

STATES OF JERSEY

OFFICIAL REPORT

WEDNESDAY, 17th JANUARY 2018

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[9:31]

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

PUBLIC BUSINESS – RESUMPTION

The Bailiff:

Before we resume the debate on P.112, a recorded vote was taken on P.96, Senator Ferguson's proposition regarding JT. The proposition was defeated by 34 votes to 9. At the conclusion of the vote there was a request pursuant to Standing Order 92(8) of the identities of those voting for and against the proposition. When the Greffier read the names of those recorded as voting, Deputy Andrew Lewis announced that he thought he had voted against the proposition but he was recorded as voting for it. He also described it as a ring-binder moment. I took that to be a reference to a vote cast accidentally in a particular way rather than intentionally, in other words a statement that he had made a mistake and he wished to correct it. I ruled immediately that he could change it in those circumstances and the vote was adjusted to 35 votes to 9 against. Following that I was rightly asked to make a formal ruling on the correct procedure to be followed in these circumstances. Before I do so, Deputy Lewis, could you please tell me whether you are able to confirm, not what you intended to vote, but that you did in fact vote against the proposition?

Deputy A.D. Lewis of St. Helier:

As far as I can recall I voted against the proposition. It was not until I looked down again and saw the button was lit "P" that it appeared that I had voted pour, but as far as I can remember I voted contre, so it was a surprise to me when I saw my light was on "P". I know there were some issues with the voting system yesterday so I can only assume that it may have been something to do with that. My full intention was to vote contre and that is what I thought I had done.

The Bailiff:

So you are telling me that you think you pressed the button contre. I would like to say at the outset of the ruling that the fact the proposition would be defeated whatever decision I took at the time played a significant part in my immediate reaction because it made not a ha'p'orth of difference to the result. That is no defence. But also perhaps an explanation of the ruling that I had only a minute before arrived in the Chamber and probably had not fully orientated myself. But for one thing I would overrule the decision taken yesterday; that one thing is that I have been advised by the Greffier and, as indeed the Connétable of Grouville said yesterday afternoon, the electronic system in the Chamber had been acting erratically all day and indeed my own screen, which I am pleased to see working this morning, which normally showed the results of the vote, was frozen as though the Connétable of St. Peter was speaking. As Deputy Lewis says that he pressed the contre button I accept that. It follows that the system had wrongly recorded his vote, so it seems to me to be right that the Presiding Officer should be able to exercise a discretion to permit the vote to be taken accurately. There may be other circumstances, for example where an adjoining Member accidentally knocks the arm of the voting Member, causing him or her to vote in the wrong way. The important thing, what is apparent from those sorts of examples, is that the wrong recording of the vote came about, not as a result of a mistake by the Member, but by some happening or mischance, which was out of his control. Where the Member just makes a mistake in casting his vote, he or she is not permitted to change it.

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The Bailiff:

With that done, we return to the debate on Deputy Tadier's amendment to P.112 and Senator Ferguson had just spoken last night.

Senator P.F.C. Ozouf:

We were going to hear from the ...

The Bailiff:

We are going to hear from the Attorney at some point. Attorney, at this stage?

Mr. R.J. MacRae, H.M. Attorney General:

Before we rose last night, you kindly gave me the chance to consider overnight the position in relation to Constables and invited me to consider what conclusions I would offer to the Royal Court in circumstances where a non-British person was elected as Constable. Any conclusions of the Attorney to the Court, were a non-British candidate to be elected as Constable, would of course be based on more meticulous research than that carried out to date. The question is of course as yet hypothetical. It is one thing to address the Assembly on a hypothetical question of law, another to present detailed submissions to the Court. But, subject to that caveat, it is very probably the case that an *aubain* or alien could not hold public office at customary law. An *aubain* could not inherit property and one assumes that someone incapacitated at that very basic proprietary level where membership of the Parish Assembly depended upon land ownership would not have been eligible to occupy public office. The very absence of case law may well be indicative of the position being so fundamentally accepted that it was never questioned or even articulated at any length. Public office, especially that which involved keeping the King's peace, which the Constable was obliged to do and it is still contained in the oath, must have implied allegiance. After all, the Constable was an arm – *bras* - of the Royal Court – see Le Geyt, the 17th century Jersey lawyer - and the Court's duty was ultimately to the King or Duke, it is of course the Royal Court.

[9.45]

The notion that someone with no affiliation to the kingdom or duchy might act in that capacity would have been repugnant at customary law. Of course in recent years the admission of non-British persons to the Honorary Police has made inroads into the assumption that might obviously historically have been made. But before the customary law can be found to have altered various tests must be met as laid down by Routier, the 18th century Norman author, and in general terms unwritten law must have been altered by new introduction with the tacit agreement of the sovereign and the people as a result of new observance in departure from existing custom. If I am correct in my understanding of the customary law position in relation to Constables, there is no instance in which an altered position or custom has been observed for a period of time, indeed there is no evidence of any instance to show that a new rule has been established with the tacit agreement of the sovereign and the people. The very uncertainty about the question perhaps militates against such tacit agreement having taken place. The fact that British nationality has been taken without question as an incidence of membership of the States by Deputies when they were introduced in 1857 - Article 2 of the law in relation to them - and by Senators when they were introduced in 1948, suggests strongly that this was merely echoing what was taken to be the requirement in relation to the existing elected States Members who at that time of course were the Jurats and the Constables. Therefore, my conclusions would be to the Royal Court that the threshold for any alteration in the customary law position has not been met and in other words I would most likely not move that a non-British candidate should be sworn in as Constable. Of course the court might take a different view, but those would be my conclusions in those circumstances. Secondly, Senator Ozouf raised some questions before we adjourned last night in relation to nationality and citizenship. The terms are often used interchangeably and indeed conflated but there is a general view that citizenship is a narrower concept, meaning legal status, in a country which confers a set of rights. Nationality is a broader

concept, usually denoting where someone is born, and can be acquired of course through inheritance from parents. So, for example, a German person could acquire British citizenship, but no one would say that he or she had not retained their German nationality. Of course in the U.K. (United Kingdom) there are at least 4 nationalities but only one form of citizenship, British. Having said that, to hold dual nationality or even simply non-British nationality does not necessarily, certainly in peace time, conflict with membership of this Assembly so long, of course, that the person in question was able to take the oath, which involves swearing allegiance to the Queen and her successors in the case of Deputies and Senators and to keep the King's peace - the Queen's peace - in the case of Constables. Having said that, that leads indirectly to me considering whether or not there is any difficulty in the current arrangements, which do require Members of the Assembly to be British citizens from the perspective of the Discrimination Law or indeed the Human Rights Law. In summary, there is no difficulty from either perspective. The Discrimination Law prohibits direct and indirect discrimination because of *inter alia* a person's race and race, for this purpose, includes a person's nationality and national origin. But the law only applies to discrimination in relation to particular acts as set out in parts 3 to 6 of the law. None of those acts would appear to stretch to restrictions on a person's ability to stand as a candidate for election. From a European Convention on Human Rights perspective, the most relevant right is Article 3 of the First Protocol to the E.C.H.R. (European Convention on Human Rights), which provides that the high contracting parties undertake to hold free elections at reasonable intervals by secret ballot under conditions that will ensure the free expression of the opinion of the people in the choice of the Legislature. Limitations on that right are permitted providing that they do not impair the very essence of the rights or deprive them of their effectiveness and provided they are imposed in pursuit of and proportionate to some legitimate aim. A state is afforded a considerable margin of appreciation by the European Court in determining what is proportionate. The relevant European case law reflects that restrictions on eligibility to be a candidate may amount to a limitation on rights, however the European Court has accepted that stricter restrictions can be placed on the right to be a candidate than on the right to vote and accordingly the Jersey position would be E.C.H.R. compliant, the leading case involves a Latvian and I do not propose to read from the judgment, but in particular interest for our purposes is the 2009 U.K. Supreme Court case, which considered a similar restriction on the right to stand for a candidate in Sark. In that case the Supreme Court held that a restriction on eligibility to stand for election in Sark, so that only British, Irish or some Commonwealth citizens who are resident could stand for election was compatible with the European Convention. Interestingly, the Supreme Court noted in its reasoning that the evidence, not just in the previous European case, but also from various websites, was that almost all members of the Council of Europe have a nationality requirement on eligibility to stand for election to their Legislatures. Accordingly, from the E.C.H.R. perspective, the arguments that were accepted by the U.K. Supreme Court in the Barclays case - the Sark case - apply with equal force to the position in Jersey and the restriction of the right to stand for election to British citizens would accordingly be lawful and not infringe the E.C.H.R.

Senator P.F.C. Ozouf:

May I follow up? May I thank most warmly the Attorney for having obviously spent a lot of time overnight considering these issues. I know the Attorney probably does not want me to ask him this question because he might want notice of it, but overnight I also have been looking at this issue of citizenship and nationality and trying to find out exactly what the issue is. I wonder whether the Attorney could address the Assembly on the issue of is there such thing as Jersey citizenship as distinct from nationality? Because this issue is alive and well and I draw his attention... I know he probably has not read it, but there was evidence taken by the Select Committee of the European Union Justice Sub-Committee by some noble Lords who were considering the issue of European citizenship and I just wanted to find out whether he had any observations that could assist Members

in their dilemma, some of us wish to reflect citizenship and see whether we can get our heads around citizenship.

The Bailiff:

Bear in mind it is a question, you have already spoken so you cannot make another speech.

Senator P.F.C. Ozouf:

I know, but I am asking a question, is there something that is Jersey citizenship that would not require a British passport? That is my question.

The Bailiff:

Thank you. Deputy Labey, you also had a question for the Attorney?

Deputy R. Labey of St. Helier:

I wondered if the Attorney could assist with letting us know if the term “alien” is defined in law, for example if somebody had been resident in Jersey for over 10 years, paying income tax, had a social security card, on the electoral roll, paying rates, but were not a British national, would they be classed as an alien?

The Attorney General:

Dealing with the first question, if I may, there is no such concept as Jersey citizenship. This was something that was touched on in the Barclays case - the Sark case - in 2009 by the Supreme Court. The Supreme Court held that, as the Bailiwick of Guernsey does not have a separate nationality, the Supreme Court accepted that imposing a nationality requirement based on the U.K. concept of citizenship and who or is not an alien under that law, as extended to our Islands, was justifiable. In relation to the position of *aubain*, I can reassure Deputy Labey that of course the rules against them holding land and the like have been abolished long ago, but the position remains that someone can remain a non-British citizen and thus accordingly an alien for a very long time, notwithstanding that one may contribute to the Island in other ways.

The Bailiff:

Sorry, did you have a further question for the Attorney, Deputy Tadier?

Deputy M. Tadier of St. Brelade:

Yes. It is just in relation to the wider context of whether or not specifically related to Deputies and Senators the British nationality requirement relates only to being sworn-in, so somebody could stand for election, get their nomination paper signed, as a non-British citizen be successfully elected, and then the problem would only arise after the people have given their verdict, so is that currently the case in this situation, and obviously for Connétables as well?

The Attorney General:

Under Article 7 of the States of Jersey Law, a person is not qualified for election unless they are a British citizen and they become disqualified if they cease to be a British citizen. I hope that answers the question.

The Bailiff:

Have we finished the questions to the Attorney?

Deputy M.R. Higgins of St. Helier:

No, it is the Attorney that I want to speak to. It is just a straightforward one, just trying to deal with some confusion on my own part, you mentioned the Barclays case against Sark and with reference

to the Supreme Court, but surely the Supreme Court did not have jurisdiction in that, it was the Privy Council?

The Attorney General:

That was one of the arguments in the case. I do not really want to be drawn on the details of that now.

The Bailiff:

I understood, Attorney, that was a challenge by way of Judicial Review in the United Kingdom, in which case it would have gone to the Supreme Court.

The Attorney General:

That is right, Sir, yes.

Deputy K.L. Moore of St. Peter:

May I just ask the Attorney a question in relation to the Sark example as well? So, according to what I heard from the Attorney, if it became a matter of a member of the Commonwealth in a broader context of nationality, therefore you could have a position in Jersey where, for example, a Kenyan national who had been resident in the Island for 2 years would become eligible for election, whereas a Portuguese national, for example, who had been resident in the Island for 40 years could not?

The Attorney General:

They would both be eligible to vote but neither would be eligible to stand.

Senator P.F.C. Ozouf:

May I ask another question? I know this is quite a complex issue and I am sorry to persist with a further question, but Deputy Tadier raised a question to the Attorney, which may well find a way forward according to what the conclusions of the Attorney could be. Is it possible that, if one is of the view that to be sworn-in as a Member of this Legislature the person has to have British nationality, is there the possibility that somebody could stand, if we approved Deputy Tadier's proposition that removed the requirement for nationality that is proposed by the chairman of the Connétables, but then required for that individual to be sworn-in, because obviously there is a period of time between it, as a British citizen, is that possible? Because it seems to me that would be the win-win that some of us are ...

The Bailiff:

No more speeches.

Senator P.F.C. Ozouf:

No, it is a question.

The Attorney General:

I did not quite follow the question; perhaps the Senator would kindly repeat it?

Senator P.F.C. Ozouf:

In other words, is it possible, from a practical and legal perspective, for an individual, if Deputy Tadier's amendment is approved, to run concomitantly with a requirement of a swearing-in, which would have a nationality requirement?

The Attorney General:

As I follow the amendment of Deputy Tadier, if the amendment is approved then the argument will be that there is no requirement for a Constable to be a British citizen, full stop, and anyone will be able to stand for that office regardless of nationality.

Deputy P.D. McLinton of St. Saviour:

Put simply, if the Attorney General could confirm, that you are disbarred for standing for any position within this Assembly if you do not hold a British passport?

The Attorney General:

Yes.

The Bailiff:

Under the current law?

The Attorney General:

Yes.

[10:00]

The Bailiff:

Does any other Member wish to speak? I have to invite somebody to speak because Deputy Tadier is momentarily out of the Assembly. Deputy Mézec.

1.1 Deputy S.Y. Mézec of St. Helier:

I may as well. I just want to start my remarks by talking about 2 people I know. The first is somebody who I went to school with but who I did not really stay in touch with after leaving school but who I happened to see last year when a group of friends went out for some drinks together and this person just happened to be there. We were having a chat and we were just catching up on what each other had been doing over the previous few years, she was working as a teacher over here. She had heard about what I was doing - it is difficult not to if you are paying attention to the news - and so we were having quite a good chat about the education system, how she thought things were going in there. She had some pretty strong and I think pretty valuable things to say on how she thought the Education Department was being run, what better support that could be provided for students, and she had had first-hand experience of this. In fact she was so passionate I said to her: "You sound like you would make a good election candidate." She said to me: "Well I could not be." I said: "Why is that?" "Well I do not have a British passport." She had lived in Jersey since she was 4 years old, her accent was the same as any Jersey-born person, she was talented, she was working in our public sector, in our schools, she was committed to this Island, it is the only home she had ever really known, and she could not stand for election because of some silly little rule about what document was or was not given to her at some point in her life, irrespective of what her views were, her aspirations, her dreams were. The second person I will talk about... and I have to be slightly careful about this one, so I will not say how I know this person, but I happen to know somebody who was not a British citizen, who spent many years of his career working in a job - I will not say more about what this job was in Jersey, which you had to be a British citizen to work in. He was not a British citizen. Do you know what he did? He just did not tell anyone. Just did not tell anyone; carried on to work in this job, eventually they changed the law and then he held his hands up and went: "Oh yes, by the way I am French." Did anyone care? No, because he was good at his job, simple as that. I see people every now and then and speak about this person and they remark about how they had enjoyed working with him. These I think are 2 examples that highlight how utterly ridiculous this argument is and I have to say I find some of the comments that were made yesterday depressing, to be perfectly honest, because I think that they are based on a type of ignorance and I think they are offensive views and

the worst thing about it is the people talking about their angle on this argument do not realise that what they are saying is offensive. What one of these you have has nothing whatsoever to do with your commitment to this Island. I was born and raised in Jersey, both of my parents were born and raised in Jersey, and in my one of these I have the stamp that says: "Not entitled to live or work in Europe." I am as Jersey as it gets. But I am sorry, whether you are a Jersey person in my view has nothing to do with where you are born, what matters is how much you care about this Island, how much you care for the people that live here and what you want to see happen to this Island to make it an even better place to live for all of us irrespective of where we were born. I find this utterly depressing that somehow, if you have not picked up one of these documents somewhere along the line, it is a sign that you are not really as committed to the Island as other people. Here is why it is so absurd; you can move to Jersey from Pitcairn Island, a British Overseas Territory that is as far away from Jersey as it is possible to be without going into space, and within 2 years you would be allowed to stand for election here. Yet somebody who moved here when they were 2 years old, knew no other home other than Jersey, considered themselves to be a Jersey person, lived and worked here for 40 years, paid their taxes, volunteered in whatever organisations here, would not be able to stand. I am sorry, it is discrimination, that is what it is at the end of the day. What makes it I think even more absurd is that we are not even talking about Jersey citizenship. If there was such a thing as Jersey citizenship then I think all the arguments that would have been made on the other side would count for something, but we are not, we are talking about citizenship of somewhere else. There will be many people who live in the United Kingdom who were born in another country but who took up citizenship in the United Kingdom at some point while they were there for the purposes of living in the U.K. and then decided to move to Jersey, so that would be an example of one type of foreign person who picked up British citizenship and then picking it up was not a sign of their commitment to the Island, it was their sign of commitment to another country. There are around about 70 million people on this planet who have a British passport who never asked for it, were just given it. I was just given mine, I did not ask for mine, I swore no oath, I did not have to demonstrate any sort of loyalty test, I was simply given it, and there are around about 70 million other people on the planet who live in all sorts of interesting and wonderful places, whether it is the U.K. itself, whether it is the Falkland Islands, Pitcairn Island, the other Overseas Territories of Crown Dependencies, and our law puts these people above other people, irrespective of the contribution that they have made to our society and our community. I just think that really is utterly ridiculous. I have to say I think the argument that was used by Deputy Maçon yesterday was a spurious argument: "It is not reciprocal." Well, I am sorry, but what the other countries do is a matter for them, it is nothing to do with what we do here in Jersey because Jersey is a unique place, we are a unique melting pot that is very different to other places in the world. How many other countries are there that can boast that 50 per cent of the people who live there were not born there, had come from somewhere else to make a contribution here, not many other places, and many of those other countries have their own citizenship, we do not, we have citizenship of somewhere else. I think it is an utterly spurious argument and has nothing to do with what this Assembly decides to do to determine what sort of makeup we have here. Deputy Andrew Lewis spoke about naturalisation being a sign of commitment, and here I think we are getting to the real point. To take up British citizenship costs £1,000-plus, £1,000 or above; £1,300 I am told. That is not a small amount of money. A lot of the people who I know of other nationalities, for the purpose of standing for election - which is the only benefit they would get from taking up British citizenship - to spend £1,300... do you know what, in some constituencies in the Island that is probably your entire electoral expenses, so you would be spending an additional £1,300 above what everybody else has to spend for your right to contest something that you might not win anyway and which is given to some people automatically after being here for 2 years, even though they might have come from the other side of the planet. It is ridiculous and here I think it is part of the problem here is that it will not just affect foreigners, it will affect another category of people who are under-represented in this Assembly. So we talk about the

under-representation in this Assembly, it is a fact that women are under-represented here, it is a fact that young people are under-represented here, although I would say the ones who are here are doing a fine job of representing young people, and we have no people from other countries living here, which I think is a sad thing. But there is another under-representation in this Assembly; working class people are under-represented in this Assembly in my view. The vast majority of people who will have come from the countries that make up the largest national minority groups in the Island are people who will often be working in jobs that will see them face the hardships that a lot of working class Jersey people will also be facing, whether it is struggling to pay their rents, whether it is struggling to pay the bills and make ends meet, that this will be another burden on top of that that they will find difficult to meet that other types of people will not. So I think the effect of the citizenship rule here is gerrymandering; it is not gerrymandering in terms of designing your constituency system, but it is gerrymandering in the sense of who it prevents from standing for election and who it deprives voters of having the choice to pick. I take the view there should be as few restrictions as possible. I think bankrupts should be allowed to stand for election and the fact that they are bankrupt is probably something that would convince me and many others not to vote for them, but I ought to have the choice. There are countries in the world where you are perfectly allowed to stand for election if you are serving in prison. I know in Northern Ireland it has been the case for quite a long time and I am sure there are other places in the world. People who have served very long prison sentences who end up getting elected and that causes quite a political controversy at the time because it shows there is public support for something that the establishment is trying to prevent from happening. So I think there should be as few restrictions as possible and I would hope that the vast majority of people in Jersey, when it came to deciding who they were going to vote for, would not consider nationality to be one of their considerations, they would be much more interested in the policies of that person, their character and their perceived ability. Where they were born or what one of these silly little documents they carried I doubt would be a consideration. So let them stand, let them play their part in our community, and they are allowed to vote. We want to compare ourselves to other countries; in the U.K. you cannot vote in national elections unless you are a British citizen or I think Irish and some Commonwealth countries. Here you are allowed to vote no matter where you were born or no matter what nationality you have, you just have to have been here for 2 years. So you can vote but you cannot stand and you cannot have representation from your community if you are from one of those national minority backgrounds. I find this argument utterly depressing, it is a way of preventing people who are good Jersey people, contributing to our Island and our community, from playing their part in this Assembly. Many of them would have something positive to contribute and it is utterly ridiculous that we deprive this Assembly of their talent and their ability for some stupid little reason as to what one of these they hold, utterly ridiculous, I will be voting for this amendment.

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

I was not going to speak because what I have been thinking about and what I am about to say is possibly going to class me as racist and that is one of the things that I am definitely not. But I have not slept all evening thinking about this because there are some good merits but there are also some bad ones. This is my second term, my first term I found quite exciting and everything was going quite nicely. This second term I have almost been, not ashamed to be in the House, but almost ashamed. I find that the people on the other side of me would prefer to be with the U.K. and Jeremy Corbyn, and I apologise if I am upsetting anybody and I will apologise at the very end of this as well, and I find that the Council of Ministers do not care too much about the people that live in this Island either. So it has been a very, very difficult second term I have found. I have one of those useless books that Mr. Mézec seems to think is useless, but in my Passport I also have that I have no right to any abode or any work in any E.E.C. (European Economic Community) country. But I find that this Island is not allowed to stop anybody from coming into this Island because we are going against their

human rights. At this moment in time I do not seem to have human rights, not even in this Island that I was born in and still live on the farm where I was born 73 years ago. Nobody seems to be interested in Jersey people and there is no point in saying you are not Jersey or you are Jersey because you live on this Island, it is stamped in my passport that I have no right to any work or any abode in any E.E.C. country because I am Jersey. That differentiates me from everybody else. Now I cannot go to France, I cannot go to the U.K., but they can all come here because, if we do not do that, there is going to be an awful lot of trouble. Now the farmers are moaning about the potato season, they are not going to be able to lift the potatoes. With some of them the supermarkets do not want them anyway so they rot in the ground. So wanting to bring people from Africa or from other countries is fine if they want to do that, but this Island is going to have to introduce work permits otherwise they are all going to be staying here, bless them, because this is a wonderful Island, it is extremely kind, it is extremely safe, we have just ...

The Bailiff:

Connétable, just stick on nationality.

The Connétable of St. Saviour:

Yes, Sir, but if I could just say that we have now agreed for the youth to have universities paid for; fabulous. Where are they going to live when they get back? We have an open-door policy here now and not for the locals and I just find that very, very upsetting.

[10:15]

As I said, someone could have stood against me as a Constable and that would not have been a problem, but there would have been, and so then the other side are playing the racist card because: "Oh, he was elected as Constable but now he is not allowed to be because he was not able to do it." I think this discussion, which is amiable and most of my Honorary Police officers are Portuguese and I would tempt you to go to one of those and ask them if I am a racist, and I have never stuck up for them. I do not treat them any different to anybody else, but I am the one who is treated differently in my own Island and I think we have to think about these things. Let anybody come if they want to, you cannot go to the Virgin Islands, you cannot go to Cayman Islands and work without a permit. At the end of that thing your permit is gone. It is all right to stand, let Jersey stand up and be counted and let us be good, we are 9 miles by 5 miles, where are we going to put these people, bless them, we do not have the infrastructure to keep ...

The Bailiff:

No, Connétable, I am sorry, we must contain the debate to nationality, not to immigration, the parallels with immigration is one point you have made already, but we are not going to speak about this in this debate.

The Connétable of St. Saviour:

In that case, I cannot vote for this because I am the one that is being discriminated against because I am Jersey in my own Island, and I apologise to Reform if I have upset any of them. I am on a committee with Montfort and I do apologise, and I apologise to the Council of Ministers, but I am afraid you have let this Island down very, very badly, both of you.

Deputy M. Tadier:

May I seek clarification if the Connétable will indulge me, and she has not offended me and I do not think my colleagues, and it is good to hear different points of view? She mentioned something interesting about her 4 Honorary Police who are Portuguese, does she think that any of those 4 Portuguese would make a potentially good Constable at any time in the future?

The Connétable of St. Saviour:

Yes, they possibly would, but none of them want to, because at the end of their working life they are going to go back to their homeland where they have been sending their money and buying homes. They are interested in staying here with us because they get a good life but at the end of the day they do not want to retire here. This is another one of my arguments, those people can come into the States and change all our laws but at the end of the day they will retire back to where they come from.

1.1.2 Deputy M.J. Norton of St. Brelade:

It is a very interesting debate and at times quite sensitive and I am pleased to follow the Connétable. I had an interesting discussion last night with somebody who has lived here for 12 or 13 years who speaks 2, possibly 3, languages, who advises people in law and advises many Jersey companies and their employees, who has made contributions in many, many ways and commitments to the Island in many, many ways. Not only in tax and social security of course but in charity work and many other ways. I think that person would make an excellent politician and in fact other politicians within this Assembly have said to that person: "You would make a great politician and you would be a shining example." But that person cannot stand, simple, because she, my wife, is a foreign national. We have an interesting mix in Jersey, of course a large Portuguese community, a large Polish community, a smaller but equally valuable Romanian community, of course our traditional Italian community for many years and the French, the Spanish, we have Canadians, we have many, many nationalities that make up our Island; the Island that we represent. Many times we were asked the question: do we in here reflect the makeup of our community? Of course what comes back every time is we do not reflect our community. We do not reflect our community in here. If we did reflect our community in here then 10 per cent of this Assembly would possibly be of Portuguese background, possibly one, maybe 2 would be Polish, if we were to reflect that. We are making great efforts to seek the best ways to become more diverse within this Assembly and outside of it and to have greater inclusivity. The *J.E.P. (Jersey Evening Post)*, not so long ago, described us in here as male, pale and grey, which was rather unfortunate because they put this headline alongside a picture of me. **[Laughter]** Yes, I was as amused as I was shocked at the time. For the record, and they did not realise it, and when I did phone up the *J.E.P.* they said: "I cannot say we noticed you had a suntan." For the record I am Anglo-Indian and I am proud of it. **[Approbation]** So yesterday we heard from some that, if a foreign national wants to have the right to put themselves before the electorate so that they can decide whether they should come in here, they must show some commitment to Jersey, and I agree with that, they should show some commitment to Jersey and I love that word "commitment" because it can mean so many different things. Commitment to Jersey to me means serving this Island. Does learning a second, third or possibly even a fourth language not show some commitment? Does not a doctor or a nurse show commitment in treating those that really need some help? Not all of those doctors have a citizenship, which would mean that they cannot stand, but we are quite happy to go and get treatment off them. Or a police officer, as we have heard, or the very valuable honorary officers that we have. We need them but we must not let them represent anyone. The firemen, the Government workers, the charity workers supporting those in the Island, giving their time for free and their knowledge, or even the person planting potatoes in this weather today. Paying tax, social security, rent, in some cases mortgages, and in many cases owning businesses, but they rely on someone else to represent them because they cannot. Instead, commitment, we hear, is about handing over some dosh, handing over £1,300, it is about £1,000 and then it is about £300 to take an English test so that your English is okay. That is fair enough, but if you hand over £1,300 and take a quiz, which is quite tricky, then apparently you have shown some commitment. It does not matter if you have not served in the Honorary, it does not matter if you have the intelligence to speak 4 languages and that you have a couple of degrees and that you have been a doctor or a nurse or you have been a charity worker or that you have spent 40 years in this Island, giving to this Island, that does not matter. What matters is you hand over £1,300 because that is showing commitment. The cost, as

Deputy Mézec rightly said, is prohibitive for some. In order that you can stand for election you have to hand over more money than your candidate next to you, so the inclusivity can drop even further and I would urge that sometimes that this Assembly looks at the cost of that citizenship. We hear you cannot have 2 masters. I own a British passport but that does not make anyone my master. There are many that have dual passports. Of course that itself has issues and there are people who are reluctant to have a dual passport, dual citizenship, because there are countries that you can travel to, and I have just returned from one, where you cannot enter that country with dual citizenship because they do not recognise dual citizenship. So what you have to do is you have to forego the place of your birth and give up your foreign national status and whatever passport you happen to hold and exchange it for a British one. So you can understand the reluctance of some foreign nationals to give up the passport of the place of their birth. I am sympathetic to both sides of this debate because I can understand where people are coming from. However, on balance, and on a principle of how people commit themselves to an Island, I am likely to support this.

1.1.3 Senator P.M. Bailhache:

I am pleased to follow the Deputy who has just spoken because during the whole of my public life I have supported passionately the rights of Englishmen, Scotsmen, Portuguese and Polish citizens, and others, to play a full part in the life of our Island and to be regarded as a Jersey person. I think on the whole we do that, we give rights to people, which they would not have in other places, we give them rights to vote, which they would not have in Continental countries or indeed in the United Kingdom. But membership of the States Assembly is a different matter. The Attorney General told us just a few moments ago that every member country, if I heard him correctly, of the Council of Europe imposes a nationality requirement upon membership of their National Parliaments. So I think it depends how we view ourselves, are we the National Parliament, the National Legislature of Jersey, or are we some kind of local authority where anyone can become a member? I think that we are a National Legislature and that we are perfectly entitled and indeed should impose a national requirement for those who wish to be Members of the Legislature. Deputy Mézec said that the Island was a melting pot and of course I think that is correct, in many ways it is. But the greatest melting pot in the world is the United States of America and if one contemplates the possibility that any non-American citizen could become a member of the House of Representatives or the Senate, I think in that country you would be laughed to scorn. Some Members have made a point about the fee for obtaining British citizenship and I think that is a fair point. I believe it is something that the Minister for Home Affairs should look at. The Minister for Home Affairs has assumed various responsibilities quite recently as a result of a change in the law for immigration. It was accepted at that time that British nationality was a matter for His Excellency as the Queen's representative and of course it is. But we should not forget that applications for British citizenship in Jersey are dealt with entirely locally, the application is made to Government Office, the fee is paid to Government Office, the matter is dealt with locally and the successful applicant takes an oath before the Royal Court when the application has been successful. I see no reason at all why we need to follow the United Kingdom in setting exactly the same fee for an application for British citizenship as is the case in the U.K. and I hope that it is something that the Minister for Home Affairs will look at. The fact that we are a National Legislature is underlined in the oath that we all take, I am sorry that I was not here yesterday and other Members may already have made this point, but we would have to change the oath because you cannot swear allegiance to Her Majesty the Queen if you are a foreign citizen, it does not make any sense. That, it seems to me, would be not an acceptable state of affairs and for all those reasons I am going to vote against Deputy Tadier's amendment.

Deputy M. Tadier:

I know the Attorney General is not in the Assembly at the moment but I would like to question that last statement about not being able to take an oath if one is not a British citizen. It seems that there

are other positions where one does have to take a similar oath and I would be grateful to hear from the Attorney General if and when he does return.

The Bailiff:

I am sure the Attorney will have heard that and he will be back and he will answer your question I am sure.

[10.30]

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

Just briefly to speak on the point that the Senator has made regarding the fee and to advise Members that in my capacity as Assistant Minister I have delegated responsibility for the Jersey Customs and Immigration Service and this is something that has been raised with us very recently, the question of the fee and the difficulty that some people have in finding that, and it is something that we are giving consideration to already with a view obviously to potentially reducing it down. But it has been raised very recently and we have discussed it briefly and we will be looking at it in some detail going forward.

1.1.5 The Deputy of St. Mary:

I would like to return to the practicalities of the amendment submitted by Deputy Tadier. As he is aware, I did on a previous occasion vote in favour of the removal of the British citizenship requirement. Like the Deputy of St. Peter yesterday, I am an immigrant, I have been on the Island 40 years and I like to think that my commitment to the States would be no greater or lesser had I been born in another jurisdiction. I am therefore in principle in favour of removing that requirement. The difficulty I have though is that we have heard the opinion of the Attorney General this morning that even if this requirement was removed by this amendment the candidate is not able to stand for office never mind even take the oath of office. In those circumstances I question whether it is responsible for us to vote in favour of a proposition which cannot lead to a positive result. Perhaps Deputy Tadier could revert to that in his summing up.

The Bailiff:

Can I ask the Connétable of St. Mary whether she pinged but somebody in that corner of the Chamber was ... had a machine on? **[Aside]** It is Deputy Labey, thank you. Attorney, while you were out of the Chamber Deputy Tadier had a question to you as to whether or not it is possible for somebody to take an oath of an allegiance to the Queen if they are not a British national. I think that was the question, Deputy.

The Attorney General:

Yes, in my view it is and I said so earlier on today.

The Bailiff:

It is possible?

The Attorney General:

Yes.

The Bailiff:

If they are not a British national?

The Attorney General:

Possible, yes. One should have regard to the fact that Irish citizens are entitled to be elected to the U.K. Parliament where an oath is also taken.

1.1.6 Deputy R.J. Renouf of St. Ouen:

I have been weighing up both sides of this argument because I can see the arguments, very cogent arguments, on both sides. Like Deputy Norton, I am in the very fortunate position of having married a lovely lady who does not hold British nationality but she has spent her entire adult life in this Island. My wife is an Irish citizen, was born there, came to this Island, like so many people, as a ... just after school to come and work in this Island, and so many people have stayed. She has never felt the need to take up a British nationality. She never felt, because she is living in a British territory, that is something that is required of her or we, as a population, would think it necessary for her to do so because she has been accepted by this Island, as have so many people. We do not ask whether people have come from Liverpool or Glasgow or Dublin or even further afield. They are now in Jersey, they are committed to this Island, they are working paying their taxes and social security and have stayed a long time and is this not happening now all over the world that people are marrying outside their communities, they are marrying people from different countries who hold different nationalities and they are choosing a place to live which might not be either of their places of birth. The world is so much more open now to movement and there is vast movement of populations all over the world. This construct of a nation state and nationality is coming under strain. We can see it is not going to hold together for the next 200 years, as it has perhaps for the last 200 years. Is it not said that London is the second largest French city because of the vast numbers of London ... sorry, I know there are very large numbers of people there. So the question is do we weigh-up ... do we look primarily at people's commitment to the Island or do we look at the question of their nationality? Rules that were perhaps more suited to a time when nations were strictly bound into alliances and nations would be at war with one another. After all, for most of Jersey's history our great enemy has been 12 miles off the east coast. That is why, largely, the law has introduced these rules around *aubain* and the prohibition on holding property that was so important in Jersey because we were such an outlier and close to hostile territory but, in reality, has the situation not changed? We are no longer in a realistic position that any Member of this Assembly could be called up to fight against this country in the service of an army of their nationality. That is not really something that is likely to happen. Much more important, I think, is to recognise the commitment and the service that people have given to this Island without regard to nationality and do we not want to be more inclusive? This is what we are saying. Do we not want to ensure that good quality candidates come forward and we reflect the whole of our community? So I am veering towards supporting Deputy Tadier in this but, as the Deputy of St. Mary has just elucidated, there is something that is untidy about this amendment because it will only apply to Connétables and not to Senators and Deputies and then we have the issue that even if they were successful in an election, they might not be able to be sworn-in. So it is messy if we were to adopt this amendment perhaps but I am inclined still, it seems, to vote for it because this will be an indication that we want to be inclusive and an indication that we want to take this issue further and we want to work at it and resolve this problem to recognise that commitment given to the Island regardless of nationality. So, if we reject this amendment the matter will be dropped, we will not think about this again. If we accept this amendment I am sure we will need to deal with the issue and see how we can better reflect that commitment. So, as I am saying, on balance I can now support Deputy Tadier.

1.1.7 Deputy G.P. Southern of St. Helier:

I rise to speak following my chairman who has just spoken and used the words, as many have done in this debate, "the diversity and inclusivity" and the vast majority of Members in this room, I believe, would say that they support both of those 2 factors. We want to encourage diversity and we want to encourage inclusivity among that diverse residency in the Island. We would all get there in saying in principle we are for diversity, we are for inclusivity, absolutely. No doubt in 4 months' time we will be standing on hustings saying: "Yes, I am pro-inclusivity, pro-diversity, of course I am." But the question today is that Deputy Higgins has requested P.P.C. (Privileges and Procedures

Committee) to make the rules around standing for the 3 types of representative the same, to equalise those conditions. P.P.C. has come back and said: "Here is one way of doing it." The question is: does that way promote inclusivity, promote diversity or does it, in a small way, increase the barrier? What is suggested by P.P.C. is an increase in that barrier and it may be a small barrier. Maybe it is the £1,300 that we might be able to reduce in some way in the future but that is not before us today. A simple decision: do you want to make our society slightly more inclusive, more diverse or do you want to make it less diverse in a small way and less inclusive in a small way? So for all of those people saying: "Of course I am pro-inclusivity I am pro-diversity" I say, well, put your money where your mouth is. Promote those 2 descriptors, remove the barrier leave the barrier down. Why? Because P.3/2018, the opportunity to debate this in the round, in the full, is coming up. I would argue that we do not want to be decreasing those 2 factors by a vote taken today on very narrow grounds as is being proposed. I listened to the words of Senator Bailhache with intense interest especially when he started talking about what sort of Legislature are we and he said: "We are a National Legislature." What is that nation? It is Jersey but do we say you have to be Jersey standing in this Assembly? No, we do not, we say you have to be British. We are not the British National Assembly, we are the Jersey National Assembly and what can we do? We can change the rules. So we can go with the times, we do not have to stick rigidly to inherited customs and ways that we have had in the past, which were perfectly logical then but are less so now, as the Deputy of St. Ouen has just mentioned. So I urge people who are saying: "In principle, I am in favour of this amendment" to pay less attention to the "but" that has been in their speeches and to vote with your, I believe your conscience and say: "In principle, we should be taking this direction and not the other." It is about going forward, as we so often are told, rather than looking backwards. So look forward not backwards and let us give the potential for more inclusivity and more diversity in our approach to membership of this Assembly.

1.1.8 Deputy P.D. McLinton:

Right, now I imagine a great many people are watching or listening more closely to the machinations of this Assembly with a view to possibly becoming a member of it into the future. One thing I have certainly noticed over the time that I have been here is that many Members of this Assembly seem to view opportunity as threat, a chance to grow and move forward as a reason to hide and retreat. Many Members of this Assembly seem to be walking down the street backwards looking at the holes they once fell into. It is time to turn around and go in the direction of the rest of the planet, a shrinking planet, a more joined plant. It is an interesting fact and what I like to listen to is not the story on the surface but the noise underneath the story. I listen for what is going on underneath. What I would like to point out is truth and that is that each and every one of us is a link in a chain; 250,000 or so generations of people had to survive long enough not being eaten by a sabre-toothed tiger or killed in some way in order for them to give birth to the next generation. So we are remarkable as a species and remarkably what has happened is this geological coincidence we call Jersey has popped up on planet Earth and the biological coincidence that is you somehow have been fortunate enough that your mother happened to give birth somewhere which means you can land in this place and decide what is happening, and it is just a coincidence. I, for example, am a link in a chain, my maternal grandfather was French and my paternal great-grandfather was a shoemaker and publican in Belfast.

[10:45]

My name is McLinton and I call myself a Jerseyman. We are all mongrels, each and every one of us and yet somehow we land here, we put up a wall and we say: "Mine." We are on planet Earth, we are citizens of planet Earth, no more no less and there is bizarrely, more and more divisiveness than you would ever have thought possible on this planet being spoken about more and more of the time and I, for one, in a world of equality where we are all equal human beings on this planet, all have a right to movement. Yes, we are subject to the laws of the places that we arrive at. I believe and am

rather shocked by an “us and them” attitude when we are all one. Anybody who comes to this Assembly should be representative of the community that they are in, able to speak to that community regardless of where on planet Earth they were a biological coincidence. Now, I understand that legally we have got ourselves a hurdle to jump but the whole idea of me saying this is that I want to send a message that I believe in absolute equality across the board and I truly believe that we are all citizens of the one planet. I am very, very fortunate and proud to call myself a Jerseyman and to live in this glorious place but the generation who want to build walls of division are dying. The people who are scared of “them” as opposed to “us” are dying and the generation that is coming through are a generation that are far more connected to each other than any other generation and cannot see the point in division. They want the right to be a citizen of planet Earth and so the walls must come down. Notwithstanding the legislative difficulties we have here, walls must come down and we must be an inclusive species of which we are coincidentally British. So I shall be supporting this simply to send a message. Thank you.

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

Just briefly, I wanted to just put it on record that I will be supporting Deputy Tadier for similar reasons to the Deputy of St. Ouen. I understand that this might make things a little bit messy or confused but I do think it needs to be looked at rather than just put away and I do think change needs to happen. I have changed my mind. I was not present at the sitting where this issue was originally discussed and I could understand why Members voted to keep that British citizenship requirement; I can really understand that but having heard the arguments and considered the arguments in my own mind last night, I think it is really important that we do remove this barrier, and Deputy Southern and others have helped to drill down to what is beneath this and it is about being Jersey. I do not think it is about being British it is about the Jerseyness of people that are standing for election. We could have a competition about who is more Jersey and I think we could ... I think the prize would probably go to the Constable of St. Saviour for being the most Jersey of all of us, she is Jersey through and through and that is fantastic. I see myself as a Jersey girl; I am a Doublet, my father’s side of the family are Jersey through and through but my mother’s side is from - I do not like the world “mongrel” but there we go - Irish, British, Welsh and I am an Irish citizen as well as a British citizen. Not many people know that about me; I have dual citizenship. So there are different degrees of Jerseyness perhaps but I think we need to perhaps value some of those different ways of being Jersey. Somebody who has maybe come from Madeira or Portugal and has lived in the Island for 40 years, that person, to me, has shown a commitment and they are just as Jersey as I feel I am and I do not think that person should be excluded from contributing to the Island. So, I am going to support this amendment. I hope that Members will support it as an indication that some more thought needs to go into this issue. I can hear the Constable of St. Saviour saying she is Reform. Shall I give way, Constable, if there is something you would like to say?

The Connétable of St. Saviour:

No, I am sorry I was talking to the people alongside me.

Deputy L.M.C. Doublet:

All right, okay.

The Bailiff:

Sorry, Deputy, the Connétable has spoken already. She may be chatting away but it is not relevant.

The Connétable of St. Saviour:

Sorry, I am talking to the people alongside me.

Deputy L.M.C. Doublet:

No, I think if you have something to say please say it on the record so that I can respond to it rather than ...

The Bailiff:

No, Deputy, she has spoken already in the debate.

Deputy L.M.C. Doublet:

All right, I am going to sit down.

The Bailiff:

Does any other Member wish to speak? Then I call on Deputy Tadier to reply.

1.1.10 Deputy M. Tadier:

First of all, can I thank the previous speaker, Deputy Doublet, for her speech; she has just left the Chamber. I am sure she will come back in time for the vote and I will speak for a little bit so that people do have time to come back; not for too long. I was thinking of just going straight to the vote but I think it is important. Strange that emotions can run high in this debate and I think by and large it has been a fairly dispassionate debate in the positive sense for something that could quite easily make blood run high. I do not really understand that even though I said it is very much a principle that is close to my heart for various reasons. I think we have shown ourselves to have conducted ourselves, by and large, in a very good way today and yesterday during this debate. I do not normally talk from a personal point of view but I was speaking to my partner last week preparing for this debate and I did say, you know: "It is quite difficult sometimes. We have got the first States Assembly of the year. I have got this speech that I am going to make, I am bringing a proposition and I know that the odds are stacked against me." It is quite disheartening potentially sometimes when you have to bring a proposition where you know that, in your heart of hearts, the proposition that you are bringing is right, that in the future it will be common sense and that it will be the norm and that people will be looking back at a time saying: "What on earth were the States thinking previously?" That is obviously nonsensical. In this particular argument you have got so many talented people, potentially somewhere I reckon around 18 per cent of the Island may not have any British nationality but otherwise be eligible to stand in our States. We are excluding that talent as well as it being clearly discriminatory and that is already what most of the younger generation are saying; it is quite obvious to them. We see this in the context of change because we have had the arguments which say: "Well of course you should be a British national to be able to stand and sit in our Assembly" as if that somehow is self-evident but of course it is not self-evident. As I said previously, those kinds of arguments were made in 3 particular contexts, which were then overturned after considerable thought was given to them, and they were presented in my report which I have attached to this amendment. The first of them, in chronological order going back, is voting rights. So before 1994 in Jersey if you were a non-British Jersey resident you were disenfranchised literally. So people who had lived here for decades who were qualified to work, to buy and rent property, who had children and contributed to the Island in various different ways, they were not allowed to even vote and have a say over who their representatives were and that was considered the norm before 1994. I know I had an uncle who was a French national, he married my aunt and he had lived here 40 years and when they brought this in, in 1994, it was really difficult to get him to vote anyway because he had come from that tradition of being excluded. He was not excluded from other parts of Jersey life: he was allowed to work as a farmer, he was allowed to go to the club, play darts, be accepted - I do not know if he played darts I am just embellishing - or play Belote probably, or the French equivalent, or cribbage, if he were playing cards with Jersey and British folk. He got on with that and that is the same story for so many people in our society, and quite rightly the States at the time decided that this was not acceptable. But there were people in that time saying: "No, it is self-evident that unless you are a British citizen you should not be able to vote because we are a British

territory and therefore you can come to the Island, by all means enjoy yourselves, but you are a guest here you do not enjoy the full rights.” Then in 2000 jury service was changed and the quote I used at the time from the Legislation Committee in 2000 was that there is no reason to think that a determination of fact can be reached more objectively or intelligently by a person who holds a British passport than it can by somebody who does not. Those arguments are completely germane to the requirements of a States Member, whether it be a Constable, who has got that dual role in their Parish but also does take a seat in this Assembly to make determinations of fact and judgment about what kind of policies and what kind of direction we, as a community, should be taking. Then again and perhaps the most germane in the sense that the argument of oath and loyalty, what it means to be British and serve the community and take that oath comes under the States of Jersey Police where prior to 2004 because there was some kind of ambiguity in the law - and here is where the parallels are - as to whether or not British nationals could stand and serve ... sorry, serve in the States of Jersey Police. They changed it, to make it absolutely clear, to say that there is nothing to stop a non-British person becoming a police officer and that would have coincided with an active desire to recruit from within the foreign national community to remove that, to make it completely clear. Up until that point there had been a *de facto* practice of only recruiting from within the British community and therefore excluding a huge pool of talent, which is exactly what we do. If we consider ourselves in the same way, at the moment we only recruit from British nationals within our society, which is completely strange. We have got some very good examples of long-serving and not so long-serving members of the non-Jersey, if you like, born outside of Jersey but British nationals in this Assembly but even in that regard we are not that cosmopolitan. I mean have we had any Glaswegians, have we had any people from Liverpool? I know we have got some people from the wider north-west area, and good luck to anyone who wants to come in and stand for election, but we are still not that cosmopolitan as a States Assembly even though we are becoming increasingly cosmopolitan and diverse as an Island. So, absolutely I want to join with the Chief Minister, to join with Deputy Doublet and the others who talk about diversity in this States Assembly but we have to be ... you know, put our votes where our mouth is. Words are cheap but we are put in this Assembly to use our votes. I do not think it is going to add too much if I go through all of the comments that have been made but I think some of them do need responding to. I take a bit of exception at this idea that our passport is useless if we have a stamp in it. I have got a stamp in my passport and I do not use that as a stigma, I do not say: “Oh, I am so hard done by because I have got this stamp in my passport.” You know, the idea that the Jersey person in our Island is discriminated against really I think does take some swallowing because Jersey people are very privileged naturally, you could argue, in our own Island. We have housing qualifications, we have the ability to claim income support, social security, to go to the Social Security Department if we fall on hard times and we do not walk down the street people giving us racial abuse because we are from Jersey. It reminds me of the Stewart Lee sketch where you say you cannot even say you are from Jersey now otherwise you get locked up and thrown in jail, that is not the reality. The discrimination happens against the foreign nationals still these days. I was listening to the radio and I heard ... I did not know the guy but there was a footballer called Regis, I think, he was one of the first famous, if you like, black football players in the U.K. and I am not saying he was not British, I am sure he was British, but he was a trailblazer. He had to go through so much discrimination to normalise the fact that nowadays ... and I say that in the context of football. If you are a sporting person there used to be a rule in the U.K. in the premiership and in the other leagues that you had to be British or English to play on a team. Then they brought in these strange rules saying, well, you can have 3 players who are foreigners and they can come into the league and play. Nowadays, for good or for bad and I am sure it is largely for good, is that you have got teams comprised of talent. They have got the most talented individuals from all over the world, it does not matter where you are born or where their passports are from because they want talent, they want the best people for the job and I think the same is the argument for the States Assembly.

[11:00]

People out there do not care where you are from, they just want to know that you are competent and that you have done a good job. So I really appreciated the words and the speech of my St. Brelade colleague Deputy Norton because he really stole - not stole because he came to those conclusions independently - but my wind, if you like, from my sails. No, it is a good thing. I was thinking yesterday and last night, when preparing again, about commitment. What does this idea of commitment mean? Well, there are lots of ways in which you can commit to our Island. You can do it by serving and helping build the Battle of Flowers floats. I go down sometimes to the one in St. Brelade and I see people ... I obviously just go down the night before usually but of course we know that the work has been going on for many months and weeks previously building the float and that is how people get involved. You can help out by having an employed job in Jersey, you can be an ambulance driver, you can serve in the police as a non-British person of course, as a teacher. You can be a consultant at the hospital and I had exactly the same thought process that we do not discriminate when we go to the hospital and say: "Well I just want to be operated on by a British surgeon because clearly it is self-evident we are a British island therefore to serve in our British hospital you should have to be British." We say: "Can he do the job, can she do the job? Has she got experience? What is her rate like, what is her success rate like?" and I have confidence in that person. We tend to put ourselves on some kind of pedestal so when Senator Bailhache said: "We give people a full and active role in our Island" well, we do not, we give them an almost full role. We say that there are certain jobs which you can never attain to unless you are British and one of those is being a States Member. Is that because being a States Member is the pinnacle of aspiration for everyone in Jersey? No, of course it is not. When I am on a bus the most important job is the bus driver. When I am in a plane the most important job is the person who is piloting the plane and when I am in the operating theatre the most important job there is the surgeon followed by his or her entourage. I do not care about politics at that particular moment, I do not care about the rate of G.S.T. (Goods and Services Tax) or income tax I just want to know that the job is being done by the right person irrespective of where they come from. So I think I want to leave the argument there but I do need, I suspect, to say why I have brought this as an amendment and to put it in the context that I think I was basically caught out because I had brought this for debate last year and I tried to do the best job as I could saying: "Okay, let us look at this idea of Jersey nationality which is quite interesting. It has not really come up in the past. Are we a National Parliament or are we a local authority?" Well, clearly, we are neither; we are neither because we are not a nation state, even though there might be some in the Island who wish to take us to that point, and we are something more than a local authority. We clearly have our own local authorities in Jersey so we are something of a hybrid and if we do want to have our own version of Jersey nationality then by all means come forward with that. I do not know how that would work legally but I tried to make that argument last year. I tried to say that we do have a form of Jersey nationality which could be the 5-year residency rule or it could even be the 10-year but there was no uptake for that. So I think making it much clearer about the principle about what it is to be a member of Jersey society and who we have in this Assembly is really the important argument. I will finish by saying this: the ultimate test for becoming a States Member should lie with the voting public. If the public are willing to come out and vote for anyone, including a non-British candidate, in large enough numbers because they have the requisite skills for the job, who are we to say otherwise, and despite the legal advice that has been given to us I would find it a very brave Royal Court who, in this case, because you can still stand for Constable, there is nothing prohibiting somebody putting their name forward, getting their paper signed by 10 people, taking it to the Parish Hall; there is no legal basis for the Parish Hall to turn away that application. Were somebody to successfully get elected it would be a brave Royal Court which would have to say: "I am sorry, despite the will of the people, despite the fact that you have been through the correct process we are going to not allow you to take the oath of office because of some interpretation of customary law." Much more likely they would look at it in the round and say, given

the fact that there have been changes to the Centeniers, to the Honorary Police, to the States of Jersey Police, that an oath of office can be administered to somebody who is not a British citizen and given the fact that the public have said they wanted you, the logical thing, I would imagine, would be that the court would say: “Okay, we cannot go against that.” But the point here is why leave it to the Royal Court? We have the ability, as a States Assembly, to bring clarity and this is not the end point this is the beginning point. We can then go on to debate P.3, which is lodged, to say that this should apply to all States Members and even if it cannot be brought in for the next election we can set the direction of travel to say we want to be an inclusive Assembly to reflect the inclusive Island that we have. So I do maintain the proposition and ask for the appel.

The Bailiff:

Deputy, you said at the beginning of the debate that you wanted to take the votes on paragraphs 1 and 2 together; that is still the same, is it? Yes?

Deputy M. Tadier:

Yes, Sir.

The Bailiff:

Yes. Thank you. Very well. The appel has been called for. I invite Members to return to their seats. The vote is on paragraphs 1 and 2 only of the amendments of Deputy Tadier and I will ask the Greffier to open the voting.

POUR: 16		CONTRE: 27		ABSTAIN: 0
Connétable of St. Helier		Senator P.F.C. Ozouf		
Connétable of St. Lawrence		Senator A.J.H. Maclean		
Deputy G.P. Southern (H)		Senator L.J. Farnham		
Deputy M. Tadier (B)		Senator P.M. Bailhache		
Deputy of St. John		Senator A.K.F. Green		
Deputy M.R. Higgins (H)		Senator S.C. Ferguson		
Deputy of St. Peter		Connétable of St. Clement		
Deputy R.J. Rondel (H)		Connétable of St. Peter		
Deputy S.Y. Mézec (H)		Connétable of St. Mary		
Deputy of St. Ouen		Connétable of St. Ouen		
Deputy L.M.C. Doublet (S)		Connétable of St. Brelade		
Deputy R. Labey (H)		Connétable of St. Martin		
Deputy M.J. Norton (B)		Connétable of St. Saviour		
Deputy T.A. McDonald (S)		Connétable of Grouville		
Deputy of St. Mary		Connétable of St. John		
Deputy P.D. McLinton (S)		Connétable of Trinity		
		Deputy of Grouville		
		Deputy J.A. Hilton (H)		
		Deputy of Trinity		
		Deputy E.J. Noel (L)		
		Deputy J.M. Maçon (S)		
		Deputy S.J. Pinel (C)		
		Deputy of St. Martin		
		Deputy A.D. Lewis (H)		
		Deputy S.M. Wickenden (H)		
		Deputy S.M. Bree (C)		
		Deputy G.J. Truscott (B)		

1.2 Draft Connétables (Amendment No. 2) (Jersey) Law 201- (P.112/2017) - resumption

The Bailiff:

Very well. We return now to the debate on Article 1 of the main proposition. Does any Member wish to speak? If not, all those in favour of ... sorry, Senator Ozouf.

1.2.1 Senator P.F.C. Ozouf:

I just wanted to say that I voted against that and I do not think the debate about opening up the plurality of this Assembly is over. So while that amendment - and we are going to go forward to approve this amendment - is amended I do think that ...

Deputy M. Tadier:

So, on what basis is this intervention being made if the debate is finished?

Senator P.F.C. Ozouf:

Well, it is as amended.

The Bailiff:

We are debating Article 1 which is of the main proposition of the Amendment No. 2 Law and the Senator is speaking, slightly off point, on that Article.

Senator P.F.C. Ozouf:

I apologise if it is slightly off point but I just wanted to say that I am going to vote in favour of this Article but I think that there is more work that I would invite P.P.C. and other people to do in order to achieve some of the, I think, very good points that have been raised about the concept of what is Jersey citizenship and nationality as distinct and what we can do in order to improve the opportunities. The debate, in other words, does not ... while Deputy Tadier lost his amendment we now have the original amendment as amended. I think this is a debate that must continue on this important issue and the points about the Minister for Home Affairs being involved and able to give British nationality earlier must be taken on board. I hope that her department will do so because nothing should be a barrier to somebody serving in this Assembly wanting to serve and get British nationality which is now going to be a requirement of this Article. So the debate continues but we need to make our own domestic arrangements to make that possible and I wanted to make those, I hope, relevant points.

The Bailiff:

Senator, I apologise I think you were on point.

1.2.2 Deputy M. Tadier:

For the opposite reasons, I guess, I cannot support this because it clearly ... I mean I have been spending the last few hours arguing against the discriminatory nature of this and I know the argument has been put forward saying that there needs to be parity but what is interesting and why I originally lodged the amendment about residency requirement for the Constables is that it shows that clearly, and the comments from the Comité des Connétables clearly show, that the role of Constables and of other Members is not entirely comparable. They recognise in their arguments that Constables - and it was said by the Constable of St. John even though I do not necessarily draw the same conclusion - he said that Constables are not politicians and I would probably qualify that by saying they are not necessarily politicians or in some cases they could even be reluctant politicians. That is because Constables are elected primarily to run their Parishes and they are elected by the Parishes to run the Parish, and as an add-on, if you like, an *ex-officio* role, they get a seat in this Assembly to be a voice for the Parish, not necessarily even the people of the Parish but the Parish as an institution and as a legal entity. So, of course that does mean that you may well get people who have got varying interests in being politicians and whose primary interests might lie in running the Parish and of course this is why we had the bigger debate about whether the Constables should be in the States and even though

that was won quite roundly in a referendum it was still something that does and did divide the Island even in some of the country Parishes who said: “No, the Constables’ first job should be to run the States” and the corollary of that is the fact that a Constable still has to walk a very fine line if one is to make sure that you are seeing not to be neglecting the Parish and not take on too much responsibility as a States Member. It is unfortunate in a sense because the Constables who do play a full role in the States Assembly run the risk of being penalised by their parishioners especially if they happen to be a member of a deeply unpopular Council of Ministers. Now, I do not want to stray too much from what we are talking about because I think it is relevant and the point I am saying is that you cannot necessarily have it both ways; you cannot make an argument about residency, say, because of course the residency requirements for Constables are different to those for Deputies. You do not have to be a resident of the Parish or even your District to run for Deputy, rightly or wrongly, and I think that is understood because you are elected by the people to be in the States, you are not representing the Parish. The argument was given that you are representing the Parish as a Constable therefore you should have to live in the District, which is the Parish. But interestingly there is no 2-year rule for the Constables so you could spend all of your time living in Grouville and then a couple of days before nomination day you can register in your new place, let us say in St. Brelade, and you can legally stand for Constable. Now, of course you cannot move from London to Jersey and then the next day expect to be able to stand for any other position. So there is a discrimination in the sense that there is a micro-nationality test, if you like, and we talked about it earlier but you have to ... or a micro-residency test, when it comes to Constables, that you have to live in the Parish but you do not have to have lived there for any particular length of time and you do not have to have shown any commitment to the Parish. Then of course it would be for the parishioners of that area to decide whether or not the individual is elected and I think that is quite right. The point is there is a difference to be made between Constables and States Members and I would ask why none of these changes have been put to a Parish Assembly or any of the opinions solicited by the Parishes because in their own comments they say that the reason that the Constable is here and has an *ex-officio* role in this Assembly is so that they can go back in those 2-week periods and ask their parishioners what they think of anything that comes to the States. But unfortunately - I say unfortunately - these things do not tend to happen anymore. So there clearly is an argument being made for differentiation between Constables and other States Members. But the bottom line is I cannot support this because it is regressive, it takes away the ability at the moment - for 3 months probably to the day now - for nomination day and there will potentially be people out there planning their campaign. So if you go to the States of Jersey website ... sorry, the vote.je website which has been put together, well, let us look at it, shall we? It tells you all sorts of information about what you need to know about the elections including how to vote, how to register to vote and how to stand to be a candidate, and in that it tells you, in Portuguese and in Polish as well as in English, how you can be a candidate and it says that you can run for Constable because there is no requirement for you to be a British citizen; that is what it says on the site and it even says that in Portuguese and in Polish.

[11:15]

Is it responsible of us to be bringing in these changes 3 months before an election when all the official information we have got out there tells us quite clearly how to do it? It is not Venice compliant; it is not compliant with the Venice Commission which says that you should leave sufficient amount of time when changing your electoral system. I ask again why are we doing this; what is the problem that we are trying to fix? Despite the fact that I know the intention of Deputy Higgins was to try and seek equality between the roles, well the argument has been given already that it is not necessarily right that there is equality between the roles, and it gets back to the fundamental point: why do we have 3 types of States Member in this Assembly? The public has never been asked and if they were asked in a referendum: “Do you agree that there should be one type of States Member elected in equal size constituencies?” The overwhelming response would surely be: “Yes” because that is the

only sensible answer that you can come back with. So, I think we are fiddling at the edges here, we are not leaving enough time for these changes and it also is moving us in the wrong direction. I would urge, certainly those 18 who voted for the last amendment to roundly reject this, to keep the issue not only of British nationality and an inclusive society on the table but the whole issue of electoral reform because the roles are different. We must fight for the differentiation of the Connétables because they have a completely different role to any of the other States Members in this Assembly. I think we can and should reject this amendment for all of those reasons.

The Bailiff:

Does any other Member wish to speak? If not then I call on the Connétable to reply.

Connétable L. Norman of St. Clement:

Just very briefly ...

Deputy G.P. Southern:

Sir?

The Bailiff:

I am sorry I did not see you.

1.2.3 Deputy G.P. Southern:

I apologise for being less tall than the mace, I must grow some. Yes, I rise just briefly to ask those 16 who voted for on the last amendment to bear in mind that if they wish to see change in what I believe is a future-looking direction and not a retrograde one, which relies and looks back at the past, that they reject this amendment in what it attempts to do because if we reject this amendment then the *status quo* applies and all the instructions about who can apply to be ... how to stand and how to vote carry on as is and that leaves the way open some time next year for debating P.3, which I believe is the proper direction we should be going in, either in this House, although not applicable to this election coming up but certainly in the next House. It leaves the way open to debate that in the next House and to set a direction which I believe is far more progressive than we have now. So vote against this amendment and the *status quo* applies and we have the door still open to potential change which equalises, yes, equalises everybody up rather than down.

1.2.4 The Connétable of St. Clement:

I am disappointed but not surprised that Deputy Tadier and Deputy Southern cannot accept the democratic decision of democratic process made in this Assembly, not just the one that we have just made to reject Deputy Tadier's amendment but also the one we made last year supporting Deputy Higgins's proposition of principle. What this proposition and the Article 1 does is to equalise the qualifications between the States of Jersey Law and the Constables Law. The qualifications for Constables and Deputies and Senators will be the same as the States required them to be both for qualifying and for disqualifying; that is what we want it to do. We are not making any major changes here, this is simply equalising the situation. We are not making changes we are simply being responsible and doing exactly what the States requested us to do. The report or the comments that the Comité des Connétables presented I think indicated the history and responsibilities indeed of the Constables and other Members of the States are different but nevertheless the qualifications now are the same in the Constables Law as they are in the States of Jersey Law. I maintain the Article.

The Bailiff:

Those in favour of adopting the ... the appel is called for. I invite Members to return to their seats. The vote is on Article 1 of the Amendment No. 2 Law which introduces paragraphs 4B and 4C and 4D into the Connétables (Jersey) Law 2008. I will ask the Greffier to open the voting.

POUR: 34		CONTRE: 8		ABSTAIN: 0
Senator P.F.C. Ozouf		Deputy G.P. Southern (H)		
Senator A.J.H. Maclean		Deputy M. Tadier (B)		
Senator A.K.F. Green		Deputy of St. Peter		
Senator S.C. Ferguson		Deputy S.Y. Mézec (H)		
Connétable of St. Helier		Deputy L.M.C. Doublet (S)		
Connétable of St. Clement		Deputy R. Labey (H)		
Connétable of St. Peter		Deputy T.A. McDonald (S)		
Connétable of St. Lawrence		Deputy P.D. McLinton (S)		
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Brelade				
Connétable of St. Martin				
Connétable of St. Saviour				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Deputy of Grouville				
Deputy J.A. Hilton (H)				
Deputy of Trinity				
Deputy E.J. Noel (L)				
Deputy of St. John				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy R.G. Bryans (H)				
Deputy R.J. Rondel (H)				
Deputy A.D. Lewis (H)				
Deputy of St. Ouen				
Deputy S.M. Wickenden (H)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				

The Bailiff:

Connétable, do you wish to propose Articles 2, 3 and 4 together?

1.3 The Connétable of St. Clement:

Yes please, Sir. Articles 2 and 3 simply remove one Article from the States of Jersey Law and one from the Bankruptcy (Désastre) (Jersey) Law because they have been now placed in the Connétables Law so are redundant in those laws that I have just mentioned, and Article 4 is a citation and commencement article. I propose the Articles.

The Bailiff:

Is it seconded? **[Seconded]** Does any Member wish to speak on Articles 2, 3 and 4? Those in favour of adopting kindly show. Those against? The Articles are adopted. Do you move the Bill in Third Reading? Seconded? **[Seconded]** Does any Member wish to speak in Third Reading? Those in favour of adopting the Bill in Third Reading kindly show. The appel is called for. I invite Members

to return to their seats. The vote is on whether to adopt the Connétables (Amendment No. 2) (Jersey) Law in Third Reading. I will ask the Greffier to open the voting.

POUR: 32		CONTRE: 7		ABSTAIN: 0
Senator A.J.H. Maclean		Deputy G.P. Southern (H)		
Senator A.K.F. Green		Deputy M. Tadier (B)		
Senator S.C. Ferguson		Deputy S.Y. Mézec (H)		
Connétable of St. Helier		Deputy L.M.C. Doublet (S)		
Connétable of St. Clement		Deputy R. Labey (H)		
Connétable of St. Peter		Deputy T.A. McDonald (S)		
Connétable of St. Lawrence		Deputy P.D. McLinton (S)		
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Brelade				
Connétable of St. Martin				
Connétable of St. Saviour				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Deputy of Grouville				
Deputy J.A. Hilton (H)				
Deputy of Trinity				
Deputy E.J. Noel (L)				
Deputy of St. John				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy R.G. Bryans (H)				
Deputy R.J. Rondel (H)				
Deputy of St. Ouen				
Deputy S.M. Wickenden (H)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				

2. Income Support: reinstatement of single parent component (P.113/2017)

The Bailiff:

We now come to P.113 the Income Support: reinstatement of single parent component lodged by the Health and Social Security Panel. I will ask the Greffier to read the proposition.

The Greffier of the States:

The States are asked to decide whether they are of the opinion to refer to their Act dated 8th October 2015 to phase out the additional single parent component of income support and (a) to reinstate the additional single parent component of income support with effect from 1st March 2018, (b) to request the Minister for Social Security and the Minister for Treasury and Resources to take the necessary steps to identify funds to reinstate the component for the duration of the current Medium Term Financial Plan.

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

I am pleased to present this proposition on behalf of the Health and Social Security Scrutiny Panel. Whereas there is much talk today and in the coming weeks about a looming election I would first of all like to take Members back to the halcyon days after the last election and when I, as a fresh-faced Member of this Assembly, came to the discussion of a Strategic Plan. This was in April 2015 and we adopted a Strategic Plan which included, as a goal, to help people in Jersey achieve and maintain financial independence and safeguard the most vulnerable in our community. In the context of safeguarding Islanders from financial vulnerability, my panel believes that we need to take a hard look at our efforts or even perhaps our lack of effort in dealing with this issue since we made that goal. We do not believe it is an adequate response to say there will always be the rich, there will always be the poor. There is a depth of poverty in our Island which, I am afraid to say, has probably not been seen for decades and the focus has shifted from pensioners, who perhaps some time ago were the most vulnerable group to poverty, now to families and we are seeing so much more in-work poverty; people who are working so many long hours, both in a couple, and they still cannot make ends meet. We are seeing as well more and more instances of insecure low employment where families just do not know whether they will have work next week and they cannot save and they cannot plan their finances. All of this is dividing our society more and more and we know, do we not, that it affects the development and the education of children in families because if parents are working, needing to work far too many hours. We know that, not only for those children but their parents too, there can often be poor health outcomes both in their physical well-being and in their mental health. This, prolonged over a period of time, is likely just to lead to increasing levels of despair, isolation, hopelessness. There was a survey - I am sure many of us know it well - the Household Income Distribution Survey conducted in 2014 which tells us that the income and equality gap in Jersey has grown compared to the previous 2009 survey. So whereas in 2009 incomes of the highest and the lowest were drawing together, in the next 5 years to 2014 they had grown further apart and our income and equality gap in Jersey was worse than that in the U.K. We have got bang up-to-date research as well from the Jersey Opinions and Lifestyle Survey of 2017, just last year; formerly that was the Annual Social Survey. Last year it told us that one in 5 households had difficulty coping financially; 19 per cent of households reported their financial situation had improved over the previous year but 28 per cent of households thought it had got worse. But it is not just statistics that tell us that. I think so many people, and hopefully Members too, would have that sense that there is a growing problem in Jersey. So if statistics are hard to grasp let us look at what other people are saying. So, new officers from the Salvation Army arrive in Jersey from the U.K. to work in Jersey and they are alarmed to find, as is reported by the paper, that the wealth gap in Jersey is extreme. The trouble is that so much of this issue is distant from the matters that usually occupy us in this Assembly, and my panel firmly believes that we need to pay more attention to these struggling families. But among these struggling families is one group which has consistently reported as among the most impoverished and that is single-parent families. Their situation was examined in the Household Income Distribution Survey, which I mentioned earlier. If I can just say a few words about this survey which is prepared roughly every 5 years and it is prepared using internationally agreed methods to define those living on low income. The surveys establish a relative low-income threshold. Below that threshold persons are considered to be living at risk of poverty and social exclusion. So in 2004, going back some 14 years, the survey of that date found that 64 per cent of single-parent families were living in relative low income after their housing costs had been dealt with, so in other words their disposable income was little enough to mean that they were living at risk of poverty and social exclusion, 64 per cent. In 2009 that came down, wonderfully, still a large figure but it came down to 47 per cent from 64 per cent. Why? Probably the reason why is because by 2009 this Assembly had introduced income support and had introduced a component giving additional help to single-parent families. Then we move along to 2014 and unfortunately the numbers have risen to 56 per cent of single-parent families living in relative low income; a rise from 47 the previous 5 years to 56 per cent and this is at a time when the single-parent component of income

support is still in payment but those families are finding it increasingly difficult, 56 per cent. The next household type was 35 per cent so a big distinction there. They were found to be more vulnerable than couples with children. The survey revealed that 22 per cent of couples with children were in relative low income so we can compare some families, single-parent families at 56 per cent, couples with children at 22 per cent. I think if Members still have the 2 sheets of paper that I asked to be circulated and were put on Members' desks yesterday, if I can refer you to the second sheet, which starkly shows in the bar graph at the bottom of the second sheet those findings from the survey and a towering block that shows 56 per cent of one-parent families living in relative low income after housing costs. That page that I produced comes from the Jersey Health Profile of 2016, which the health prevention officers wish to use to show how these financial implications on one-parent families were affecting health of families. It has reproduced those statistics which I have said come from the Household Income Distribution Survey. These groups in that graph are not identical groups numerically, so single-parent families make up only 4 per cent of households in the Island and, as you would expect, couples with children more so, couples with children make up 19 per cent of households in the Island. The bar on the graph showing 56 per cent at the risk of poverty relates to 4 per cent of households and the bar showing 22 per cent of couples with children at risk relates to 19 per cent of households. The statistics show that there is a need across the spectrum, but although single-parent families are a relatively small group of households, the deepest need and the greatest vulnerability is there with the single-parent households. The same 2014 survey showed that single-parent families are heavily dependent on income support and 37 per cent of their household income was drawn from income support. That can be contrasted with couples with children, who received only 3 per cent of their income - this is statistically across the Island - from income support and 93 per cent of their income came from employment, but understandably, if you are a single parent and your children are young, you are not always in a position to find employment. Household Income Distribution Surveys are good, reliable surveys. They are prepared to international standards, they are prepared by our wonderful Statistics Office, but it is not the only survey which tells us about the difficulties. Again, I have said this before, the Opinions and Lifestyles Survey tells us that 44 per cent of single-parent families have difficulty coping financially, almost one half of them, again showing a deep need among those families. Who are we talking about when I refer to single-parent families? One of the things that has shocked me since coming into politics is some of the stereotypes that people paint. There is a stereotype about single-parent families, is there not? It is often put about by people who deliberately refuse to understand social conditions in this Island: that young girls will get themselves pregnant in order to get accommodation from the States. I have heard it said and it has appalled me. In the vast majority of cases, families end up as a single-parent family - they do not start that way - due to a relationship breakdown, which is a fact of life in all Western societies. A smaller number arise because of death or incapacity of a partner. As a panel, we paid a visit to Brighter Futures, which was illuminating. We spoke with many of the ladies there, and they were all ladies, though a single-parent family does not have to be headed by a mother. Not all of those we spoke to were single parents, but I vividly recall those who were told us that no one chooses to be a single parent. No one should be blamed or held up with opprobrium for being a single parent. For the sake of the children in these families, governments around the Western world have recognised that additional help needs to be made available. In Jersey, we did so. Even before the income support scheme was introduced, the Parishes were doing that. Even our income tax system gave some help to single parents and the old family allowances did so too. The needs of single-parent families were specifically recognised when the income support scheme was being discussed and formulated in the early years of this millennium. It was recognised and affirmed in debates held in this Assembly. There was firstly an in-principle debate held in 2005 on a proposition brought by Senator Routier. There was another debate on the new Income Support (Jersey) Law, which was lodged in 2006, and that affirmed that an enhanced rate should be paid to single parents. There again in 2007 the regulations came before this Assembly, regulations on income support, fixing the various

components within income support. A single-parent component was proposed by the Minister for Social Security, Senator Routier, and adopted by this Assembly. Over a period of 3 years, there were 3 debates, long debates. I have read the Hansards and they all affirm the need to give additional support to this group. The income support scheme came into effect in 2008 and therefore the additional support for single parents has been in payment for 8 years under 4 Ministers for Social Security: Senator Routier from 2005 to 2008; Senator Ian Gorst from 2008 to 2011; Senator Francis Le Gresley from 2011 to 2014; and in this term under Deputy Pinel. That support has proved, I believe, invaluable. Among the papers I circulated is an answer to a written question given by the Minister for Social Security, which gives us some figures around the single-parent component of income support. It tells us in the answer to part (c) that on the last day the single-parent component was in force and could be claimed, before we removed it, there were 1,276 claims. The answer to part (d) tells us that the average amount received by each household making a claim was £26.80. The full amount of the component was £40.39, but because income support is a means-tested benefit and other income can reduce the amount of benefit, such as maintenance, such as wages, the benefit is paid at differing rates, so therefore the average amount was £26.80 immediately before we removed the component. We removed it because in October 2015 we debated the M.T.F.P. (Medium Term Financial Plan) 1. If I can ask Members to recollect that occasion, the Minister for Social Security was the only Minister at that time to bring forward departmental cuts - we had to wait another year for all the other departments - but the Council of Ministers had asked her to produce a £10 million reduction in the Social Security budget and so much of our discussions on the M.T.F.P. 1 related to those reductions. Various measures were brought forward, one of which was the removal of the single-parent component. Just weeks later, on 13th November, the Statistics Unit published that Household Income Distribution Survey which I referred to at the beginning of my speech, I think just 5 weeks after our debate. That was a survey that showed that the vulnerability of single-parent households to relative low income had risen to 56 per cent. Earlier that same year, 2015, Deputy Southern had questioned the Chief Minister. Not surprisingly, he wanted the income support system to respond to the impact of the recession on low-income families. The Chief Minister said this, and I believe it is important to read out the answer he gave, which is the second paragraph on page 7 of our proposition. In January 2015, before our M.T.F.P. discussions, the Chief Minister said: "The new income distribution survey will provide valuable evidence of the impact of the recession on different household types and it is not advisable to second-guess the outcome of the survey before the underlying data has been fully gathered or to make significant policy changes to the income support system in advance of that analysis." The Chief Minister, most regrettably, did not follow his own advice. The Minister for Social Security and the whole Council of Ministers decided to ignore it also, because we debated removing the fundamental component of income support before an analysis from the survey. We made those significant policy changes to income support, which the Chief Minister advised us not to. I did not remember that question when we came to the debate. I did not remember and I think I was not aware that the survey results were coming out in just 5 weeks' time. How differently might we have conducted that debate if we had been aware of the worsening income inequality and the survey results that showed that single-parent families were by far the household type that was most vulnerable to issues of poverty? The proposition brought by the Minister for Social Security in that M.T.F.P. 1 debate said that: "The extra payment made to the single parent is not linked to any specific additional household cost that a single parent would face. The single-parent component, as it currently exists, can be seen to reward single-parent households and can act as a barrier to another adult joining the household as a partner."

[11:45]

But then the Minister also told the Social Security Scrutiny Panel, my panel: "There is absolutely no reason or indication that it would cost a lone parent £40 a week more to live than it would a couple." Unfortunately, during the debate no one spoke of the principles and policies of the income support

scheme that were debated in those years, 2005, 2006 and 2007, despite the fact that 2 former Ministers for Social Security were present in the Assembly to inform the Assembly, Senator Routier and Senator Gorst. I regret I had not researched it and clearly we had not done enough as a Scrutiny Panel. But later, in conducting our review *Living on Low Income*, we did do some research and we found that back in 2005, when Senator Routier brought his in-principle proposition to this Assembly - he brought it as the former President of the old Employment and Social Security Committee then - this is written in the proposition and he said: "However, there was an additional cost attributed to being a lone parent, not in terms of food and clothing, but in the cost of running the family home, which is comparable to that of a couple." In doing our research, again we looked at the background to the 2007 Income Support (Jersey) Regulations, which came to this Assembly, again lodged by Senator Routier as Minister this time. That proposition says: "Research and experience suggests that single parents require more benefit than single householders without children and are generally the most vulnerable to issues of poverty." We have the present Minister for Social Security saying that payment is not linked to any additional costs that single parents might incur, when the propositions - 2 of them - of a predecessor in her office say that there is an additional cost, the cost of running the family home. The Minister is saying there is no reason or indication it would cost a lone parent more to live than a couple, but again, the proposition of a predecessor says that there is research and experience to the contrary. In the M.T.F.P. debate in October 2015, the Minister for Social Security did not tell us about the fundamentals of the income support scheme that were settled in those early years. She did not tell us that the department held research indicating that the single-parent families were the most vulnerable and needed additional support, because they did. That is what Senator Routier told us research suggests. That must have been within the department. Where I do not know. We still have not understood why. It has never been explained to the panel, but we, as a panel, have learnt of it eventually, unfortunately too late for the debate in 2015. I think there is a serious question. Why did the Minister for Social Security not inform the Assembly of these fundamentals, of the research held within the department when she was asking this Assembly to do away with vital support? Instead I find, remarkably, she told this Assembly: "The single-parent component, as it currently exists, can be seen to reward single-parent households and can act as a barrier to another adult joining the household as a partner." We would have had a very different debate, I think, if that information had been researched by my panel and brought to the Assembly, but also if the Minister had been clear and open and transparent with this Assembly to say and talk about the research that had established the position so many years before. What has been the consequences? We are still not too sure statistically, because there was no impact statement prepared by the Minister before the debate and the Minister has not carried out any research after the debate to examine the effect of the withdrawal of the single-parent component. That survey which I am talking about so much, the Household Income Distribution Survey of 2014, was conducted before the withdrawal of the component, so if it said then that 56 per cent of single-parent households were on relative low income, many of those would have lost up to £40.39 a week, so it is likely there will be a far greater percentage of single-parent households who would now have fallen into relative low income after the loss of that component, but we do not know yet, because these surveys are usually a 5-year survey. But what we do know, surely, is what people are telling us, the people who work in the voluntary sector, working with vulnerable families. Variety is one example; Variety being a children's charity. Variety sends States Members an annual report each year. The one that came in 2016 is mentioned on page 9 of our proposition at the top of the page. They outline the help they give to families: "Requests are for food, nappies, baby milk, baby equipment, school uniforms, shoes and other basic day-to-day needs." Then they say: "Virtually all of the families are single-parent families and every family is on an income well below the average." Shortly before we lodged our proposition we got Variety's 2017 report, which we have attached as an appendix to our proposition. This seems to be even more alarming. I am reading from that report, briefly. It says: "Almost on a daily basis, requests come in from schools, health visitors, social workers, the Bridge, occupational therapists and any other

agencies who have direct dealings with children and their families. All of the requests are mostly for single-parent families and without exception are low-income families who struggle financially. As many of the requests come with a covering note or letter, we are aware that more often than not there are other social and emotional problems, including health problems, within the family. These requests are for help with food, uniforms, shoes, baby equipment and other basic day-to-day needs. At the end of the financial year, the total of these requests were 357 families with 732 children.” They have provided support amounting to over £50,000. Later on, they warn us about the future within their report. Variety says: “It would seem that without any doubt our one-to-one help with families will be needed more and more. We are undoubtedly filling a desperate need and most of all, in our view, we must make every effort to continue to ensure that every child, despite their home circumstances, has the required uniform and shoes for school for their own confidence and self-esteem.” Until we get another Household Income Distribution Survey, we cannot statistically analyse the impact, but I think we can be sure that the impact has been hard on single-parent families. It can only have worsened. Their vulnerability to relative low income can only have worsened. The Minister, in her comments paper, suggests not. She suggests that single-parent families have gained more employment income and tells us that that is the way it should be, we should not be providing these benefits. But, unfortunately, I have to criticise the Minister for selective use of statistics on this occasion. In her comments paper in the third bullet on the second page, she says: “The range of measures to support single parents into employment has been successful, with a 17 per cent increase in earned income for this group over the last 2 years.” What is meant by “this group”? It is elaborated upon on page 3. From the middle of the third page, the comments papers says: “Looking in more detail at the 1,262 single parents who were receiving a single-parent component in October 2015, 750 of these claimants were still receiving a reduced single-parent component at December 2017” because the component has been phased out, so they are receiving £10 of the last phasing. Continuing: “Over this time, these claimants had increased their wages by an average of 17 per cent, well above the rate of inflation and the growth in average earnings.” Then there is a graph showing how those claimants have indeed increased their wages and I have no reason to doubt for those claimants that is correct. That is great, that is good. That is getting people who can work back into work and single-parent families wanting to take up work. But the group that is being considered is those who were claiming the benefit in October 2015, when we agreed to remove it. It does not include any single-parent household which came into being since 2015, so of course those claiming 2 years ago - more than 2 years ago now - their circumstances will often have changed. Their children will have grown, some will have moved into secondary school, some children will even have left home, so the parent caring for them will be able to work more hours as the children in those particular families grow older and as they grow less dependent on their parent or it might be that some in that group who were claiming more than 2 years ago can now work longer hours because they have established a new partnership and they have that extra support in their household. That graph is entirely predictable for the group that were claiming, a fixed number of people. You follow them for 2 years, their situation changes, their situation work-wise can improve. But it tells us nothing about the situation for all single-parent families. However, the Minister makes the alarming statement - alarming to me - immediately after the graph and she says: “These statistics confirm that the package of measures around single parents has been successful in helping single parents move away from benefit dependence and towards financial independence.” I am afraid that is just wrong. It absolutely fails to take account of the fact that new parents enter the system. For every parent that might be able to return to full-time work, other new parents will enter the system and some will have young dependent children. Referring again to the answer to the written question which I have distributed, there is an answer to part (b), because I had asked: “How many of the claimants received the single-parent component for the first time during the last 12 months of its operation?” and the answer was: “196 claimants are recorded as having received the additional single-parent component for the first time in the year immediately preceding its cessation.”

[12:00]

That is around 200 single parents coming in that year and I guess it must be around 200 people every year who would come into a system and there would be 200 people exiting a system, because their children would have grown into adults or all sorts of reasons. It is fluid and it is a dynamic situation and it is not as the graph suggests. Therefore I am sorry to say it is wrong for the Minister to say that those statistics confirm that the need no longer exists. The need still exists, it remains, the vulnerability persists. Still dealing with the comments paper on page 4 under the section called: "Household bills", the penultimate paragraph on that page. I am sorry, I should explain, the Minister is referring to the time in 2007 when the components were brought in by regulations. She says: "The extra component was included to help smooth the transition from the various benefit systems previously in use to the new income support system." This is new. As far as I am aware, having read all the old reports and propositions and the Hansards of debates, that has never before been said in debates, in answers to questions, in statements, in propositions or reports presented to this Assembly relating to income support. There have been many, many of those. Senator Routier believes - and he told this Assembly - that there was an additional cost, that it was drawn from research and experience. Senator Routier did not propose the single-parent component as a transitional measure. Senator Gorst never appears to have treated it as a transitional measure and neither does Senator Le Gresley. Of course there was a transition. There was a transition from the old benefit system, with a variety of unrelated benefits, and many of those older benefits transitioned, they continued for a while, but they have now ceased or they have almost ceased, but the single-parent component was never a transitional arrangement. I have to say, on what basis is the Minister saying it was brought in to "smooth the transition from the various benefit systems previously in use"? I am afraid that is simply wrong, and until this Minister, it has never been treated as that. In the following paragraph, the Minister talks about the introduction of income support. She says: "A range of issues were negotiated leading up to the final decision" and I question that term "negotiation." She says: "The single-parent component was agreed as part of an overall package." This is not a commercial arrangement. It was not a negotiation. Who were the Ministers negotiating with? There is no militant band of single-parent mothers who are saying: "Give us more than everyone else." It is not a negotiation or a compromise agreement. It is a legislative body deciding to provide proper protection and support to the most vulnerable group in our community. There was serious study brought to this Assembly for debate and a decision. Why is the Minister repeating that the single-parent component is not related to any cost when she knows that all her predecessors relied on the research which established to the contrary? What of the large group of people who worked in the introduction of the income support system, which the Minister refers to? She talks about it as a major project. There were so many consultees, so many officers working to establish a scheme 13 or more years ago, who would have been entirely satisfied when they read Senator Routier's report and recognised from evidence that additional support was needed. It is this denial of what happened in 2005, 2006, 2007 that has so puzzled my Scrutiny Panel. We could perhaps understand if the Minister had come along and said: "There has been new research" or if perhaps she had revisited original research and found that it had been misinterpreted, but no, she is not even saying that. She is simply now saying there is no evidence. Extraordinary, it seems to us. Again in the comments paper at the bottom of page 5, that extraordinary statement again: "In some situations it could be seen to reward single-parent households." But as a panel, we do not know. We cannot see in what situations the single-parent component would reward single-parent families. The Minister has not told us how a single parent would be rewarded by a component. Page 6 of the comments paper is interesting, because there is another bar graph showing a different thing this time. It is interesting perhaps, because it suggests the graph comes from our Scrutiny review, but it does not. It was prepared by the Minister or her department, but it does seem to reflect the information that is stated in another form in our Scrutiny report, *Living on Low Income*. It shows household types measured against the relative low-income threshold. It shows that none of them reached that threshold. The

first 2 columns relate to single-parent families and then the other columns other types of households. The fact that the Minister says that this graph is based on the information on pages 83 and 84 of our report suggests there is a lot more information in our Scrutiny report. The Minister did not refer to the immediately preceding table in our Scrutiny report, which showed that for single-parent families, the safety net offered by income support had fallen by 26 per cent in real terms after taking account of inflation because the income support components have not kept up with inflation since they were introduced. So in real terms, support has fallen across all households, but for single-parent families it has fallen by 26 per cent, for families with couples it has fallen by 11 per cent to 12 per cent. The Minister has not produced a graph showing that, but what she has produced is this. It would mean that if we had decided to retain the single-parent component, that bar for single parents, those first 2 bars on the Minister's graph, would be higher. It would come out as nearer to the threshold of relative low income, but it has now been reduced to roughly around the same sort of level as all other households, which the Minister suggests is a fair level of support. That is what she says in the following paragraph: "There is now a fair level available to all family types." I think that is an unfortunate understanding of what is fair, because it means that you have to reduce what you give to the most vulnerable in order to roughly equalise and consider fair what you give to all. I believe it fails to understand the distinction between single-parent households and the other household types in that graph, which are a couple with 2 children, a single person with no children and a couple with no children. In those last 3 households of course they are much more likely to have an opportunity to earn or to bring other income into the household and thus they would not be so dependent on support from income support. I find that also applies to the following graph on page 7. The comments paper does not reflect the fact that the single-parent families are far more vulnerable to poverty for a time. This is not a lifelong condition. Children will grow up and single-parent household will cease to be that. This benefit is extra support that is needed; it is not for all time. It is to support those children, primarily. The Minister has said on page 9 of her comments paper that what we have proposed as a panel: "Is not linked to any action on the part of the claimant to take up employment or training, will do nothing to support single parents towards independence. It may even delay these positive steps, with the result that they remain dependent on benefits for longer." But no, what we are proposing is not going to alter the rules that a single parent must seek work when their child becomes of nursery school age and it is not going to alter the rule that they must seek further hours of work as their child gets older. We are simply asking for the additional support that once existed, not to change those rules, not for single parents to sit at home and do nothing. Far from it. Then the Minister has suggested in the comments paper that she can make some proposals to us now. She has made a suggestion that she will add £5 to the child component of income support for the first child in all households with children. This has come before us not as an amendment to our proposition, not as a separate proposition and it is not something that is going to be put to the vote, but the Minister wants the Assembly to consider it now, it seems. We, as a panel, conducted that *Living on Low Income* review. We did a comprehensive and, I hope, helpful Scrutiny review. We made a recommendation that after so many years - by then it would have been coming up to 10 years since the income support system had been introduced - a comprehensive review of the system. The response we received from the Minister was: "No, not needed." We recommended that in view of the serious decline in the value of the safety net, because rises have not kept pace with inflation, we recommended that benefits be increased. The Minister said no. Regrettably, we found that the general tenor of the response to our report, *Living on a Low Income*, was: "Cannot do. The States have decided. That is what I am going with." But our proposition today has alerted the Assembly to information that we were not given during our M.T.F.P. discussions and suddenly we are confronted, the Minister has brought forward this proposal that she can make an increase. Wow, that is great. Scrutiny Panels, let us put all sorts of things in and we might get some response. But I must ask the Assembly: where is the evidence that what the Minister is proposing is the correct measure? What is the thinking behind it? What is the research behind it? It sounds great, £5 to every family with a child, but it was only in

July that the Minister brought her proposition to uprate income support by a single year's inflation. We did that. We lodged in July, I believe, to come into force last October.

[12:15]

Benefits were uprated by 2.9 per cent, I think, inflation rates for one year. This solution was not in her thinking then, so where is the business case for it now? What is the impact study? How can we know it is the best way to address issues of low income? Because that is what we must surely consider. How does it address vulnerability to poverty? The Minister says she is going to include £5 a week uplift for the first child in every income support household, in addition to the annual uprate for 2018, as allowed for in the M.T.F.P. proposals. Then on page 10 the Minister has said in the middle of the page that she "can confirm in advance that the uprate will include a proposal for an additional sum of £5 for the first child in every family over and above the agreed general uplift", but she has not told us what she is thinking about the general uplift. Will there be anything for second and subsequent children? You can put the help you want to give to children all on the first child and say: "Well, second and subsequent children nothing." Does that help? What, if anything, will be added to the adult component or the household component? The Minister is giving us a partial picture of what she is thinking, but she has not lodged a proposition and when it comes is that going to be the only measure that she feels she can afford, but it will not assist, for example, pensioner households who are reliant on income support if the adult component is not uprated in some way? We do not know exactly what the Minister is proposing. She has only told us £5 for a first child and, unusually, her proposal is not costed, so I have done the work for the Assembly. The Minister's 2016 report tells us that there were 1,955 income support claims by households with children, so I hope it is correct if I say 1,955 by £5 by 52 weeks will come to £508,000 a year. That seems to be what the Minister proposes. There is no criticism, but that is the cost which I think we should know. I am more concerned about the uncertainty of it and the Minister proposes to bring this, I guess as a proposition, but it will be subject to law drafting time. These are usually brought I think in the summer and the annual uprate takes place in October. Why can the Minister not do it now? It is only a change to a regulation but subject to law drafting time, but I think it is her intention to have this come into force in October, but if she wants to bring a proposition now, before the next elections, which she confirms will be done, she surely cannot bind the next Minister, so it must be her that is going to do this, but subject to law drafting and all our other Assembly commitments. It is just a puzzle to me why we have this partial picture. Of course Members now will expect me to explain how we, as a panel, think we can pay for the reinstatement of the single parent component. There is no beating about the bush. It costs a lot of money, but let us be aware it is not new expenditure because this is a benefit that has been in payment for 8 years until we removed it, so it has existed as a budget item for quite a long time in the past. We have said that the cost of reinstating this benefit could be £2.3 million on the basis that the full amount of the component is paid in every claim. So if £40.39 was paid to every single parent household the cost would be £2.3 million per annum but this is an income support benefit, so it is means tested and other income would reduce the benefit payment to each household, so if wages are coming in, maintenance is coming in, that benefit might reduce. So going back again to my written question, which I have circulated to you, and (e) shows there are various bands and the numbers of claimants in various bands, and the answer to my question at (d): what was the total amount of the component paid to claimants in the last 12-month period of the operation of this benefit? The answer at (e) was that the total net value is £1.8 million and the average net amount received once other income had been taken into account was £26.80 per week. So that is just a snapshot of the last year of operation of the single parent component. It would depend on economic circumstances but if that situation was to be replicated an average payment would be £26.80 and the average cost would be around £1.8 million per annum, if that last year of payment was typical. So the panel is not asking this Assembly to take funds from other benefits to pay for this benefit. Instead, to be precise I will read out the proposition: "We are requesting that the Minister

for Social Security and the Minister for Treasury and Resources take the necessary steps to identify funds to reinstate the component” but in doing so our proposition draws Members’ attention to the very significant and the continuing departmental underspends, which we have tried to explain from page 11 of our report. We have attached an extract of the States accounts for 2016 and near to the bottom of the page there is a line in red which gives the figures for Social Security and perhaps the relevant figures are in 2016 expenditure projected was £194 million and some, but the actual, the penultimate column, was £185 million giving a difference from the final approved budget, the final column, of just over £10 million, an underspend, in so many words. It has been stated by the department that it is due to a lower volume of benefit claimants, and that seems to be consistent. On the next page of our report, page 12, there is a table showing the breakdown of claims between 2016 and 2015 and it is clear that there is less being paid out in income support in 2016 than the previous year. I am informed that the underspends have continued in 2017. The department has willingly given me its figures for the 9 months ending September 2017 and for the whole year it seems that around £9 million of underspends are predicted, and the 9-month situation shows underspends of £7.2 million, and that is because around 70 per cent of those underspends arise from a reduction in benefit expenditure, reduction from the budgeted amount set aside to pay benefits, again because there have been fewer income support claims than were expected. Because we are a prudent jurisdiction, and I am pleased to say I have learned a great deal about some financial planning - I am grateful to the Minister for Treasury and Resources and his department for assisting us in putting together this part of this proposition - I have learned a great deal about annual managed expenditure and contingencies, although I am sure not enough. There is a contingency fund, the annual managed expenditure contingency, which is there in case there should be an unexpected, unpredicted, increase in claims on the income support scheme, and generally £2 million per year is set aside to meet those unexpected expenses. Thus far that has not been needed and that £2 million a year has been made available from departmental underspends, but of course not been needed so those underspends are still there, and they are likely to be carried forward, I understand, to 2018 and 2019. So it seems to us as a panel that the extent of the underspends in the department in 2016 and 2017 would comfortably allow for the reinstatement of the single parent component for the remainder of this M.T.F.P. period and thereafter it would be for the next Council of Ministers to identify a source of funding in the next M.T.F.P. I understand the rules are that a Member or a panel cannot bring a proposition to direct where underspend should be spent. These procedural rules only allow us to ask the Ministers to get together to consider what resources are available to meet this expenditure that we propose, but we draw Members’ attention to those very significant underspends, as we see it, as the most obvious source of funding for Ministers to consider. I am in a position to conclude, and I would just like to say that in this special Island, this special place that we know as our home, most of us are in a privileged situation to live a comfortable life, but that is not the case for a reasonably significant number of our population. We have that comment that the wealth gap is extreme. A society that has so much has an obligation to support those who do not and to go back to the goal in our Strategic Plan, which is to safeguard the most vulnerable in our community, let us ask among the most vulnerable who are the very most vulnerable, and this is the single parent families that I have attempted to show you. They struggle more than other groups and they have the deepest need, so we are suggesting let us return to them the support that this Assembly recognise they should have, right from the start and therefore I would urge Members to support this Proposition. Thank you.

Deputy S.G. Luce of St. Martin:

Sir, can I seek a point of clarification from the last speaker?

The Bailiff:

Really?

The Deputy of St. Martin:

Did the Deputy say that he thought that the household expenditure for a single parent was more than a couple or did he say it was not less than a couple?

The Deputy of St. Ouen:

The research that Senator Routier pointed to was the same as a couple. The Assembly was informed in the proposition put forward by Senator Routier that: “There was an additional cost attributed to being a lone parent not in terms of food and clothing but in the cost of running the family home, which is comparable to that of a couple.” I hope that helps.

[12:30]

The Bailiff:

Is the proposition seconded?

Senator P.M. Bailhache:

Before the proposer of this motion sits down I wonder if he would mind referring to the last paragraph of the section which I think he is referring to in connection with the alleged research that was carried out in connection with single parents. Perhaps I can help him by saying would he agree that the report in question said: “Research and experience suggests that single parents require more benefit than single householders without children and are generally the most vulnerable to issues of poverty.” The comparison was with single parents without children and not to 2-parent households with children. Would he agree that is the comparison?

The Deputy of St. Ouen:

I agree that is the immediate comparison in that sentence but then the sentence goes on to say that they are generally the most vulnerable to issues of poverty. The word “generally” is used and I would suggest that that means that looking at households as a whole they are the most vulnerable to issues of poverty. That is how I have interpreted it.

The Bailiff:

Is the Proposition seconded? **[Seconded]**. Then I call on the Minister for Social Security.

2.1.1 Deputy S.J. Pinel of St. Clement:

The chairman has said in his speech that this would be a different debate if the Minister had been “transparent”. The chairman has also acknowledged that the panel did not do their research. May I say that at the start the Scrutiny Panel have not discussed this proposition with the Social Security Department at all before lodging this proposition? I am sure had they done so we could have saved together much time for the Assembly and the public. I have worked with the Deputy of St. Ouen in his role as chairman of the Health and Social Security Panel over the last 3 years. He has always been professional and courteous in our dealings and across most subject matters we have worked well together. However, this proposition is a clear indication that there are still some gaps in the understanding of this issue. Turning to the main subject of the proposition the panel makes 2 specific arguments to support its proposal to reintroduce an extra component for single parents. One, the panel suggests that single parents need to receive an extra component to help with the cost of household expenses. The panel has not taken into account the basic structure of income support. This structure acknowledges the underlying cost of expenses that all households face, whether there is a single parent or a couple in a household. To allow for these costs a full household component of £52.85 a week is allocated to each income support household on top of rental costs and individual adult and child components. If Members look at page 4 of our response they will see a diagram that shows how an income support claim is composed. It is correct that a single parent component was included when income support was first established, however this was added to help smooth the

transition from the range of benefits previously available. It was never associated with any specific costs and it could act as a barrier to a new partner joining the household. The income support system as it works today, without an extra single parent component, provides a fair level of support to both single parent and 2-parent families. The panel also suggests that the single parent component should be reinstated because a high proportion of single parent families are below the relative low-income threshold. The panel has failed to take into account the large number of families with 2 parents who also have incomes below the relative low-income threshold. If you look at page 8 showing the graphs of our report you can see the diagram showing 1,800 families with 2 parents in this income bracket and just under 1,000 single parent families, which is the dark orange slice of the pie chart. I do not believe that it is fair to provide extra help that is only available to single parents. The Scrutiny Panel suggests that over £4 million should be allocated to single parents over the next 2 years. The panel includes some details of the 2016 and 2017 budget underspends in its report. These budgets were set in 2015 as part of the Medium Term Financial Plan and the underspends reflect the natural decline in benefit costs as the economy improves and unemployment falls. The underspends demonstrate the overall success of the income support scheme in its aim to providing a hand up rather than a handout. Single parents have been supported towards independence in several ways during this Medium Term Financial Plan. Child care allowances have increased. Incentives on earned income and maintenance income have increased. Back to Work provides targeted support for parents. These measures have been successful. There are now less single parents fully dependent on income support. Single parents have increased their earnings well above the rate of inflation since the end of 2015. This kind of active support helps the individual increase their own income and helps us to create a sustainable workforce. The Scrutiny proposal does not suggest any way to support parents towards training or employment. In 2015 my Medium Term Financial Plan report identified the issue of future flexibility in the income support budget. The States approved my proposals to change the law to allow for the possibility of a higher component for the first child in a household. Last year all income support components were increased in line with inflation and income incentives were improved across the board. I will be bringing forward proposals for general increases in 2018 in the near future. I am pleased to confirm in advance that my proposals will include an extra £5 a week for the first child on top of any other increases. This will provide a fair increase to all income support families with children. As a Government we need to give low income children the best start in life and help their parents support themselves, but we cannot achieve this through the benefit system alone. We need co-ordinated actions across Government. Health, education and housing are all key to supporting low income families. There is already much good work underway following the recommendations of the Care Inquiry but there are other areas where we can make a real difference. I am not unaware of the difficulties that some children face in Jersey. I have been involved with Brig-y-don Children's Charity for 23 years and chairman for a very large part of that time. I have also spoken at length to the Variety Club, which is quoted in proposition 113. It is very apparent to me that all children in Jersey should be considered. I would like to make a comment about the date included in the proposition. Part (a) suggests that the single parent component should be reinstated from 1st March this year. If the proposition is approved today it would be impossible to meet this timetable. As Minister I would need to arrange for law drafting for the component and then lodge those regulations for debate. The very earliest States date that could be achieved is 6th March and it would then take 6 weeks to update computer systems to make the new payment. There are other difficulties arising from the panel's apparent lack of understanding of income support and household income statistics. An earlier conversation with myself or my officers could have avoided this. Personally I take a much more positive attitude than the one relayed by the chairman in his speech. I would very much like to work with the Deputy of St. Ouen and his panel to look at areas where practical support can be provided to low income families. I would like to extend that offer to other Members interested in this subject. My officers have been collating ideas from a range of departments and I would like to gather further ideas and then discuss funding options with the

Minister for Treasury and Resources. My particular preference would be to provide additional support for dental services for low income children. We are all aware of the difficulties in the dental clinic and I would like to work with local charities and community dentists to make sure that all children get good regular dental advice and check-ups. This measure would provide a direct benefit to the child, not just an extra cash sum to the parent. To sum up, I urge Members to reject this proposition. Single parents do receive appropriate help with their household bills and they only comprise one-third of families in relative low income. We have made real progress over the last 10 years in helping families move into employment and need to continue to support families in this way. The Scrutiny proposal does nothing to support single parents towards independence and it may even delay these positive steps so that claimants remain dependent on benefits for longer. I confirm that all income support families with children will receive an extra £5 a week on top of the general increase in benefits during 2018. This can be introduced by regulations to bring to this Assembly for implementation in October together with the income support uprate. I also confirm that I am drawing up a list of projects that are aimed at providing practical support to low income families and will discuss funding options with the Minister for Treasury and Resources as soon as other Members have had an opportunity to put forward additional ideas. I urge Members to reject this proposition. Thank you.

LUNCHEON ADJOURNMENT PROPOSED

Deputy T.A. Vallois of St. John:

Sir, can I suggest the adjournment, because I am going to go longer than 5 minutes in terms of speaking?

The Bailiff:

The adjournment is proposed. Very well. The States now stands adjourned until 2.15 p.m. this afternoon.

[12:42]

LUNCHEON ADJOURNMENT

[14:17]

The Bailiff:

We resume the debate on P.113 and I call on the Deputy of St. John.

2.1.2 The Deputy of St. John:

I am not usually one for writing out full length speeches, because I usually find upon hearing what some States Members' views or opinions may be about a particular subject that it tends to change dramatically. I thought I would start by following the conclusion of the chairman of the panel and I would like to also look back and say what has changed since that decision in 2015. I am sure everyone will remember last year when we had the Care Inquiry report published and also Deputy Doublet produced a proposition which we unanimously supported on the United Nations Convention on the Rights of the Child. I think it is important for us to refer back to that convention and look at Article 27 which states: "Children have the right to a standard of living that helps them develop fully. Parents have the top responsibility for making sure the child gets this right. Governments must help parents and others caring for the child. The amount of help the Government gives depends on how rich the country is." I took that from the Children's Rights Alliance for England. So on that basis I am going to try to explain what my understanding of the single parent component was and how it came to where we are. Prior to income support coming in, and this is purely my understanding, before it was

set up the initial payments that were made under welfare for single parent families were paid on the basis of the parent and the first child, and then a child component would be paid for each child following the first. When income support was introduced it maintained the enhanced rate for a single parent but without including the first child and therefore the enhanced rate was paid plus a child component for the child and each subsequent child per week. I have to admit it has always baffled me as to why we treat the needs of a child different to that of an adult. Surely when you have a single parent household the cost of heating, food and general household costs do not go down just because it is a child instead of a couple living together. This single parent allowance is something that I have regularly spoken about with previous Ministers for Social Security and have raised issues around the single parent allowance and the child component and the enhanced single parent rate and whether it was being targeted correctly. I am still not sure just by adding on this component again if it will alleviate the issues that the panel, charities and many other people identify with, but I will qualify what I am saying here. I asked the question of the Minister for Social Security last year, on 23rd May, about why it is that we treat the child component differently and why a single parent with a child is not treated as a couple in a household, for example, just taking the parent and one child as an example. So Social Security advised that income support is based on a series of components that are allocated to households depending on the composition and needs of the household. A range of components deals with housing, child care and care costs. In addition a component is allocated to each adult in the household with a separate component for each child in a household and a single household component. Prior to the introduction of income support extensive modelling was undertaken to identify appropriate values for components that provided a reasonable match for the previous benefit system and could be afforded within the available budget. Today the adult component is provided at £92.12 per week. The child component is currently £63.98 per week and the household component is £51.31 per week. I have to just say that was last year's component. It has gone up since then. So then I was provided with a table of examples, single adult, couples with no children, lone parent with one child and couple with 2 children and it gives me a category of how the components are applied. Then it is stated that: "Most systems for assessing household income will allocate different values to adults and children within the household, for example the Statistics Unit looked at household income as part of the Income Distribution Survey. A process known as equivalisation is used to compare the incomes of different sized households. The scales used by the Statistics Unit are shown in the next table." So then I am provided with another table that gives you first adult in the household, any additional persons aged 14 years or over, any children aged 0 to 13 years. They do this, I have done some reading and research on equivalisation and I do not pretend to be an expert in economics like some in this room, maybe, and so I have done a lot of reading on equivalisation and what that means and how other jurisdictions use equivalisation and whether it is the appropriate scale to use. So I have been advised by Social Security in the answer to my question that the modified O.E.C.D. (Organisation for Economic Co-Operation and Development) equivalent scale was used. Now, upon my reading and research there are 50-something different types of scales that you can use right across the world and they all can determine certain things differently. The very basis of equivalisation, as I understand it, especially this one, is about households being able to share within that household, so the sharing of items and costs and all those types of things. So, I found it quite difficult to believe that a child should still be treated less worthy than another adult in a household. That is just my belief; that is how I feel. I have been a single parent. I know how much it costs and how difficult it can be on your own, and so I found a very interesting paper that was written in 2008 on equivalisation scales and it goes through questions like how the O.E.C.D. modified equivalisation scale was arrived at and what factors were considered in its creation. There were other equivalisation scales that were available and they go through different types of models, but the one question that really stood out for me was is the assumption that income is shared equally among all members of the household a fair one? So, upon reading what they state, which was that: "Since income is measured at household level but the primary interest is usually in the living standard of

individuals some assumption must be made about how resources are shared within households. Equivalisation scales implicitly assume that resources are shared equally within the household, because the same equivalised income is attributed to each member of the household. It is widely acknowledged that this is an unrealistic assumption and that replacing it with an allocation that more accurately reflects reality is far from straightforward. The extent to which different members of the household benefit from various types and items of expenditure is difficult to determine. For example, should expenditure on D.I.Y. (Do It Yourself) products count as household expenditure, benefiting each member equally or as individual expenditure because it is a hobby enjoyed by a particular person or some mixture of the two? Research suggests that parents in low income families tend to protect their children from the effects of poverty. Within couples there are also gender differences. While men are more likely to hold back a proportion of the household income for personal use women and especially mothers are likely to prioritise the needs and preferences of other family members at the expense of their own well-being and even health. Further evidence of the effects of unequal allocation of resources within couples derives from findings that while mothers have lower disposable income following divorce they report that the greater control over their own finances and spending options is preferable to the higher total household income prior to the divorce.” It goes on to state that: “Thus the assumption that all members of a household below the poverty line based on equivalised income are poor and that no members of a household above the line are poor does not seem to be supported in all cases. If the assumption of equal sharing within the household is false equivalence scales can underestimate the poverty among women while potentially over-estimating the extent of male and child poverty. Clearly, however, larger households do benefit from economies of scale and income and resources are shared to some extent in most households. The extent to which the sharing is inequitable or equitable is difficult to estimate.” So following, and there is a lot more to it but I will not read it all out to everybody, the basis is that it is a very difficult area to measure in terms of the needs of each individual family, whether that be a single parent or a couple with one, 2 or 3 children. So then it took me on to looking at different types of jurisdictions that provide some form of enhanced support for single parents. What you tend to come across is areas where they will provide an adult component, then you will have an amount for the first child and then the more children that you have the lower the component is that is applied to the household. That is based on this sharing model, but it is recognised that the first child costs more. So this is the point where I need to state also of course when the single parent component was removed I was Assistant Minister at the Treasury and Resources Department. I remember the discussions that were had at working groups of the Council of Ministers and it is an area, like I said before, that I have spoken to previous Ministers for Social Security about, because it is not necessarily about taking the component away. It was about having the discussion about whether the child component is at the right level and assessing whether income support is doing what we, as a States Assembly, expect it to do.

[14:30]

Unfortunately it has been 10 years since income support came in and there have been so many changes to that income support system. Can you really put your hand on your heart and say that that income support system is helping and targeting the people who really need the help? The reason why I will come back to some of the information that the Minister for Social Security referred to, and I think that the news about Advance to Work, Back to Work, all those types of things, and it is great news, but I question the sustainable workforce side of things. I question it is very good for a family, it is very good for a single parent to be able to go out to work. What is not very good is where we are turning around 2 parents or people who are within the income support system and saying to them: “Well, you are doing 25 hours’ work but you are going to have to find 10 hours somewhere else in order for us to help you.” So it ends up that person cannot find that 10 hours of work so they have to give up that 25 hours to go into a 35-hour job. That is not necessarily sustainable. That does not mean that they can progress in that work area. It just means that they are being pushed on the basis

of financial need of the department. That is all it is. It is not the financial need of the family. Then the other big issue that we have, and it is a very serious issue and it is something that needs to be grappled with by Social Security is that once we help these people either to get more hours or we help these people to go into a job and they finally go into these areas we are then going back to them and slapping them with a letter and saying: "You owe us £4,000. You owe us £8,000 in overpayments" because we do it based on calculations from whenever it may have been, instead of on a regular change, and that is a really serious issue, especially with the amount of zero-hours contracts we have got in the Island. When we talk about the single parent component I absolutely get what the panel are trying to achieve here. My conundrum in terms of deciding how I vote here is that what should have happened in terms of removing the single parent component and assessing the role of the component and the need and targeting of social security and income support did not happen. We removed the single parent component. The department saved money, but we never assessed whether the components are at the right levels for the need and whether that means changing the way that the system works for certain groups of people. I think that is a big piece of work that has to be done and it has to be recognised not on an equal shared basis, because a child will not necessarily share the same things as an adult will within a household. There are various other needs that are identified within a household, especially as we move forward and things change and lifestyle and families change. We have got to be able to move and change alongside that and not just wait until it is too late and there are too many people who are suffering. So the conundrum for me is do I support the Health and Social Security Panel, recognising that those issues will still exist? I am not convinced that this will target the right needs but if I do not support it I know that there are people out there who do need this and people can turn around and say: "Oh, well, you could have amended it" and this, that and the other, but income support is a very complicated animal. It is very complex. It is based on complete individual needs and if you just do one slight thing wrong you can make a family's life hell. Sorry, Sir, if I cannot say that, but you can. It is difficult. Thank you, Chief Minister. So, I am going to listen to other speakers to determine how I am going to vote on this, but I think there is a body of work that can be done here around child components, around single parents and I think we need to listen to those that are receiving these benefits to understand their needs, rather than basing it on statistics and just thinking that the numbers prove that everything is okay, because that is not necessarily the case. That is what worries me here, is that we are throwing around lots of statistics. I have just stood here and given you a whole discussion or research paper on equivalisation scales. It took me a little while to get my head around all of that. It just gives you a flavour of how complex the system is, but we need to make sure that we can get it as right as we possibly can. It is never going to be perfect. I think there are always going to be people who are going to feel the pinch somewhere, but I think we need to make sure we can find safety nets to assist those. On that basis I am going to listen to what other Members have got to say. I think it is very good that the Scrutiny Panel have brought this. I think it is a very important discussion to have. It is based on a report that they produced and I think we should consider as Scrutiny members who serve on Scrutiny to bring a bit more to the States Assembly to have these debates because I think it is important that we are all aware and we all try to understand the systems that we support or put forward and how they affect people's lives in reality. On that basis I will listen to other people and sit down.

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

I would like to start by congratulating the Minister for Social Security on basically simplifying the payment structure. I think on the whole that is to be commended, but equally and very sadly I think she has oversimplified it, and that is where the problem lies. The proposer of this projet, the Deputy of St. Ouen, quite rightly said there is a perception that single parents are young girls getting pregnant just to get housing. That is a very small minority and the large majority are usually for unfortunate circumstances: either one partner has died or, alternatively, the marriage has broken down and one partner or the other is left with the children. They are the ones who need the support. In the case of

marriages breaking down, an area that is of particularly great concern to me is to ensure that whichever partner is working and not looking after the children pays their share of alimony or divorce settlement, or whatever sum of money is due, because in most cases that I, as a Constable, have come across, this is not happening. It is all very well saying it is the responsibility of Social Security but I think it is something that certainly the Council of Ministers need to examine and to ensure that there is a proper way for those marriages where people do go their separate ways, that the relevant party pays his or her dues. I am very pleased with the simple layout that is given by both the Minister's response and the proposer's proposition in laying out the sum of money for adult, child, household and rent. I think that is a good structure but, when you have 2 adults, or one adult and a child, I fail to see that a child is cheaper to keep than an adult. I suspect if I ask my wife she would say I am a lot more expensive than the children. That is where I have a difficulty. The other area I have a difficulty with is, going back to the days when my children were children, and although we seldom qualified, there was an allowance for the first child, but that was a lot more than the allowance for the second and the third children, and so on. There is an issue here for a single parent with one child because there are first-time costs: there are no situations where you can have hand-me-down clothes or hand-me-down cots or hand-me-down beds and other things. Where it is one child there is an additional component to costs. The previous speaker was so absolutely right: every case is different, and this is where the complexity arises, and thank goodness I am not the Minister for Social Security, but I do feel that perhaps the Minister should examine a fairer system so that for where there is one child, 2 children, 3 children, there is a differential between each child. I am very pleased that the Social Security Scrutiny Panel has brought this forward. It is highlighted to me, and I hope to the Assembly, that there is a hole in our system and that hole must be plugged. Regrettably, I cannot support this because the recommendations are not, I believe, quite in line with what I would like to see, but I would hope that as a result of this the Minister will make an undertaking to come back to this Assembly to find a system where the single parent component perhaps, rather than £40.39, might be £30.27, or something very similar. That would then bring in line the single parent with a 2-parent family. With that said, I thank you.

2.1.4 Senator S.C. Ferguson:

As Members will know, I do not normally encourage the States to increase spending, however, I am a member of the Scrutiny Panel and this is a topic I do know a little bit about. If you are a single parent with no relatives in the Island, no maintenance being paid and without reasonable qualifications enabling you to support yourself and your child you are trapped in a poverty spiral. Short term, this proposition is a partial answer. Long term, it underlines the necessity of pursuing errant husbands or ex-husbands for the maintenance and, most especially, ensuring that most women leave school with the educational means of supporting themselves if the worst, a marital split up or a death or separation, should happen. I support the proposition and I ask the Assembly to support this. The Minister has produced a range of short-term fixes; we need a long-term plan, not a strategy that is too woolly. We need a proper plan to ensure that women are able to stand on their own 2 feet without having to rely on benefits or a husband. I am very much in favour of this as an interim measure but I think there are lessons for the Minister for Education within it.

2.1.5 Senator P.M. Bailhache:

I thought that the Deputy of St. John put her finger on the pulse of this debate by asking the rhetorical question: "Is the child component at the right level?" In a sense, the Scrutiny Panel went in the same direction because, if I understood him correctly, the chairman told us that the Scrutiny Panel was concerned, essentially, to support the interests of children. The question is: are children sufficiently supported in low income families? It is the correct question, but the Scrutiny Panel has, I think, come to the wrong answer. If the Scrutiny Panel had consulted with the Minister, I believe that it would have been obvious to them that they had arrived at the wrong answer.

[14:45]

The chairman relied a great deal, I thought, upon the proposition that research referred to by Senator Routier supported the proposition that single parent families deserve greater support than other families, but if one looks at the particular passage to which the chairman was referring, it does not support that contention. What the phrase said in the relevant report was: "Research and experience suggest that single parents require more benefit than single householders without children and are generally the most vulnerable to issues of poverty." It is the question of whether children are there or not that makes single parents more vulnerable than single people without children. **[Interruption]**

Senator S.C. Ferguson:

Sorry, Sir.

The Bailiff:

Senator Bailhache, just a moment. Senator, I think that is a double ... **[Laughter]**

Senator S.C. Ferguson:

May I select the charity to be chosen?

Senator P.M. Bailhache:

Single parents are obviously more vulnerable in these circumstances than single people without children. That is the proposition with which I would think that all Members would agree. The question really is: is the child component at the right level? I see no merit in supporting the single-parent family in circumstances of relative low income while ignoring the interests of 2-parent families. Two-thirds of households in relative low income are 2-parent families and so, by giving money to single-parent families in these circumstances, one will be creating another inequity insofar as 2-parent families are concerned. What the Minister proposes to do seems to me to be absolutely sensible and it is to look at the child component. She has come forward with a suggestion and, no doubt, if the Scrutiny Panel were to consult with the Minister they could have an input into the process which will lead to perhaps something more sensible and more appropriate emerging at the end of the day. I hope Members will not support this proposition.

2.1.6 Deputy G.J. Truscott of St. Brelade:

In my role as Assistant Minister for Social Security I have had the privilege of overseeing the Back to Work teams for the last 3 years. We have just seen the publication of the lowest figure for the number of people actively seeking work for the last 8 years; just 950 people were registered at the end of December, down from a high of 2,000 in early 2013. There have been similar positive results in terms of income support: in 2012, 19 per cent of income support households had no other income of their own. By the end of 2016 this had reduced to just 12 per cent. These statistics embody the basic aim of income support: to help people to move towards financial independence whenever possible; a hand up, not a hand out. The Social Security team has worked hard over the last few years to improve the incentives and support available to help low income families move into work and away from benefit dependence. It is therefore very disappointing that the Scrutiny proposal does nothing to support these positive steps. Providing an extra cash sum to a single parent does not help them to take up employment or train; it may even delay these positive steps so that a single parent remains dependent on benefits for longer. For this reason, I cannot support the Scrutiny proposal and urge Members to reject the proposition and allow the Minister to bring forward her proposal to support all low-income children. The Care Inquiry has demonstrated without a doubt that the Government has failed to meet the needs of vulnerable children in the past. Much good work has been done in recent years but there is more to do. The statistics show that many families have a relatively low income and struggle to manage financially. It is our duty to give the children that grew up in these families

the best start in life so they can take full advantage of their own life opportunities. As part of the M.T.F.P. Social Security described the flexibility in our budget in the second half of the M.T.F.P. period. We provided an increase across the board for income support in 2017, and the Minister will bring forward proposals for similar increases this year together with an enhanced child component, as anticipated in 2015. These costs can be met from our base budget. Neither the Minister nor I had any advance notice of this proposition and I am very disappointed the chair of the Scrutiny Panel chose to use his speech to criticise current and former Ministers for Social Security across a wide range of detailed statistical and historical issues. These are issues which should have been resolved through the normal Scrutiny process of evidence-gathering from public hearings. Why did the panel not ask the Minister these questions in a public hearing? Why did they publish the report without talking to us? To sum up, I urge Members to reject this proposition; single parents do receive appropriate help with their household bills and they only comprise one-third of families in relative low income. We have made real progress over the last 10 years in helping families move into employment, and need to continue to support families in this way. The Scrutiny proposal does nothing to support single parents towards independence and it may even delay these positive steps so that claimants remain dependent on benefits for longer. The Minister has confirmed that all income support families with children will receive an extra £5 a week on top of a general increase in benefits during 2018. Help us to help all low-income families.

2.1.7 Deputy S.M. Brée of St. Clement:

I feel that I have been listening to this debate with increasing concern about how we are approaching it. We have in this Island a large amount of hidden poverty and yet we are a highly affluent Island. I think what we are looking at here is this question of we all accept that being a single parent - and it does not matter the reasons why you are a single parent - not only has an increased cost but also I think what we are forgetting about is maybe the fact that the emotional stress being placed on a single parent is greater than sharing the burden between 2 people. We as a government have a social responsibility to look after those people in our community who, for one reason or another, are going through a period of hardship. A single parent going through not only financial hardship but probably emotional, mental and possibly even physical hardship. What we are talking about is: should we as a government recognise this fact and should we reinstate that single parent allowance which, for some people, is vitally important to them. Yes, I think there is a lot more work that does need to be done on looking at the way in which we support the most vulnerable people in our society, but we have to recognise they exist and that the burden and the hardships they are currently suffering are immense. The one thing that really struck me, and I am not sure whether anybody else noticed it, was the Variety report as at the end of the year 30th September 2017; not that long ago. It says in there: "At the end of this financial year the total of these requests [helping families] were 357 families with 732 children. Now, I am not sure of the breakdown between single parents, but that is not the point, the point is that 732 children on this Island, this affluent Island that we live in, this wonderful place we call home, needed support from Variety, which is a charity. I am not sure exactly what exact support was given but, to me, that showed an indicator, to me that showed that we as a government are failing the most vulnerable in our society. I will support this proposition because I think it is a small step towards us supporting those members of our society a little bit better. I would urge the Minister to carry out a lot more work into looking at: rather than this drive to get people back into employment - which is very laudable and successful... but there are certain people in our society who find it very difficult, for a short period of their life, to deal with things. We need to be able to be there as a safety net for them. We are not talking about creating a benefits culture, we are talking about providing an adequate safety net for them. That is, I believe, one of the roles of government and I think that we all have to really understand that we do have surprisingly high levels of hidden poverty in this Island. When we recognise that and when we are willing to help people through that period of their life by providing them with the adequate support, and for a single parent it is more expensive being a single

parent. There are more pressures and demands on your time, you cannot share things with your partner. Perhaps now is a good time for us as a States Assembly to send a message to the Minister and the department and the Council of Ministers that there are certain things we believe in and certain things we hold dear, and one of those can be achieved through reinstating the single parent element of this income support. I do urge Members to support this because, for a lot of people on this Island, life is becoming more and more difficult.

2.1.8 Deputy G.P. Southern:

I start with a key question: why do we do any research at all? I presume it is because we wish to come to the States with evidence that what we are proposing makes sense in terms of research we have done and is a reasonable way forward. Back in 2015 we did some research into relative low income on the Island; an Income Distribution Survey. The Minister at that time knew that report was due out and brought her own proposals just 5 weeks before we saw the evidence of what income distribution was like on the Island. In the words of the Chief Minister: “The new Income Distribution Survey will provide valuable evidence of the impact of the recession on different household types and it is not advisable to second-guess the outcome of the survey before the underlying data has been fully gathered, or to make significant policy changes to the income support system in advance of that analysis.”

[15:00]

That was the Chief Minister; absolutely crystal clear: “Do not make sudden moves before the evidence is in our hands.” He knew it was only 5 or 6 weeks away. The Minister for Social Security knew it was only 5 or 6 weeks away. “It would be inadvisable to make significant policy changes to the income support system in advance of that analysis.” What did this Minister do? Exactly that: in advance. No evidence, no research, no facts: “This is what we are going to do. We are going to take £40 a week out of the purses and pockets of single parents.” I believe that was a shameful decision. At the very least it could have waited 5 or 6 weeks. There was no urgency, the entire world was not going to come crashing down in 5 or 6 weeks, so that the entirety of this body could have the evidence and make a reasonable judgment and say: “£40 a week taken from single parent families is a reasonable thing to do” or: “It is a totally unreasonable thing to do given the facts we now have in front of us.” That is the reality. What did that Income Distribution Survey reveal? Well, it talked about those families in relative low income, and for the Members’ understanding that refers to 60 per cent of the median income; “median” meaning 50 per cent; half earn more, half earn less. 60 per cent of the median, that is the standard international test of relative low income, although we might call it relative poverty. What did it find out? It found out indeed that things had got worse since the last one in 2004, where it showed that 64 per cent of single parents were living in relative low income after housing costs, and there was also 45 per cent - almost half - of pensioner households living in relative low income. To you and I: relatively poor. The question is: how do you target (a) the child poverty revealed, or (b) the pensioner poverty revealed? How do you get support to those vulnerable families? You have to have a mechanism by which you can do so. This has been a long tradition; we go back to the ways in which we have tried to support and prevent relative child poverty. We had the Family Island system between 1951 to 2007, it ran for a long time, where we had a weighting given to single parents, an extra sum given to single parents, an acceptance that single parents had higher demands and found it more difficult to support the family than couples. Income tax, although by and large it does not apply to these people below the income threshold who are in relative low income, there was an allowance in the income tax system which said: “Single parents have more expenses and find it more difficult, and therefore we will put a weighting in.” Parish welfare, which ceased in 2007, under guidelines adopted by the Comité des Connétables, single-parent families received additional support. When I first came into this game of politics that is where my initial cases always were: down at the welfare office first thing on a Monday morning or last thing on a

Friday and you could get £20 that lasted you over the weekend and then have a meeting on Monday to sort things out. Some might say: "The good old days." Nonetheless, an acceptance that single parents were in a worse position than couples and therefore extra money in the pot. Then income support started in 2008: "From the outset, the proposers of the new income support system recognised that there was an additional cost attributed to being a lone parent." There is a long history. That last one, of course, the proposers being the Council of Ministers at the time ... oh, no, it was the old days of the Presidents; the President of Social Security was indeed Senator Routier, who is still with us, although not today. It recognised that an additional component for a single parent was valid. Despite Senator Bailhache's absence and his determination to read the evidence in a rather skewed way, he says the evidence presented by the panel is not there. In fact, it is. If he looks carefully, below those statements about family allowance income tax, parish welfare income support all putting in a single parent component, he will find the evidence from the original CRSP Report, which was the basis on which we had done research prior to 2007, which says that you could have a universal set of benefits of components that could reach the right people, and it said that a second adult in a couple should be the equivalent of two-thirds of the individual component. So one adult equals one and two-thirds adults in terms of the components. This recognises the additional cost of food, clothing, *et cetera*, for the second person, but also that other costs are shared. So the second person counts slightly less than a couple. There was an additional cost attributed to being a lone parent, not in terms of food and clothing, in the cost of running the family home, which is comparable to that of a couple. So, the committee considers that the lone parent and the first child should be classed financially as a couple. If you do that sum, you find more or less the figures that we arrived at not by treating the single adult and the child as a couple, but using components as first laid out - and it is on page 6 of the Scrutiny Panel's proposition - you find those elements adding up such that the single parent receives approximately £470 per week and the couple receive £522 per week, including the £40. If you take that £40 away, then the single parent with one child has an income of £430 compared to the couple with an income of £522. So, even with the £40, the household income is less than that of a couple with a single child, yet we have taken away that £40 and assumed, on the basis of no evidence whatsoever, that that is okay. The Minister for Social Security has done no research on this aspect of the income support system, despite requests from myself and others to conduct a proper review of the income support system now, after 8 years, but she has not done so. Back to the missing figures that were ignored, that were 5 weeks late. In 2004, 64 per cent - that is an amazing number - a majority of single-parent families were living in relative low income in 2004. By 2009, when income support had just kicked in and was providing extra support, that number had gone down to less than half, 47 per cent of single-parent families now in relative low income. We were succeeding in addressing the question of child poverty. We were doing something positive. How did we focus that addition? We focused it - surprise, surprise, because most children live in families - on the families. We focused it on the most vulnerable of those families, the single-parent family. How did we know single-parent families were the most vulnerable? Because we had done the research. Come 2014 we see that the amount of relative low income among single-parent families was climbing again from 47 per cent up to 56 per cent, yet this Minister for Social Security chose the totally inappropriate move of cutting further from the money that went to single parents. This runs directly opposite to what the evidence suggested might and should be happening. Just by way of reinforcing what was happening, it was revealed in the Income Distribution Survey that one-parent families were heavily dependent on income support, deriving 37 per cent of all their income from income support, whereas couple families it was only 3 per cent that they were dependent on income support compared to 37 per cent. So, they were the families who had that vulnerability. While we are at it, I note with some disappointment, to put it mildly, that we have recently had conversations with the Chief Minister who has suggested that we should do another Income Distribution Survey intermediate between the normal 5-year periods. There should have been one lined up for 2018 to see what was happening about relative low income and income distribution in the Island. Guess what? That has suffered a

funding cut. Word was we will support a fresh, not 5 years but one done after another 3 years, just to check what is happening, see if we have things right. The funding has been pulled from it. It is not going to happen. So we may as well close our eyes and close our ears to income distribution, to relative low income and what is happening on the Island because it seems to me that we do not know what is going on and we do not want to take a proper look at what is happening. So, what is happening? Have things got worse or better in the last few years, over the last decade? What measures can we look at? We do not have a new Income Distribution Survey being done, so we cannot check it that way. It is not going to happen for another 2 years at this rate. Let us take a look at one indicator, the use of food banks. Here we have the food banks from the Grace Trust: 2011, 344 appeals for help dealt with; 2012, 418; 2013, 735; 2014, 1,347 food bank visits dealt with, a rising number. Now, we do not know, I do not have what the latest figures are, but I suspect given the figures that came from Variety over there, the calls on them to help out families, that number is probably still rising.

[15:15]

Let us have a look at what they say about those customers, those recipients of support: “Many people who come to our food bank are hard-working people who have reached a crisis point. They do not have reserves to fall back on when something unexpected happens, such as an illness, redundancy, relationship breakup or lack of work.” That is St. Helier Methodist Centre. One single parent has the following to say about what has happened to her. She says: “In an Island this size with all the money it has to be a disgrace that I cannot afford to feed my children. It is awful to think it has come to this, but there is no middle ground in Jersey. The rich would not understand how poor people really are and I think the States really need to do something about it.” That was a single parent. As we have said at least once already, single parents are not your stereotyped 16 and 17 year-old who decides to get pregnant. They are, in fact, on average in their 20s, 30s and 40s, having suffered a relationship breakdown, and are trying desperately to hold their families together. Now, the Scrutiny Panel has been accused of not listening to the Minister for Social Security, of not talking to the Minister for Social Security, despite the fact that we have regular quarterly meetings and at many of those we talk about income support, we talk about single parents and we talk about the initiatives to get them back to work and back on their feet. We talk about rising numbers and how difficult it is. The normal way Scrutiny Panels communicate with Ministers, apart from face to face, is they do research and they make findings and recommendations. So how is this for communicating with a Minister who says: “You have not talked to me”? We have not talked to somebody with their fingers in their ears for quite some time because it is fairly unproductive. But a key finding from the report and a reason why we are now debating this issue is because we had to bring a proposition to get some attention. The Minister for Social Security’s decision to remove the £40 a week one-parent component is unsound. It is the U-turn on the previous policy of offering additional support for one-parent families which was well founded. That was our conclusion. The decision also goes against the clear evidence of the Jersey Household Income Distribution Survey of 2014-15 that the position of one-parent families within the relative low-income threshold has worsened. We had the evidence. We drew it to the Minister for Social Security’s attention; that key finding rejected. The recommendations, because that was what counts: the Minister for Social Security should take the necessary steps to reinstate the one-parent component of income support as a matter of urgency. Rejected. Further, because it is part of the argument that the Minister for Social Security always wields about maintenance, we have changed the disregard on maintenance. Instead of being 5 per cent it is now 26 per cent on maintenance. So if a missing parent is giving £60 a week towards the upkeep of that family, you are allowed to keep £15 of it because of the disregard of 26 per cent. So for £15 a week you chase that missing errant, perhaps, parent in order to go through the courts in order to get hold of that money, and by the time you get it, it is £15 a week. Does that make up for £40 a week? Not in my book. The 2 are different; one is far less. Another recommendation, not to

be debated today but nonetheless relevant: the Social Security Department should consider creating a role for an officer working on behalf of one-parent families to pursue absent parents for maintenance. That would be a useful thing to do and would save the department money. If we could get hold of all the maintenance that should be paid, is promised to be paid and does not get paid on behalf of single parents, then we would do them a great favour indeed and take away all the stress of chasing those parents in order to survive. That would be a good idea. How about that in your new set of initiatives? Please note it, Minister for Social Security. So, that is the findings and recommendations. How have things gone for single parents? How have things gone over the last few years - and this is updated - for people on income support? Well, until last year we did not uprate many of the components of income support for inflation, so their relative value has gone down and down and down. We have kept R.P.I. (Retail Price Index) for rents and we have kept R.P.I. for the increasing costs for childcare. The other components have not been uprated. What does that do to the value of those components, to the value of income support? The answer is simple. It means your income support goes less far. You are worse off, effectively, in real terms because of inflation if your components do not get inflated. So, let us just have a look. Let us move away from single parents, just compare them at any rate. A couple with 2 children in 2010 received £355 a week. That may be with or without rent, it does not matter, £355 a week. By 2016 that had grown merely to £363 per week. If it had been adjusted for R.P.I. between 2010 and 2016 it would have been £410 per week, a difference of £47 a week less. So, relative spending power down, £47 a week worse off because they have not been uprated. That £47 a week worse off is 11 per cent - just over 10 per cent - of the income support, so your income support has been allowed to erode away. It is now worth 10 per cent less than it was when you first started getting it in 2010. So, what has happened to single parents? Let us take a look at that. Single parent with one child in 2010, £240 a week. In 2016, £207 a week. Why? Because not only are we seeing the effect of inflation, we have just taken £40 a week off you. If it were R.P.I. adjusted you would be receiving £279 a week or £71 extra. What is that in terms of a percentage change? A 26 per cent drop in the value of income support. We are talking income support, the last support, the last safety net that we have in our society in order to support families. If you are a single parent you will have seen by the time the whole thing has gone through a 26 per cent change, drop, in the value of your income support. That is how we value those families. I would suggest that reflects badly on all of us. Since we have talked a lot about figures, and we cannot help but talk about figures, I just want to take some time - and bear with me, please - while I go through the Live Notes of a conversation with one single parent and perhaps you can see the stresses that Deputy Brée was talking about. This is an interview, Live Notes, with Kaye, who is 44. She is in private rental accommodation. She is Jersey born and there are 4 in her household. She is a single parent with 3 children, all in secondary school, aged 11, 13 and 15. She is trying desperately to support her family and she does work, she is not a skiver. Total income: £22,000 a year or about £400 a week. Her rent is £1,600 a month. The maximum covered by Social Security, she says, is £1,400. The family lives off the balance. They use the community bank. All income support and her wages are paid into that. Rent is paid by standing order, £350 put into a prepaid credit card. She used to put £140 for bills into her mother's account for gas, electricity, phone, television licence and water as the community bank does not do direct debits, she says. Her mother pays bus passes for the children of around £30 a week. Her bus pass is £20 a week. She also pays car and house insurance. She says she has a car but only uses it at weekends for shopping, *et cetera*, when she has to get the bags home. She has approached the father for maintenance, which he pays now and then, but very little, around £20 or £30 per week. She has tried to take it to court but ended up with a bill of £800, 25 per cent of the cost, and in the end she received the child benefit part of income support as a result. As a single parent, it was £40 a week, but that is now down to £20 and will be reduced further. So she is aware she has already been cut £20. This was back in 2015, and she is aware of the cut that is coming. She is not in debt in any way. She is doing well. The house is virtually unfurnished by them, just the television is theirs. The rest all belongs to the landlady, so it is furnished

accommodation. Two of the children require dental treatment costing £800. The community bank has offered a loan that will have to be repaid. The youngest child has a kitten and money saved for a birthday had to be used to pay a vet bill of £150. As it was an emergency over a bank holiday and the animal shelter were unable to help, there was no choice. The child had no money left for her birthday. That is the sort of reality we are talking about. Andium offered them a place but it was totally unsuitable. As a result, she has been de-banded down to band 2 - she was previously priority - for refusing to take the offer. No holidays. Clothes like school uniform, P.E. (physical education) kit, shoes, *et cetera*, are a massive problem, she says. Summer is a nightmare; winter is even worse. I am now quoting: "All the kids are now at secondary school, which is a really good school." That is nice. "The truth is life is really a struggle every day, a balancing act all of the time. I am not frightened of hard work. I make sacrifices for the children." Her final words: "£40 a week is a hell of a lot to lose." That is the reality for many single parents in our society. £40 a week is a hell of a lot to lose. This body has the capacity to restore that £40 a week and restore some dignity and some value to those families. I believe we should do it and we should do it, as it says in our report, as a matter of urgency.

2.1.9 The Deputy of St. Martin:

Yesterday morning some of us went to church and there were some very simple words in the first 5 minutes of that service which resonated with me.

[15:30]

It was where we sought in all that we discuss and decide to enrich the common life of this Island. Every speaker I have listened to this morning and this afternoon has made points that have resonated with me, and I mean that. Every speaker has said something which has been right, has been correct and has come home to me. But something that is clear is that we are doing too much arguing about data, about information, and we are getting into petty squabbles over who has done the research and who has not. I find it disappointing that we are in a situation where we do not have Scrutiny and the Minister agreeing about the level of co-operation and it is clear that they have not worked together on this particular proposition, while they may have had meetings. The Minister is quite clear that she did not know this was coming. I have the greatest of respect for the Deputy of St. Ouen and I listened very carefully to his words in his proposition. He mentioned working families, family finances, children in families, relative low-income families and the cost of running a family home. But in most cases, not all but in most cases, there was not particularly a differential between single parents and couples. I am not going to support the Deputy today and I would ask Members to vote against, but - and it is a big but - I would urge Members to seek to get the Minister and the Scrutiny Panel to work together, to get together, and look at the offer that has been given by the Minister to support all - and I say all - children in relative low income, because the proposition today does seek one particular part and we did say that we would work for the common good.

2.1.10 Deputy M.R. Higgins:

I shall be exceptionally brief because the arguments have been set out very well. I do think that this proposal from the Scrutiny Panel deserves to be supported and the reason why is we are supposed to be here to represent the people of this Island. We all know that people are having to go to food banks and everything else because they are struggling. We have an opportunity here to help a particular sector of the population of this Island to try and address some of the problems that they have. I think it comes down to conscience and compassion. I honestly believe that this House, if it fails to support the Scrutiny Panel, will show itself to be hard-hearted and not really interested in the people in this Island who are struggling. Therefore, I shall support this fully. I do believe if we remember the Strategic Plan we were going to have a more inclusive society. We were going to look after the poor and all the rest of it. It has meant nothing. That is why that document is a complete waste of time

because the actions of this Government over the 3 years that we have been here has been the exact opposite. They have increased the income inequality and the disadvantages of the people who are worst off. I believe use your conscience on this one. Let us try and help some of these people. Otherwise I hope the electorate will take note of the vote today and vote you out.

2.1.11 Deputy S.Y. Mézec:

I said in the last debate, as in the debate on nationality requirements for membership of this Assembly, that I found that debate depressing. The truth is that I find this debate far more depressing because it is about people's livelihoods at the end of the day and that matters I think more than any other topic we might consider in this Assembly. I think in a previous debate another Member spoke of the shame she sometimes feels when decisions are made in this Assembly. I remember going home on that day when we had that M.T.F.P. debate, where there had been amendments made to try and prevent some of the cuts to support that is provided, not just to single-parent households but also to disabled people and pensioners. We lost those debates and this Assembly decided it was going to support £10 million of cuts to support to those people. I felt utterly ashamed that day. I have always been proud to be from this Island. I have always seen such wonderful people here who are generous and hard working. I just could not add it up. How is it that somebody can sit and vote to take away from people who we know are some of the poorest people in our society? That was a pretty terrible day. Then a few weeks later in retrospect it turned out to be even worse than that because we had the Income Distribution Survey, which showed the levels of relative poverty that exist in the Island and this group in particular who are most at risk of living in relative poverty, who we had voted to take away support from. There have been more developments since then, not uniquely for single-parent households but for all Islanders, really. We know that over the last 10 years real terms earnings have flat-lined. We know that last year the economic standard of living for people went down, and we know that wages for the lowest paid workers in Jersey have fallen behind our counterparts in other nearby jurisdictions. I ask Members to think in this context. For a great number of people in this Island, life is getting harder, not easier. That is not right. In the 21st century, when we have such amazing technology at our disposal, we have some of the most sophisticated financial expertise in the world in this Island, we are an affluent Island, for a large number of people life is getting worse. How can that possibly be right? How can this Assembly as an institution, which is elected by people for the purpose of trying to make their lives better, be complacent when we see evidence before us that shows that these people's lives are getting more difficult? For me, it is the number one issue, the number one point of principle in our government system that we should be trying to take the Island forwards, not backwards. We should be trying to make people's lives easier, not more difficult. So, in 2015 when we had that vote on the M.T.F.P., we voted to make those people's lives more difficult. Today we have a chance to vote to make their lives easier. Is that not what this is all about really? I listened to what the Deputy of St. Martin said. This is something I feel comes up time after time in this Assembly where somebody comes forward with a proposition, with a solution, whether it is the best solution or not, a solution, a proposal to say: "Here is one way we could go about making life easier for these type of people or improving this particular service" or this or that and so often somebody stands up and says: "Okay, I support the intentions, I like where they are coming from but we need to do a bit more work on this or we need to go back to the drawing board or people need to come together to discuss something." It is our excuse for never doing anything I find. We can tolerate it on some issues because there are some things that this Assembly debates or decides that are not of imminent importance to people or which do not necessarily affect the poor and vulnerable livelihoods in this way, but this is one where the Scrutiny Panel did a huge amount of work looking into what life is like on low income in Jersey. They examined the evidence. It was not some sort of partisan political point scoring exercise, it was Scrutiny at its finest and it said that this benefit should be restored urgently because of the effect that it was having on these poor and vulnerable people. What has been said by the chairman of the Scrutiny Panel and what has been said by Deputy Southern I have nothing

more to add to that. I felt both of them spoke incredibly well and the detail they gave to explain why this is the right way forward, I think, was inarguable. I simply want to make the point to Members, please think of the people you represent. Think of those people whose lives have been made more difficult over reason years and how many times this Assembly has avoided the opportunity to do sometimes big things, sometimes small things, to help make those people's lives easier. This is an opportunity to make a positive difference to the group of people in our Island who are most at risk of living in relatively low income. I think it is particularly important given everything we know that has come up in political debates over recent years, because this is not about lazy working age people or people who are taking a back seat for a while rather than contributing to society, this is often people who are incredibly hardworking - not all of them are hardworking in employment, they will be hardworking raising their families, which is an important role in our society - and ultimately the people who suffer the most from this are not parents. I have seen this with some of my constituents, people who I know have gone hungry before letting their kids go hungry because they just do not have the money. So think about it. It is the kids who will suffer most if we do not do something to help their families look after them the most. So I beg Members, please vote to support this and help those people before we think about any other issue facing this Island.

2.1.12 The Connétable of St. Clement:

I supported the Minister's proposal to phase out the single parent component but after a lot of reflection I think I was wrong to do that and I think the States were wrong to approve it and go along with it. What we did, we took the most vulnerable members of our society, many of them on the lowest incomes, those with the biggest challenges in many ways, and we took cash away from them. With hindsight, if we were going to do that, if we were going to phase out the single parent component, what we should have done was to protect those already in receipt of the benefit and reduce the component for new claimants. That would have been the right and fair way to do it if it was right in the first place to remove the component. I am not now convinced that it was. But that is what we did for newly qualified teachers in the last Medium Term Financial Plan, I think it was, we agreed to reduce the salaries or the band for newly qualified teachers coming into the profession. But those who were already there, we did not take their cash away, their salaries were protected. I wonder now why we did not do that same thing for those in receipt of this component. The reintroduction of this benefit, I understand, is going to cost something like £2 million a year. That is a lot of money but compare that with the unfunded £4 million a year that the Minister for Treasury and Resources wants to give to people earning up to £150,000 in education grants. Who really are the most deserving?

2.1.13 Senator I.J. Gorst:

Perhaps the Minister for Treasury and Resources will respond to the previous speaker. Other Members have said the Scrutiny Panel are right to have brought forward proposals now that we have spent time thinking about the operation of the income support system. I agree with that absolutely. I am sorry that I was not in the Assembly to hear the mover of the proposition's opening speech but I know that he referred back - or I understand he referred back - substantially to the speech of the then President of Social Security in the creation of income support. Of course, it was not just a one-off creation, there was the overarching legislation and then there was delivering of subsequent regulations. I was in the Assembly for some of the deliverance of those subsequent regulations and I recall speaking about needing to get the changes right, particularly from a parochial involvement in the distribution of benefits. There is a lot of water gone under the bridge since then. Broadly speaking, the Parishes have picked up some of what might be thought of as community work that they used to do when they distributed welfare.

[15:45]

But the financial element of change was absolutely the right approach to take. The Constable of St. Clement said perhaps we got our decision wrong when we took away the £40 payment to single parents - a staged reduction not an all in one reduction - and that is for each Member to decide whether they think it was wrong or not. But before they jump to that conclusion absolutely I ask that they do just consider the evidence that the Minister has put forward in her comments about some of the positive changes that some individuals have had, particularly around work, arising from the change. The Deputy of St. John spoke about are the department just forcing people to increase their work hours from 25 to 35 indiscriminately? Of course, yes, there is an underlying requirement for those in income support who meet that criteria to seek as much work as possible or at least are seeking to find it once their children reach a certain age. She also said 10 years or more down the line is it not the time for the Minister to be thinking more broadly about how income support is working. They have been doing thematic reviews and looking at various components, they are absolutely right to do so and they do so, of course, in light of the income distribution survey as well. The Vice-Chairman of the Panel spoke at length about where single parents on income support found themselves in that analysis. Deputy Mézec said: "Think about the effects upon the children of not accepting this amendment." While I do not agree with the way he is going to vote, his sentiment about thinking about the children is absolutely right, because, of course with the passage of time we have had the Income Distribution Survey but what it says is not just single parents on income support need perhaps extra support but there are children in income support families, some with one parent, some with 2 parents, who need extra support. The Council of Ministers had an in-depth conversation or discussion and challenged each other, particularly when we, as an Assembly, have committed ourselves to putting children at the heart of our thinking and policies and changes that we make. So today I think one of the thrusts of the argument of the panel is that the department has underspends - they have - so for the coming year the department could use their underspends to reinstate a single parent component. It could be argued for that narrow subset of income support recipients, children in those households will benefit. That is not right, we should be thinking and putting all children in income support families and in relative low income at the heart of our policy making going forward. If Members want to spend underspends on supporting the most vulnerable, on supporting those on income support and the Minister accepts this, our policy surely should be focused on children. I think the Deputy of St. John very clearly said this in her comments, although she did reserve which way she was going to vote, as did the Constable of St. John. He was right to remind us that in family allowance there was a greater children benefit component in that benefit for the first child than there were for subsequent children. So what we should be doing and what the Minister has undertaken to do, and I have no doubt that she will work with the Scrutiny Panel in this regard, is to think about how we support all children in relative low-income households who are in receipt of income support because we are committed to having a child-centred approach to policy. I think that is the right approach rather than just saying we are going to go back and do what we have done, we are going to go back and do what we have done in the past because we have an underspend. That should not be our approach. Our approach should be to gather appropriate evidence, and the Income Distribution Survey is appropriate evidence but so is the evidence in the Minister's comments about children in all household types and the extra support that they need. Should we do that through an increased first child component? Perhaps we should. Should we do it through increasing all children's components? Perhaps we should. But we should be focusing our resources on children and improving their outcomes in life and focusing on all families in relative low income with children, not just separating out because a family happens to have one adult. Yes, there may be extra costs but, again, other Members have spoken about the differential between single adult households and single parent households. Any resource that we are going to spend I absolutely am convinced should be focused on children across the household types. Quite attractive to make this decision today for this one particular group and some Members have tried to pull the heartstrings. Deputy Southern in his example, it was a very powerful example, in his relaying of that story pointed to his concern about

the children in that family, the 4 children in that family. The Minister shares that concern about children in families in low income households and how we can support them better into the future. That is why we should not be just returning to the old way of doing things, which is what the Scrutiny Panel is wishing us to do, but that we should work together to support children right across our community. Thank you.

2.1.14 Deputy M. Tadier:

No matter how much the solemnity the words are presented, the words of the Chief Minister are cheap when you look at the reality and the savagery with which his Government, including the Minister for Social Security, targeted the most vulnerable members of our society very early on in his administration in this term. They did not have to do this. These were political decisions, yet they came with their big knife and said we are going to cut £10 million off the Social Security budget and in doing so we are going to target the most vulnerable people in our society. So while one might stand up and say: "Should we not all be agreeing with each other, we all want the same ends?" in fact we do not all want the same ends because some of us pursue policies and politics which harm the most vulnerable in our society. We told the Assembly at the time when we tried to oppose the cuts that were going on, in particular this cut to low income single families, we said: "Wait another 5 weeks, the Income Distribution Survey will be out. We should not be making decisions based on information that we do not have, especially when we know that the germane information will be coming out very shortly." Deputy Mézec, no less, in fact put an amendment to the business plan, I think it was at the time - the budget - which asked to remove that. I think there were 12 votes in favour. Let us read these out, it was Senator Cameron - no longer with us, you do not last very long as a Senator in this Assembly presumably if you vote the wrong way - there was Constable Crowcroft, Deputies Martin, Southern, Hilton, Kevin Lewis, myself, Higgins, Maçon, Mézec, Doublet and Brée. Now, those 12 knew instinctively that it was wrong to do that, despite the words of the Minister of Social Security and others. Now that we have had the relevant information other people correctly and with humility have said today: "I got it wrong and the reason we got it wrong is because we did not have the information." I was pleased to be able to work on that particular review with the Scrutiny Panel. It was a real eye-opener when we looked at those who are living on low incomes, in work for the most part, and we did meet with a lot of single parents, single mothers in fact, and it was a humbling experience to learn about how these individuals juggle many different and testing circumstances. They are workers, they are mothers, they are obviously daughters as well in many cases and it is not easy ... and they were hit by yet another targeted cut that affected them in very real terms and affected their children. It is one thing to run workshops for women in politics and to say we want to get more women in politics, but when it comes to introducing policies that can either help women or harm women - because this is an issue that very much does specifically target woman, it is usually, not exclusively, the woman who is left holding the baby or the babies literally and metaphorically - then I would say to the Chief Minister, and other Ministers, put your votes where your mouth is. All these words are very fine and to stand up and say that we need to help all children, well how does giving an extra £5 that we are being told about today compare with the £71 that the Minister for Social Security has taken away from these people in the first place. It is great to have something like the pupil premium but if the idea is to help these individuals become less reliant on the States and more independent then how does taking away what is their money, which they can decide how to spend on themselves and their own children and saying: "We will not give you that but we will perhaps give you a free meal" with, unfortunately, the potential stigma that goes with that when you are somebody at school who is being given free school meals, *et cetera*, rather than your mother or father being able to pay for that for you because they have been given the relevant resources. The other practical point is that this money gets spent in the economy. The people who receive this money will spend it immediately, poorer people do not have savings. As soon as it comes in it goes out and goes back into the local economy. So if we needed this argument, and it is not

necessarily the best or most tasteful argument to make, if the right-wingers out there need this argument to be made, at least regard it as some kind of fiscal stimulus. That 2 point whatever million that we are asking for today will go straight back into the economy. Giving tax breaks to the rich, of course, does not necessarily go straight back into the economy. So I do urge Members to support this today. It should be a salutary reminder that when any Minister, whether it be in this Council of Ministers or in any future ones says: "Trust me, let us make this decision today" then remember this moment when you are changing your vote because you did not have the information, they did not give you the information.

[16:00]

In fact, when the independent information did come out it proved the exact point that it was quite correct, previous States Assemblies knew exactly what they were doing in having a specific benefit which was targeted at single parent families. I would ask the Chief Minister why it seems that the I.D.S. (Income Distribution Survey) money has been taken away. We should be having the independent Stats Unit producing another Distribution Survey in time for early 2018 so that we can know ahead of the election, but I can understand how it may not be politically convenient for an income distribution survey to be published ahead of the election. That is unfortunate. Those facts and figures should be made available and I would like to ask the Chief Minister in particular to make sure that those specific stats, as well as all of the stats that are produced from the department, are made available in good time so that the public can see how their policies have fared and whether they have worked.

2.1.15 Senator A.J.H. Maclean:

This is clearly an important issue and as my colleague, the Minister for the Environment, said most contributions, in fact almost every single contribution has had a degree of value in it. Certainly it has had my ears pricking up with some of the points that have been made. Food banks have been mentioned. In many respects it is quite shocking that an Island as wealthy as this even has food banks or the need for food banks. I know - and this is a bit of a side issue - that single parents are in fact not the key users of food banks, not that that is necessarily the most relevant point but it is a statistical fact. But it just goes to demonstrate the many issues and many challenges we in this Assembly face in terms of trying to make life and conditions better in Jersey for the whole community, not just for certain segments of it. The Constable of St. Clement is a nice chap, I like him, I respect him but I do think he was being a little naughty - and I think he knows it - with the comments that he made a few moments ago. The reason that I say is that he used the emotive language of the £4 million that was referred to or has been referred to both yesterday and previously in relation to higher education funding. That, by the way, is higher education funding of £4 million from 2020 onwards not immediately. There is a whole raft of data around the higher education funding and it is about children as well. So let us be clear about that. This is not a choice between single parents or indeed families with other children in low income that need support as well or higher education which are children that need the importance of education for their futures. All of these matters are matters that need to be considered and fairly dealt with. I think that is something that this Assembly and certainly the Council of Ministers are focusing on. I would just make the point with regard to the higher education that it includes taking away tax allowances that are not well targeted, £3.5 million of them, and targeting them to where they need to go. It looks at redistributing and making sure better use is made of the Education budget in this particular area, to get more of our young people into education. The figure of £4 million by 2020 is taking into consideration and has included an uprating for inflation of 3 per cent per annum through the phased period and that does not take into consideration that the U.K. is considering freezing their tuition fees from this year and possibly reducing them in the future. So there is far more complexity to this than simply saying it is £4 million choice between single parent families or higher education. That is not a fair comparison at all. I would like to turn to the

Deputy of St. Ouen, the chairman of the panel who made a long speech earlier on today. He made some comments in that speech, and I would like to ask him when he sums up if he could just address a couple of points that I have. I will also, if I may, correct one point that he made that I am aware of. He said that governments around the world give extra support to single parents, but I am not aware that we know this to be the case. I have not certainly seen any evidence to that fact and there is nothing in the panel's report, as far as I am aware, to that effect. So I would ask the chairman when he sums up if he could clarify exactly where the quote that he made in relation to single parents getting support from around the world actually came from. I would like to correct a point also that the chairman made in relation to family allowance, the old family allowance system. The Deputy said in his speech that family allowance was higher for single parents but this is wrong, that was not the case. It was paid on the number of children not on the number of parents. That is an important difference as to how that particular system operated. I would ask the chairman, we have had a number of Members - at least one or 2 - raising the point about why this issue has come up now. Why so many questions here in this Assembly today, albeit on such an important issue? I noted these questions are being raised now but they could have been raised a lot earlier, before the lodging of the proposition, to the Minister or the Department of Social Security. Why did the chairman not raise the ideas around single parents in any of the quarterly hearings? I think that was a point that Deputy Southern made, that this was raised in any of the quarterly hearings but in fact I am not aware that it was during 2017 and this review was undertaken in 2016. So there has been the period from 2016 to the end of 2017 to raise the ideas that are contained here. Perhaps the chairman could deal with that when he sums up. The panel does not appear to have taken account of the basic structure of income support as I see it. The structure acknowledges the underlying cost of expenses that all households face, whether they are a single parent or a couple in the household, which I believe it was a particularly important point. The Scrutiny Panel's adviser analysed income support and, as I think was mentioned by the Minister, used internationally agreed methods to do so. This analysis confirmed that previously income support for single parents was proportionately more generous than income support for families with 2 parents. The same analysis excluding the extra single parent component shows that single parent families and 2 parent families today both receive a similar level of support. The income support system, as it works today without an extra single parent component, does appear, therefore, to provide a fair level of support to both single parents and 2 parent families. The panel also suggest that the single parent component should be reinstated because a higher proportion of single parent families are below the relative low-income threshold. But the panel has surely failed to take account of the large number of families with 2 parents who also have incomes below the relative low-income threshold. It is surely not fair to provide extra help that is only available to single parents. Where is the evidence to support that? The Minister has already said to us today that an extra £5 per week is going to be made available to all who fall within that category, not just single parents, but the much larger group that are couples with children. Surely that is a more balanced and a much fairer approach to be taking. I think that the Minister for Social Security and her department have done a considerable amount to help families who find themselves needing support. They have worked well towards driving greater levels of independence for families. We have seen childcare allowances increased. We have seen incentives on earned income and maintenance income also increased, and of course the Back to Work scheme provides targeted support for parents. All of these demonstrate the work and the effort being put in by the Social Security Department, which I believe is absolutely right. I am going to pick up on just one final point and that is around cost, because I am not sure it has been mentioned but I will in any event mention the fact that the £5 per week proposed by the Minister is costing just in excess of £500,000. I think it was a calculation the chairman had mentioned, but just to confirm that point. Also to state that will be met from within the Social Security budget from the annual up rate, which I think is also a point that should be made. I would urge Members to reject this well-meaning, well-intended proposition, but one that is targeted solely at single parents when indeed it should be much broader; and that is

what the Minister and her department are proposing to do. The Minister for Social Security has also confirmed to Members that she is drawing up a list of projects that are aimed at providing practical support to all low-income families. She is going to discuss those both with myself and the Council of Ministers so that we can look at ways to consider funding options in a targeted way for those initiatives. That is the sensible approach to take. There have been concerns raised today, I recognise the concerns raised but a measured approach led by the Minister for Social Security in the way that she has laid out is, I believe, the right and sensible way forward. I, therefore, urge Members to reject this particular proposition and support the Minister in delivering more targeted assistance where it is needed to all.

Deputy G.P. Southern:

A point of clarification if I may. Did the Minister, when talking about charitable help, say that single parents are not the prime receivers of charitable help; when Variety says, as evidenced in our document: “Virtually all of the families we help are single parent families and every family has an income below average.”

Senator A.J.H. Maclean:

I was talking about food banks; not as the Deputy suggested.

The Bailiff:

I recognise that this is an important debate. It has now been going on since 11.25 a.m. and I am just looking at the rest of the Order Paper where there are I think 7 or 8 more propositions to be debated. I think all Members will realise that the agenda is very full on the weeks that follow. I just ask Members to take that into account in the speeches which they make.

2.1.16 Connétable J. Gallichan of St. Mary:

I will be very brief. There have been some excellent, emotive, and very powerful speeches and I think none more so than that of the Constable of St. Clement, which had a very profound effect on me. Incidentally, for the benefit of the last speaker, I certainly did not get the impression that he was being ... I think it was “naughty”, the word that was used. I had the feeling he was being 100 per cent genuine. But as far as I can see, if we really believe that we should be putting the child at the heart of all our decision-making processes, especially with regard to support, then I would ask the proposer to explain to me in summing up why the reintroduction of this fixed benefit is better for the children of single parent families in relatively low income. Why it is better than reviewing and adjusting the child component directly in changing the level, especially of course where there are 2 or more children in that family. If he can do this clearly and succinctly then he may have my support, otherwise I feel that probably there is a better way to tackle what has been highlighted as a serious need.

The Bailiff:

Does any other Member wish to speak? Then I call on the chairman to reply.

2.1.17 The Deputy of St. Ouen:

I am extremely grateful to all Members who have spoken in the debate, and grateful too for Members who sat through my long speech of this morning. I am certainly not going to take anything like that time; I will attempt to be brief. The last 2 speakers have addressed some points directly which they have asked me to address. I did say in my speech that other governments had put extra support into single parents, I am not sure I said governments all around the world, I thought I said governments in the western world; I am not sure because I cannot find it now in my speech.

[16:15]

When our adviser from the U.K. came to advise us during the Scrutiny review she was not at all surprised and did not suggest Jersey was unique in having a special assistance for single parents. I certainly have formed the impression from my general knowledge and reading that throughout the western world, let us say, through Europe there are benefit systems, housing systems, health systems in which single parent households are recognised as a household type that has some differences and policies are adjusted accordingly. I believe that to be the correct position. On the question of family allowance, our proposition says that a weighting was given to single parent families. I am afraid that was the advice given to the panel, I cannot state exactly what the weighting was and cannot elaborate further than that. But again it just highlights that from as long ago as those times there was a recognition that single parents' needs need to be looked at specifically. As to the question of consultation with the Minister, well of course we conducted our review and we gathered evidence. That evidence is publicly available, it is placed on the website. I am sure the Social Security Department and the Minister would have seen it, and as Members know we get our Ministers in towards the end of a review for a hearing and we would have put evidence to the Minister. Of course our review was not simply about single parents but we would have discussed the withdrawal of the single parent component and we made recommendations. We listened to what the Minister had to say, we made recommendations, and we recommended that the single parent component should be reinstated but that came back with a firm word highlighted and in black ink: "Reject. The States have already agreed these changes and the Minister is confident that a strong case was made in order to secure States approval. The changes have improved the structure of the income support system and it would be a retrograde step to reverse them." So that was the answer to our questioning of the Minister. Are Members suggesting that we must keep on asking? We have done to an extent, and I know in particular we have questioned the Minister about providing assistance within the department to enable single parents to enforce maintenance claims, because that is so difficult for many of them. There has been consistent questioning on that. I cannot remember if in subsequent quarterly hearings we have specifically raised the single parent component once again. But we have taken it from our review. Our minutes, as all Scrutiny minutes, are on the Scrutiny website and I know the Department of Social Security reads the minutes, looks at the minutes, so the Minister would have known it was coming. My Scrutiny officers have been in contact with the department because we needed to ask the department how much it would cost to reinstate the component because we were thinking of bringing this proposition. We received a long email back. So this was known to the Minister in contrast to which the first I learnt of the Minister's proposal to add the £5 was Friday, I believe, yes, Friday morning. The Minister kindly telephoned me before that was made public. I would urge the Connétable of St. Mary, who has just spoken, Senator Bailhache, Deputy Luce, the representatives of the fine Parish of St. John, who have all expressed some reservations and talked about the whole income support system needing to be reviewed, or the child component, is it set at the right level, do we need to look at that. The Scrutiny Panel would support such a review and indeed it was, again, another recommendation of our living on low income review. Specifically our recommendation was the Social Security Department should conduct a comprehensive review of the income support system to ensure that it is reaching the people who are in need. Again, there was that single word in black heavy type: "Reject. Income support is already a comprehensive tax funded benefit system, all aspects of income support were considered as part of the department's internal review undertaken as part of the M.T.F.P. process." That was the answer we received. If I recall, though it is difficult to recall all our quarterly hearings, I believe we have on at least one occasion asked a further question about that to the Minister. But thus far there has been no indication of any sort of review - in fact a rejection of it - until last Friday when the £5 proposal has been made. Is that an adequate review? I do not think it is a review, it is very much a stop-gap measure. So absolutely my panel would work with the Minister to conduct that sort of review. It was one of our recommendations and I am very grateful to those Members who have suggested that after 10 years of operation, 15 years in from its gestation, the income support system needs to be looked at because some circumstances have

changed. We would want to work closely with the department to do that, and I am grateful perhaps now that Members are suggesting ... yes, and grateful to the Minister that she is beginning to perhaps open up a little and show some signs that there can be some change. But until we carry out that sort of review is it not better to restore what was put in place upon best evidence? Because the best evidence is that the single parent component is a fundamental plank of our income support system and it targets those who are in the greatest need, even though - as the Chief Minister said - there may be a narrow subset. Everything we know suggests that within single parent families there is the deepest and they have the greatest vulnerability to levels of poverty. So it is not a perfect solution but, what should we do? Should we go with the suggestion we add £5 to one component, which has been thought through just in recent weeks around the Council of Ministers' table without that sort of review that many of us want to see? Or do we say: "No, let us have a better review than that, let us do it properly, and meanwhile in the interim let us go back to the system that was set up on the basis of its best evidence." We would look after the people who have shown themselves, and we know are the most vulnerable in our society. I am grateful to the Assembly.

The Bailiff:

Do you call for the appel?

The Deputy of St. Ouen:

I call for the appel.

The Bailiff:

The appel is called for. I invite Members to return to their seats. The vote is on P.113, the proposition of the Health and Social Security Scrutiny Panel. I ask the Greffier to open the voting.

POUR: 24		CONTRE: 21		ABSTAIN: 0
Senator S.C. Ferguson		Senator P.F.C. Ozouf		
Connétable of St. Helier		Senator A.J.H. Maclean		
Connétable of St. Clement		Senator I.J. Gorst		
Connétable of St. Lawrence		Senator L.J. Farnham		
Connétable of St. Saviour		Senator P.M. Bailhache		
Connétable of St. John		Senator A.K.F. Green		
Deputy G.P. Southern (H)		Connétable of St. Peter		
Deputy of Grouville		Connétable of St. Mary		
Deputy J.A. Hilton (H)		Connétable of St. Ouen		
Deputy K.C. Lewis (S)		Connétable of St. Brelade		
Deputy M. Tadier (B)		Connétable of St. Martin		
Deputy of St. John		Connétable of Grouville		
Deputy M.R. Higgins (H)		Connétable of Trinity		
Deputy J.M. Maçon (S)		Deputy of Trinity		
Deputy S.Y. Mézec (H)		Deputy E.J. Noel (L)		
Deputy A.D. Lewis (H)		Deputy S.J. Pinel (C)		
Deputy of St. Ouen		Deputy of St. Martin		
Deputy L.M.C. Doublet (S)		Deputy R.G. Bryans (H)		
Deputy S.M. Wickenden (H)		Deputy of St. Peter		
Deputy S.M. Bree (C)		Deputy R.J. Rondel (H)		
Deputy M.J. Norton (B)		Deputy G.J. Truscott (B)		
Deputy T.A. McDonald (S)				
Deputy of St. Mary				
Deputy P.D. McLinton (S)				

3. Jersey Gas Works Site: development by Andium Homes Limited (P.114/2017)

The Bailiff:

We now come to P.114, Jersey Gas Works Site: development by Andium Homes Limited. I ask the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion that as part of the development of the Jersey Gas sit for Housing, Andium Homes should be requested to deliver, subject to the award of planning permission, a significant extension to the Millennium Town Park, thereby providing greater amenity benefits for all Islanders, the purchase and creation of which will be without additional contribution from the taxpayer; and to develop a below-surface public car park for approximately 150 to 200 vehicles.

The Deputy of St. Martin:

If I might just say to Members I will be withdrawing from this debate, unsurprisingly. I will also be away for the next debate, which is subject to a planning appeal.

The Connétable of St. Mary:

If I might say, as chairman of the Planning Committee having discussed the matter with the committee, I will also be stepping out for this debate.

Connétable P.B. Le Sueur of Trinity:

For the same reasons I shall be stepping out.

Deputy J.M. Maçon of St. Saviour:

Likewise.

Deputy R.J. Rondel of St. Helier:

For the same reasons, I sit on the panel.

The Deputy of St. John:

Sir, can I go on the Planning Panel. **[Laughter]**

Deputy J.M. Maçon:

The Deputy of St. John will be more than welcome.

The Bailiff:

Right, well. I forgot to say that this proposition was lodged by the Council of Ministers. Chief Minister, who is presenting this proposition?

Senator I.J. Gorst:

The Minister for Housing.

3.1 Deputy A.E. Pryke of Trinity (The Minister for Housing - rapporteur):

I am glad there are some Members still in this House for this important debate. St. Helier plays an integral role in Island life. It is a place where most of us work, socialise and for a large number of us and the population, live. Yet, for a place that is so central to the social and economic life of our community, our town - the Island's capital - is not fulfilling its true potential. Today we have an opportunity to deliver meaningful regeneration in the heart of St. Helier, regeneration that will deliver more homes, more public open space and more car parking. Subject to the award of planning permission, this proposition is asking the States to approve, in principle, to extend the Millennium Town Park by approximately 50 per cent, to build approximately 110 residential units to the east of

the site and to investigate with the Department for Infrastructure and the Parish the feasibility of developing a below-surface public car park for approximately 150 to 200 vehicles. If approved by this Assembly this ambitious and far-reaching proposal will help transform the north of town, creating a holistic and joined-up approach to the regeneration of this area of town and includes the Gas Works sites, Ann Court and the Ann Street Brewery and Boiler House as well. Clearly, this is a once in a lifetime opportunity to secure regeneration in that part of town and make a difference to the quality of life of current and future St. Helier residents. Using the resources and expertise of our own affordable housing provider, Andium Homes, we can make the improvements to St. Helier envisaged by the Strategic Plan and deliver the regeneration outlined in the North of Town Masterplan. I hope all Members will be supportive of the proposal to develop the Gas Works sites.

[16:30]

But in debating the high-level developments' objectives for the site we must be very clear about the opportunity cost involved with this proposition and acknowledge that if adopted the commercial value of the site will be reduced as a result of the extension of the Town Park. Members will remember that there is already full planning permission in place to develop the site for 253 category B open market homes. By contrast, Andium Homes is proposing to significantly reduce the number of homes that it builds on the site, instead developing a mixed-tenure scheme with 110 homes and to achieve extension of the Town Park. In this proposition the Council of Ministers is, therefore, asking the Assembly to agree that in developing the Gas Works site Andium Homes should forego the full commercial value of the site in order to deliver the extension of the Town Park. But there is unquantifiable social value in extending the Town Park and developing a smaller residential scheme, as Andium Homes is proposing. We cannot simply put a price on the social benefits that this extension to the Town Park will bring to the whole community. The Council of Ministers is supportive of this approach and, given the strategic nature of the proposal, it is important that this Assembly should also have its say and, hopefully, give Andium Homes the development objectives, the full backing they deserve. This is an exciting opportunity, as I said, to regenerate this part of town and deliver all the things the North of Town Masterplan envisaged; more open space, mixed residential developments and vehicle parking for residents, commuters and shoppers. Members will see at appendix 2 of the report an image of what the site could look like once developed. As we all know, the Town Park is already well used and enjoyed by the community and in the scheme being proposed there is the potential for it to be extended by approximately 50 per cent, enhancing the level of open space available in that area and increasing its attractiveness and liveability. In total, 71 per cent of the Gas Works site could be used for park or public ground spaces. As I said, alongside the extension to the Town Park Andium Homes is also proposing to build 110 new homes to the east of the site. It is proposed it will be a mixed-tenure development and include some open market, social rental and affordable purchase homes, which will ensure a well-balanced and mixed community. I have already explained the opportunity cost involved with this decision and the number of homes proposed on the site has, of course, been much reduced, compared to the 253 it has planning permission for and the 300 envisaged by the North of Town Masterplan. However, with all Andium Homes' other developments in this area there is an opportunity to think differently, think outside the box and take a holistic approach to regenerating the north of town. In this respect, the reduction in the number of homes in the Gas Works site can be offset by the delivery of homes on the other site managed by Andium Homes, such as the Ann Street Brewery, the Boiler House sites, where almost 270 homes are proposed. Residents of these new developments will, of course, also benefit from the extended Town Park and there is potential to include new community facilities on these sites to ensure that residents in this area have full access to sufficient services and the growth of the community is sustainable. The proposed residential development will provide below-surface car parking spaces for residents but there is also an opportunity to deliver shopper and commuter car parking. The need for car parking in this area was identified again in the North of Town Masterplan, so with below-

surface car parking already being provided for residents, there also could be 150 to 200 additional car-parking spaces underneath the extended Town Park made available for the public. More work needs to take place between Andium Homes, the development of infrastructure and the Parish to determine whether it is commercially viable to deliver this below-surface public car parking on the site. Approving this proposition Members will be giving the approval of further dialogue to be taking place. It is important also to make clear that in approving these development objectives I have outlined, Members are not being asked to approve funding for the scheme. There is no additional contribution required from the States for the purchase of this site, nor will there be for the development of the homes on the site or the extension of the Town Park. If this Assembly approves the high-level development objectives for the Gas Works site today then this approval will be the first step in taking forward a scheme for the site. Delivery of the entire project will, of course, be subject to a comprehensive planning process and, ultimately, the awarding of planning permission. Before any planning application is submitted, Andium Homes will carry out consultation with local residents, the Parish, States departments and the wider community to ensure that the eventual proposals are viable and takes into consideration the wishes of the community. Should this proposition be successful we anticipate that the planning application could be submitted this year and the project completed by the end of 2023. Before drawing to a close I would like to thank the officers of Andium Homes for seizing this opportunity and acquiring the Gas Works site. We, as an Assembly, often talk about the regeneration of St. Helier and making it an attractive place for people to work, live and socialise. By approving this proposition we will be showing the residents of St. Helier and the wider Island too that we are serious about regenerating our town. Altogether these proposals will help to make the town a modern, vibrant and liveable urban environment that we all can be proud of, delivering more quality homes, more vehicle parking for residents, shoppers and commuters. Most importantly, more public open space for the extension of the Town Park. Thank you. I make the proposal.

The Bailiff:

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

3.1.1 Senator S.C. Ferguson:

I am just a little confused. I am told the estimated cost of the land given up is around about £5 million. I am also told there will be an underground car park. Given the cost of underground parking places, which is why we have not got an underground car park at the other end of the Town Park, what is the sum to be deducted from the bond money represented by this project? Just as an additional matter, was not the profit from S.o.J.D.C. (States of Jersey Development Company) meant for projects like this? I would be grateful for the answers.

3.1.2 Connétable J.M. Refault of St. Peter:

I stand to speak on behalf of the Minister for Treasury and Resources and acting in my role as shareholder representative, of which the States identities of which Andium is one of those. If I can just quickly answer Senator Ferguson's questions, there will be no money coming from the bond with regard to the development of the Town Park whatsoever. As was said by the Minister earlier on, that is a matter that is going to be decided between the Department for Infrastructure, possibly funding a car park, and then with the person who will take on the responsibility of the new part once the park has been established, by funds not taken from taxpayers. Going over to my formal speech now ...

Senator S.C. Ferguson:

Clarification, please, Sir.

The Bailiff:

It probably would be better, Senator ...

Senator S.C. Ferguson:

I asked for the cost of the project.

The Bailiff:

I am sorry, Senator, would you stand? It probably would be better if you put your clarification at the end of the Assistant Minister's speech, thank you.

The Connétable of St. Peter:

The project has not been costed because the discussion between D.f.I. (Department for Infrastructure) and the Parish has not yet occurred. The principle of today is to advise Members of the proposal for the foregoing of approximately £5 million of value on the site that has been purchased to enable an extension of the Town Park to be developed. Coming over to my speech now, I will refer to the North of Town Masterplan, which sets out a framework for the regeneration and new development of a number of key sites in the north of St. Helier. More than a dozen sites were included in the masterplan, many of which were in private ownership. This led to a masterplan that aims to deliver public realm improvements on a site-by-site basis, rather than based on a holistic approach. However, over the past 12 months Andium Homes has acquired a number of key sites within the North of Town Masterplan, as identified within the Minister's proposition, which could deliver 600 new homes. In addition, these acquisitions will allow Andium to revisit the provision of public realm improvements to align them to a greater extent with the expectations of the public. I know that the acquisition of the Jersey Gas Works site by Andium Homes was carefully considered by its board and was fully discussed and advised to the Treasury and agreed with by Treasury. As a not-for-profit organisation operating within the competing and commercial environment, the board of Andium Homes needed to consider and weigh up economic, social and environmental impacts of its proposals, both on an individual basis and collectively. The board is all too aware that it needs to be able to justify its decisions against all this criteria if it is going to be successful in delivering the additional affordable homes that Islanders require. It is on this basis that the Andium Homes board agreed to acquire the Jersey Gas Works site, as included within its most recent Strategic Plan. The board of Andium Homes concluded that other development proposals for St. Helier were more likely to find favour at the densities proposed if important green space was provided at the Jersey Gas Works site. To this end, Andium Homes is engaging with the Environment Department to ensure that it also sees the value of this joined-up approach. Members will have already heard from the Minister for Housing that it will be necessary to forego with the full commercial value of the site in order to deliver the extension of the Town Park and, as I said earlier, in the region of approximately £5 million. I agree with the Minister that we cannot put a price on the social benefits that such an extension to the Town Park will bring to the public of Jersey. What I can say to Members is that I am supportive of this proposition, as is the Minister for Treasury and Resources. The Treasury will continue to discuss with Andium the most appropriate mechanism for funding the scheme, which will not require the use of taxpayer funds nor the Housing Bond.

The Bailiff:

Senator Ferguson, you have a clarification point?

Senator S.C. Ferguson:

Yes, if I could have some clarification, Sir. I have asked how much the project is going to cost and I am just being given the impression that I am being asked for a blank cheque. Would the Assistant Minister please give us a rough idea? It does not have to be down to the nearest penny, but please, can we have a rough idea of the cost?

The Connétable of St. Peter:

I am afraid I cannot help the Senator in this regard. The actual cost of the development of the 110 homes I am not sure we have yet. The cost of the extension to the Town Park, as I said earlier, has not been a matter of discussion yet between the Department of Infrastructure and the Parish of St. Helier. I hope that the Minister may have some insight on that for her.

3.1.3 Deputy G.P. Southern:

In the context of the previous discussion going on between the 2 previous speakers, I have grave reservations that what we have got here is a proposition that is premature. We have just been told that we do not know what the cost of building 110 houses or units is and we have just been told that the development of the Town Park will be taken possibly by the Infrastructure Department, but we are not too sure, and we do not know how much that will cost either. On top of which we are told that we might have 150 to 200 underground parking spaces on this site or thereabouts. I wonder what cost they will come at, because that ground is undoubtedly enormously polluted with heavy metals and all sorts and will require at least digging out and doing something with, like the £10 million we were attempting to do it with - and it could not be done last time - Millennium Park. How much will that cost?

[16:45]

Where exactly is the stream that runs around here, which is the boundary between my district and No. 1 District and St. Saviour? Because if that is the case, then it will require heavy tanking to deliver the underground parking. That is not going to happen, I do not think, because it is enormously expensive. Then we are told we have managed to reduce the number of units on the end of the Town Park to 110 by redistributing them elsewhere. I look at my map and I am looking at ... well, most of them seem to be appearing around the park. Now, we have spent a long time and a lot of money trying to make some breathing space around the green space in the park in order to cater for the needs of what effectively is my community, who do not have back gardens, who do not have front gardens, who live in terraced housing around here and therefore the park is a great, enormous relief to them. It seems to me that what we are doing now is having had the highest density population in the Island around the park, we ameliorated that by building the park, but now we appear to be piling in development. It is all very well saying this is regenerating. No, regenerating does not mean behaving like rats in a box, because that is what we will be doing. If we pile in I do not know how many more units of accommodation around this park, what will we be doing? I do not think we will be making a pleasant lifestyle for anybody if the numbers go too high. In addition to this is what Andium Homes proposes to do, displacing some of the units that might have been occupying the end of the Town Park elsewhere, but close to this area, I then say what about the private developers alongside other sites around here? How many units are proposed in total around the Town Park? While this sounds on the surface to be a reasonable move, it is only a reasonable move if you look at the overall picture. If there are some 300 units going on down the road or more, where is the overall development? We just mentioned the North of Town Plan. I do not see a North of Town Plan attached here. What I see are some numbers for Andium Homes and nothing about the total number of buildings that are going to be there. This could be extremely unpleasant by the time we have finished developing every square inch of this particular space. In order to allow myself to vote for this, I need a great deal more information on this proposition and on the development costings, parking, total number of units, underground parking in particular. Where are we going with this? Because at the moment we have got ... we do not even have 4 sides. We have got 3 sides of text to bank on here. I am sorry, I do not want to be supporting this. If I produced this, I would be looking for a whole lot more detail in order that I could persuade anybody to do anything on this site. Superficially it sounds great. We will have an extension to the park, only 110 extra houses. That is reasonable. Yes, it possibly is, but not all the parking - enormously expensive - not all the clearing out of all the pollution that is going to be there. If we are talking tanking, if we are talking overall numbers, the private sector developing here,

there and everywhere on the warehouse sites ... anyway, if that is happening as well, then this could be very nasty as a development. I have got reservations about this. I will not be voting for it unless I can get all that detail today and I do not believe the Minister can do that.

3.1.4 The Connétable of St. John:

I am very concerned about this proposition. The idea sounds very good and I support the fact that there should be additional green space among the housing in the north of town. But this Assembly did agree the Island Plan and they did agree the North of Town Plan and this is going against that. I have 3 particular reservations. The first is that it says here: "A significant extension to the Millennium Town Park." Yes, there will be, but that is at the loss of housing. It then goes on: "Will be without additional contribution from the taxpayer." That I think is a blatantly misleading statement. Andium Homes is a wholly-owned subsidiary of the States of Jersey. They purchased a site with planning permission for 253 homes. If you are going to tell me that you are only going to build 110 and you will still make the same profit that you would have made for the dividend holders - the shareholders - I do not believe it. If this had come forward in a more honest and open manner to say: "Yes, we are going to be losing 143 homes and we will not make the dividend payments that we would have achieved with 253 homes" then I would feel it was a more open and honest approach.

The Bailiff:

Connétable, that is the second time you have described the proposition as not being honest. I think "more straightforward" might be a better way of putting it.

The Connétable of St. John:

A more straightforward approach. Sorry, Sir, it seriously angers me, because I cannot possibly see how building 110 homes is going to be as profitable as building 253. If there is a loss of profit, who is suffering that loss of profit? It is the taxpayer. There is also the additional cost of turning part of the area that would have been housing into parkland. Clearly there is a cost there. I think this lacks significant information and significant detail for me to approve and I will therefore, on that basis, on the lack of openness, be opposing this proposition.

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

I thought I would speak early in the debate, because clearly there are going to be a number of hares set running by certain Members. I have got to be careful what I say, because we do not shoot hares, but they need to be dealt with. First of all, I am of course supportive of this proposition because it delivers what I and other Members - particularly St. Helier Members, but also other Deputies of the urban areas - have been struggling to achieve for many years. I would refer Members first of all to the proposition, because I think already there is a danger. I think it would be a shame, for example, if Deputy Southern, a Deputy of this District, was not able to support a proposition which effectively sees the spectre of town cramming removed from this site, which has been with us for so long. I am talking about this site. I am not talking about the brewery site or the other sites around it. If we look at the proposition, it is about the Jersey Gas site, it is about increasing the open space by at least 50 per cent. We have heard this afternoon it may be 70 per cent public realm. That is a huge increase in public space and a huge decrease in homes, from about 300 to 100, and 150 to 200 parking spaces. He doubts that they can be achieved, but I defer to the expertise of Andium, who say they can achieve the housing, they can achieve the open space and they can make the sums work. I do not believe they would have put this forward if they could not. I would urge Members not to see this as some kind of stalking horse, that Andium are going to do this and then they are going to load the surrounding areas with extra housing, because when they come to the surrounding areas, they will have to pass the planning standards for those areas. I remember being interviewed by Radio Jersey last year and they said: "This looks too good to be true" and there was certainly a period when I thought it was, because I had been trying to persuade the States on various occasions to buy the site

for public space with parking, as appropriate, and it got knocked back. Members will see in the introduction to the report P.114 of the Council of Ministers and a number of propositions that are referred to. P.156/2014 was a petition to do exactly what Andium are doing, albeit it did not mention any houses at all, but in an ideal world, of course I would rather this site was exclusively devoted to open space with some parking, but we do not live in an ideal world and of course that would have come with a fairly hefty price tag. The site was not even in public ownership at the time of that petition and the petition was lost. I want to just explain, because the Council of Ministers has not identified what these projects are and I cannot be sure that every Member has looked them up, but P.27/2015, which is referred to in the introduction, is of course - I could test the Chief Minister, but I am sure he knows that one - the Strategic Plan. The Strategic Plan was amended successfully to include the provision that the Council of Ministers should do exactly what has been done for them by Andium, in other words, come forward with a proposal to increase the public space and to provide some parking. It did not say no housing, but it said: "Surely we can do better than cramming this site with 300 homes." I know the Chief Minister must be pleased when he can tick some of the boxes of the Strategic Plan, because so many of them, it appears to me sometimes, have not been ticked, but this one has been ticked and I commend the Council of Ministers for doing that. I have to say that for me the only disappointment in this particular debate is the comments by Planning. It is a shame that all the Members have left the Chamber, having had to declare an interest, because the comments by the Minister seem to me to be really, really poor. They have already misled the Constable of St. John, who is talking about the North of Town Masterplan effectively standing against this proposition, because did the masterplan not say we have to stuff this site with houses and then we should support the masterplan? The masterplan was amended. This is P.73/2011, which again is referred to in the Council of Ministers' introduction. I amended the masterplan to make sure that the ability of the site to take open space and parking would be considered. That was conveniently forgotten about when the developers put forward their scheme for 200 homes. That of course went to appeal and we went down to 250 homes. It was still forgotten about. But the masterplan does not require Planning to expect all of these units to be delivered on the Jersey Gas site. That is wrong. If Members are in any doubt, they need to look up the North of Town Masterplan and they need to look up Hansard. If they do not want to go to that trouble, they need to go to P.123/2016, which was the last time I attempted to bring this matter to the States. P.123/2016 contains a list of all the times that this matter has been explored by the States, although that particular proposition was never debated because it was timed-out. It was timed-out because the land was subject to a planning appeal and could not be debated. Before I was able to re-lodge it, Andium came forward and said: "We are going to deliver what you want or more or less what you want." I do think there is a danger that Members are perhaps inclined to forget the history here. There is a long history on this site and what the history is about is about town cramming by developers. Andium Homes, to give them their credit, have come along and said: "This site does not need to be town-crammed." They can deliver the units elsewhere in the town area, so it is time to give more space to the Town Park, it is time to put the parking provision in that could not be delivered before when the original Town Park was created.

[17:00]

I think they deserve our credit and I think they deserve our support. I hope that the Constable of St. John will accept that this proposition does not need to say how everything is going to be funded. What it asks us to do is to accept that we are not going to town cram the Jersey Gas site. We are going to release extra space for the Town Park. Do not forget, I would say to Members that the marriage value of adding say 20 per cent or 50 per cent to the Town Park, the marriage value is more than 50 per cent of the Town Park. The Town Park, as Members will know if they have visited it in the summer, is terribly small. It needs more space and this project is going to deliver it. I do urge Members to give this their backing. Town needs open space, town needs parking and the relatively smaller number of homes is, I believe, the price we have to pay to deliver these benefits.

Deputy G.P. Southern:

A point of order. Am I allowed to propose a reference back, having spoken ... under Standing Order 83, Sir, in case you are looking?

The Bailiff:

Thank you very much. Yes, you are.

Deputy G.P. Southern:

That requires me to make a speech, briefly.

The Bailiff:

It requires you to set out precisely what further information you require relating to the proposition and where the ambiguities or inconsistencies may be.

3.2 Jersey Gas Works site: development by Andium Homes Limited (P.114/2017) Reference Back

3.2.1 Deputy G.P. Southern:

“A Member of the States may propose without notice during the debate on a proposition that the proposition be referred back in order that - (a) further information relating to the proposition can be provided to the States.” I certainly cannot feel confident about being able to vote for or against this, lacking information. The information that I would require, it is quite a lengthy list already, because I do not believe we should be making a large decision based on what is 4 or 5 sides of writing, a very brief outline. The questions that I would want asked is further detail on the costs of building the 110 units; where the extra units are going to be placed; the sum of private developments taking place around the Town Park in order to see the detail on cramming; who is going to build and at what cost the extension to the park - we are told it might be Infrastructure, it might be somebody else; what the cost and details of underground parking might be, which includes the possibility of tanking the pollution that is there already. While we are at it, as my Constable has said, he was disappointed in the Planning comments. We would like to put it back to Planning so they can make some more detailed comments, which might provide some insight. But those are the sorts of factors I wish to have before I debate this.

The Bailiff:

Just a moment. Very well, I will allow the proposition to refer back. Do you want to make that proposition or is there any more you wish to say about it?

Deputy G.P. Southern:

One more thing I might want to note and it should appear on the request, on the reference back, is to know to what extent this amends or fits in with the North of Town Masterplan overall.

The Bailiff:

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

3.2.2 The Deputy Trinity:

This is a high-level proposition so that Andium can go out and take the next steps. Some of those next steps are what Deputy Southern wants, but they need to have that understanding to be able to do those next steps. But bear in mind, be in no doubt that planning permission has already been given for 253 homes on that site full stop. A developer could start tomorrow. Andium seized the initiative and they should be praised for this initiative. They really, really should be praised for that. They saw an opportunity to have discussions with the developers, with the owners of the site, to give

something back to the Island, not only by building houses, but extending that Town Park. Some of those questions that Deputy Southern ... this is his District. He should be thrilled that the Town Park is going to be extended. The cost of the development is about £37.2 million. Andium will make a loss - they understand that, they have done all the figures for that - of approximately £3 million, but as I have said, they have acquired the Brewery House, the Boiler House and there is Ann Court as well. They should be praised again. They are not looking just at one site, they are looking at the north of town holistically. Is that not what we want? The pollution, more details from Planning, that is all a planning issue. It is not for this House to say how they can do the pollution or what they can do with the pollution. That will go through. If this is agreed, Andium, along with consultation with the Parish residents, Parish Deputies, *et cetera*, it will be part of their brief before they go to Planning, then the planning process starts against pollution, *et cetera*. It is not for this House to decide that. As regarding private developers, we know that the B.O.A. site next door has got 169 there. Could someone else acquire something else and build something? Of course. Who knows? I am just a bit lost for words, really, because this is a high-level principle decision to allow Andium to go through the next stage, which will be, as I said, consultation and go through proper planning permission, where residents can appeal against the decision, put submissions in *et cetera* and go to the Planning Committee. This is that first stage to allow them to do that. The monies come from the Housing Bond. Will they or will they not get private funding? That depends on negotiations with Treasury, but this is what the bond is used for, for housing issues. This is what Andium are going to do. I will finish there, because I am ...

3.2.3 Senator P.F.C. Ozouf:

I rise to argue in the strongest possible terms against the reference back. It is virtually a year since I am no longer a Minister and while I vote with the Council of Ministers sometimes, I am equally critical, as Members will see. It may be a bit uncomfortable for some members of the Council of Ministers, but I will be my own person. But let me be clear about a couple of issues that I have learnt which lead me to the conclusion that there is no case and no public case for a reference back on this proposition. That is that what is the reference back going to achieve? This proposition, which as the Minister quite rightly says is at a high-level principle, gives almost a direction of travel approval for what is tackling 2 issues which the Strategic Plan of this Assembly - not the Council of Ministers, not the Chief Minister, he brings it - addresses. It is 3: first of all St. Helier; secondly, delivering housing supply; and thirdly, making the environment better. There might have been a ring-binder moment in a previous debate. Senator Maclean and I have our moments, but we are good friends really and I was on the other side of that debate. Yes, we did want to have an underground car-parking space and that is why the Council of Ministers of the day were against the Millennium Park proposal. But what has happened here, what is the Minister supposed to do? A reference back to go and do what? What message does the Minister, Planning and Andium have if there is a reference back on a site that they have bought which fulfils the requirements of this Assembly in terms of its strategic priorities? What are we going to do, have another 3 months of talking and inaction? The thing that I hear day in, day out at the cheese counter, that Deputy Tadier is asked in the streets of St. Helier, when I am being told off for the Innovation Fund or whether or not it is at the St. Saviour Five Oaks Bakery, it is the inertia of this Assembly, never getting things done, talking, like I am doing now, but I am talking against having more talking. I do not want to talk, I want some action. Andium have bought this place; Andium have bought this site. I could speak for hours about the gasworks and what I think about them and the fact that maybe, with the benefit of hindsight, we should have kept some money back in order to deal with the issues of the gasworks. Deputy Southern will agree with me on that, I am sure, but we cannot deal with that now. Andium have bought this site. Let us send a clear message that we do not need any more information today. We expect detailed and proper application modalities to be dealt with, for the Treasury Oversight Panel to do their work, the D.f.I. to do their work in terms of the park, for the St. Helier representatives to be engaged in

terms of their responsibilities for the oversight of St. Helier and get on and deal with the extension of the Millennium Park, more parking and more housing. Now, there is only one that could be argued with a reference back and that is the only question, which is the cost of the subsidy, because Andium have bought this site. I know that there is an odd issue in relation to the cost of it not being declared in a Royal Court transaction. I was delighted that whoever in the Judicial Greffe - or whoever those excellent people are that deal with that - absolutely made sure that Andium or anybody else could not conceal the price that Andium paid for those works.

The Bailiff:

This is the subject of a pending court case, Senator.

Senator P.F.C. Ozouf:

Oh, I am sorry, Sir. Could you just rule then, has the price that Andium paid been disclosed?

The Bailiff:

As far as I am aware, no.

Senator P.F.C. Ozouf:

Right. **[Laughter]** I will talk in theory then. I think I know what Andium paid, because I am nosy, jolly nosy, but I did not realise that the actual price has not been put in the public domain. Is that correct?

The Bailiff:

The comment I had was in the context of the litigation.

Senator P.F.C. Ozouf:

Would the Minister for Housing confirm?

The Deputy of Trinity:

As I understand that, at a Scrutiny hearing the Minister for Treasury and Resources ... can I just make a further comment to that, Sir?

The Bailiff:

No, thank you.

Senator P.F.C. Ozouf:

If it has been put into the public domain, then this is a public debate and we should know about it, because it is a public issue, notwithstanding any court issues. This is a political decision about an organisation with a political responsibility and accountability. My understanding is that it is £10 million.

[17:15]

My back of the fag packet calculation indicates that that is the valuation that appends to 253 units, which is the planning consent that was given, subject to certain appeals *et cetera*. The only reason why there is a reference back argument, Andium own it now. They have got 2 choices. They can either develop it according to this Assembly's wishes, which we need not a reference back, but a: "Proceed to the next point, please" but the only thing that Deputy Southern could ask for is the difference between the value of the building of the 110 houses that Andium want to do and the loss of value of housing sites that they have bought. Now, does that matter and is that a justification for a reference back and an explanation? I say to Members it is not. I will explain why, because all of the ownership of the 3 people who are going to pay for that subsidy are the same people and they are

the taxpayers of Jersey, who (a) own Andium; (b) who are the States of Jersey and D.f.I.; and (c) before anybody gets excited about S.o.J.D.C.'s role in this, because they might be the ones that might pay for the subsidy by taking some of the fruits of their fantastic profitability from the Finance Centre, because the point is ... yes, it is. Yes, it is a profit.

The Bailiff:

We are not going to talk about the Finance Centre.

Senator P.F.C. Ozouf:

No, we are not going to talk about the Finance Centre, but this is the only reason why there could be a reference back: who is going to pay the difference in value between what price Andium has paid, which is the open market value of a site for 253 units, versus what Andium say they want to do, which is 110 units? Therefore that is about a £4 million or £5 million subsidy. The only reason why Members would support a reference back is the squeezing of the balloon through the same owner of who is going to pay the subsidy for the non-built houses on that site which has planning permission. Is it Infrastructure? Is the Minister for Treasury and Resources and the capital programme? Is it Andium has ring-fenced additional resources on its balance sheet as a result of low interest rates, not the bond, as the Minister quite rightly said? Was that not a good idea at the time? Yes, very good, thank you. Or fourthly, S.o.J.D.C. Is that justification? Who is going to pay the subsidy? Is it one of the 4 entities? It does not matter, because it is the same people, it is the people of Jersey. If Deputy Southern can tell me whether or not he has got sufficient information that he wants to know to block this direction of travel blockage, which is going to say: "No, we want more information. We are going to talk about it some more. We are going to pontificate. We are going to have some more meetings" Senator Ozouf is going to have to stand up in another debate and have another speech and waste Members more time. That is the only reason. I see Deputy Southern nodding. He is nodding. Withdraw, I say to Deputy Southern. There are no grounds for a reference back. Let us get on and do something, because this Assembly, the public are sick and tired of the public getting promises for this and promises for that, Strategic Plans for this, an economy that was tanking, but is now clearly booming. That is why house prices are going up, by the way.

The Bailiff:

Can you please confine yourself to the reference?

Senator P.F.C. Ozouf:

That is why the reference back does not have a leg to stand on. It is the same people, it is a high-level principle. I commend the Minister for Housing for her work, I commend the Treasury for signing off on the transaction. I commend Planning for a good decision, on making sure that they had got the right decision of the amount of sites that were applicable to that site, but this Assembly will decide to extend the park and have less homes, but the money has got to be found and the housing has got to be found anywhere. No reference back, proceed to next stage and let us get on and do something, rather than just talking. I am sorry to take up the Assembly's time, but frankly, some people need to speak some words of fact, that we do not need any more reports. We sometimes need to say: "Yes, we have got enough information here. Let us get on with it." Reject Deputy Southern, who should be, like the Constable, saying: "Let us get on and have an additional park with a limited amount of houses" and then let us have a proper debate later when we have got the facts about who is going to pay that subsidy, which of the 4 bits of our collective States of Jersey is going to pay. That is the only question and I say I do not need to know that answer, get on with it.

The Bailiff:

We do have quite a lot of business yet to do on this agenda. If I may say from the Chair, it seems to me to be absolutely obvious that Deputy Southern has set out clearly the information that he says is

required. Members really can make up their own minds whether they need that information or not. Speeches as to whether they need it or not frankly seem to me to be putting this agenda under complete stress unnecessarily. Now, there are 4 Members who have given me notice that they wish to speak and I will call on them. If I had a discretion to draw a line under the debate now, I would, but I do not. Deputy Mézec.

3.2.4 Deputy S.Y. Mézec:

Just to be open and transparent right from the very start - and you can advise me if this is an important point, Sir - but I do live on Oxford Road. If you look at the picture on appendix 2, I am just outside of it. I presume that is not a conflict to stop me from taking part.

The Bailiff:

It is a bit late to raise it as it is, but go on.

Deputy S.Y. Mézec:

I had not spoken. I just want to make one point really on this reference back, because I will support the reference back. I am not only a resident of the area, but I am an elected Deputy for St. Helier No. 2. What I cannot stand about the attitudes of some people in this Assembly - and Senator Ozouf was by far the worst for it - is this idea if you dare ask questions, you are somehow some sort of traitor to the people that put you here. It is because we consider the views of our constituents important that we want to make sure that we get things right. I consider that the proposition that has been brought forward by the Minister to be one which is substantially better than what was proposed previously with the private planning application. I think most people would agree with that and nobody is denying that. But just because you come up with a proposition that is better than what existed before does not mean that you stop asking questions, that you hold your hands up and say: "This debate is over, then you can do whatever you like carte blanche and we are not going to do anything to question that." The Constable of St. Helier used a phrase I thought was dangerous. He said he would defer to Andium. I am sorry, we do not defer to anybody except our constituents. We continue to ask questions to make sure we get the best results. I, for one, am optimistic about the scheme. I think that on principle it is the right direction to be going. I think that we will end up with something better than we otherwise would have, but I want to know so that I can make the best judgment on behalf of the people that put me in this privileged position. I want to know more about what the grand scheme of things are going to be there. It is not just the Andium proposed developments that are here, there are also private sector developments, quite substantial in this area. I want to know more about what is going to happen to potential traffic impact. This is an important part of town where traffic matters are important because of the severe consequences that they have had previously. We must get this right and it is right that we are asking questions on that. There are financial issues that I think are important to be addressed, as Senator Ozouf so ably argued in favour apparently of Deputy Southern's proposal for a reference back. I think it would be important to have some sort of communication at an earlier stage to speak with representatives of the St. Helier area, with residents there, to make sure that whatever proposition is put forward is as good at an early stage as possible. If you want to see an example of where that does not go to plan, it is called the hospital, where something ends being brought forward that was not fit for purpose. I look at the scheme that is presented in appendix 2 on this, I look at the building at the very end of it, which is so much taller than any of the other buildings in the area. I worry that we could end up in another situation where there are further alterations, we keep going down this road and we keep having to waste money. I think it is sensible to have a reference back, to get that more information that Deputy Southern has asked for. To ask for that information is not to let our constituents down, it is to work on their behalf to make sure we get the best possible solution for them. It is not to disparage the work that the Minister for Housing and Andium have done, because what they have proposed is substantially better

than what was going to be there otherwise, but it is completely abrogating our responsibility to the people that put us here to say: “Because we are surprised that something nice has been proposed, we are just going to stop doing our job and stop asking questions.” No, let us get some more information, let us have the reference back supported. I look forward to a fantastic scheme one day existing on that that we can all be proud of, but we can only get there if we ask the right questions and demand the very best from Government. Complacency takes us in the wrong direction, so I support Deputy Southern’s request for a reference back.

3.2.5 Senator S.C. Ferguson:

I would have thought that the Carillion episode would warn people. Basically I love the idea of an extension to the park and more parking, but I am not in favour of spending money without knowing how much it will cost the taxpayer. To vote for this without knowing what the costs are equates to giving a blank cheque, because the Minister has already said that money is coming from the bond. I am sorry, the only money Government has is from the taxpayer and an excess of money being spent means an excess by the taxpayer. The taxpayer will crucify us if we have not at least made the attempt to find out what we are going to be in for.

3.2.6 The Connétable of St. John:

I did say that I was not against the principle, but what I was concerned about was the proposition, in that it said “of which will be without additional contribution from the taxpayer.” The Minister, in her response to the reference back, said: “We know it is going to be a loss.” That loss has to be picked up by the taxpayer, so I need to know what it is. The taxpayer owns the company, therefore it is the taxpayer that eventually picks up the tab. We also heard Senator Ozouf on about the size of subsidy: “We do not know what it is. It could be £4 million or £5 million.” I am not going to approve something unless I know it is what sum of money is involved. Please do not tell me: “Oh, it is not taxpayers’ money because it is arm’s length money.” At the end of the day it is owned by the taxpayer and it is a loss to the taxpayer and I want a reasonable ball park figure, is it £2 million or £3 million, £5 million or £6 million, £20 million or £30 million? That is why I support the reference back.

3.2.7 Deputy P.D. McLinton:

There is a time in this Assembly for a grandstanding speech and this is not one of them. I am not going to. The Assembly can see the irony in asking for a reference back for more information when it is a high-level proposition to ask Andium Homes to go away and find more information. Essentially that is what we are asking, for more information, and the reference back will slow down that process so why do we not just throw out the reference back and then move the proposition forward, please.

3.2.8 Senator I.J. Gorst:

I sensed earlier your frustration. I do not often get frustrated but I thought might even use irony. I just overheard the Deputy of St. John saying this should not even have come to the States Assembly, it did not need to but in the purpose of being transparent and confirming that, yes, there is a cost to the taxpayer but it is in the way the development has been structured, that is why it is here. Of course we know that there is a myriad of green spaces in St. Helier, we know that there is not an issue with cramming in the masterplan so let us take a little bit longer and ask some more questions because that is our duty rather than solving real problems for real people every day. I do not think there is a need for that further information, the planning application, the work that Andium do, will provide it and therefore I ask the mover of the reference back to acknowledge that that information that he is looking for largely will be provided through other processes.

3.2.9 Senator A.J.H. Maclean:

Perhaps I can help Members who want a little bit more information. I can point out that clearly this site has planning permission for 253 units.

[17:30]

The site value, if only 110 are going to be built, is clearly lower probably in the region of about £5 million, but in terms of value this is all about the gross development value. So for 253 units it is substantially more. The difference is about £43.5 million and to translate that into lost value, quite simply if the 253 units were developed then that would generate about £10.5 million in terms of a surplus. If the 110-unit option is taken, which is what the proposal is today, that represents a subsidy, for want of a better description, or loss to the taxpayer of £3.2 million. That, I hope, answers the question of the Constable of St. John, that is the level that is being asked for in order to deliver a town park, or an extension I should say to the Town Park. I do hope that Members will agree to reject this reference back on those grounds. I do not think there is any more information that is necessary in order to progress this particular project as has been laid out by the Minister for Housing. I think it is an eloquent scheme that delivers more open space in town which is needed in terms of extending the park and delivers 110 much needed new units of accommodation. But let us be absolutely clear the cost of doing that is £3.2 million. I ask Members to reject the reference back.

The Bailiff:

It is now 5.30 p.m., I invite a proposition to continue dealing with this proposition for the reference back until we have finished it this evening. Anyone against that? No, very good, we will continue. Deputy Hilton.

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

I do not know what to say. I am just completely lost for words. Having been involved in the Town Park project since it first started over 20 years ago, with the Constable of St. Helier, former Senator Stuart Syvret, and a small band of public members, and we fought and struggled through the decades in this Assembly to achieve a good quality space for the people of St. Helier No. 2 District and the surrounding area. Also St. Saviour, because it does border on St. Saviour. To say I am shocked that a No. 2 Deputy could ask for a reference back ... I cannot recall when we had the debate over the funding, I cannot recall then Deputy Southern querying the cost of clearing the pollution under the site. It did not seem to concern you then, all you wanted to do then was to deliver a green ...

The Bailiff

Deputy, through the Chair.

Deputy J.A. Hilton:

Sorry. All Deputy Southern wanted to do then was to deliver a good quality amenity space for constituents in his District. I am absolutely flabbergasted to sit here this afternoon and listen to some of the arguments that are being put forward. I really am, I am shocked. I am shocked to the core. What this proposition is asking is very simple. What it is asking is this: "That as part of the development of the Jersey Gas site for housing Andium Homes should be requested to deliver, subject to the award of planning permission, a significant extension to the Millennium Town Park, thereby providing greater amenity benefits for all Islanders. The purchase and creation of which will be without additional contribution from the taxpayer and to develop a below surface public car park for approximately 150 to 200 vehicles." The Minister for Treasury and Resources has informed Members, yes there is going to be some sort of subsidy. All Members have to be decide on the back of that wording is do we agree with this direction of transfer. That we are going to give Andium permission to do that. That is all it is asking. Do we agree that we should extend the Town Park to 75 per cent of the space, the size, of the existing gas site? That is all it is asking. I would plead to

my fellow Deputies in St. Helier No. 2 District, please reconsider what you are asking. I just do not understand where you are coming from, I really do not.

The Bailiff

Through the Chair, please.

Deputy J.A. Hilton:

Sorry, Sir. It takes quite a lot to get me up on my feet but I feel so passionately about this. In a perfect world, like the Constable of St. Helier, I would have loved to have been able to stand with my back to the Odeon Cinema and look down the whole site and look to St. Saviour Road, and that was the vision that we had 20 years ago. But, being pragmatic, that is not going to happen. When this was brought forward I thought to myself: "This is fantastic, I can go along with this" and I would implore Members to please support this proposition, vote against the reference back and let us get on with delivering a good quality amenity space for the people of St. Helier to enjoy. Thank you.

3.2.11 The Deputy of St. John:

I am going to apologise to Deputy Hilton now because although she states it is quite simple, it is not. The reason why I say that is because in this actual proposition it does state that: "The purchase and creation of which will be without additional contribution from the taxpayer." Then in the financial and manpower implications it says: "There is no additional contribution from the taxpayer required for the purchase of this site, the development of the homes or the creation of the extended Millennium Town Park." Right at the end it states that there are a number of options that will be considered in relation to financing the below surface car park. "Funding mechanisms will be agreed between Andium Homes and the Treasury once there is a decision from States Members with regard to this proposition." But it does not say that any proposition will come back asking for extra money with regards to that particular funding mechanism. So my biggest issue here is of course if it is not going to be at any cost to the taxpayer then if additional money is needed, and there is going to be some form of funding mechanism, does that mean that there is potential risk to the rents policy? Because the purposes of funding Andium bonds and changing the way we did the Housing Transformation Programme, we increased ... we changed the rental policy to 90 per cent of market rents. Well, up to 90 per cent of market rents. So if I am not to vote for this reference back, I want some assurance that that rental policy will not be touched to fund anything in terms of this area because I think there is already issues with that particular rental policy and that funding mechanism as it stands.

3.2.12 The Connétable of St. Helier:

I just want to start by thanking the Minister for Treasury and Resources for answering one of the questions raised by the mover of the reference back, which is in terms of the loss surplus that comes from developing only a third of the number of homes. I think that is useful. I, for my part, very briefly, would like to tackle one of the other reasons that you, Sir, allowed the reference back, that was the last point that Deputy Southern made which was to do with the North of Town Masterplan. I would direct him and the Assembly to the fact that the masterplan was amended successfully, and I quote: "Subject to the condition that any plans for the redevelopment of the Jersey Gas site shall take into account any requirements in the new Island Plan that sufficient amenity space and parking for shoppers and residents be provided in the area of the masterplan." Subsequently the Island Plan was amended to make sure that in this area sufficient parking and open space would be considered. So the North of Town Masterplan is not an obstacle to Andium's delivery of this scheme. In fact, the North of Town Masterplan and the Island Plan back what is being proposed. I am not able to answer the question that the last speaker raised about car parking but clearly the provision of car parking is hugely important for the residents of this part of St. Helier, and indeed for the businesses, particularly the doctor's surgery that is struggling to work. I think however that is provided, whether that is money from Jersey Development Company or money from Treasury or money from Andium

Homes, the fact is they have said they can provide this scheme without coming back to the taxpayer. Like Deputy Hilton, who spoke very eloquently about this, I do urge Deputy Southern to withdraw his proposition. Deputy Southern, let us remember, brought a proposition to the States, the amendment to the Budget, that got the Town Park built and all power to him for doing that, although we must also give credit to the famous green ring binder that got it over the line in that same debate. So I do urge the Deputy to withdraw his reference back and let Andium get on with this, let them have the discussion they need to have because already 2023 is quite a long way off to get this extra open space and parking that we so desperately need.

3.2.13 The Connétable of St. Saviour:

When this first came through I thought this was a bit like the hospital and I am not going to vote for something I do not know where the money is going to be going. But having listened to what has been going on and having listened to the Constable of the Parish it is going to affect ... it will affect St. Saviour if the parking is not got right because it would be overlapping some of St. Saviour's roads. But the Constable wants this, the Constable has been speaking to Andium, the Constable has been speaking to Housing, he has a very good deal, for want of a better word, and so I am going to support the Constable of St. Helier in this because I think it is what he wants, it is what the Parish needs and the only problem St. Saviour will have is if the car parking is not addressed. That will be a problem on the ring roads and up on the edging roads. As it stands at this moment in time, although I was a bit concerned because I never voted for the funding for the hospital because I did not know what I was voting for, and I have to be honest when this first was mooted I thought: "I am not voting for this because I do not know enough about the funding." I have listened to the Constable, I have listened to Deputy Hilton and I think: "Yes, go for it, it is what they want, it is their Parish." If anything was to go wrong St. Saviour will have the traffic problem but it will be them who will get it in the neck because they do not have it right. I am going to back the Constable of St. Helier and say: "Go for it, lad."

3.2.14 Deputy E.J. Noel of St. Lawrence:

I stand to address my colleague on my right, the Deputy of St. John, to clarify that the only unknown in this in terms of potential additional cost is the cost of the below surface car park. I say below surface because it is not going to be underground car park, it is going to be a semi-basement car park similar to what is proposed at Ann Court. That is a lot less expensive to produce. The cost of the contamination is going to be part of the scheme anyway, it is not the cost for the car park. Andium have to deal with the contamination anyway and that is built into the figures that have already been provided by the Minister for Treasury and Resources. So if there is additional cost for a below surface car park then that will be met out of the revenue stream from that car park. It will be a public car park and, therefore, it will come out of the Car Park Trading Fund, so I hope that addresses the Deputy to my right. This proposal provides significant contribution to St. Helier and a significant contribution to the Island, not only in terms of an extension to the park, it also provides vital social housing ...

The Bailiff:

Deputy, this is a proposition for a reference back, not the main proposition.

Deputy E.J. Noel:

Yes, but I would just like to again, as others have done, request Deputy Southern to withdraw his reference back.

The Bailiff:

Does any other Member wish to speak? Then I call on Deputy Southern to reply.

3.2.15 Deputy G.P. Southern:

I will try and be brief. In principle I have to say that I agree with my Constable. That this on the surface looks like a good plan, a good way forward. However, as far as I am concerned, it does not contain the elements that I need which make me feel that we can safely proceed, even at this stage. The Minister for Infrastructure has just said we will have a below surface car park and that this is different to underground, and he talks about the cost of removal of pollution will be there anyway because we are going to do that. That is fine, but there is a stream running down here. There is a stream running down here and that will need at least some element of banking. Now, we have met this before on the debate on the Town Park that we have got which was unless you could provide the parking - and the parking turned out to be massively expensive - you cannot have a park. So what we got was what you could deliver for £10 million, which was scrape out the surface and put a park on top of it with a green space, fine, but there is no parking. The issue I have I think centrally is ... there are 2 factors still that disturb me. One is the underground or below surface parking and the potential hazards involved in attempting to do that, and how much that is going to cost.

[17:45]

The Minister is shaking his head but he has provided me with no information upon the costs of that. The other is while we can look at this individually and in isolation, and yes, it does look good, it must surely be seen in the context of the overall development of this particular area, which quite frankly between the private and Andium sector is massive, absolutely massive. So if we are going to make a decision on this then we have to have it in that context and we have to have, I think, even at this stage some costings for what the underground parking is going to be because the risk is we might end up with a position where we do not deliver that. So those are the 2 essential issues that I believe we must have in front of us before we vote even on this in principle decision to go ahead. I maintain the reference back because of the absence of that information.

The Bailiff:

Those in favour of the reference back ... the appel is called for. I invite Members to return to their seats. The vote is on whether to accept Deputy Southern's proposition for a reference back, and I ask the Greffier to open the voting.

POUR: 7		CONTRE: 29		ABSTAIN: 0
Senator S.C. Ferguson		Senator P.F.C. Ozouf		
Connétable of St. Clement		Senator A.J.H. Maclean		
Connétable of St. Martin		Senator I.J. Gorst		
Connétable of St. John		Senator L.J. Farnham		
Deputy G.P. Southern (H)		Senator P.M. Bailhache		
Deputy M.R. Higgins (H)		Senator A.K.F. Green		
Deputy S.Y. Mézec (H)		Connétable of St. Helier		
		Connétable of St. Peter		
		Connétable of St. Lawrence		
		Connétable of St. Ouen		
		Connétable of St. Brelade		
		Connétable of St. Saviour		
		Connétable of Grouville		
		Deputy of Grouville		
		Deputy J.A. Hilton (H)		
		Deputy of Trinity		
		Deputy K.C. Lewis (S)		
		Deputy E.J. Noel (L)		
		Deputy of St. John		

		Deputy R.G. Bryans (H)		
		Deputy of St. Peter		
		Deputy A.D. Lewis (H)		
		Deputy of St. Ouen		
		Deputy L.M.C. Doublet (S)		
		Deputy S.M. Bree (C)		
		Deputy M.J. Norton (B)		
		Deputy T.A. McDonald (S)		
		Deputy of St. Mary		
		Deputy P.D. McLinton (S)		

Deputy M.R. Higgins:

Can I suggest an adjournment?

Senator P.F.C. Ozouf:

I do not know how many Members want to speak but can we just deal with this.

The Bailiff:

Do you withdraw that?

Deputy M.R. Higgins:

I withdraw.

The Bailiff:

The mood of the Assembly is we carry on. Very well, I call on Deputy Mézec. You are down to speak on the main proposition, Deputy.

Deputy S.Y. Mézec:

Right, I thought that had just overtaken it.

The Bailiff:

No, that was a reference back which failed so we go back to the main proposition.

Deputy S.Y. Mézec:

I understand. Could I withdraw my request to speak for the moment and reserve it later in case anyone says something that provokes me to respond? **[Laughter]**

3.3 Jersey Gas Works site: development by Andium Homes Limited (P.114/2017) - resumption

3.3.1 Deputy E.J. Noel:

As I said a few moments ago, this proposal represents a significant contribution to our Island, to the public realm, to the social housing provision, but also it will provide a below surface car park - it is not going to be an underground car park - and it importantly provides a significant extension to the Millennium Town Park. The Constable of St. John talked about the loss of profit which we know is going to be about £3.2 million, but let us talk about the social gain. This is a phenomenal social gain. **[Approbation]** I and my department welcome that this potential site can be further enhanced to improve not only town and the residents in town but everyone's enjoyment of this Island. For our part we are happy to talk with Andium Homes to explore the potential of the below surface car parking, and to establish its viability. It is not going to be as expensive as a proper underground car park but the site lends itself to a below surface car park. The report makes it clear that more work

needs to be done on costings and the considerations being given to how the site will operate. It is in the report, we are not trying to disguise that. The proposition of additional amenity and open park space will surely be welcomed by existing residents and the residents - if this goes ahead through the planning process - of the additional 110 units of housing on the gas works site. It fully allies with the aspirations of the future St. Helier group, which the Constable and I sit on, and my department are delighted to be able to support this. If Jersey is to continue to develop and prosper then St. Helier as its capital must be able to provide the homes and amenities that both meet the expectations of its residents and attract people to want to live in St. Helier and provide the workforce and the infrastructure that we need for the Island to prosper. This idea completely aligns with the North of Town Masterplan and, to my mind, I am surprised that we have had the debate that we have had today. I share the frustration that Deputy Hilton voiced earlier. This is a great opportunity; we should embrace it.

3.3.2 Deputy A.D. Lewis:

I cannot say more than Deputy Noel has just said in that this is such a huge opportunity for St. Helier. The Constable of St. Helier spoke very eloquently about that earlier. I have been involved with Future St. Helier as well, this is all about moving forward, urban regeneration. We were originally discussing this in the Parish and thinking: "Well, if we really want this extension and the Parish does it this would cost us upwards of £10 million." The Minister for Treasury and Resources just explained that in real terms it is about £3 million, but it is only that because we own Andium Homes like we own Jersey Development Company. We would not have all the public realm space around the Jersey International Finance Centre if it had been done by a private development. That has been said on many occasions by the Assistant Minister for Treasury and Resources and the Minister for Treasury and Resources. It is true. So we have some control here, we should grab it. I, as a St. Helier Deputy, am very keen to do exactly that. This is an absolute no-brainer for the Parish of St. Helier, for urban regeneration, and for the residents that are going to enjoy that living space. It is hard developing an existing town with modern living space with open spaces in a town that was never properly planned ever before. St. Helier is not a grid town like a Napoleonic town, it does not have the boulevards and the green spaces. This is what we need to do to try and create that and we have an opportunity to do exactly that. I was a little bit surprised that the Minister has even presented this to the Assembly. We put Andium at arm's length so that they can get on and do these things and we do not have these tortuous debates. So I work on the fact that the Minister has been very transparent on this occasion and given us this to consider, but it is an outlined principle, it is not about the detail, which many Members have said. So I would absolutely urge Members and I do hope that the indication of the reference back defeat is an indication of what Members may consider when the vote at the end of this debate. It is a huge opportunity for St. Helier, a huge opportunity for Jersey, a real opportunity to make St. Helier an even better place. We want to generate homes for St. Helier, we do not want to build on too many green spaces, and this is the way you do it and still have some green space to look out on. So please support this. As Senator Ozouf said, we have the opportunity to move on, get on with it, let us not deliberate too long on this. It is a simple proposition, it is in principle, and we need to make that decision today and get on with it. Please, Members, do so because this is just too good an opportunity let slip through our fingers. Something the Minister said earlier really struck a chord, planning permission has already been granted on this site for 250 odd units. As a Parish we opposed that because there was too many other developments in the near vicinity and we were getting too dense development in the immediate area. This mitigates that. If we do not grab this now that opportunity is gone. So please, I implore Members, do support this. Support the Minister, support Andium Homes, and get on with what is going to be regenerating St. Helier. One final thing I would like to mention is I have been in a dialogue recently with Andium Homes and the Minister about creating community space as well, and I am talking about community facilities here, because there will be more and more people living in that area and I would like to see some

community facilities in the area. I am talking here about possibly a hall or some kind of community facility, a youth facility or whatever, either on or near that site, or some funds that can help us regenerate the La Pouquelaye site, which is not that far away. It is a hugely successful site, La Pouquelaye Centre, but it is a condemned, old primary school and it needs funding, it needs rebuilding, and I just wonder if the Minister can consider that in her plans as to whether we can get some planning going for a community facility in the area either at La Pouquelaye, which is hugely successful, I was there yesterday night and it was so busy you would not believe it, and that is not far away. Or can we produce something on or near the site of this new development. Thank you.

3.3.3 Senator P.F.C. Ozouf:

The Constable of St. Helier spoke yesterday of a former Constable whose memory is marked by an obelisk that many of us will walk past as we leave this Assembly this evening, the late and great former Constable Pierre Le Sueur. In his memorial and in the statements that he made and the reason why he was so celebrated was that he inherited the Constableness of St. Helier at a time when, according to an article that I found on the article about him: "St. Helier was a town with major problems, bursting at the seams during the greatest population boom that the Island had ever seen, and lacking any proper sanitary facilities." That was in the early 1800s. Sometimes we think that the problems of today are new ones. In fact they are often just the modern-day versions of things that this Assembly in its previous guises as, if I may also say, are brilliantly explained in a new book that has been published in the last 2 weeks by Dr. John Kelleher, *The Triumph of the Country*, the rural community in Jersey and the struggle of the town and country. I think in this day when the current Constable of St. Helier asked us to remember the anniversary of the passing of the late, great Constable Pierre Le Sueur, how he would vote in this proposition today. I have no doubt he would say yes, because it would be a triumph for St. Helier who had suffered some of the difficulties of modern day life. The extension of the park and the creation of new homes is that right balance. I commend the Minister for Housing and Andium for making a difficult decision possible for us, because the alternative - and Members may criticise Andium or the Minister - but the alternative could have been that this site would have been held by a private developer and that those 253 homes would have a legitimate, legal right to be built. Now, what Andium have done - which are wholly owned, as has been rightly said - can do what they have done. They have done so no doubt in consultation under the arrangements that this Assembly has set with the Minister for Housing and the Assistant Minister for Treasury and Resources, and together have no doubt also taken soundings with the Constable and the municipality. So all 3, so well done and let us get on with it, and 3 minutes have passed and I will sit down.

3.3.4 Deputy J.A. Hilton:

I will be very, very brief. I think all the points have been covered in the reference back debate. Just recently there were just a few things I wanted to mention. I understand that there is going to be social housing on this particular site and I just wanted to bring up the issue about mobility scooters and the need for proper provision to be made for mobility scooters if you are going to be catering for elderly people within the confines of close by to where they are living. Because I know in a lot of the social housing developments that is a little bit of an issue, so I think you need to be planning forward. Also a point about points for electric vehicles when it comes to parking as well. The last thing I just wanted to mention was - Deputy Andrew Lewis spoke about it as well - about the need of a community space in the north of St. Helier. I am very well aware that the Inclusion Project, which has been running for a number of years now, has a cut-off age of 25 and a lot of those youngsters who have been part of the Inclusion Project for the last 10 years have reached an age where they will no longer be able to go to the Inclusion Project which is currently run up at La Pouquelaye. So I would request that the Minister looks seriously at trying to find a way of providing some facility for

those young adults who quite often the only social life they get is what they access through the Inclusion Project.

[18:00]

So alongside with Deputy Andrew Lewis I would request that you have a serious look at what you can provide for the community within the area of the Gas Works site. Thank you.

The Bailiff:

Does any other Member wish to speak? Then I call on the Minister to reply.

3.3.5 The Deputy of Trinity:

Thank you all those who have contributed. I think in a strange sort of way the reference back was a good bold discussion that we all had and a lot of points came out. I think most of those have been addressed with other Ministers speaking. This is a once in a lifetime opportunity to increase the size of the Town Park, both for the locals and residents alike. You cannot get away from that fact; this is a once in a lifetime opportunity. As I have said, and it has been said many times, but that planning permission for 253 homes stands. As Senator Ozouf said, it is a legal entity, the developers can go out tomorrow and start. But that is not what we want. That is not what Andium wants and that is why Andium seized that opportunity to use their initiative to think: "What can we give back to the community?" They are at arm's length, they can do those things, they can now think outside the box, think of the whole and think: "What is best, not only building homes but on the holistic point of view of what is better for the community?" To address a couple of things, I will pick up on what Deputy Hilton said. Yes, it is a mixed tenure, to make it work it needs to be a mixed tenure, some social housing. I know that Andium are looking at the problem today about mobility scooters because I understand under fire regulations they have to be in a separate room rather than taking up to their flat, *et cetera*. So I am sure by the time this development comes online in 2023 that issue hopefully will have been sorted out in some provision. Yes, it is. We are all living longer. Mobility is going to be a problem, as it is now. So they are looking at that issue. The same thing with, I am sure, Deputy Noel will be looking at electric vehicles. Again, in 2023 we might not need ... well, we could all be driving electric cars or be driven rather than driving ourselves. Regarding the community space, Andium really recognise that community space is important. I know that the senior youth officer has already been in discussions with Andium about what community facilities can be done. Is there swapping of properties to provide more space here? So all that discussion, all that workings out, will take it into the next stage. As I said, this is high level, so that Andium can now get on to the next step, have the backing of this Assembly. Deputy Andrew Lewis is quite right. We are open, we are transparent. I would like to think I am, in that coming to this ... we need not have come, but it is important that this discussion was had here and that everybody knows what is expected, what could happen now that Andium took that initiative. As I said, the cost of the project is going to be about £37.2 million and the development costs about £34 million, so there will be a loss. But, as I said, Andium Homes are looking at the whole area, which is what we should all be doing. That is good town planning. They can with building on the other sites, the Brewery and the Boiler House, which was not included in the North of Town Masterplan, so that is new supply. They have now got the wriggle room, so to speak, to make this project really, really work. I will leave it there. Please support this proposition. It is important. Not only because we are providing more houses and more houses are important, but also the social, the well-being side of things, and the community asset of extension of the Town Park. As I said at the beginning, this is a once in a lifetime chance so we need to grab it and I make the proposition. I ask for the appel.

The Bailiff:

The appel is called for. I invite Members to return to their seats. The vote is on P.114, Development of Andium Jersey Gas Works site, and I ask the Greffier to open the voting.

POUR: 32		CONTRE: 2		ABSTAIN: 0
Senator P.F.C. Ozouf		Senator S.C. Ferguson		
Senator A.J.H. Maclean		Connétable of St. Martin		
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator P.M. Bailhache				
Senator A.K.F. Green				
Connétable of St. Helier				
Connétable of St. Peter				
Connétable of St. Lawrence				
Connétable of St. Ouen				
Connétable of St. Brelade				
Connétable of St. Saviour				
Connétable of Grouville				
Connétable of St. John				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy J.A. Hilton (H)				
Deputy of Trinity				
Deputy K.C. Lewis (S)				
Deputy E.J. Noel (L)				
Deputy of St. John				
Deputy R.G. Bryans (H)				
Deputy of St. Peter				
Deputy S.Y. Mézec (H)				
Deputy A.D. Lewis (H)				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy S.M. Bree (C)				
Deputy M.J. Norton (B)				
Deputy T.A. McDonald (S)				
Deputy of St. Mary				
Deputy P.D. McLinton (S)				

The Bailiff:

Connétable of St. Lawrence, I understand you would like to say something.

The Connétable of St. Lawrence:

Yes, I would like to address the Assembly. Just to say that during today's debate on P.112 I advised Members that the Minister and I were hoping to look at fees, following the matter having been raised with us. Notwithstanding that the matters raised were with regard to immigration fees, I believe that we could consider fees for British citizenship. Having checked with officers, I have been advised that we are not able to review fees for British citizenship and I wanted to clarify that at the first opportunity and to apologise if I have inadvertently misled Members. I have details on it, which I will email to Members so that they can see the reasons for that.

Senator P.F.C Ozouf:

I propose the adjournment, Sir.

The Bailiff:

The adjournment is proposed. The States will now stand adjourned until 9.30 a.m. tomorrow morning.

ADJOURNMENT

[18:07]