendments and chapters been inserted in the Prison Law since it commenced in 1957, and we even had a different prison then in Newgate Street, which I remember. **[Laughter]** I think this is probably the greatest number of amendments and varied amendments that have probably come in one go. Although the 1957 law has been updated, I think all and every one of them should be welcomed as time moves on and sometimes you wonder if a piece of legislation should be changed completely, starting a new law or updating an old one. If I could just say, I wanted really to speak on 2 issues: the draft amendment gives us the opportunity of a reminder of the excellent work that has been undertaken by the Prison Board of Visitors over a prolonged period. I know the Minister has mentioned that in her opening comments. I think the work undertaken by the Jurats should be acknowledged by this Assembly today; the Minister has thanked them for the excellent work they did and, unfortunately, I read the report again, their last report, which refers to the inmates; and that is not a word I like to use “inmates”, I have looked it up in the dictionary and it is a person who lives in an institution, an inhabitant, a lodger, and it even mentioned an asylum, which is an even worse word. But that was in the dictionary. Every one of the people at La Moye Prison is an individual, many of whom have fallen on hard times for one reason or another. Each and every one serving a sentence will have their own story to tell, their worries and issues about their time at La Moye and they have at least had one avenue to vent those concerns, someone to raise them with, that just happened to be a Jurat. This draft amendment gives me the opportunity to refresh my memory from that 2015 report and look at some of the items: 48 requests by people serving sentences at La Moye, worries about personal possessions, family concerns, deportation orders, health and dental issues, prison issue mattresses, access to legal advice, disciplinary matters, just to name a few. The Chairman of the Board was not backwards in coming forward either in

identifying areas of concern that he, and the Board, had brought to the attention of the Prison Governor. The Board's worries about budget cuts, earlier lockdowns, closely monitoring excessive detention periods prior to trial, concerns on the possible loss of vocational horticultural training facilities and showing their support for continued training and education afforded to those serving sentences. Although some may have thought there was a conflict of interest with the Jurats undertaking the role, I have had every confidence in that role that they have undertaken in the past. The Chairman of the Board of Visitors, himself, was quite clear in that report of the perceived conflict and that being members of the judiciary they should step aside from the role, at some stage in the future as and when required to do so, and they have promised to work together in that transition. This was all in the last report. How gracious a reflection of society's perceived views, but I suppose they are understandable and we have the same at the moment, Sir, with your role in this Assembly and, previously to that, the Connétables' role in this Assembly in passing laws, so we gave up our policing powers. I think today sees the start of the change. The other amendment that surely must be welcomed is Article 6 that amends Article 7 of the Prison Law, and that will be the appointment of a chaplain of a religious denomination other than the Church of England, if necessary, and also allowing for a representative of another denomination to become a chaplain, if they are unable to secure a Church of England minister to take up the post of chaplain. It is ironic that these amendments come to this Assembly during Prisons Week, something that began in England in 1975 and has now spread throughout the U.K. and the Channel Islands and where church communities, many of them of many denominations, outside bodies and agencies are reflecting on those detained in prisons and engaging in discussion with community groups and representatives about matters that concern prisoners, victims of crime and all those who care. What a fitting week to bring this proposition to the Assembly. I welcome all the amendments and thank the Minister for bringing them and will be fully supporting those changes. Thank you.

14.1.2 The Very Reverend R.F. Key, B.A., The Dean of Jersey:

Just in the light of the Constable's remarks, to say how much I welcome the change in the chaplaincy rules, because, in fact, some years ago I wrote a constitution, which has been followed for the last few years at the prison, of a prison chaplaincy board, which consists of the Monsignor of the Roman Catholic Church, the Superintendent of the Methodist Church and myself meeting with the Governor to supervise and to oversee the work of the chaplaincy. Also, using existing Canon law you will find if you visit the prison that the present Anglican chaplain is a Methodist minister and that is a delight, because he is exactly the right person for the job. His gifts and skills are first class; particularly I want to pay tribute to his work in the Vulnerable Prisoners' Unit and the way in which he works with his Roman Catholic colleagues is just first class. There is a particular quirk, as you might imagine, the Church of England is a fairly quirky body, that allows me to enter into a funny thing called a local ecumenical partnership by which I can make a Methodist minister, in this particular case, able to fulfil that function. So what this Regulation does, it seems to me, is to catch the law up with where the practice already is and the Minister and I are working on signing off, for our successors, a memorandum of understanding as to exactly how future appointments would work and how the appointments would be taken forward. But it is always a joy to be able to say how well the denominations in this Island work together. When the fog comes down, the rest of our churches might as well be on Mars, whether Mars is Canterbury or Rome, we are in this together and we delight to work together, and I want to pay tribute to the Minister, as I say, for catching the law up with where the practice is. Thank you.

14.1.3 Deputy J.A. Martin:

I will be brief. I am not sure if Deputy Tadier is going to speak but, in case he is not, I am going to congratulate the Minister on finally getting to where, I think, we should be and given all the comments that the Constable of St. Martin has made, I have never thought it can be right that

somebody who puts somebody in the institution, or the prison, is the person who then goes in to see them to make sure their welfare is okay and everything is tickety-boo. As we see here, as the Minister for Home Affairs has said, if we want to be keeping up with the O.P.C.A.T. and the regulations, we must move with the times and this probably, as again the Constable of St. Martin has said, may be one of the first steps where we have to split the legislature and the judiciary. But this was 2 roles for the judiciary. As I say, you put them in, then you go and make sure they are enjoying their mattresses, basically what the Constable has said. So, I absolutely welcome this, it goes back to the early days of a former Deputy of St. Martin, Deputy Hill, who started questioning this, and some excellent work on the Scrutiny Panel with Deputy Tadier, and we got to this debate and then the then Minister for Home Affairs basically persuaded the House to vote against, for one reason or another. But it has come and I am glad it is here, but I really think we could have introduced this at least 5 or more years ago, so I absolutely commend the Minister for Home Affairs for sticking to her guns, for following through and making this panel totally independent. Thank you.

14.1.4 Deputy S.Y. Mézec:

I will be brief as well. I was the States Member who took a lead in this particular Scrutiny review that we did with the Education and Home Affairs Scrutiny Review which came to one conclusion. It was the only conclusion we could have ever reached, given the evidence that we had before us, which is that the Prison Monitoring Board should be independent and should not include people who had a role within the justice system elsewhere. I think that that principle of separation is a sound one and I am very glad that the Minister for Home Affairs accepted that recommendation and is now putting it into practice. I think that is a sign of the positive contribution that Scrutiny can make when it is prepared to look at these issues and examine the evidence impartially and to have a Minister, who was prepared to listen with an open mind, as well, I think has been a good thing. I think the contributions that we received from members of the public towards our Scrutiny review and from other States Members, including Deputy Tadier, who, it does have to be said, it was his idea for the Scrutiny Panel to look at this in the first place, I think was a very good process. As a more broad point, I think it is important that we, every now and then, be prepared to say that even though we do have many officers and positions in Jersey society, that it is right, every now and then, to take a look at them and say even though they do have a long traditional history that we should be examining whether the roles that they perform in the 21st century are completely appropriate; and on this occasion I think the right decision has been made and I hope that that principle will be extended to other elements of the traditional roles we have in Jersey as well. Thank you.

14.1.5 Deputy M. Tadier:

I suppose I will speak, seeing as how I have been invoked to do so **[Laughter]** both by people in front of me and to my side. I think this goes back a long way and some Members, who were in the Assembly at the time, will remember that this was something that was brought to the Scrutiny Panel which I first served on ... or the first panel I served on, which was the Home Affairs and Education Scrutiny Panel, back in the day when good old Deputy Le Hérissier was the Chairperson. I think Deputy Maçon was on that and Deputy Pitman; all sorts of people. Pitman is a word that recurs, because that was the surname of the individual who recommended that topic for us, somebody who had served in the U.K. on an independent monitoring board and he was the only person who suggested the topic and it goes to show that, sometimes, when it comes to Scrutiny matters or other parts of government it does not necessarily matter whether something is very populist, or whether it is very niche in its application, or its appreciation, it can still be an important issue. I think it is important to put on record again that often, when it comes to prisoners' rights, it is not a vote winner, people are not necessarily clambering out there to support the rights of

prisoners, although we know that, of course, the policy that we have that affects prisoners and their rehabilitation is absolutely critical if we are to make sure that they can reintegrate into society when they come out either to remain in Jersey and hopefully lead fruitful and law abiding lives, or to go somewhere else after that point. So, I think it is quite right that it was given the due attention. Back in the day of course ... well, I should say I must congratulate the Minister, but also the Scrutiny Panel, I think, on succeeding where we failed by a tied vote with one abstention and that individual is no longer in the Assembly, but he knows who he is and I will not embarrass him at this time, but it was a source of frustration that we missed it by one vote. I think, possibly, because we did not go far enough. We said, you know, we should have an independent monitoring board, but let us not throw the baby out with the bathwater, if Jurats want to apply to be on that board, then they can do that, provided it is limited to 2. What we have here is clearly, we are voting on something which we do not know the full meat, which is yet to be put on the bones, so we have Article 5, but with 6 underneath it, which is being proposed. So we do not know what the current makeup of the Independent Monitoring Board will be. It would be good if the Minister could give us some insight into what that would be. I would suggest that there would be rules precluding certain types of individual or post-holders to serve on that. I would expect that Jurats would be not permitted to serve on that, in the same way that States Members are not permitted to serve on that, not because they would not necessarily have the requisite skills to do so, but simply because, for propriety's sake, they should be separate. I think the whole argument - I am not going to go into the argument today about the overarching separation of powers between this Assembly and the judiciary - but certainly, there are anomalies that still exist when it comes, for example, to the election of Jurats. We know that we are allowed to vote and appoint Jurats in the electoral college, we know that advocates are also allowed to do that and it seems to me, and I have said it before, that we are the 2 groups of individuals who you would not want anywhere near that process, for the sake of propriety. It is completely inappropriate to have the legislature, the Executive and advocates all voting for lay magistrates, I think, and we can do better than that and I would ask that, hopefully, changes will be forthcoming within this term of office. I look over to the Chief Minister and the Minister for Home Affairs to put that point on record. I am not going to speak at length about any of the other parts, apart from the fact that, when it comes to the medical officer and the chaplain, it seems to me that, perhaps, it still does not go far enough. I would like to see the chaplaincy extended; I think it is quite appropriate, of course, that those who feel religiously compelled, do have that at their disposal especially, you know, if they are from a jurisdiction other than Jersey where they may be of a Catholic persuasion they would quite clearly benefit from having Catholic chaplaincies. But it seems to me that a lot of people, who are not religious, which may be, I am not going to say, a preponderance of people who find themselves in our esteemed La Moye Prison, may also find themselves to be humanists or atheists. I would like ... at some point, I do not see any reason why the chaplain could not be an atheist, or a lay person and the questions about pastoral care, when it comes to the wider society, I do not see why anybody has to be a clergy person to be able to provide that kind of support. After all, they may be able to give an alternative approach about retribution and finding your way back into society. Just a thought, it is a radical thought, but perhaps there should be somebody in the prison who holds a similar position to chaplain, who is a non-religious individual.

[15:30]

The Deputy Bailiff:

Does any other Member wish to speak on the principles? I call on the Minister to respond.

14.1.6 The Deputy of St. Peter:

I am grateful to Members who have spoken, particularly for their thoughtful and interesting comments. I always have great admiration for the Constable of St. Martin, who clearly does his

homework in a very thorough way. I wish I could do the same. But he raised many points, but I think, most importantly, he heightened very clearly the important work that the Jurats do and the role of the Prison Board of Visitors. Their role is very important to those prisoners, who are residing at La Moye, and it is not just case of discussing the quality of the mattresses, there are, as the Constable highlighted, a great deal of issues that are of great importance to prisoners and it is important that there is a body, who is there to listen to them and to bring them forward to either the Governor, or the Minister, as it is deemed appropriate. I have very much enjoyed my interactions with the Prison Board of Visitors to date. Rightly also, the Constable highlighted that it is Prisons Week so it is a poignant moment to bring this before the Assembly and it is not, as Deputy Tadier alluded, a vote winning subject, it is not something that often we give much consideration to, but the work at the prison is most important, indeed, and so I am grateful for the interest from all Members. Regarding Deputy Martin's point, I prefer not to dwell on the past, but to look to the future, and in thinking about the future, I just assure Members that we have the intention of bringing Regulations before the Assembly in the early part of the year, not the end of this year and at that point, I move the principle. I also ask for the appel.

The Deputy Bailiff:

Very well. You have asked for the appel. I invite Members to return to their seats. I ask the Greffier to open the voting.

POUR: 38		CONTRE: 0		ABSTAIN: 0
Senator P.F. Routier				
Senator A.J.H. Maclean				
Senator I.J. Gorst				
Senator P.M. Bailhache				
Senator A.K.F. Green				
Senator S.C. Ferguson				
Connétable of St. Clement				
Connétable of St. Peter				
Connétable of St. Lawrence				
Connétable of St. Mary				
Connétable of St. Martin				
Connétable of St. Saviour				
Connétable of Grouville				
Connétable of St. John				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy J.A. Hilton (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy M. Tadier (B)				
Deputy E.J. Noel (L)				
Deputy of St. John				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy R.G. Bryans (H)				
Deputy of St. Peter				
Deputy R.J. Rondel (H)				
Deputy S.Y. Mézec (H)				
Deputy A.D. Lewis (H)				
Deputy of St. Ouen				
Deputy R. Labey (H)				

Deputy S.M. Wickenden (H)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy T.A. McDonald (S)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy P.D. McLinton (S)				

The Deputy Bailiff:

This is a matter for the Education and Home Affairs Scrutiny Panel.

Deputy J.M. Maçon (Vice-Chairman, Education and Home Affairs Scrutiny Panel):

No, thank you, Sir.

The Deputy Bailiff:

How do you wish to deal with the matter in Second Readings?

14.2 The Deputy of St. Peter:

En bloc, please, Sir.

The Deputy Bailiff:

The Articles are seconded *en bloc*? **[Seconded]** Does any Member wish to speak on the Articles? Deputy Tadier.

14.2.1 Deputy M. Tadier:

I do not know if the Minister did talk about it at length, or at all, during the introductory speech and if she did, I apologise. But, could she just give some indication of why the penalties are going up for some offences and what they relate to? I understand it is to make us in line with the U.K., but could she tell us what the penalties are going up from and what they are going up to, if she has that information to hand?

The Deputy Bailiff:

Does any other Member wish to speak on the individual Articles? I call on the Minister to respond.

14.2.2 The Deputy of St. Peter:

As the Deputy suggested, the change in the penalties are to come into line with the rest of the British Isles. There are many varied penalties and fines for various items but, in the large, it is obviously controlled items such as drugs and weapons that we do not require in the prison and, of course, the fines are variable, in accordance with the severity of the misdemeanour. I am just trying to find an easy example to give. I would probably be better placed, rather than trying to read this sideways, to refer to the Deputy at a later stage if that is acceptable to him.

The Deputy Bailiff:

Those in favour of adopting the Articles *en bloc*? **[Interruption]** The appel is called for. I invite Members to return to their seats. I ask the Greffier to open the voting.

POUR: 40		CONTRE: 0		ABSTAIN: 0
Senator P.F. Routier				
Senator A.J.H. Maclean				
Senator I.J. Gorst				
Senator L.J. Farnham				

Senator P.M. Bailhache				
Senator A.K.F. Green				
Senator S.C. Ferguson				
Connétable of St. Clement				
Connétable of St. Peter				
Connétable of St. Lawrence				
Connétable of St. Mary				
Connétable of St. Martin				
Connétable of St. Saviour				
Connétable of Grouville				
Connétable of St. John				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy J.A. Hilton (H)				
Deputy J.A.N. Le Fondré (L)				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy E.J. Noel (L)				
Deputy of St. John				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy R.G. Bryans (H)				
Deputy of St. Peter				
Deputy R.J. Rondel (H)				
Deputy S.Y. Mézec (H)				
Deputy A.D. Lewis (H)				
Deputy of St. Ouen				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy T.A. McDonald (S)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy P.D. McLinton (S)				

The Deputy Bailiff:

Do you propose the matter in Third Reading?

The Deputy of St. Peter:

Yes, please, Sir.

The Deputy Bailiff:

Seconded in Third Reading? **[Seconded]** All Members in favour of adopting the Articles in Third Reading kindly show. Those against? The Articles are adopted in Third Reading.

15. Ratification of the Agreement between the Government of Jersey and the Government of the Republic of Chile for the Exchange of Information on Tax Matters 201-(P.90/2016)

The Deputy Bailiff:

The next item of Public Business is the Ratification of the Agreement between the Government of Jersey and the Government of the Republic of Chile for the Exchange of Information on Tax Matters (P.90/2016) lodged by the Minister for External Relations 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 to ratify the Agreement between the Government of Jersey and the Government of the Republic of Chile for the Exchange of Information on Tax Matters, signed by the Minister for External Relations on 26th July 2016.

15.1 Senator P.M. Bailhache (The Minister for External Relations):

As Members will recall, in February 2002, Jersey entered into a political commitment to support the O.E.C.D.'s (Organisation for Economic Co-operation and Development) tax initiative on tax transparency and information exchange, through the creation of Tax Information Exchange Agreements. A number of T.I.E.A.s (Tax Information Exchange Agreements) have subsequently been signed and later ratified by this Assembly. I think that the agreement with the Government of Chile is the 39th instance of such an agreement; it follows the format of many previous agreements approved by the Assembly and I move the proposition and the ratification of the agreement.

The Deputy 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.

16. Ratification of the Agreement Between the Government of Jersey and the Government of The Republic of Cyprus for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with regard to Taxes 201- (P.91/2016)**The Deputy Bailiff:**

The next item of Public Business is the Ratification of the Agreement Between the Government of Jersey and the Government of The Republic of Cyprus for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with regard to Taxes P.91/2016 and lodged by the Minister for External Relations 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 to ratify the Agreement between the Government of Jersey and the Government of the Republic of Cyprus for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income, signed by the Minister for External Relations on 11th July 2016.

16.1 Senator P.M. Bailhache (The Minister for External Relations):

This proposition is a variation on the theme, previously outlined, in relation to the Tax Information Exchange Agreement with Chile. Where the Government is able to negotiate a double taxation agreement with another country, it is the Government's policy to seek to do so, because it is advantageous for companies doing business in Jersey to be able to rely upon such an agreement when doing business in the other partner country. A number of double taxation agreements have been negotiated, signed and subsequently ratified by this Assembly. Again, they follow a format which has been well established, laid down in essence by the Organisation for Economic Co-

operation and Development. The agreement with Cyprus was signed in order to give effect to this agreement and I accordingly move the proposition and the ratification of the agreement.

The Deputy Bailiff:

Is the proposition seconded? **[Seconded]** Does any Member wish to speak on the proposition? All those in favour ...

Senator L.J. Farnham:

Appel, please, Sir.

The Deputy Bailiff:

Senator Farnham, yes. The appel is called for. I invite Members to return to their seats. I ask the Greffier to open the voting.

POUR: 36	CONTRE: 0	ABSTAIN: 0
Senator P.F. Routier		
Senator A.J.H. Maclean		
Senator I.J. Gorst		
Senator L.J. Farnham		
Senator P.M. Bailhache		
Senator A.K.F. Green		
Senator S.C. Ferguson		
Connétable of St. Clement		
Connétable of St. Peter		
Connétable of St. Lawrence		
Connétable of St. Mary		
Connétable of St. Martin		
Connétable of St. Saviour		
Connétable of Grouville		
Connétable of St. John		
Deputy J.A. Martin (H)		
Deputy of Grouville		
Deputy J.A. Hilton (H)		
Deputy J.A.N. Le Fondré (L)		
Deputy K.C. Lewis (S)		
Deputy E.J. Noel (L)		
Deputy of St. John		
Deputy J.M. Maçon (S)		
Deputy S.J. Pinel (C)		
Deputy of St. Martin		
Deputy R.G. Bryans (H)		
Deputy of St. Peter		
Deputy R.J. Rondel (H)		
Deputy S.Y. Mézec (H)		
Deputy A.D. Lewis (H)		
Deputy of St. Ouen		
Deputy S.M. Wickenden (H)		
Deputy M.J. Norton (B)		
Deputy T.A. McDonald (S)		
Deputy of St. Mary		
Deputy G.J. Truscott (B)		

17. States of Jersey Development Company Limited: appointment of Non-Executive Directors 201- (P.93/2016 (re-issue))

The Deputy Bailiff:

The next item of business is the States of Jersey Development Company Limited: appointment of Non-Executive Directors, lodged by the Minister for Treasury and Resources. 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 appoint Mr. Richard Barnes and Mr. Tom Quigley as Non-Executive Directors of the States of Jersey Development Company Limited for a period of 3 years in accordance with the Memorandum and Articles of Association, to take effect from 1st November 2016; (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 from 1st November 2016.

17.1 Connétable J.M. Refault of St. Peter (Assistant Minister for Treasury and Resources - rapporteur):

Due to the appointment of Non-Executive Director Nicola Palios to the position of Chairman of the company and the retirement of Non-Executive Director Roger Lewis, we are now required to appoint 2 replacement Non-Executive Directors to the board of the States of Jersey Development Company. Before speaking on the recommended appointments, I would like to place on record my sincere thanks and I am sure the thanks of this Assembly, to Roger Lewis upon his retirement from this role. Roger first joined the board in 2010, as a result of this Chamber passing a proposition for the formation of the States of Jersey Development Company from its forerunner the Waterfront Enterprise Board. Roger, a Jersey resident, came with a depth of industry experience and knowledge, including being Group Chairman on the executive board of the Barclay Group, one of the U.K.'s largest urban regenerators. His time on the board has been one of great challenge for the company, not least due to the level of opposition it has faced in delivering on the objectives set for it by this Chamber. However, he leaves us with some significant positive steps having been made, clearly demonstrated by the progress of the Jersey International Finance Centre Building 4 and the College Gardens development, both of which have achieved an outstanding number of pre-sales. Both will provide high-class developments that will serve both the economy of Jersey and homes for Jersey residents well into the future. I thank him for the contribution he has made to this. Moving now to new appointments, I recommend to this Assembly that they agree to appoint Mr. Richard Barnes and Mr. Tom Quigley as Non-Executive Directors of the States of Jersey Development Company for a 3-year period commencing on 1st November this year, 2016. Both Richard Barnes and Tom Quigley bring with them strong backgrounds, breadth of experience and qualifications necessary for the required roles. Professional expertise and local knowledge is vitally important and I believe we have it in these 2 candidates. Brief details of these are contained in their biographies attached to the proposition. The report provides further details of the appointment process undertaken; it has been rigorous and I am confident it has produced 2 excellent candidates able and eager to deliver on the objectives set for S.O.J.D.C. (States of Jersey Development Company) by this Assembly. I would also reassure the Assembly that the S.O.J.D.C. operate strict governance procedures with regards to perceived, or actual, conflicts of interest. At every meeting directors update their register of interests and, if a conflict arises, then that particular director excludes themselves from that item of business. This is standard practice, adopted by commercial businesses, and complies with best practice. Indeed, this Assembly also conforms to that same practice. Sir, I make the proposition, thank you.

The Deputy 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.

18. Higher Education Funding: “in-committee” debate (R.51/2016)

The Deputy Bailiff:

We now revert to the matter that was put to the end of the list, namely the in-camera debate. I beg your pardon, I said “in-camera” I meant “in committee” debate. I apologise. The position is that the normal rules of debate in the Assembly apply, other than the fact that any Member is able to speak more than once. I propose in calling on Members to give priority to those who have not previously spoken. But otherwise to call Members in the order in which they indicate a desire to speak.

[15:45]

The Standing Order provides that it is for me to determine when the matter should be the time allocated. I propose to review where we are in an hour’s time and see then how many more people are indicating that they wish to continue with the debate. The normal process is that the person proposing the in committee debate will start and so, therefore, I call on Deputy Lewis.

18.1 Deputy A.D. Lewis:

Thank you to Members for the opportunity to have this debate today and to the Deputy Chairman for putting it on to the agenda. I would like to begin with a little background, to set the scene, and to then allow Members to voice their own thoughts and views on this particular subject, which will be possibly many of the views of their own constituents, as this is a fairly hot topic everywhere across the Island. So firstly, in way of background, the debate about how to fund higher education has been going on since 2001. In 2005 the then Minister for Education presented a report. It was R.98 and I circulated it to Members, so you have all had it. In this report it was clear that already financial provision for higher education was slipping, as although £8.9 million had been allocated, over £10 million then had been spent, due to increasing numbers of students wishing to go to university, and a significant increase in tuition fees. In other words, our education system was doing so well at producing some fantastic students that wanted to go to university. As a result, the then Minister instigated a consultation process and guess what? Very soon the results were gathered to the Independent Loan Survey that was recently conducted by a local lobby group, the Jersey Student Loans Lobby Group, a copy of which has been sent to you all and I hope you have all had a chance to have a look at it. So, just to set the scene I would like to highlight a few of the figures that came out of that survey. It was a reasonable-sized sample; it was about 300 people that were interviewed. Ninety-six per cent of parents said that students, who had the ability to obtain the degree or equivalent qualification, should be given the opportunity to do so; 94 per cent said that the current grant system did not meet their needs. I guess there are probably no surprises there. But here comes some fairly concerning facts that come out of the survey. Forty-six per cent of people trying to fund their children’s higher education are using their pension funds to do it. Eighty-four per cent have used all or most of their savings. Thirty-five per cent will remortgage their homes to finance higher education for their children. The most worrying one for me here is 32 per cent have told their children they cannot afford them to go to university. I also know that a number of teachers, who have worked so hard for these students to get their attainment level, to a fantastic level, to access the U.C.A.S. (Universities and Colleges Admissions Service) system and higher education opportunities in the U.K. and elsewhere. To then have to sit down with those

students and discuss the next steps after completing their A-levels and almost find themselves in a very difficult position, knowing that those families cannot afford the next step, yet having encouraged them for many years and nurtured those young people to get to this level of education and then having that difficult position to say: "Well, maybe you cannot go; or maybe you should do something different." There are some alternatives, which I will come on to later; it is not just about going away to university. I am sure the Minister will speak about that at some point as well. But now, moving on to the most recent report that was presented by the Minister for Education in May this year. In it he states clearly: "There is no immediate answer for those parents hoping to find a solution to the current financial pressures they are experiencing, but we will continue to explore ideas." That is a quote from the report. However, in the same report what the Minister also highlights is some of the excellent work done over the past 10 years to create on-Island opportunities for learning. There has been some really great stuff done there. However, the Minister does need to take heed of the wise words of Dr. Goldstein, who was asked to look at this issue back in 2004 and produced a report, which I have also circulated to Members. In the report he, although he writes much about providing courses locally and the report does contain a lot about that, went on to say: "There was a strongly held view by many policy makers that the vast majority of students would prefer to study in England, even if similar courses were available on-Island. Stakeholders including parents, carers, advisers, Education Department personnel would positively prefer appropriately qualified school-leavers to go off-Island to study." Indeed, the report went on to say that there is a strong ubiquitous opinion that is in the best interest of the Island's brightest and most promising young people to study in a different environment to Jersey. But, unfortunately, the reasons why we are here today discussing this subject are because really very little has changed since 2001. In other words, a significant barrier to meeting the aspiration of our young people to study outside the Island remains, and that is the issue of funding. Our education of choice off-Island is now becoming largely the reserve of the wealthy and also middle earners, who sacrifice a great deal to provide their children with this life-enhancing experience. It is not simply acceptable that such a system should be so discriminatory. The situation comes as no surprise, as it has been subject of much report writing and some debate for almost 2 decades. Yet, despite this, no solution has been found. Sentiment is running high in our community on this issue and the very future of our most important resource - that is our young people - is at stake. Over the past year, constituents and lobbyists will have approached many Members about this issue of higher education funding and I hope that today this debate will provide Members with the opportunity to express the views of their constituents in a very public manner. This is publicly broadcasted; people will be listening on the radio. There may be some people in the public gallery; I cannot quite see from here, but people are very interested in this subject. Like all debates in the States Chamber it will be recorded and transcribed, giving a full record of the issues at stake and enable, perhaps, some new and innovative solutions to be put forward, on the part of constituents, to the Government for further investigation by the Treasury Department, I hope, in particular, but also the Department of Education. I know that the Minister for Education is passionate about this. He wants to find a solution, but he cannot do it on his own. He needs help, particularly from the Minister for Treasury and Resources, and ideas from the public, industry and, of course, other Members. So I hope that during this sitting the Government, the Council of Ministers, will use the public forum wisely to lay out, perhaps, a vision for the future and any new funding ideas that could be considered. I also hope that having such a public debate may just encourage the commercial sector a little more: philanthropists, trusts, charities to also give this matter due thought. There are some funds in foundations out there already and some of the public are not even aware that they exist. I am particularly aware of one that supports medical students; perhaps it should be publicised a little more. But, most importantly, the silent majority of people that sacrifice so much to give their children the opportunity to pursue higher education will finally feel their voice is being heard and everything possible is being done to investigate every possible avenue of funding that will ensure the future of our young people and the

furtherance of the success of Jersey's economy, on which we all depend. Access to higher education should be based on ability to learn, not ability to pay. Our economy desperately needs qualified people. Would that not be wonderful if all those qualified people were our own home-grown people? There will come a time when we will be importing more and more graduates to fuel our ever-increasing success of our economy, of which the Minister for Economic Development referred to earlier on today. Our most important resource is people. We do not really manufacture anything here anymore. We never really have to any huge extent. It has been about the intellect and capability and skills of our people and going into the increasing digital world that the sophistication of some of the industries are already involved with, that does, to a large degree, require academia - high academic achievement to fuel the industries that we know already fuel our economy. There are funding opportunities out there. The one that I am sure will come up today and if it does not, I will speak later on it, is the possibility of a loan scheme. We already have a successful grant scheme. When I say successful, it is successful at the lower end of the income bracket. Once you get over £26,000 of household income, it tapers off; it tapers off relatively quickly. So there is a huge number of people in the middle segment that get very little assistance at all. That is where the difficulty becomes fairly serious. I have emails from a large cross-section of our community, from professionals, that people may feel earned quite high incomes, to those that are right in the middle, and it is the middle that finds this most difficult, particularly if you have 2 or 3 children. How do you manage to decide as to which one you send and which one you do not? I know parents that have said that to me that have to decide who gets to go and who does not. That really bears out what we really want for our young people. As we have been so fantastic in preparing them for this opportunity, in the first place, it seems a travesty of justice that that occurs. Members of the public that are listening today and those that lobbied me, and many of you are the Members that are here today, they are not looking for handouts either. They are just looking for some kind of financial assistance and many speak about a loan concept. The student loan company in the U.K., I know, has not been an outstanding success in the eyes of some. It has certainly cost their Government a lot of money, because of the size of the default run rate. I am not suggesting, for a moment, that we copy it, but there are things to be learnt from it and we could provide a system locally that could emulate that, but in a very positive way and there was a much, much better system. We are, after all, a finance centre, so we should be very clever at producing financial instruments that can, perhaps, create opportunities for our young people by way of funding higher education. So, I spent the last few weeks and months talking to the financial services sector and I have been surprised how well received that discussion has been. Not that they are suddenly going to rush out and provide money. They certainly provided me, and other Members of this Assembly, ideas. They may even be prepared to help administrate and put together concepts, bonds, *et cetera*. Those conversations need to continue. We also need to approach the Student Loans Company in the U.K. They have been approached before, but why should they take on the States of Jersey debt? Absolutely why would they? But they have an expertise there that we may be able to tap into and I hope conversations at that level will occur some time soon. So a loan concept is one possible way forward and I would be very interested in Members' view on that. Do we provide a loan and, if we do, underwrite it completely by the Government? Should it be shared by parents and students? Should it start being repaid from the moment the student goes away? This would reduce the final exposure to potential to Government. Bond money, money raised through bonds, is very cheap at the moment, which is why we, perhaps, should be in a bit of a hurry to secure financing for our hospital. Perhaps, on the back of that, we just need similar for our education. That is not to say that we should then give it away. Parents are quite happy to pay a reasonable level of interest on that money, as would be the students. Default run rate has been spoken about greatly in the report that the Minister presented us in May. He, I guess with advice from the Treasury, had to take the worst possible scenario. He was set a possible exposure of £700 million. That way exceeds the parameters within our Finance Law which says that we cannot borrow more

than our revenue in a year. I would challenge, heavily, that default run rate and I believe that it could be a lot less. There may even be an opportunity, if the Government was prepared to enter into some kind of arrangement with lending, but eventually there will be a track record - hopefully a low default run rate - in which case there may be interest from the public to invest in a bond of their own in Jersey, so they can get a return on it, with perhaps the liabilities capped by the Government. There are all sorts of ideas, here, that could create a loan scheme that people could access. Then the question has been asked: "Well, should anybody be allowed to have a loan just because they want to go to higher education, perhaps in the U.K.?" I have looked at this and I thought: "Well, I have looked at the list of all the people that go away to university from Jersey and on that list I could not see anything that I would say they really should not go away and be funded to do that." There was a section that said "others" and maybe there are some hidden in there that contain a degree in ballet dancing, or something, which is laudable; I have no objection to somebody doing that. But some may argue that that is not a good use of publicly-funded money. The fact is, though, that the majority of students, that go to university from Jersey, study meaningful courses that stretch their academic capability to the point that they become experts at learning. So, when they return to Jersey they sometimes become accountants and lawyers, but they may well have earned a degree in geology or geography. But it is the attainment of that academic capability, that understanding of learning, that is vital and I really do not want them to miss out on that.

[16:00]

I know many of you feel the same. So, having a narrow field that you can only go away to study this - this criteria - is a subject of debate. I will be interested in what Members think about that, because I firmly believe that we should have a broad base approach to education, not narrowing it down. But, of course, one other element that I would like to mention, and it has been talked about a lot in recent times, is how do we attract these people to come back to Jersey afterwards? Well, already 50 per cent of them do come back. That was the last survey that I believe was done, and within about 10 years a further 30 per cent will return as well. That is a pretty good success rate anyway. But perhaps we could provide some fiscal incentives to encourage people to come back, because if we are going to do something - and I hope we can do something - we do want to take full advantage of that investment by those people returning to the Island at some point. But we have to bear in mind we do have an ageing population. It has been spoken about a couple of times today, in different contexts. So, if we are to fuel the economy with working people, let us make it our own. Let us make it people that we have invested a lot of money in educating, that we persuade to go to university and then, hopefully, can still afford to go to university and then do come back and invest in our economy. I will leave it at that for now. I am sure other Members have something to say on this subject. I hope it inspires some interesting debate, that reassures the public out there that are listening, that we are looking at this, we are trying to find solutions, and I do hope that with the combination of the Minister for Education and the Minister for Treasury and Resources, we can find some way forward, because we cannot, however hard a Minister works at this, provide all of the things that people want to do on-Island and we cannot provide that life-enhancing experience of leaving our small, wonderful little Island and going out to that big wide world, where you grow up very quickly. You do not have that experience if you stay in Jersey and employers do appreciate that. You do get a different type of student as a result and there is some huge benefit in that. I am not belittling, at all, on-Island study. There is some fantastic stuff being done and it suits some young people. But there is a huge opportunity out there that some whole generation, potentially, may miss out on. That is what I would like to find a solution to. So, if Members have got a solution a lot of people would like to hear it.

18.1.1 Deputy J.M. Maçon:

As Members will know, this is an area of interest that I have held for quite a while. But I would like to begin by saying that university education is not for everyone and that a vocation route is just as valid and direct as is directly entering the world of work. What we need to achieve is those with ability have the opportunity to pursue whichever route is right for them. There are 2 other aspects, as well, one being social ability, opening up routes for students from poorer backgrounds the chance of becoming field leaders, a phrase rarely used in this Assembly; and the other being increased productivity, moving away from poverty wages and taxpayer subsidised jobs to higher income and thus tax receipts generating jobs. The Innovation report - remember that one - pointed out the importance and the need for better and more highly skilled workforce as well as pointing out that, in G.D.P. (Gross Domestic Product) terms, Jersey provides one of the lowest investments in education, 2.5 per cent, which can be seen on page 89 of the report. Today, of course, we are discussing higher education, specifically university education, but just to add to the context of what has already been said, we must consider the situation through the eyes of Generation Rent, the term being used to describe my generation, or younger, which is expected to have a lower standard of living compared to the previous one. We know the introduction of top-up fees and later the capped increase of uni fees to £9,000 and looming on the horizon, further, the removal of the cap totally. This is making a university education unobtainable for some, or having to endure much hardship by families on this Island, in particular, lower middle to those in the middle income, bracket. While, of course, I welcome the increased funding, recently approved by the Assembly which, shall we say, Ministers were encouraged to do so by my amendment to the spending plan last year, increasing the charging cap to £9,000 in the U.K. was supposed to bring a more market-based approach to the university education system, creating more competition in the sector, and supposed to bring down costs. Now that did not work, did it? With many universities charging the max fees immediately, leaving Generation Rent to have to take out student loans in order to be able to afford courses. But it is okay, because that will be written off if it is not paid back by the time they finish and, of course, it was not available to Jersey students. So, if we turn our mind to an 18 year-old; at the moment the thought of leaving university with possibly £40,000 to £60,000 worth of debt is terrifying and certainly would have prevented me going. I was quite lucky in the time, because there was just the 4 top-up fees and I was able to go to Highlands and work with Plymouth University in order to obtain my degree. That was a great opportunity for me and it is certainly something which I would like to be developed. But, again, I have been one of 3, parents both worked ... being 3 of 4 even - third child out of 4 children - with my parents both working in ordinary jobs, paying what they could for a mortgage over here, paying what they have to do in order to live over here. The opportunity for me to be able to go off, while learning, study really, was not going to be an opportunity, because I fell in that bracket where my family earned too much in order to gain anything from the grant system; and it is not a unique situation to be in. I know certain groups in the Island are pushing for a loan-based system, but I am still reluctant about that idea. Do we really want to burden Generation Rent further at the start of their working lives, considering all the disadvantages they are already going to face, especially on this Island where we know we have an ageing demographic and the amount of taxes they are to going to have to pay and contributions they are going to have to make which are now going to have to be more. What alternatives are there? We could look to fund every student, as in other European countries, which more and more of our local students are competing with. There are many other countries, particularly in Europe, which recognise the importance of university education and many of them are able to offer it for free. But that means over here we know that our students are having difficulty to find jobs. We know that some individuals from over here, who may have degrees in different countries, will work for 5 years in certain jobs and once they have managed to get through that 5-year period, go quite easily into the job market, because they have a degree, because that funding is there for them; that investment has been put in place. Our students do not have that opportunity and, again, have that disadvantage. Also, that may not be possible. An alternative

scheme could be, and I have raised this with the Minister for Treasury and Resources a year ago ... it is his ... too bad he is not in here to listen to the debate, because I would have liked him to be here for that because he has an important role to play, is perhaps an I.S.A. (Individual Savings Account) or tax based incentive scheme. Perhaps this would assist some middle and higher income families. But even then, with an I.S.A. scheme, you still need to have the money to save in order to enter such a scheme and may not really target funds to where it needs to go. Again, we perhaps could take something along the lines of the Scottish model, which gives preferential rates and courses, different grants. For example, I had a friend who wanted to do French at university, but the fees for that course were much greater; but because the Scottish Government subsidised podiatry care, he went into that and was able to obtain his degree that way. Here was another way in which we need to look at how we fund the university system. Of course, you always then have the problem about skills for the future. Go back to those years and someone said: "Right, well I am going away to study computers and information technology." You could always have someone at the time saying: "Well, why are you wasting your time on that and you could be doing something else?" Again, today, if someone said: "I want to go to university to learn how to develop, perhaps, social media" and how it is going to be the next big thing, again, where do we place ourselves in deciding what is going to be a money winner and what is not? We know, again, the Minister for Treasury and Resources, who unfortunately is not here, has said in the past: "Government is not very good at choosing winners" in which case, do we really want to go into that type of thing? Another thing which I do want to say is - looking at the whole system across the board - is: "How can we do things better?" For example, I did my degree course; it took 3 years. It did not need to take 3 years. It could have taken 2. So why do we not have more flexibility in that system? Again, it would possibly reduce costs and, again, that is perhaps what we could provide on Jersey. But, I also would like to know when we have a Minister for Digital Innovation, for example, why is I.T. not used more in the way we deliver courses? For example, you could record the lectures. So, at the moment you might have an hour lecture, but the content in that particular session might be 3 hours' worth. But, if you recorded the first lecture in year one, then in years 2 and 3 you can then have the specific lecture to go more in-depth into the course curriculum and give more detail, which would be far more advantageous to the student. It also allows more breadth to be covered if it was recorded and played back. Now why do we not do that at home, for example, with the lectures we have at the moment? Surely that is a better way of delivering education for those people on those courses. Not only that, but then, if you have enough video content, it would allow the lecturers to concentrate on the seminars and in the seminars that is where most of the development comes. That is where you have your testing; that is where you have your ideas being challenged. So, where is the innovation in our system in order to do that? Also we know the idea of a Jersey University is placed in the mix, but, of course, I think in one sense we do better by buying in the courses because, for example, if we did have a Jersey University it means we would then have to pay for the pensions, the Social Security contributions, *et cetera*, whereas it is much more cost effective. Why have we always gone down that route in order to buy in the modules from other universities? It helps themselves and, of course, it means we can provide more of an option over here as well. I do believe that is a good route to go down, possibly because it is partly the route that I went down, but just to show that it does work. Again, it is to help that opportunity and those choices for our young people, more could be provided here with greater option. Finally, just to let Members know, on behalf of the Education and Home Affairs Scrutiny Panel, this is something that certainly has been on our radar for quite some time. We were just waiting to get through the M.T.F.P. process to be able to look at this particular matter in more depth, and we would welcome contributions and suggestions from State Ministers when our terms of reference come out. But also, again because Scrutiny is a public process, very much so, to hear from the public and what they have to say to contribute into this debate. Again, we will be basically waiting for the

conclusion of this debate to look at the Hansard to be able to sift through that and then be able to produce our terms of reference. We have begun stoking this particular area in that aspect.

18.1.2 Deputy R.G. Bryans:

I think like a few Members, when I first was approached by Deputy Lewis with regard to this in committee debate, I was a little bit confused considering, as he has already said, the heavy lifting we have already done in terms of looking at higher education funding. It was said by myself several times in the Assembly, when I first took the role, that this is going to be one of those important things that we will continually keep looking at, and we continually do keep looking at it. But what I feel, and having listened to both Deputy Lewis and Deputy Maçon, that our aspirations are alike and we want as many students as possible to receive higher education, wherever they can, for the same reasons that Deputy Lewis has already outlined. These children or these students have done remarkably well within our schools and we do provide, as most people will agree, a fantastic education here on this Island. We have reached that point and we hope that we can produce some sterling students. But, we have problems and some of those have already been outlined. So, what I am going to do, just for a second, is just to outline where we have come from and what we have been doing and where we think we can go. I would say, at the outset, this is not a debate about the value of a higher education. I hope that that is a given. This is a debate about how we pay for it now and how we keep it affordable in the future.

[16:15]

I think it might be useful to briefly describe how we got to this current position. The current student finance system is, as Members will know, one of means-tested grants. It is based on the concept that funding for higher education is a 3-way partnership. Responsibility lies with the young adults, who benefit from a university education, the families who support them and also the Island, which needs a graduate workforce to power the economy, which Deputy Lewis has also referred to. Until recently, the student grant system was the fair and logical one, based on the idea of access for all and weighted to help poor and more vulnerable children improve their life chances. It was designed so that young people, who had reached a certain academic standard, could go away, train, learn and take their next steps without the burden of a huge debt. For many years it worked extremely well. The very same sort of concept is replicated both in Guernsey and the Isle of Man, however, there are slight differences. But then, tuition fees of £1,000 were introduced in 1998 and the picture started to change. They rose to £3,000 in 2006 and then, behind that, we had the global recession, particularly in the U.K. But the real crunch point was in 2012, when the rug was pulled from under us. U.K. universities tripled their tuition fees on average and started charging £9,000 a year for their courses. However, the Jersey student grant budget did not triple. It remained more or less the same. Of course, the U.K. solution was to create the student loan system, which excluded our students. In Jersey, the money we had available no longer stretched as far, or covered as much of the costs, so parents found themselves having to shoulder more of the financial burden for their child's university education. I understand the worry this causes. I hear of peers of people who have applied for our student grants and often the stories are heart wrenching. Parents, who have nurtured their sons and daughters, suddenly find they are facing a financial and a parenting dilemma. They either make major life-changing sacrifices to pay for university, or deny their children the next chance in life. Worse, they see U.K. parents, who are not facing the same problem. Despite repeated and ongoing requests, Jersey students have not been able to use the U.K. student loan scheme. That is because the debt is underwritten by U.K. taxpayers and Jersey people do not contribute. Just to make Members aware, we approached the U.K. student loan people back in June of this year, along with Guernsey and the Isle of Man, and they restated their case that they would not allow us into that loan concept. The extra financial pressure has resulted in students and their families making different and difficult choices. U.C.A.S. figures on page 9 of

our report clearly show that the number of first years dropped significantly in 2013, the year after the fees jumped and have remained lower since then. We have absolutely no influence over what universities charge and there is no realistic prospect of costs going down. In fact, I was at a dinner last night with some U.K. heads and it was their thought the price may even increase up to £10,000 by next year. So, this is going to put a really big dent in our situation. The £9,000 cap on tuition fees has been lifted and we now face a continuing creeping rise in fees, which, combined with increased living costs, is simply putting university education out of reach. Even for those who qualify for the full maintenance grant of £5,500, and have most of their fees paid. You might ask why Jersey students' grants did not keep pace. The answer is simple. The extra money was not available. In 2012, when the rug was pulled, the Education Department was in the middle of the second C.S.R. (comprehensive spending review). It was streamlining services and trying to contain expenditure even then. While these were the decisions of a different team, I can appreciate that higher education has, to some extent, suffered from being part of the Education budget. Inevitably, it has lost out, or not received the boost we could have liked in the past, because of the quite understandable priorities to fund schools and pay teachers the absolute core business of the department. It is the same problem to be found in Sports and Culture when they were part of the department. Even though there was a desire to put more money in and a recognition of the problem, the department's hands were effectively tied. The numbers are huge. To fund all tuition fees of about £9,500 and the living expenses maintenance grant of £10,000 every year for 1,600 students would require about £32 million every single year. That is the scale of the funding issue and after last week's debate I do not need to tell you this is money we do not have. We recognised, some time ago, that this is not a problem we can solve within the Education budget, but we knew we had to do something and we have never stopped looking for solutions. I have mentioned this many times in the Assembly. So what have we done? We have pushed and pushed to join the U.K. student loan scheme. These conversations are continuing, especially in the wake of Brexit, which has raised new questions about students accessing U.K. universities. That may be an opportunity for us here as the ground shifts. I do, however, have serious concerns about student debt and the impact it could have on young adults starting out in their careers and hoping to enjoy the cars, holidays and homes that our generation have taken for granted. It must be daunting to leave college with the prospect of having to pay £60,000, especially for those families that are not wealthy. We have been talking to commercial financiers. In fact, the Treasurer and the Chief Education Officer met the Jersey Bankers' Association just a few weeks ago in mid-September. We have asked them to extend the existing Jersey student loan of £1,500 a year to back a parent saving scheme, or to provide a full Jersey student loan. They have huge reservations. Firstly, this is not really the mission of banking businesses in Jersey but, quite apart from that, they felt that lending to people with no income, job or assets on the basis of what they might earn in the future is the very definition of bad business. It was described as: "It is exactly what got the whole industry into trouble in the U.S. (United States) housing boom and bust that sparked the 2008 financial crisis." We have expanded hugely the number of degrees and training courses available in Jersey and we have done this in partnership with local business sectors. We now have over 20 degrees and they have given us locally-trained teachers, nurses, finance sector staff, and I.T. professionals. We are still looking for more and are working with other higher education providers to create a more coherent offer. This is the concept of Campus Jersey. We have made sure that U.K. universities treat Jersey's young people the same way as other U.K. students, and we have been largely successful. There are only a handful of places: Cambridge, Imperial and St. Mark's colleges that charge us overseas fees and we have an appointment to meet with Cambridge at the end of this month. We are looking to help more of our young people to go to universities and other locations, notably Europe, particularly in Brittany and Normandy, which will complement our desire to strengthen our French links, but also in Holland and Belgium, where there are English-speaking courses and the costs are considerably lower. We are encouraging companies, as Deputy Lewis

suggests, to create more bursaries and support school leaver training schemes. We are investigating ways of creating a new savings scheme to help parents plan ahead. Again, there are significant funding issues to overcome that will need to be solved by financial experts outside of the Education Department. Crucially, 2 weeks ago, as Deputy Maçon has already spoken about, we approved an extra £2 million for the higher education budget, which will be in our budget by 2019. It means the lower income threshold could rise from £26,750 to about £34,000. This will enable us to help more families and is an important step forward. We also recognise that university is not right for everyone and our children need other options for when they come out of school. Trackers Apprenticeship Scheme helps talented young people to keep training, keep learning and keep getting qualifications in their chosen area. We think this could be extended to degree level qualifications. We are starting in the construction industry. So where does this all leave us? We cannot control U.K. universities. We have the customers on the receiving end of their fees and it is a seller's market. But we can look for a more long-term funding solution and in the meantime remove as many obstacles as possible for young people wanting to go to university. Have we moved forward? Yes. Can we do more? Yes. Is a solution complicated? Yes. Are we against the student loan? No. As I said at the start, this is not really an issue of education. It is a problem of funding. It is a wide issue that the whole Island must work together to solve. That means government, bankers, families and students themselves. We must do what we can to help more young people if university is their goal. In the short term, that means targeting the money we do have, raising income thresholds so that more families qualify for more help, if possible. We must also keep providing viable local alternatives to a U.K. degree and keep looking for a long-term solution that is affordable for Jersey. Our search to resolve the situation continues, but I would just add this last note in consideration of the student loan and, as Deputy Maçon said earlier, it worries me the amount of debt. The *Financial Times* printed an article in June of this year which said that the U.K. debt with regard to student loan has grown by 17 per cent, that is £12 billion. It now stands at £82 billion. The average loan has now risen over the last 5 years from £16,000 to over £44,000 per student. The article finishes - and I can provide a link to this for anybody that wants to look at it - it says that they do not think two-thirds of those students will have paid off those debts. So, do we want to have our students laden with that sort of debt? Is that an incentive to return to this Island? Deputy Lewis is absolutely right. We do need to talk to our students, we do need to enable them to get as much education as possible to help our economy grow. That is the whole point of the way that government works itself towards paying more for education. But it is a very difficult task and it is not one that we ever shied away from and we will continue to work on.

18.1.3 Deputy S.Y. Mézec:

I am grateful to have the opportunity to speak in this debate. There may well be a reasonable amount of empty seats in this Chamber right now but, thankfully, that is not as relevant as it used to be. On the subject of higher education funding, I think it is good to start with, what is your starting point, on the basis of principle. For me, it is the principle, which I know other Members share, which is that whatever system we have in place we should aspire for it to be a system which allows every single young person, who has talent, ability and a good work ethic to be able to reach whatever is the most appropriate height of academic achievement that they can possibly reach and that money or, more specifically, the money of their family should have no impact, whatsoever, on that young person's ability to succeed. The only thing that should contribute to their ability to succeed should be their own ability to work for it, not the money that their family has or does not have. Going further than that, I think it is wrong to say to people, who have talent and aspiration, that in pursuing their aspirations they should be saddled with tens of thousands of pounds of debt at the beginning of their careers. It is wrong to have a system which divides families as they argue over potentially which of their children are the ones who will get the priority for higher education, because the family cannot afford to support all of their children to the same degree. I think it is

wrong that we have a system in place which largely hammers those families in the middle, who do not qualify for a grant but still cannot really afford the full extent of those fees. Many of them have to make many big sacrifices to be able to send their children to university. Sacrifices that I think should not be borne out just by the family, but the whole community should contribute to that, because, I think, that is partly what the role of the state should be on a subject like this. I think the issue of higher education funding is one element of a crisis, which I think is generally facing young people as a whole and that is the fact that people of my generation, people of Deputy Maçon's generation, are facing the biggest decline in living standards of all of the age groups since the 2008 financial crash. That was something that the U.K. Equality and Human Rights Commission did a study on, where it found that it was people under the age of 30 who had seen the biggest drop in their relative incomes since the crash. That was down to many factors, some of them being student debt, but it has got worse and worse over the past few years and house prices. Many people of my generation feel like owning a property is something that is simply out of reach, because the landscape is totally different to what it was for our parents' generations. This has happened, I think, for several reasons.

[16:30]

Some of those reasons are things which are completely beyond our control. Things that have just naturally changed. Some of it is down to issues which governments have not addressed properly and I would consider those to be issues like zero-hours contracts, which seem to have become more and more of a thing over recent years, which the Government has been far too slow in dealing with, which is affecting young people's standards of living. The housing crisis as well. Another one that governments have not been properly giving the attention it needs. But, also, there have been some policies pursued by governments, which have actively made this trend for young people worse. The most obvious example was the move by the Tories in the U.K., with the connivance of the Lib Dems, or, as we called them when I was at university, the Yellow Tories, when they decided to triple tuition fees, so people who were in the year below me at university were leaving with tens of thousands of pounds of debt, whereas some of the people in my year were leaving with just about £15,000 of debt. I think that is also being exacerbated by Jersey's very own Tories, who are pursuing policies in this M.T.F.P., which are making it difficult for young people as well. I think, in particular, the foolish decision that has been made by the Education Department to cut the salaries of N.Q.T.s so drastically. People who, as we know, we only employ the best because we ask them to be ready to go in at entry point level 3, people who have got good degrees, who have spent 4 years studying for it, who have racked up a lot of debt, who will now have their ability to get on in life when they begin their careers made worse, because of a decision made by the Government here. I think that the principle the Government should be working on should be on the basis of wanting to reverse this trend that is seeing young people's standard of living getting worse. It should not be complacency. It should not be just letting whatever naturally happens. They should have a stated point of view, which is that they should be working towards reversing this trend and making it so young people will find it easier to get on in life, because if we keep things going as they are, in 40 years' time my generation will be people, who have not been able to buy properties at the stage in their life that their parents would have been able to. There will be people, who would not have been able to pay off the debt they got in the early parts of their careers until many years later. I think that that will be something that will do nothing but increase inequality in our society where some people at the top will own even more of a proportion of the wealth and the property that they currently do, leaving even bigger proportions of our society to get by with less and less. We know from all the studies that have come out from the I.M.F. and the O.E.C.D. that more unequal societies end up with worse economies. So we are really shooting ourselves in the foot by not trying to get to grips with that. So, to come on specifically to the higher education funding report we had: I will be perfectly honest, and Members will not be surprised to hear this, I

think it is a very uninspiring report, which does not propose decent solutions to this problem and, if we go to the very last page of that report, page 34, "Conclusion and recommendations". It has got 5 actions that are proposed at the end of it. Every single one of which we can find a reason to say why it is not viable. So, the first one: the talk about student loans. We have already had discussions about the idea of a student loan for Jersey not being particularly viable and know that we cannot join in on the U.K.'s student loan because that, ultimately, is underwritten by taxpayers of another jurisdiction. So, it is quite right that we should not be able to join that, unless we are prepared to make a financial contribution, which we cannot afford and their student loan model is broken anyway. Part (b), about a parent saving scheme. Well, of course, a saving scheme for parents can only work if parents have got disposable income, which they can use to put in that saving scheme in the first place, and many parents are finding that more and more difficult to do. Again, this government has actively made their situation worse with the other foolish decision that has been made by the Education Department, by deciding to introduce means testing for nursery places. So, many of those parents, people who are in that middle bracket, who struggle to send their kids to university, anyway, because they are not eligible for grants, will see their disposable income reduced in the early part of that child's life when they could theoretically be putting that money aside instead into a pot ready for them, for when they go to higher education. They simply will not be able to do that. Then there is part (c), "redistribution of current funds". We know that that is simply not viable now, because we have seen the real difficulties the Education Department has had in trying to manage the funds it has to achieve what they have called investment. But what we know, because of the work of the Education Scrutiny Panel, is not investment at all. We have part (d), "Expansion of Campus Jersey" and that is a concept I want to come back to a little bit later in my speech. But this idea of expanding opportunities on Island for people to study: that is a great idea, so why did this Government cut on-Island grants to people who are studying here? Surely that is counterproductive when you are stating that this is potentially one alternative. The last one is looking at opportunities with universities in Europe. Now, that is something which particularly in the current context, I think we have to be frank, is only an option for a minority of students. In terms of moving to another country and another culture, many students simply find that such a daunting thing that they do not want to do it. They would prefer to be getting on in a place they can settle in relatively quickly and get on with their education, rather than having to cope with learning a whole new language and struggling, sometimes, with differences in culture that they might find difficult to get to grips with. Then we also have to remember that it is virtually every year Deputy Tadier has to stand up in this Chamber to try and defend the provision there is in schools for teaching people extra languages. Something that he does very well and, as we have seen, does have success at it. But we are not a widely bilingual society, so asking students to go to other countries, I think, is not a solution that will be readily available to a majority of students to be able to use. So, we look at the wider situation the Government has with funding all of our public services generally. I think the point we have is that it is as simple as this: our taxes spend model is broken. The Government has all but acknowledged this by the fact that it has now said we are going to have this review on social security contributions. They attempted to introduce a health tax, which is blatantly ... because the income tax model was simply not good enough to fund the health service. I have got news for them. It is also not good enough to fund our education service, if we are looking to be in a situation where more young people are able to go to higher education. That costs money and that money has got to come from somewhere, so the question we have to be asking ourselves really is: does our tax system enable us, as a society, to fund the public services that we all want and need and, bearing in mind that when it comes to education it is largely an investment, because we want people, who are from this Island, to go out, gain skills, come back and then use those skills to improve our own economy, improve our own standard of living. So, that is the wider issue that we simply will not be able to get to grips with. I think that this is largely down to our dodgy government system, which simply does not work and which leads to us taking on projects, which

other jurisdictions are able to achieve much quicker and at much better value but in Jersey take way too long and end up costing us a lot more money than they would do elsewhere. An example of that is one that we have had today already, where the Chief Minister made a very clear election promise that he wanted a specific reform to our social security contribution system, but we cannot go about it until we have had 2 years of inaction and then we are going to hold a public consultation, which will cost money and really any other government system would have just got that done in the first 6 months of the government being in place. The example I have been using, when I went round for the senatorial by-election campaign, because the subject of higher education came up quite a lot, I spoke about a place called Gibraltar which recently opened their own university. Now Gibraltar is like Jersey in that it is a British territory, but it has its own autonomy and its own identity, that they are very proud of. They have got about 30,000 people there, so let us say it is equivalent to St. Helier. They had a Government, which was elected in 2011, replacing the previous Conservative Government. It was a new Labour Government which had said, as one of its manifesto commitments, that it wanted to open a University of Gibraltar. In that 4-year electoral term they committed to opening the university, they designed the university, they built it, they hired teachers, they opened it and they started admitting students in just 4 years, and it cost them £10 million to do it. If we tried doing that, in this government system, it would take us a decade and would cost us £500 million and we can see that with what has happened with the hospital. So, I say that we may share, many of us in this Assembly, this vision that we want a higher education funding mechanism, which allows young people with aspiration and talent to go out there and fulfil their ambitions, not just because it is good for productivity and good for our own local economy, but it is good for the individual, who deserves to have a good life and to try and seek out their dreams, frankly. We may all agree, in the principle, that that is what we want to achieve, but the things that are getting in the way are things that many Members of this Assembly have simply, up until now, not been prepared to get to grips with. That is our broken tax and spend model, which simply is not capable of delivering many of these things that we would like to have for our society, and it is deeper than that. It is our entire democratic system which, frankly, offers poor value for money for taxpayers and offers a lack of accountability, which creates complacency. It creates a conservative culture in the public administration, which is resistant to change and which is not prepared to look at ways of doing things more efficiently and in a more cost effective way. Until we get to grips with those 2 very points and become a society, which has a proper democratic system, with accountability, with efficiency, with good value for money, then these problems - not just with higher education, but with all the other things as well, investment in health care to cope with the ageing population - all of these things are simply going to mount up, eventually, and we will not find those solutions until we adopt a much better government system, which allows us to come up with solutions, instead of spending. Years and years talking about it, achieving nothing, and frustrating a large part of the population of this Island, who then become disillusioned when we would much prefer that they were engaged and taking part because there are many people in our society who have got brilliant ideas, who have got talent, that could be involved and contributing, but they are not. That is the fault of a broken democratic system, I think, most of all.

18.1.4 Deputy M.J. Norton:

It is good to follow Deputy Mézec, who, I am glad to hear, had the opportunity of a university education and I assume grant funding as well. I do not know. What I do know is that at the age of 21 tomorrow I attend my daughter's graduation and I am immensely proud of that. **[Approbation]** I am immensely proud, not only of that, but the fact that she achieved her degree in Jersey. She has followed that up by now going for a Master's degree at a university in Nottingham, which will not be quite as inexpensive. However, it does make everything extremely poignant when we are talking about this today. I must congratulate University College Jersey, Highlands you may know it as, for what they do in the 22-odd degree courses, which are targeted towards the employment we

provide in this Island in its majority. I think we need to do an awful lot more of that, in order that the graduate workforce, that I read is vital for our economy, is supplied for. Now, we will not get that all from Jersey, unless we start looking at University Jersey in a much larger and grander way. That would be a wonderful achievement. Whether we can achieve that, or not, I do not have the answer to that, but I would like to at least think we can consider that for many reasons. But I was interested in the Minister for Education, not only his excellent speech, but also in fact the report going back to May/June time of this year where: "A full student loan would expose the Island to an unacceptable level of debt and financial risk." I do not argue with that at all. In the final paragraph, though, it states: "If an agreement can be reached with the U.K." and it is an "if". "If an agreement can be reached with the U.K. Student Loans Company to underwrite the default, rather than the total loan book value, it could result in a revenue cost savings." It seems that if Jersey could come to an arrangement with the U.K. Student Loans Company to underwrite the projected default, which at 30 per cent is higher than the default of 25 per cent in the U.K. on loans advanced to Jersey students for tuition fees, then the outlay would be £4.5 million, or roughly half of our current spending on higher education. This suggests that if Jersey were to do this, with the default on the loans, advance for tuition and living expenses - around £9 million- it would be cost-neutral.

[16:45]

Now, it seems that the Education Department are doing a great deal of work and they are talking continually and we are hearing that. What I would like to know is: have they given up the ghost on this option? Have they been told: "No", to this option? Is it not the option that we should be focusing on, given the overwhelming economic benefit of higher levels of graduates in employment, which is, I think, what we need to achieve? We all agree that we need more graduates and we need better education funding. How are we going to get there? I do not suppose there is going to be one answer; it is going to be a mixture of lots. But it does seem to me that the U.K. loan scheme, were we able to get in it, just for the underwrite at 30 per cent, would be a way forward.

18.1.5 Deputy M. Tadier:

This area is obviously slightly different, because this may have been suggested already. The starting point is completely different; it is not something that we have control over. To clarify, we tend to use universities in the U.K., not exclusively, but by and large, and we are a U.K. facing Island culturally, socially and economically and for many of us we would like to see that perhaps recalibrated, not to turn our faces away from that, but more towards the east where we have a big continent of Europe and not least France - Normandy and Brittany the closest parts of that - which has already been mentioned. I think that is all good, but the bottom line is, when a position where we did not choose to introduce tuition fees, that was a U.K. Government decades ago, and those fees have now gone up to unaffordable levels for many students, including our own. So, I think it is important to look at what we have got control over. I remain sceptical, despite what the previous speaker said about a loan system being viable. Full stop. I do not see how that is going to work. It is a little bit like electoral reform when everyone seems to have their own idea about how it could work and I say: "Well, go away and do that and see if you can make it work and then bring it back", because it seems to me that the loan scheme, especially when we have such a high rate of students not returning to the Island ... and that is not a bad thing, I am just saying that objectively speaking, you know, at any given point in anyone's life - be they a student or not - some will not always feel that coming back to the Island, either at all, or for a period of time, is the best way for their personal development for all sorts of reasons - not least, perhaps, for financial reasons - as has already been mentioned. So, I am sceptical about the possibility of a loan scheme but also, ideologically ... if we move towards a scheme where we say, as a society, we know that we have come from a position where we have had free education, at least means-tested and the grant system,

which have by and large helped many people, who would not have gone to university, get there and get a full education. If we say, well the responsibility is reduced on the part of the Government and it is up to the individual to make your own way, and I think we do value education in itself. We say that we are no longer just looking at education for its own intrinsic value as a social good, but it becomes more and more of a commodity and so we start to look at higher education ... a university education, as something which is purely ... can be measured in economic terms. So, I will go to university, it may cost £30,000 and I expect to be financially better off when I come back from that and, of course, it does not necessarily work like that. Even in my time, you were financially better off if you did not go to university because you could come back ... you could stay in Jersey at 18, you would get a job, probably, as an apprentice somewhere, in one of the local firms - be it in finance or elsewhere back in the day where some of the utilities were owned in Jersey - and you could work there and by the time the graduate would come back, perhaps via a slightly circuitous route, having travelled somewhere, you would find that your friends had already put down a deposit on a mortgage, had a nice sports car and were quite well set up already, not that they all necessarily stayed around after that point. So, I think it is difficult to look at this in purely economic and financial terms but, of course, how do we pay for our students, be they our own flesh and blood or, more communally, as a society, is going to be a big one? It seems to me that there are 2 obvious things that we do have control over and that are feasible. The first one is grants, i.e. how much do we put into the system in the first place? How much are we willing to put in and how much does it need and how far will that money go with some of the options that have been covered in here? The other one is on-Island provision, which I want to speak about in a moment. I was disappointed to read on page 6, and elsewhere in the report, that, in real terms, the level of funding ... that the States contribution to that funding has dropped from 64 per cent in real terms in 2001 and 2002 to now only 47 per cent and that necessarily means that the parents, possibly the students when they end up working during the holidays, end up meeting that shortfall. That is comparable with what has happened more generally in the shifting of the tax burden from the States, or from finance companies, to individuals, and we have seen this as a theme that is running through. More and more middle income families in Jersey, and that is a broad category, are having to fork out more for exactly the same provision which they enjoyed in the past. So, I think the first thing to do is we need a bit of soul searching and say: "Why has that dropped so significantly? Can we justify that?" The first thing to do is make sure that we increase the funding put into higher education to meet that and then we have a debate about what the level of funding should be and that could be various levels of generosity. Obviously, if we had a very progressive tax system, we know that there is a lot of money sloshing around this Island, some of which does not touch the sides, but other money, which is very real and is here and could be put to work in that sense. If you are going to default on a loan system ... you put a loan system in which, ultimately, the Government has to underwrite anyway, why not just have a more generous grant system I think is the point that I would make, which obviously optimises it. I know that, ideally, we would like to have a system ... we all stand up and say ... I think we have some agreement that it should not be dependent on the parents' wealth to send their children to university. Students should be treated the same, but I think, in the real world, it is going to be difficult to implement that, because I do not see us giving full grants, paying tuition fees and full grants to people who are multimillionaires in the Jersey context when there is such a predilection for means testing, even for modest parents, whose combined earnings are £75,000 upwards when it comes to N.E.F. (Nursery Education Fund), or has it gone to £85,000 now? These are the parameters within which we are working. Something we do have control over is establishing a proper university in Jersey. I know that there have been ... I am not going to say attempts, but there is already work in progress. We must acknowledge the good work that goes on at the newly labelled University College Jersey, I think it is called, at Highlands. We know we have got J.I.C.A.S. (Jersey International Centre of Advanced Studies), who have been putting on some great events and who have got that same aim, which is to form a university of Jersey. I mean,

I never thought that I would see an event where the 2 giants, on the one hand the ... Chomsky, the giant, Chomsky was televised and live-streaming into Jersey, into Millbrook Park for a question and answer session from J.I.C.A.S. and then, on the other hand, we had the political giant, Redwood, who came over to talk to us about his experiences in politics in the U.K. and he shared a stage with my colleague on the left, indeed, in both senses of the word, no doubt. There is good work going on already. It is slightly disappointing, or curious, to see that the current offering that is being put forward in terms of courses, obviously, has some of the courses that we would expect to see on there, such as nursing, business, arts, *et cetera*. But, I could not see any courses being offered currently to do with farming, agriculture, to do with tourism or to do with environmental degrees, which, certainly in the Jersey context must be a way forward. You would expect - with the knowledge that we have in this Island of the various agricultural disciplines, to do with tourism and the natural assets that we have over many decades, and also the environmental expertise that we have in the Island, the natural assets that go with that, not least the marine environment - that surely it is crying out for these kind of courses to be offered alongside the existing ones already. It seems to me that we need some bold thinking that has not necessarily existed up until now to do with the creation of an overarching university of Jersey. I do not know what the process is for one to apply for official recognition but, presumably, we need to make sure that all the expertise and the different faculties are put in place, that is the first thing. But, it seems to me that we do have areas that are currently white elephants, I mean, why would Fort Regent not be used for an additional campus site, a hub for a university, which could, on the one hand, of course, be used to teach local students either for some or all of their university studies, but also for a revenue stream to bring in people, who might want to study from parts of the U.K., from other parts of Europe and further afield, which could be an income stream to get Jersey on the map for its intellectual expertise and intellectual offerings that it gives. Part of the idea of going away has been mentioned already, it is not just simply to get an academic education. You can get an academic education by studying online, or by reading books, but it is presumably the additional factors that have been mentioned, but there is no reason that we could not have Jersey courses that would offer a year abroad as part of the offering. So somebody over here, a local student, might want to study arts or languages and it would mean that they could go and do their year abroad as part of that course as an Erasmus/Socrates student, whatever, and there are probably grants that are available still for that part of the studying and twinning. I do think it is important and I do congratulate the Minister on the ongoing work about looking towards Europe, especially those ones with English-speaking universities and courses and the ones with either no, or low, tuition fees. That has to be a way forward. I think, in one sense, you could argue that maybe there should be a boycott on English universities, with their high charges, when there are ones sitting on our doorstep that give us the opportunity to save money, to give students the opportunity of learning a second, or third, language and to have a different look at the education system when they come back to the Island eventually. I do not think we should get too hung up, as I said, on the economics of it, because you could look at it on one hand and say that students, who go away and do not come back to Jersey, that is wasted money. I do not think that is true. I think you cannot force anyone to return to the Island, nor would we want to, but, of course, when we import graduates to the Island to take up jobs, we have not had to pay a penny towards their education at all, but we are getting all that education that they have got and all that life experience for free. So, if you looked at it purely on economics, you would say: "Well, we do not need to worry about graduates and funding university, because we can just import our graduates, who we have not had to pay for, that are not our headache. We can get them into the jobs as need be." I think, of course, that is the cynical way to look at it, of course. The last point I will make is that I think we need to look at the whole education system, obviously holistically, but with an overarching idea of lifelong learning to it. So, some of the skills which we say are acquired and taught at university, in other curricula in other countries, would be taught much earlier and I have always been surprised, having spoken quite recently to some of the teachers

at the Alliance Française, that things like philosophy, which can constitute an entire degree in our context and obviously elsewhere, many British students, including Jersey students, do not learn about philosophy at all in their curriculum until they get to university or possibly A Level. But it tends to be at a high level where they come across the basic concepts and building blocks of logic and how to think and how to interact. So, I find that strange and these kinds of things could be introduced at a much younger age so that you have more holistic individuals. But similarly, I am very interested in those who currently are in the Island, who want to retrain, have been told in the past and I think even recently: “There is no point in you retraining, because it is going to cost money. We want you doing that job, filling shelves at Waitrose [or whatever the supermarket might be] because it is more cost effective for you. We cannot necessarily fund courses for you in Jersey.” I think that is a worrying state of play. I do not think there has been much change on that. We need to make sure that nobody falls through the gap and education is not just for that very narrow part between the ages of 18 and 25. We need to make sure that we are giving access to opportunities for people who may have missed it the first time around and I do not think we do enough in that respect. That is where the idea of a fully developed University of Jersey could be put to good use. I think it is something that the Ministers need to get behind fully. They need to find investment and you will probably find you will get much more buy-in from the business community talking about the big concept, rather than simply fiddling around the edges and talking about a student loan scheme, which (a) we know is probably not going to work anyway, and (b) is ideologically questionable to boot.

[17:00]

Deputy J.M. Maçon:

A point of information for the last speaker. I do believe that over here, for some of our courses in Years 3, there is the opportunity to go away to study in the university, just so the people listening at home are aware of that. Thank you.

The Deputy Bailiff:

I said that I would review the matter after an hour. It has now been an hour and 10 minutes in which the debate has been open. I would propose that we continue for as long as Members wish to speak and up until 5.30 p.m. and then, at the normal adjournment time, the States can decide if it wishes to continue, adjourning until tomorrow, or continuing into this evening, or wishing to close the debate down at that point.

18.1.6 The Connétable of St. John:

This is, of course, a highly emotive subject. I went to a college, which has subsequently become a university, so I suppose, technically, I can now claim to have gone to a university. One must remember, however, that on the one side you have the claim that anybody able to and who wants to get to university should go to university. But, on the other side, it is, of course, taxpayers’ money and should taxpayers’ money be used for somebody, who is going away to get a degree and then does not return to the Island? Or, equally, if they were getting a degree, it is of no, or little, use once you have obtained it and returned to the Island? Education is expensive and is it up to the taxpayer to pay for education for an individual who is, for his own fulfilment, getting that degree? Maybe that he wants to play a game of sport instead. Should we fund that? Other people are interested in education, some people are interested in sport, some people have other interests. It is a very difficult subject and I feel that it needs to be linked, in some way, to a benefit to the Island, rather than the benefit of the individual. We, today, have debated about a Christmas Bonus, we have debated about what is good for the Island as a whole. That is what taxpayers’ money is for. We do need to educate people. Today we are debating should we be paying for degrees? Fifteen years, 20 years from now, we will probably be debating should we be paying for doctorates?

Should everybody be a doctor, whether it is a doctor of belly dancing, or a doctor of medicine, or a doctor of philosophy; just how far is government responsibility in education to go? I do not know the answers, but I am just throwing those questions in and I think we need to be mindful that, at the end of the day, it is taxpayers' money and I know I am extremely fortunate. My father paid for all my education and, in a similar way, I have paid for all my own children's education. They have been privately educated and they have all gone to university. Not everybody is so fortunate and we must ensure that those who have the ability and also have the wish and willingness to benefit the Island, to be part of the Island, should not be hampered in any way in going for further education and achieving what is ultimately their own goal. That is what I have to say.

18.1.7 Deputy D. Johnson of St. Mary:

I have got no novel suggestions, but what I have to say really feeds off comments made by various other speakers, including the Constable of St. John just now and Deputy Tadier. My own situation is that I did not go to university. I come from an age and generation when I could enter an apprenticeship merely on the strength of my A Levels, or even O Levels, I think; and I chose to go straight into an apprenticeship, without going to university, and that has been a source of regret to me ever since. The point just raised by the Constable of St. John is echoed by the conclusions in the Minister's report on the final page ... the first conclusion: "There is no question that Jersey's economy needs a highly skilled work force and that its young people need support in acquiring these skills." Is our duty to encourage only those people who will come back to the Island? I would suggest it goes beyond that. My own 4 children did go to university. They all did come back initially. One has since gone away again, but one of such children came back, accompanied by what proved to be her fiancé, now her husband, having graduated from another university and he brought with him his skills, which cost the Island nothing. I would suggest that there is this general consensus among all nations that you lose some, you gain some and I do not think we should be concentrating so much on either in educating, or choosing particular courses available to us that should just guarantee that those skills are available to us. We have a duty to provide those skills ... a skilled work force elsewhere, as well, on the basis that we will get back from others what we might lose ourselves. A couple of other points I might note is - going back to Deputy Tadier's point and Campus Jersey - yes, I obviously encourage everything which Campus Jersey can do to extend their repertoire, as it were. Both he and the Deputy Maçon mentioned the Erasmus schemes about spending a year abroad. I would like to turn that on its head and suggest that we, perhaps, could do more to encourage foreign universities to send their students here to complete one year here on, perhaps, areas we should be investing in: tourism, agriculture, *et cetera*, and that might be a money winner as well. Generally speaking, what I do find - shall I say curious - is that it suddenly seems quite relaxed about agreeing to commit large sums of capital expenditure to new schools, *et cetera*, but for what? They come to a stage when the logical progression of that expenditure is to enable those children to go on to further education. Can it be right that we come to a stage where we say we have given you the best education we can in the Island, but there are no more funds available? I just suggest that we need to balance that expenditure, somewhat, with the future needs of our people. The final point I make, really, is that reference has been made to the way of funding and I do congratulate the Minister for Education for his survey and research. There is no single way, I know. I would like to go back to the savings scheme for parents. I mean, surely, there must be some way they can be encouraged for that eventuality, whether it is by savings, tax rebates, whatever, and I would ask consideration at a more generous level to be given in that connection.

18.1.8 The Deputy of St. John:

I have been umming and ahing as to whether I should speak in this, but if I repeat myself in an open forum, maybe somebody may listen. I had the privilege of working with the Minister for

Education and the Minister for Treasury and Resources, with regards to higher education, during my time as Assistant Minister. What disappoints me is: in this report there is no mention of the tax relief that is given to people who send their children to higher education. Marginal relief, it was increased to £9,000 tax relief and on a 20 per cent rate, it is £6,000 tax relief, even though the tax strategy, back in 2004/2005 that was agreed, was that when we move to 20 Means 20 it was supposed to be 20 Means 20, and we still have not removed those allowances. We are getting there, very slowly, 10 years later, but that £6,000 allowance was kept for 20 Means 20 because, on the basis that the Minister for Education and the Minister for Treasury and Resources would try to find a solution to this very issue with regards to higher education. That was the reason for keeping it and that was a reason I reiterated numerous times to the Minister for Treasury and Resources that it was important for us to find some form of solution. There is not one solution that will help everybody. Everyone is in a different situation. The grant system helps those on lower incomes, there is the savings scheme that helps people on higher incomes, but it is those people in the middle that will struggle and that is the issue and those are the people that are arguing with regards to a loan system. The argument that is made, and I can understand the argument that is made from them, with regards to the student taking responsibility for their higher education. I think it is a 3-pronged approach, I think there is a States responsibility, I think there is a parental responsibility, but I also think there is a student responsibility. If we are to burden a student with a loan system - if we could possibly go down that route which I have heard more negative speech, rather than proactive, or positive, speech about - I think that if we were to go down that route then we would have no choice but to remove that tax allowance, because that would be giving the parents still a tax rebate when the student is receiving some form of loan. I received figures during my time ... I requested figures when I went to workshops with the Minister for Education last year. There were 2 workshops with the public with regards to higher education and this ... various different solutions, ideas, information were shared among everybody. In November there was also a presentation that was provided by the Treasury Department by Tax Policy officers with regards to how the tax rebate works and how that supports parents with regards to the children's higher education. I received figures with regards to the 2013-year assessment. The 796 taxpayers, who are claiming higher child allowance under the marginal relief, as married taxpayers, from under £20,000 to £200,000. That was a 2013-year assessment. Then you have 369 taxpayers claiming it of just under £75,000 up to over £500,000 who are claiming the £6,000 tax relief. Then the marginal rate single taxpayers, 396; that is people under £20,000 to £200,000. Then the single taxpayers who are standard rate, just under £75,000 to over £500,000 who are claiming that £6,000. That totals over £3 million that is not being claimed in terms of taxes, because we are relieving those parents with regards to higher child allowance. I am not saying that that is wrong. In the present situation, where we do not really have a solution and we do have some form of grant system for those at the lower end, it is right in the meantime, but it does not mean that we should not find a way forward. As much as I was not particularly supportive of a loan scheme, honestly ... because of the situation we are in, we are not going to be able to make the U.K. change their minds about making university a business and becoming competitive and causing the many, many issues that we are seeing and basically the U.K. becoming a mini United States of America with regards to higher education, which that comes with so many other issues with regards to education for people. Unfortunately, we have created a society or a culture where everyone believes that the only way that you can make something of yourself, or improve in life, is by having some form of degree. I think what is really, really important in the meantime, in terms of finding a solution, the Minister for Education needs to ensure that communication for students is absolutely paramount with regards to careers information, understanding that that is not the only way in life to go, there are other routes. Businesses have to understand: you do not have to have a degree to be able to do all different jobs. There are specific degrees that are really important for specific types of work, like the medicine, like the veterinarian courses, all those types of things I think are really important. But once you get

into those professions, that training does not stop; it is continuous. That profession changes time and time again. It is a continuous learning game that we have to play and that is life. The report goes some way to saying these are possibilities, but it is nothing that we have not really seen before. That is what really bothers me and I think bothers a lot of other people. We have got this report; we have had a Modelling Student Loan Repayment Behaviour 2006, the Goldstein Report from 2006, the Green Light Report from 2009.

[17:15]

I have got various different documents here go on and on and I just do not think it is acceptable where we are in the position now: where people are really trying to do the best for their children and they are trying to do the best on behalf of society; and continuously, for some reason, they feel like they are coming unstuck. They are the ones that are being hit constantly, for whatever reason, there are so many different changes that we have made just during the 8 years that I have been in States Assembly. The budget is changing, so bringing more income tax in, or the budget is changing so we are taking more tax out of the system and, therefore, not looking at the overall complexities of how social security, the tax system and education work in the round and how we support those individuals and whether we support them going forward. So, I think the principle that we have not discussed or the Government have not led on, in terms of what we do in terms of higher education, and there needs to be direction set and that direction is not set within this report. It suggests some things that could possibly happen but we can all say: "Might, maybe, could", but it does not help to give anybody certainty, especially those students that all they want to do is achieve their best for their future. So, at the moment, that is where I stand and I find it really difficult and I hope that the Minister for Treasury and Resources, wherever he may be, would hopefully say something with regards to this, because the Minister for Education stood and said, you know, "Funding is an issue." Funding needs to be dealt with, apparently by the Treasury Department, so I would like to know what the Treasury Department are going to do about it. I have explained the work that I did with education with regards to the higher child allowances, the tax relief side of things and the ways that we could work around these models. So, I would like to hear it from the Minister for Treasury and Resources, because he is elected by us as the States Assembly, as to how we can deal with a solution in the long term and going forward.

18.1.9 Deputy A.D. Lewis:

I do not want to hog the floor; other people have got things to say, but I have heard a lot of really interesting stuff. So, thank you, Members, for your contributions. I am not summing up here; I have got some important things to say in the context of the things that have been said already. We have got 2 choices here ... well, 3 probably: we can do nothing at all, which I do not think the public would like; we could tax everybody a lot more to do this properly, which I do not think anybody would like; or we could have a loan scheme. I think those are really your 3 choices, whatever way you want to look at it. The Gibraltar model was mentioned by Deputy Mézec. There are some fundamental differences there. I have visited that university, I have met the Vice Chancellor, I have looked at their model. They pay higher taxes for starters, so they have a free system for everybody to go to the U.K. to study at the agreed course of their choice. Completely paid for. They cannot afford it anymore and they have got higher taxes than we have, which is one of the reasons why they are creating their own university, but that university is doing no more than we are already doing at Highlands. Highlands and the fantastic things that are happening there and elsewhere in the Island for this level of education are never going to be enough. We are never going to be able to produce enough of that type of education on Island, and that is a fact. You cannot get away from that. So, how do you pay for it? Now, I have been sent some interesting information here from a student that is at university now and if you would indulge me, I am just going to read something he has said. He is at university with a lot of students from the U.K. that

are on loan schemes. He said: "For most students, the student loan is revered as their golden ticket to professional life. They consider it to be a positive arrangement that affords them independence and freedom to study what they want. This is evidence based on how my English friends talk of their student loans. They are aware that they face large debt on graduation and some are daunted by it, but none would change having that debt if it meant they could not receive the higher education that they desire." That is from a student, a Jersey student. He goes on - and I can circulate this to Members if you will give me permission - and he talks about the huge opportunity that he has now been given, because he has managed to access some grant and some parental contribution. He is among students that are all in the same situation; they have all got loans, but they are going to, hopefully, most of them, get better jobs as a result of it and will be able to pay that loan back. They know that they have entered into an agreement and they are going to honour that. There will be some defaults. The very nature of lending is you have a risk of default, and the Minister for Education mentioned this is, perhaps, one of the highest risk loans any institution would ever make, which is why they are never going to do it, but governments bet on people. Governments bet on young people, in particular, by educating them in the first place. So, it is a bet that I think is a good runner; it is worth taking that risk, because the majority of them, if loans is the only way to go ... if somebody comes up with a better solution, like tax everybody more so we can have a full grant system, wonderful. But I am not sure it would go down well at the moment. That is your alternative. A loan scheme may be one of the few solutions we have, or a blend. Somebody mentioned - I think it was the Deputy of St. John - a blend: parents, the state and the student. The student will begin, hopefully, a job earning more than he/she would if he/she did not have a degree. They will have the capability of paying back a loan and they will want to do it in quick order. They will not want to default knowingly, because that will affect their credit rating in the future. Deputy Mézec talked about buying homes. It is a little bit easier in the U.K. It is still difficult though. It is even more difficult if you have got a bad credit rating, because you defaulted on your loan scheme. So, they will not wish themselves. The Student Loans Company in the U.K., the one question that has not been asked of them is: "Would they be prepared to administer and assist us with a loans scheme that we underwrite as a Government?" What is really important about that is that if we are going to chase possible defaulters, and there will be, we need to access the P.A.Y.E. (Pay As You Earn) system in the U.K., where the majority of these students will end up working, which is how the student loan system works. It goes straight from the P.A.Y.E. system and they pay their loan back. If we cannot access that, it would be really hard for us to have any loan scheme. An urgent conversation with the board of the Student Loan Company is a priority. We are not asking them for their money; we are asking for some assistance to manage a loan scheme. The current grant system, I think, totals about £30 million. Is that right, Minister? The Deputy of St. John mentioned £3 million of tax credits. So that is £16 million a year. There is no way we are going to have a default run rate of £16 million. I think it was Deputy Norton mentioned that he thought probably £4 million or £5 million could be a realistic default run rate. So, we have already got the money, it is just we have not used it in, perhaps, the way we could, re-engineering it so that it could happen. Somebody earning £28,995 is on minimum wage. That is a couple living in the same house; they are on minimum wage. That is still too much to access the full grant system. So, the grant system we have for our poorest in our society is not adequate enough anyway. It is rising, it is great, but it has to catch up to £46,000 of income before it catches up to where it was when it started in 2001 and we may go up to £36,000; it is still not going to be enough. So, the poorest in our society ... and I had one lady come to me, who I met with last week, who was distraught because she has a very bright son, she is on minimum wage. He is at L.S.E. (London School of Economics), one of the most expensive colleges in London and he has a job to substitute his living expenses. She, fortunately, has a brother who is helping her, who lives in the U.K., otherwise she could not possibly afford to do this without a full grant, because of the cost of living in London, in particular, but it is not too different to many other cities in the U.K. So, even our poorest in our society are not

reaping the benefits of the grant system in the way it was originally intended. So, perhaps, equality would be not to have such a system and put everybody on the same footing, which would be some kind of loan system. Something to think about ... I am not saying that is what we should do, but it is an option we have. I have had, over the last few weeks, some heart-rending emails and letters and many Members may have had the same. I hope you could just indulge me slightly and read some of them. I have permission from the people to read them, albeit it will be anonymously. I have got one here that: "Our second daughter is due her A Levels in 18 months and is a high achiever as well. I cannot fund the second student; I am fearful for her future. I will be forced to sell my dental practice to raise funds, unwillingly take early retirement, which is a disaster for my family. I have 2 other children, who are aged 12, we cannot sell the family home and I am deemed too old to raise loans from a private sector mortgage. I have significant borrowings already for the first student." That is a highly paid professional. I have another one here, which I hope you do not mind me mentioning and this one was quite pertinent to those that would like people to return to Jersey with key skills: "I have got 2 very clever daughters, one of which has just qualified as a surgeon, the other is an anaesthetist. Putting 2 daughters through medical school cost a fortune. Although we received some funding from the States as well as help from charities [and they have mentioned one particular foundation], it has been a gigantic financial struggle requiring re-mortgaging. Now that I am over retirement age that means a horrendously expensive private mortgage and a long-term student loan might just have eased that burden." This gentleman is now going to sell his house, move into a smaller house. His children that may have come back to work in a hospital and live in the house he was living in, are no longer going to come back. I could go on. I have had dozens of these and I was really quite taken aback and they were not people pleading for money, they were people pleading for fairness. We have been talking about this since 2001 and we still have not got anywhere and the Deputy of St. John articulated that really well by displaying, in her hands, 3 reports that have been done on this subject over many years and still we do not have a solution. I would urge the Minister for Treasury and Resources, as I know he already is, to talk in more detail with the whole of the Council of Ministers and, in particular, the Minister for Education, who wants to do something about this, but his hands are tied; he is not the Minister for Treasury and Resources. There is huge opportunity to do something about this in short order. There are funds that exist; I do not think we are using them as wisely as we could. We can resolve this situation. We do not want some of our middle income families, who are raiding their pension pots, re-mortgaging their houses, to come to us in 15 to 20 years' time and say: "Can you help me with my care? I have got no pension now. I want to rely on my state pension and that is not enough either." They will become a burden on society when they do not have to be and they prepared so they would not have to be and now they find themselves in the situation. We are building up a time bomb in the future with some people and the way that they are dealing with their savings, their pensions and the biggest investment they have ever had in their lives, which is their homes. I think that is really sad and very worrying for a lot of people out there listening today and that have communicated with many of us over the last few weeks. So, I hope that the Minister for Treasury and Resources ... I do not know whether he is still in the building, but I had hoped that he would speak, as the Deputy of St. John suggested, because I know that he would like to find solutions for this as well. I am hoping that what has been said today has enabled him, and the ministerial team, to really go away and think about this and come up with some solutions and, like it or not, Deputy Maçon very eloquently expressed his concerns about the loan scheme. I fully understand that, but I could read you more from this student's view on student loans. Okay, it is one student, but it is so believable. He saw it as a golden ticket. His fellow students saw it as a golden ticket; they would not be able to do it otherwise. There are 2 ways of doing this: increase taxes, pay for everything, some of ... everything or a loan scheme. So, I would hope that the Minister for Treasury and Resources and others can give serious thought to that as a concept and look at the other loan systems around the world, America, U.K. and so on. Some of them have

really bad systems, really bad. So, we can look at the bad bits and we are one of the most eminent finance industries in the world. If we cannot produce a good one, who can? I firmly believe we can. We are a can-do society and I believe we are a can-do Assembly as well. We can do this and I do hope that we can and we need to do it soon, because we are going to lose a whole generation that will not take advantage of this opportunity. I will leave you with one final thought: 82 per cent of new jobs created in western economies ask for - in fact demand for - a degree level of education. We are one of those successful economies that need that too.

The Deputy Bailiff:

I have no other Members who are indicating a desire to speak. Accordingly, I think, I should close the debate and, therefore, that is the end of Public Business and we come on to Arrangement for Future Business.

[17:30]

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

19. Connétable L. Norman of St. Clement (Chairman, Privileges and Procedures Committee):

The Public Business for future weeks is as per the Supplementary Order Paper, except that we agreed earlier that Deputy Tadier's proposition P.88, which was postponed from today, should go to 1st November and the Deputy has also asked for his proposition, P.54, which is currently down for 1st November, that is the Bailiff of Jersey: cessation of the dual role, should be moved to 15th November. With those 2 alterations, we propose Public Business as per the Supplementary Order Paper and I would suggest that the Arrangement of Public Business on the 1st November sitting should be no more than 2 days.

The Deputy Bailiff:

Very well, do Members agree to take the order of future business as proposed by the Chairman? Very well, the States stands adjourned until Tuesday, 1st November 2016.

ADJOURNMENT

[17:31]