

# STATES OF JERSEY

## OFFICIAL REPORT

**TUESDAY, 10th NOVEMBER 2020**

<b>COMMUNICATIONS BY THE PRESIDING OFFICER.....</b>	<b>3</b>
<b>1.1 Welcome to His Excellency the Lieutenant Governor .....</b>	<b>3</b>
<b>1.2 Resignation of Senator S.Y. Mézec as Minister for Children and Housing .....</b>	<b>3</b>
<b>PUBLIC BUSINESS.....</b>	<b>3</b>
<b>2. Vote of No Confidence: Chief Minister (P.149/2020) .....</b>	<b>3</b>
2.1 Senator K.L. Moore: .....	3
2.1.1 Senator J.A.N. Le Fondré (The Chief Minister): .....	5
2.1.2 Senator S.Y. Mézec: .....	10
2.1.3 Connétable J.E. Le Maistre of Grouville: .....	13
2.1.4 Connétable A.S. Crowcroft of St. Helier: .....	14
2.1.5 Connétable J. Le Bailly of St. Mary: .....	16
2.1.6 Deputy R. Labey of St. Helier: .....	16
2.1.7 Connétable C.H. Taylor of St. John: .....	17
2.1.8 Deputy I. Gardiner of St. Helier: .....	18
2.1.9 Deputy S.M. Wickenden of St. Helier: .....	20
2.1.10 Deputy L.M.C. Doublet of St. Saviour: .....	21
2.1.11 Deputy J.M. Maçon: .....	23
2.1.12 Deputy T. Pointon of St. John: .....	24
2.1.13 Deputy G.P. Southern of St. Helier: .....	25
2.1.14 Deputy R.J. Ward of St. Helier: .....	27
2.1.15 Senator L.J. Farnham: .....	29
2.1.16 Connétable R.A. Buchanan of St. Ouen: .....	30
2.1.17 Senator S.W. Pallett: .....	33
<b>LUNCHEON ADJOURNMENT PROPOSED .....</b>	<b>36</b>
<b>LUNCHEON ADJOURNMENT .....</b>	<b>38</b>
2.1.18 Deputy J.A. Martin: .....	38
2.1.19 Senator S.C. Ferguson: .....	40
2.1.20 Deputy L.B.E. Ash of St. Clement: .....	42
2.1.21 Deputy C.F. Labey of Grouville: .....	43
2.1.22 Deputy S.M. Ahier of St. Helier: .....	46
2.1.23 Deputy J.H. Young of St. Brelade: .....	46
2.1.24 Connétable M.K. Jackson of St. Brelade: .....	49
2.1.25 Connétable K. Shenton-Stone of St. Martin: .....	51
2.1.26 Senator T.A. Vallois: .....	51
2.1.27 Deputy K.C. Lewis of St. Saviour: .....	53
2.1.28 Connétable L. Norman of St. Clement: .....	53
2.1.29 Deputy J.H. Perchard of St. Saviour: .....	54

2.1.30	Deputy S.G. Luce of St. Martin: .....	56
2.1.31	Connétable R. Vibert of St. Peter:.....	57
2.1.32	Deputy S.J. Pinel of St. Clement:.....	59
2.1.33	Deputy R.E. Huelin of St. Peter: .....	60
2.1.34	Deputy G.C. Guida of St. Lawrence: .....	60
2.1.35	Deputy D. Johnson of St. Mary:.....	62
2.1.36	Connétable P.B. Le Sueur of Trinity:.....	63
2.1.37	Deputy K.F. Morel of St. Lawrence:.....	63
2.1.38	Deputy K.G. Pamplin of St. Saviour:.....	66
2.1.39	Deputy R.J. Renouf of St. Ouen:.....	67
2.1.40	Deputy M.R. Higgins of St. Helier: .....	69
2.1.41	Connétable D.W. Mezbourian of St. Lawrence: .....	70

**ADJOURNMENT..... 72**

2.1.42	Deputy M. Tadier: .....	72
2.1.43	Deputy M.R. Le Hegarat of St. Helier: .....	75
2.1.44	Deputy H.C. Raymond of Trinity: .....	76
2.1.45	Deputy G.J. Truscott of St. Brelade: .....	77
2.1.46	Senator I.J. Gorst:.....	78
2.1.47	Senator J.A.N. Le Fondré:.....	80
2.1.48	Senator K.L. Moore:.....	83

**ADJOURNMENT..... 89**

[9:32]

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

## **COMMUNICATIONS BY THE PRESIDING OFFICER**

**The Bailiff:**

### **1.1 Welcome to His Excellency the Lieutenant Governor**

His Excellency is joining us virtually this morning so I am sure Members will welcome him nonetheless on our behalf. **[Approbation]**

### **1.2 Resignation of Senator S.Y. Mézec as Minister for Children and Housing**

I must formally announce the resignation of Senator Mézec as Minister for Children and Housing.

## **PUBLIC BUSINESS**

### **2. Vote of No Confidence: Chief Minister (P.149/2020)**

**The Bailiff:**

We now move on to Public Business, which is the matter of the vote of no confidence in the Chief Minister, P.149. That has been lodged by Senator Moore and before I ask the Greffier to read the citation may I remind Members of a couple of matters relating to our process and procedure. Firstly, the Assembly last week agreed that the debate would conclude today. As part of this, it was also agreed that we would have a short lunchtime adjournment from approximately between 1.00 p.m. and 2.00 p.m., shorter than usual. It looks as though the debate is likely to last into the evening and the Assembly may wish to consider whether we take a break at 5.30 p.m. in order that people can refresh themselves and perhaps the chair of P.P.C. (Privileges and Procedures Committee) might like to look at that as the debate progresses. In line with Standing Orders, once Senator Moore has made the proposition, the debate will open. The Chief Minister may speak, as will all Members have the right to speak. Once Members who wish to speak have spoken, however, the Chief Minister will be given a second opportunity to speak. Once he has given that second speech, Senator Moore will then be invited to reply and sum up. After which the Assembly will move to the vote. In line with Standing Order 104A, neither of the speeches given by the Chief Minister, nor those making the proposition or summing up by Senator Moore, are subject to the time limit of 15 minutes. I have been requested and have afforded Senator Mézec additional time to make his speech in the Assembly and he has up to 20 minutes in order to do so. With all of those preliminary matters dealt with, I ask the Greffier to read the citation.

**The Deputy Greffier of the States:**

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

#### **2.1 Senator K.L. Moore:**

Firstly, I would like to start by thanking all of you for being here today. I know this additional sitting has caused some disruption to everyone's diaries and I am grateful to Members, the President of the Assembly, the Attorney General or the Solicitor General, who might be listening in, the Deputy Viscount, the Greffe and the Ushers too. It is regrettable that we are here today but it is important and it is also the democratic thing to do. It is universally agreed that the coronavirus situation is an unenviable task for any leader and we all have to respect anyone who finds themselves trying to deal with it. Nobody expects leaders in such uncharted territory to be perfect. What they ask and deserve is leadership, honesty and integrity. These are important times. We have considerable challenges and it is our duty as an Assembly to ensure that we have the right leadership in place. As we enter a COVID winter, the public deserve to have a leader they can trust, a leader who will be clear, decisive, and honest with them, as we plan for our recovery in a post-Brexit world. It is clear that the public would like to see this debate also. We have seen an incredible engagement for people who feel very

strongly about this matter. If this energy could be achieved in turnout for the next election, we will be heading way towards 80 per cent. This vote should not be written off as an attempt at political games. Should it succeed, whoever takes over will have a difficult task. It is a task not to be taken lightly. It is a task that only those who are very serious about serving their community would even think about taking on. That is a matter for another day. There has been criticism of course of the timing for this vote. But let us not forget that there have previously been votes of no confidence and the last one took place less than a year prior to the last elections. That was held in the previous Chief Minister in 2017 and the current Chief Minister was indeed a signatory of that vote of no confidence. The Senator claims that changing leader in a pandemic is wrong. But what if that change could deliver better leadership, better decision making and a stronger recovery? It is important to state that this is not personal. This is about principles, values and performance. As States Members, we have to ask ourselves whether we, as Island representatives, are allowing our Island to be well-governed or not. The intense frustration since the announcement of the Chief Executive's second role have proved to be the final straw. But this debate is not simply about that matter. In fact, I was going to recommend to Members that we steer rather clear of it. However, the announcement of last night that the Chief Executive is leaving has rather impacted upon that. There is much to say, both about the statement and the letter that was circulated at 7.00 p.m. last night. Despite declarations from Government Members at the weekend that a big announcement was to come today, we were not quite expecting this. Mr. Parker states in his letter of resignation, his letter of departure I think perhaps is the better turn of phrase, that he is truly appalled that: "What should be an uncontroversial individual employment matter has become a catalyst to challenge your position." The understatement used around the employment matter displays exactly what has got to many States Members and members of the public also. That matter revealed a breach of employment contract. When that matter came to light, a press statement was put out claiming incorrectly that the Chief Minister and Deputy Chief Minister had approved it and that there are no contractual restrictions on the chief executive accepting such a role. The reason that matter has become such big news was because it was also claimed that it would only require 3 or 4 days of work a year. However, the Annual Report suggests otherwise. In fact the board has met every week since COVID and, as Mr. Parker has been on the board since 10th September, he would have been well aware of that fact. The handling of that matter has for 2 weeks now been the cause of hours of meetings, as the Chief Minister cast left and right looking for someone else to blame. He has attacked the media, his own Communications Unit, users of social media, along the way. We have all watched somewhat bemused as he has dug himself deeper into a hole. So, yes, that matter was the final straw as it brought into question the fundamentals of public life. This is about accountability, transparency, integrity, openness, honesty, objectivity, selflessness and leadership, the Nolan principles. Since ministerial government, there has not been a successful vote of no confidence, so today might be a historic day for our Island. This is perhaps one of the reasons that the system is unpopular. How many times on the doorsteps do Members hear mention of the importance of having people in the States to stir things up?

[9:45]

It is perhaps part of our D.N.A. (deoxyribonucleic acid) but stirring things up is another way of describing holding others to account. The key charge today is that the Chief Minister has failed to hold his civil servants to account, allowing the chief executive to take a second role and not following the contractual process or asking questions such as: "Is there a conflict of interest given that the financial services industry now sits in the office of the chief executive and therefore he does hold fiduciary responsibilities?" We still do not know when the Chief Minister gave his permission to the chief executive. Despite many questions, and we have received many answers, I do expect the Chief Minister to answer that particular question today. Also, there are matters on policy, failing to deliver a population policy. The Jersey Care Model was only adopted by the Assembly last week because of the work of Scrutiny. Likewise, the Tasers and the move to the current year basis for all taxpayers. Promising to build a cheaper hospital while bringing forward a plan to build one at almost twice the price. Allowing a culture of bullying to seep through the civil service when they were told there were

good, committed and capable, people within the organisation, it was the structure that failed them. That structure is still incomplete. Losing the confidence of the public during a pandemic and seeing public confidence sink to a level of 37 per cent and failing to be decisive or to show leadership. Some quite naturally have been uncomfortable about this debate, but, in introducing this Proposition, I would like you to consider that holding such a difficult conversation is about upholding those Nolan principles that should guide us all in our public life. In fact, if we were to avoid these issues and put them off until the elections, there would be a much worse message to the public and to the world that we prefer to turn a blind eye. That, in the eyes of some correspondents, suggests soft corruption. Others have referred to it as Mickey Mouse. Either way, it reflects very poorly on our Island. As an international finance centre that has spent decades nurturing our reputation for high standards, it would simply be unacceptable for us not to require those same high standards in public office. Then of course there is the pandemic. Some will argue today that changing Government at this time is irresponsible. However, the U.S.A. (United States of America) and Guernsey have just conducted general elections and changed their Government. The officials of course will remain and this would simply change the decision maker. We could put in place a person who would inspire confidence of Islanders, someone who could take decisions at a greater pace, someone who could focus on delivering a stronger future. Someone who could grasp the concept of a green recovery. Someone who could offer greater certainty and vision at a time when the Island needs to set a new vision in order to meet the challenges of the present and set ourselves back on track. After observing the first year of Government, non-executive Members began to consider how to improve the situation that we could see. We have grappled with the questions to the powers that were introduced in P.1 of 2018 and the failure to introduce a disciplinary process for the chief executive as was promised. We have met quietly to consider this over the past year to 18 months. Earlier this year, a couple of months ago, I wrote a proposition, which was disallowed for constitutional reasons, to implement that disciplinary process in short time. So, in trying to do that, I contacted a former Deputy and political expert, Roy Le Hérisier. His advice was ultimately it is the Chief Minister who is accountable for his actions. That is why we are here today. I will not speak any longer at this point. I know that Members have a lot to say and we have a long day ahead, so I open the debate.

### **The Bailiff:**

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

#### **2.1.1 Senator J.A.N. Le Fondré (The Chief Minister):**

A vote of no confidence is an extremely serious matter at any time, but particularly in the middle of a pandemic. If adopted, this Government will fall. The teams will change, the delays, the disruption, will continue for months. Do not be under any illusion on that front. As a starter, the new Council of Ministers is obliged to produce a new Common Strategic Policy within 4 months. I cannot predict the fate of the lodged Government Plan. So, be under no illusion as well that, while this is a vote of no confidence in me, it is also a vote of no confidence in the team I lead. I must turn first to the events that have led to the announcement last night that the chief executive is to stand down from his position. Much has been said about this situation and in general that he does not seek to add further to the statement he made last week. At the end of the day, this was an oral permission given to something that was said that ordinarily would be acceptable, and which was conditional. To correct one of a number of fallacies in this vote of no confidence, namely the question asked in the report: “Why did the Chief Minister, in breach of the procedure mandated by S.E.B. (States Employment Board) ...” the question then goes on. But the short answer is I did not. S.E.B. has not said I breached or exceeded my powers but rather had exercised them as a line manager. That is what is quite crucial. We can get a lot of nuances and inferences but we have to get down to understanding the process here. But crucially the C.E.O. (Chief Executive Officer) has accepted his responsibility that he should have sought permission in writing and, based on past experience, that was my reasonable expectation. That did not happen. That was the nub of the mistake and he has accepted that this was his mistake. The C.E.O. has apologised to S.E.B. and also to myself, and I have apologised to S.E.B.

The press release was issued without either myself or the D.C.M. (Deputy Chief Minister) seeing it, a separate mistake, not acceptable, but one for which a new protocol will be put in place. It is also presently under investigation, but S.E.B. issues have had to come first for what I would hope are fairly obvious reasons. I also want to address a couple of questions that have been put to me today. All I can say is the chief executive is receiving his contractual entitlement and no more. There is no additional pay-out and no extras. To be clear, contrary to rumour, he has not got his qualifications for residency. We have honoured his contract and further speculation at this time will make it more difficult to tie up the final arrangements, which is presently going on. In relation to the C.E.O., some would like us to have taken action sooner, we heard that just now. We must remember we have serious contractual obligations that require very careful consideration about any ramifications. That is about professionalism. In addressing what were widely-held concerns, the States Employment Board sought to ensure that due process was followed. They sought the facts, they provided the C.E.O. with a right to reply, and they deliberated with an objective open mind. I pay credit to the members of the S.E.B. who, under tremendous pressure, found a calm and dignified approach to address the most public of admonishments for one of their employees. Their commitment to the duty of care towards this employee, like any employee, is commendable. That duty of care is one that is held by each of us in this Assembly. Many of us in this Assembly will have experienced abuse, accusations of wrongdoing, and indeed harsh words, towards us and about us. We should not accept that. We also know the impact that this has on our loved ones, who often see the public vilification of those who put themselves forward for public service. We should not accept that towards any one of us. In my view, we should also set the tone of discourse and set an example for others even more so when we disagree. We must be clear in the split between the political environment, in which we operate, and the public service. We have the right to speak, to make statements and to respond to each other. Public servants do not enjoy such freedoms and as such we cannot allow the political narrative to be centred around anyone who does not have the right of public reply. We must learn that where there are matters related to employees that these are subject to the rights enshrined in law. Many Members in this Assembly speak up for the rights of workers, so we should remember that it applies to all workers, not just a selection. That is what the S.E.B. is tasked to do. The politics, the policy, the governance, is for the Council of Ministers and the States Assembly. The S.E.B. have a special and privileged duty to ensure fairness, a duty of care, natural justice and to uphold the rights of employees. I ask that Ministers respect the role and duties of the S.E.B. in doing this and not to allow the S.E.B. to be compromised or held open to claims that they may not be able to defend. Sometimes these processes take time to resolve but that must be done objectively and calmly to avoid the mistakes that could be made under pressure. It allows us to uphold the respect public servants deserve and protect the rights that they hold, no matter what the circumstances. Returning to this Proposition, the proposer casts doubt on my ability to recognise and address problems promptly and effectively, my decision-making. On week one of my election to this position, both myself and Senator Vallois were appraised of an impending lawsuit, a case was being brought for £230 million. We were also told of another lawsuit, and we were told that something could be done about the second matter and that it needed urgent legislation. It was very clear what the issue was, it was very clear it needed action, and I said: "Yes, get on with it." The chain of emails and background information provided to me clearly showed that the issue had been sitting with Senator Moore for at least 2½ years before it was raised with me. Under my direction and leadership in just 5 months the relevant law was lodged. It was debated in early 2019 and after 6 months of me having been in position that law saved the taxpayer approximately £45 million. That alone was a greater saving than the loss I am accused of having generated in what was a failed hospital site in Gloucester Street. This also helped G.P.s (general practitioners) with their own medical insurance, while still providing compensation to those who suffered injury. So that is my style, decisive, particularly when it is urgent, but technical and financially literate. Apparently this is a vote about vision and offering certainty and clarity. When I stood as Senator and then as Chief Minister, one of the promises I made was to look at the long term and avoid quick fixes. All of our visions were combined into the Common Strategic Policy, which was endorsed unanimously by all of those present in this Assembly.

The first Government Plan was approved by 43 Members. The second was brought together in record time, again during the COVID crisis, and this does need some skilful team management skills to bring Ministers with different views into approximately the same landing area. In terms of what we have done, in terms of business as usual, this year, as we heard, the J.C.M. (Jersey Care Model) was approved last week. I do commend the work of Scrutiny on that point. That is how it should be. That is a brilliant example of Scrutiny and the Executive working in partnership. P.Y.B. (past year basis)/C.Y.B. (current year basis) was approved last week. We have lodged an evidence-based population control policy based on good thorough work and it is a first step to having a population policy, particularly after the States decision of last week. Zero-based budgeting started last November, the first time for a very long time it is being done properly. The hospital site, the debate is next week. The contractor has been appointed. Office strategy; that is 2 to 3 weeks away, and of course we have a COVID pandemic. We have talked a lot about dealing with the legacy of underinvestment, both in people, systems, and our infrastructure, some of which goes back decades. We have given mental health the recognition and funding required to support Islanders. For example, in the criteria for our hospital, that is one of the reasons why the costs will be different, because we are dealing with a different project. Also, in the Jersey Care Model, improvements in the service are now happening, examples being the Listening Lounge, mental health legislation, a crisis response team, and work has now started on the £7.3 million project within Clinique Pinel. But there is a long way to go, especially in current times. We have been putting extra resource and people into new social workers to start to address a number of the underlying issues, of which we are all aware. We were very strong last year in arguing why our I.T. (information technology) systems needed significant investment and I will say thank goodness we took that decision in the light of the events of 2020. We are delivering on efficiencies, not always in the way we originally planned, but they are also funding some of the new expenditure we have proposed. Being a Chief Minister is not just about leading the Council of Ministers on Island; it is about representing the Island internationally and with our Island and French neighbours.

[10:00]

In January, we were in New Jersey with the Connétable of St. Helier, then in New York and Washington, meeting representatives with Digital, speaking at presentations by Jersey Finance and meeting with diplomats. As a result of a contact in the U.S.A. on an earlier visit, Jersey Overseas Aid initiated a new project in Ethiopia, all based around the fantastic work we were already doing in Rwanda with the Jersey cow. Just last Friday, I was representing the Island in a virtual conference with the British-Irish Council. Next week I have been invited to present virtually into an influential group of business people and global leaders to talk about how we have managed COVID. The latter because they recognise that we have done it well and they are interested in our approach. That is my style; diplomacy and passion in promoting our Island overseas as a team with the Minister for External Relations and other Ministers. As I just mentioned, our response to the COVID-19 pandemic has gained international recognition. But according to Senator Moore I have failed to take action to minimise its damage to the Island and its economy. A COVID-19 pandemic was not on anybody's agendas at the end of last year. On 30th January we issued the first piece of advice on COVID. The helpline was established on 19th February. On 3rd March we gave the first of many briefings to States Members. Then we were putting measures in place to deal with arrivals from various countries; Italy, France, Germany, Tenerife, et cetera. Our first case arrived on 10th March. I will always remember Friday, 13th March. That was the evening we were given the updated scientific modelling and were told that, if we did nothing, 500 people were likely to die. So that evening we put immediate measures in place to protect those over 65. That measure in itself was predicted to save 150 lives. The first testing facility was opened on 15th March and so it carried on. I am proud to have led the political team that has managed the crisis to date. We introduced significant levels of guidance, which was praised by external professionals for its clarity. We introduced the biggest business support packages we have ever seen and we protected the lives of Islanders. We did not delay. We were later than certain other jurisdictions, but do not forget we

were behind them in terms of how the virus was spreading, in terms of the first case we were ahead. We reopened al-fresco dining in May. We were trialling border testing in June and in July we opened the borders. We have had one of the best border testing regimes in Europe, and I do not exaggerate. Our contact tracing has evolved spectacularly and I would like to take this opportunity to again praise the individuals and teams that worked tirelessly and swiftly to set up the whole test and tracing regime and keep it running. We now have the COVID app, which to date has now been downloaded by just under 40,000 people and has already set alerts in motion regarding positive cases. We have received massive criticism and also massive praise, sometimes by the same people within the same week. But we have held our nerve, we have remained calm, and we listened to the professional advice and made the decisions. I would just take the opportunity to thank Dr. Ivan Muscat and Dr. Patrick Armstrong and others and all of their colleagues and teams for all of the work that we have done this year. **[Approbation]** But we are not out of it yet. I really do worry that this distraction will undo much of the good work and results that we have achieved. Now is not the time to do this. The elections are around a year and a half away and that is where the public can judge me and the other Ministers on our record, not partway through our term. In particular not during a global pandemic. The disruption will be significant. On a positive note, in July we announced the biggest economic support package this Island has ever seen. It gave £100 to every person on low income, including pensioners. It then gave a further £100 to every man, woman and child, on the Island through the acclaimed and innovative electronic voucher scheme, something that the Senator, I understand, did not support. It reduced social security contribution rates for many months. All in all that is worth £1,350 for an average household of 2 adults and 2 children. I do claim some direct credit for the vouchers. That was as a direct result of conversations I had with the Treasury team and then the overall team went out and found the solution. So, while the buck stops with me on the bad stuff, it also has to stop with me on the good stuff as well. I have had numerous thank you cards and letters for the measures we have taken. I have had random conversations with people who have thanked me for enabling their businesses to survive and thank yous from ages ranging from 8 years old to 80. Senator Moore says I have no vision, no imagination, no empathy and no compassion for Islanders. Words fail me. She has also said I am not capable of leading this Island through the winter months of this pandemic. I have used the words “world class” for many of the measures we have put in place and I stand by those descriptions and our track record over the last 6 months. I challenge anyone who dares to criticise my commitment to Islanders. We are in a really good place right now and that did not happen by accident. It happened as a result of a lot of people working incredibly long hours under incredibly tight deadlines and as fantastic teams. Politically, the column has pulled together and has acted rationally and responsibly, and I lead that team. I remained calm and focused, despite months of sleep deprivation. I maintained clarity of thought while taking in the often-contradictory voices, some understandably panicking, from across the Island. I have listened to them and I listened and acted on the professional advice offering a balancing voice where appropriate. In summary, I led our response to not only protect Islanders from the virus itself but to protect Islanders’ livelihoods and our way of life. I have tried to not get personal, but where I got really angry with the Senator was her comment in the local media about persons working from the U.K. (United Kingdom) remotely not showing any commitment to the Island. I had just finished working with someone that entire weekend, and many other weekends, going through the latest iteration of the guidance or policy or some-such. To say there was no commitment to the Island from that individual was an insult and I found myself having to apologise to the team for the ill-considered remarks of supposedly one of the more experienced Members of this Assembly. I am proud to say that I was one of the people who successfully nominated that individual for an M.B.E. (Member of the Most Excellent Order of the British Empire). It is impossible to please everyone. Some of the decisions have been tough and, my goodness, they have been tough. But we were strong enough to make those decisions because we cared so deeply about our Island as a whole. Yes, like countries around the world, we have learned along the way COVID did not come with a guidebook, which is precisely why we are the right team to carry on guiding this Island through what may well be turbulent seas ahead with this virus. We have the systems, experience and skills, all in place. Disruption to that team, even at a

political level, will create significant problems. I have always prided myself on long-term financial prudence. If you go back, say, 3 years I was against significant borrowing because it does not really sit in the Jersey psyche. However, as the saying goes, if you are faced with a different set of circumstances, you have to change your mind. Boy, did COVID bring up a different set of circumstances. However, I am absolutely delighted that the Assembly passed the P.Y.B./C.Y.B. legislation that forms the foundation upon which we can repay all or at least most of the COVID-19 debt without permanent tax increases. As an aside, it is the biggest change to the tax system since I believe the 1920s and it was first mooted in the Government Plan of last year, and we have implemented it this year. It will help many, many Islanders directly if they have suffered a loss in income this year. Again, that is my style, it is technical and financially literate. We have a plan and we are delivering. Part of this Proposition focuses on the Nolan principles. Senator Moore has repeatedly questioned my integrity. Using the Nolan definition, this implies that I am acting or taking decisions in order to gain financial or material benefits for myself or my family or friends, which I take as a personal affront. I uphold the difference between right and wrong. I believe in treating those around me fairly and do not believe in judging without facts. Fairness is not weakness. I have demonstrated courage and perseverance, often making tough decisions, over my whole political career to date. None of us get it right all the time. But to use any such moment as ammunition to slur someone's integrity is dangerous, unjust and totally unacceptable. I have always stood by my principles, which is why I have not descended to subjecting others within or outside of this Assembly to the same character assassination I have had to endure over the last few weeks and months. I implore others to remain gracious, professional and stick to the facts and track records within this debate. Let us look at honesty and openness, which is also being questioned. I have been accused of having a problem with the truth, of being dishonest. Let us be frank here, basically it is being implied that I have deliberately set out to deceive. I admit I have made some genuine mistakes and I admit that sometimes I have not had all of the information being requested and also on occasion, with hindsight, I could have given a fuller response. Some Members may not believe this, but that has often been because I have been trying to remain concise, which as a politician is sometimes occasionally difficult. But that is not the same as a deliberate intention to deceive. I am not going to attempt to answer every point in this report. There will be a number of speakers who will pick up on the key areas. But given the criticism I seem to receive for not getting my facts right, I do need to correct another error in the report that Members are considering in their deliberations of whether to vote down myself and the Council of Ministers. There is a reference in the report to £190 million that we want to spend on the building of a new office. Certainly, in capital terms, I have never ever heard that number mentioned ever in any of the briefings we have had. I am not going to significantly expound on the positive benefits that implementing our office strategy will achieve, other than to say there are capital receipts projected of around £30 million to offset against that cost. There are brownfield sites that will be released that can mostly be used for much-needed housing, which is one of my election pledges. But it will also save at least £7 million per year, and that is excluding any productivity savings, which are likely to be significant. Certainly, the £190,000, as far as I am concerned, that figure is far less. So I would be very interested to understand where that figure has come from. I would just like to quote from one of a number of emails I have been receiving over the last few days before I start to conclude: "The management of the COVID situation in Jersey is heralded worldwide as a shining example of shrewd and excellent Government decision-making. We are simply very lucky to have you and your team and thank you for the many hours that you have all spent in managing this unique situation. There is no book on the shelf and your leadership and dedication is much appreciated." That was from somebody quite well respected in the community. Very few leaders come with a full skillset demanded of that role. We are, after all, human with different strengths and weaknesses. A fact, which many people here and around the world seem to have forgotten. What sort of message are we sending out to young people if we are implying that success is about perfection? They are already barraged with social media posts advocating this. We should be sending out the message that it is a journey of progress. A journey that has its peaks and troughs along the way. If no one is allowed to make mistakes anymore, then that journey will reach

a rapid dead end. That is if that journey is even attempted in the first place. We make mistakes, we pick ourselves up, hopefully with support from those around us, and we try to learn from those mistakes. We may well trip up again, in which case we try again, we clear more trip hazards, and develop ourselves more. If we need to, we apologise for those mistakes, which I have done. We should also not be jumping to judge the mistakes of others, especially in the public domain, until we know the proper facts and we guarantee that we are not at risk of making similar mistakes. A vote of no confidence is not about whether we think someone else might be able to do a better job, so let us get rid of one and give someone else a try. Time to do that is after the proper term is up at the next elections. Because this is very serious and very disrupting. The question here today is whether this vote of no confidence is truly justified. Have I really made such a large number of fundamental mistakes, which I have not tried to rectify? Have I embarked on entirely the wrong journey? Have I actually been dishonest? Members need to ask themselves if those that brought this vote of no confidence and who have consistently criticised and sought out holes in my approach since I first took office have been constructive along the journey. Have they consistently come up with better workable plans or approaches? It is one thing to complain from the side lines but quite another to stand in these very same shoes. Is there really someone among us who comes with the full leadership skillset? I have no doubt that some will be better than me in certain areas and I am also sure that they will have their weaknesses too. Are Members prepared to take that chance, swapping one person for another, in the middle of a global pandemic with Brexit looming and economic challenges ahead?

[10:15]

Particularly given our record over the last however many months it has been now in terms of dealing with the COVID crisis and keeping Islanders' lives and livelihoods as intact as we possibly can. I have been asked what my plans are for tomorrow and I am very clear, tomorrow I will be focused yet again on chairing a meeting of the competent authority Ministers and considering the next steps in protecting Islanders from COVID. That is my job and let no one denigrate my integrity or my commitment to the Islanders of Jersey. On that, I urge Members to reject this vote of no confidence.

**The Bailiff:**

Thank you, Chief Minister. The debate is now more generally open.

**2.1.2 Senator S.Y. Mézec:**

This is a sad day for Jersey. I do not believe that anyone genuinely wants to be in this position at an Extraordinary Meeting of the States, having lost our C.E.O. and now discussing the removal of the Chief Minister. But we are here. We are here for a reason. It is right that the politicians of the Island should stand up to be counted. I want to start by saying that I believe that Senator John Le Fondré is a good man. He loves this Island. He has integrity and he is in public life for all the right reasons. He has always been kind and respectful to me, especially during my time as a Minister, and I am grateful for that. I also believe that the Chief Executive Officer of the government is a good man, extremely hardworking, and he does not deserve much of the flak he receives. But this debate is not about whether we personally like these people, which I do. It is not about whether we agree with every word of Senator Moore's arguments, which I do not. It is not about whether we have someone in mind for an alternative, which I also do not. This debate and this vote is about one thing and one thing only. It is about whether we have confidence in the current Chief Minister's leadership based on his recent performance through this scandal and, more widely, the achievements of the Government he leads. I regret that I have come to the conclusion that I do not have confidence and have resigned from my role as Minister for Children and Housing so that I can cast my vote today according to my conscience. There is a poison at the heart of our government system, which I believe this recent scandal has exemplified, but which has affected and held back much of the work we have tried to do. I have seen it first-hand and I cannot stay silent. That poison is a culture embedded in parts of the organisation, which is fundamentally undemocratic and where there is a lack of understanding that the will of elected Ministers is what must prevail, not the desires of any particular officer. I have experienced this on multiple occasions. Whether it was the first instance in the early

days of this Government where myself and other colleagues were just overruled by an officer who disregarded a vote we took on naming one of our C.S.P. (Common Strategic Policy) priorities as reducing income inequality and unilaterally changed it to something we had specifically ruled out. We had the most ridiculous fight to get it changed back. More recently, I was point-blank ignored by officers when I raised queries 3 times about a line in the draft Government Plan, which had financial implications, which I believed were at odds with my policy on implementing a social housing rent freeze. I only got listened to when I threatened to go public and lodge an amendment to the Government Plan making it clear why I had been forced to do so. I discovered that in officer-level discussions about freezing Andium's rents next year that some officers had pursued a funding arrangement for this, which I and the Chief Minister had explicitly ruled out. More recently, I even had an occasion where I had to argue about what day a press release would go out, so mundane are some of these incidents. These things are unacceptable and there is a wide perception out there that the politicians are not really in charge and that the tail wags the dog. I can confirm from my experience that sadly there is a lot of truth in this. That leads us on to this latest scandal. Earlier this year, the chief executive felt he had capacity to take on another role for a real estate company in the U.K. and asked the Chief Minister verbally for his approval, which he got. Ministers knew nothing about this whatsoever until we woke up one morning and saw it on the front page of the *J.E.P. (Jersey Evening Post)*. That appointment was always going to cause consternation. It must surely have been obvious that the Island would not accept someone who holds a role of the head of the public service of our national government holding a private sector role like that. Either with or without perceived conflicts of interest, it would not be acceptable. The Chief Minister exercised bad judgment in giving his approval. Contrast that with the judgment of the Deputy Chief Minister, who had disapproved of it when he was asked for it, despite a media release saying he had approved, which was not authorised by those who were mentioned in the release. Another example of the tail wagging the dog. I have acquaintances who have worked at the highest levels in local government in the U.K. who, when describing to me what they believe the consequences of this sort of thing happening with a C.E.O. of a local authority would be, they used such colourful language that I would not be permitted to use it in this Assembly, such is their dismay at this situation. But rather than own up and try to deal with the situation, the Chief Minister did just about the worst thing he could have done, which is he allowed the S.E.B. to give the C.E.O. retrospective written permission and he did this without first consulting the Council of Ministers. This has essentially tied their hands and led to the situation we are in where frankly rings are being run around us and the C.E.O. is standing down because no alternatives are possible now. Goodness knows what impact that may have for the Island. Throughout the last 2 weeks, the hole the Chief Minister was in has steadily been dug deeper and deeper and that is a failure of his and no one else's. I listened to his speech and I heard him say that he had given apologies to certain people in this but I have not yet heard him give a full apology to the people of Jersey and to take responsibility for how he has messed this up. How different the situation could have been if earlier this year, when the C.E.O. had raised this with the Chief Minister, the Chief Minister had simply politely said: "That is an interesting suggestion. Would you mind if I just consulted with some colleagues first before giving you an answer?" Over the last week where the Council of Ministers had made its view clear, for most of the time since then our view has not been adopted. I have to ask myself the question, who really runs Jersey, the civil service or the elected Government? That question should not even occur in something that is meant to be a democracy. This has been the final straw but it is not the only issue that has led my Reform Jersey colleagues and I to this point. At the outset of this Government term, the Council of Ministers presented a Common Strategic Policy to the Assembly, which contained a headline priority of reducing income inequality, hard fought for though that headline was. It was adopted unanimously by this Assembly and I remember the real sense of optimism that many of us felt at that point. Two years later, I am sorry to say, that commitment is in tatters. Despite it now being overdue, we have no updated income distribution survey to provide tangible evidence of how income inequality has changed over the last few years. But I dread to imagine what it will say when it eventually is produced. There are no signs that any of the structural changes, which were needed to make this

commitment a reality, have been made. Just look at the updated stats we get from real terms earnings surveys, which show that real-terms earnings have continued to flatline. Last year, before the pandemic, we had some of the greatest disruption to our public services because of industrial action that I can certainly remember, and that many others may be able to remember as well. I say you do not deal with income inequality when you deliver pay cut after pay cut to thousands of public sector workers, including our brilliant care workers, health workers, and everyone else who has proven themselves to be worth so much more during this pandemic. The Chief Minister has let missed opportunity after missed opportunity pass him by. Our minimum wage still languishes behind not just the U.K., but such is the indignity of it, Guernsey's as well. Our tax system remains regressive and unfair and the long-term care tax was raised on working Islanders with exemptions still protected for the super wealthy who do not need them. In fact, the one good thing that the Government has done in this area was in raising the cap on social security contributions. Even though that was a brilliant thing to do, no one in Government seems to find it worthy of boasting about, presumably because they are worried the idea might catch on. If we are going to deal with income inequality, it is going to require structural changes, which will inevitably challenge vested interests. But it is meant to be our job to stand up to those vested interests and stand up for the people. So we come on to the landlord licensing scheme proposition. Not strictly about income inequality but certainly about the quality of life, the health and the safety of people who will disproportionately be lower earners. The Minister for the Environment, supported by me and his brilliant Environmental Health team, worked hard for over a year putting this scheme together, dedicating who knows how many hours into preparing that. It was ready to go, the staff were going to hit the ground running in dealing with rogue landlords and getting properties up to standard. We sought the Chief Minister's support before that debate and he did not tell us that he would not support it until the debate itself, which effectively sunk it. It turned out that for the Chief Minister a cost of 77p a week for landlords was too much to ensure that the homes that some of the most vulnerable Islanders live in are actually safe. We all know that the cost of housing is the number one affordability issue for the public, who tell us time and time again that they are worried about their futures because of it. It will not be fixed by accident and vested interests will not allow it to happen quietly. I have bold proposals based on evidence from across the world on how we can make housing more affordable here by introducing European-style rent-stabilisation measures, which work. But after the landlord licensing debacle I cannot have any confidence that I will go into that debate with the support I need to succeed. How much more time and money could we waste because our leaders do not have the courage to be upfront about their weaknesses in standing up to vested interests in order to do what is right? I have concluded that I cannot be the fall-guy for that. So I find that it is on these 2 bases, the income inequality pledge being in tatters and the failure to handle the C.E.O.'s second job scandal properly, has led me to believe that, if we are to salvage the next year and a half, we need new leadership. In this debate, we will hear the counterargument that now is not the time because of the pandemic the Island faces. I have even heard the word "irresponsible" used to describe those of us who want change. We have change whether we want it or not because we have lost the C.E.O. in entirely avoidable circumstances. If it is irresponsible for this Assembly to want political change, then it is irresponsible for the Chief Minister to have fallen into allowing such drastic executive change at a time that we could do without it. Like Senator Moore in her opening speech, I could point out that several governments have changed hands during this pandemic with no trouble at all, one of which you can see if you go to St. Ouen on a clear day. I say that strenuous circumstances do not mean that you suspend democracy. Democracy was hard fought for and won and we do not put it aside because it is inconvenient for some. I do not particularly wish to invoke historical examples, but it is the case that at crucial moments in nations' histories, including during crises, things have been made worse by those too scared to act. Those who were brave enough to force change when it was needed were the heroes in those situations. I see it like this, it does not matter how stable the captain's hand is on the tiller if your ship is heading towards an iceberg. If the captain refuses to change direction, then the crew must intervene, take control, and point the ship towards calmer waters. I hope that I can play a role in helping us sail through those calmer waters, not least because the team that I have

worked most closely with over the last 2 and a bit years have been outstanding public services who we are truly lucky to have

[10:30]

who I am truly grateful for the way that they have supported me. I want to be back working with them as quickly as possible. I believe I have the skills and experience to make that difference. Those who are against this proposition may claim that it will be doomsday if we adopt this Proposition, how things will be disrupted and how it will take months and months and months to get the Island back on track. Constitutionally, this is nonsense. The Assembly will elect a new Government fairly quickly and I believe that there is a will in this Assembly to return to stability quickly and firmly. It is clearly what we all want, no matter what our politics are in this Chamber. So we will make it happen because that is our job. But it must come with a renewed statement made loud and clear that it is the elected politicians who are in charge of our Government and we need someone who is strong enough to get that message across. So I ask Members, do not turn a blind eye to what is clearly wrong. I ask Ministers, do not vote for your jobs, vote for the Island. What is at stake is much greater than any here today, gone tomorrow, politician. I ask Members to stand up and be counted and vote to support this Proposition.

### **2.1.3 Connétable J.E. Le Maistre of Grouville:**

It will be with a heavy heart that I will be voting in favour of this vote of no confidence. Like Senator Mézec, I like the Chief Minister, he is a good man. He has worked hard during his time as Chief Minister and he will have had to carry the burden of the worry that goes with the post, which has been particularly difficult of course in the pandemic. But that does not make him a good leader. It is obvious to me that he has lost the confidence of the general public. The number of emails I have had asking me to support this Proposition and the amount of people who have stopped and spoken with the same views has been more on this subject than probably any other since I have been here. This is not the trolls online. I just cannot believe how they behave. But this is the ordinary person or the real person that you meet in the Co-op or at the Parish Hall or in the street. The overwhelming majority of them are in favour of this vote of no confidence. The fiasco over the Chief Officer over the last few days is just an example of how he is not in proper control. He should have known written permission should have been sought from the States Employment Board for the Chief Officer to seek another role. I cannot believe he did not make sure this happened. It is just as unbelievable that he did not discuss this with his Ministers or the Council of Ministers themselves. Then a press release was issued that contained serious inaccuracies, which he had not even seen, and of which he had no prior knowledge. We still have not heard who issued it or why he did not see it. A clear example of another lack of control. I must say that I was a fan of the Chief Officer. He was brought to the Island to restructure our public sector and he has done so. It has made him unpopular with some. But the whole Island knew that our civil service structure prior to the changes was simply not fit for purpose. There are some that think that the new structure puts too much power in the hands of the chief executive. Some say that the Island was being run by the Chief Executive Officer. I would say that there is an element of truth in that idea. But it is because there is no strong Chief Minister in place to provide political oversight, direction and governance. The Chief Minister's Ministers treat him with little respect. They regularly vote against his policies. He has failed to bring forward a population policy. He has had a Minister for Children and Housing, we know his political background, so I am not criticising him for it, but he was promoting significant interference in the way Andium run their affairs. I do not know if that is government policy and I certainly do not know what the Chief Minister thinks about that subject. This is not a vote of no confidence in all the Council of Ministers. Some, in my opinion, are doing an excellent job. I hope, should this Proposition succeed, some of them will be Members of the new Council of Ministers. There are those who will argue that this is not the right time. I have to ask why. We are in the middle of a pandemic. But the emergency decisions were made back in March, April, May and June. Now decisions are made in a much more considered and measured way. The risk of changing leader now

because of the virus just does not stack up. If we can have a new Chief Minister that inspires the confidence in the general public, and it is clear that we have not at the moment, then we are likely to manage the virus and its effects better in the future. I urge Members to support this no-confidence vote.

#### **2.1.4 Connétable A.S. Crowcroft of St. Helier:**

It is a pleasure to follow my colleague from Grouville where the Constables met yesterday. The opening speeches are always important and I must say that I was somewhat disappointed by the mover of this Proposition's opening speech. I did not find it really enlightened me very much about why she has brought the proposition. Whereas I found the Chief Minister's reply extremely spirited, as I would have expected under the circumstances. I felt that he really gave a very good estimate of how hard he has worked to deliver on the key emergency issues that have affected our Island. Members will complain that certain things have not been done by this Government. I think any reasonable person looking at the situation the world finds itself in will accept that it has been all hands to the pumps as far as making sure the Island copes as best it can with the pandemic. I do feel, as the Chief Minister said, that one cannot ignore the success that the Island has emerged with, particularly when one thinks of the sustained pressure the Chief Minister was under after the pandemic when people were constantly making unfavourable comparisons between Jersey and our sister Island. That is something I suppose we have to get used to. Certainly as Constable of St. Helier I am constantly being told that St. Peter Port is a far more attractive town. Although people do not always go on to say that the shops are better, which of course they are not. There will be many speeches today, which will be dealing with aspects of the Chief Minister's behaviour, particularly around his handling of his Chief Officer. But I want to urge Members, particularly given the amount of post we have received really in the last few days from our constituents, that there really is a bigger problem affecting the Island. I have been really impressed by the way the Chief Minister and his team have really been answering those desperate cries from people. Not just in the last few days, but this has been going on for 8 months or so, people really concerned about their livelihoods, people really concerned about their health, people really concerned about the tourism industry. The Ministers that I particularly want to single out for this, and I think it is relevant to the Chief Minister's survival because he has worked really well with the Minister for Health and Social Services in particular in tackling the pandemic. One cannot try to take away the credit that the Chief Minister should have for the fact that his Minister for Health and Social Services has a fantastic team of officers who have really got Jersey into an enviable position in terms of our track and trace and our ability to control the influx of infection into our Island. It was a difficult call of course because our sister Island put up the drawbridge and inevitably there are some people who still criticise Jersey for not doing the same. But I know of countless businesses in Jersey who are grateful that we did not go down that road. I also know of businesses in our sister Island that wish that they were based here because their life would have been easier if they had not been effectively closed down in terms of the people coming into the Island. The Minister for Health and Social Services does reflect credit on to the Chief Minister. I think the same about the Minister for Economic Development, Tourism, Sport and Culture because he has moved extremely well to support local businesses. We have certainly done no less well in this respect than the United Kingdom has in supporting businesses that have had to furlough their staff. In making sure that innovative, particularly harnessing our digital ability and wise decisions by previous Ministers to invest in the 5G network, that the Island's businesses, particularly in hospitality and retail, have been able to move into the digital world much faster than they might have done. So we are seeing, for example, restaurants prospering with takeaway services and we are seeing bars introducing digital methods of checking in their customers. I have been impressed also by the Minister for Social Security and how she has really been moving to make sure that the community have been supported, particularly during the early days of the pandemic and how there was a community support group with political leadership under the Deputy of Grouville. Everyone working to make sure that the less well-off and the neediest and those having to shield from the pandemic were being supported. Of course the Minister for Treasury and Resources also

has done a great deal to support the Island through the making available of funds. None of these acts during the pandemic would have taken place without the leadership of the Chief Minister. So while his leadership may not suit everyone, and while it is always popular to think about the grass being greener on the other side, there is a fundamental unfairness to simply turn our backs on how the Island has coped and how the Chief Minister has run things. That is why, from the moment I was asked to support the vote of no confidence, I felt that I could not. I do believe that stability is vital at this juncture for the Island. It is vital for retail and hospitality. I have already mentioned them. But clearly very important to the prosperity of St. Helier, for the success of Christmas. I believe that having these Ministers in place and continuing to work with them will be important. I echo the comments made by the Chief Minister that the voucher scheme, which I was a bit suspicious of myself when it was first suggested, appears to me to have had an enormous success. I was in a town retailer myself towards the end of the period, because I had not managed to use my card, and I was astounded by the number of people there, the excitement on children's faces, and just really the fact that the voucher scheme introduced much more than £100 into people's pockets, it got people talking about spending: "What are you going to spend it on?" It was a very common conversation. More people had that conversation than have talked about who they are supporting in this particular debate. So it was a really good innovative thing to do and the Chief Minister does deserve credit for that. Stability is very important at this time and nowhere more so in the fact that we have at last got within touching distance of a decision on our new hospital. Let us remember that has been the really serious issue of recent times before the pandemic took over. I am still in regular correspondence with people whose lives are being threatened by the decisions that we are going to make next week. They really want to know where they stand. My specific question to the mover of the proposition, Senator Moore, is to ask her whether the same Ministers will be in place next week. Because I do not want this debate on the hospital to be delayed from 17th November, from a week today. I think it is unlikely, if the Government falls, that will take place. I am told that every day of delay in delivering the new hospital adds £100,000 on to the cost of the project. If that is so, we need to think really carefully before we add even a fortnight's delay to the decision that we are due to make on the location of the hospital. The new hospital is an important project. It is important for the health of the Island, for the credibility of the Island, for the peace of mind of people who live in the area where the new hospital is being proposed. I would like to hear from the mover of the proposition whether there will be any delay in the decision-making with regard to that project. I enjoyed Senator Mézec's speech. I thought at the start, when Senator Le Fondré announced somewhat late in the day that he was bringing Reform into the tent, I thought that they would be strange, if not uneasy, bedfellows. That has proved to be the case. I would again quite like to know from the mover of the proposition whether she has done a deal with the Reform party.

[10:45]

Because I think we have a right to know that and we have a right to know whether the Minister for Children and Housing can expect to have his job back. Certainly, that appeared to be suggested as he got towards the end of his speech. But it was a speech that I thought was well made. It did explain the significant differences in terms of policy between Reform and the current Council of Ministers. So I am sure it must be something that the mover of the proposition has considered and I would like to know what her thoughts are about the future. It is of course not inevitable that the successful mover of a vote of no confidence takes over the running of the Island but it is certainly traditional and I would like to know, if the mover of the proposition intends to put her name forward, how she will seek to minimise any disruption. Senator Mézec is right to say that it will not be months and months. But I think it will be inevitable that there will be some disruption involved in changing our Government at this stage. So, to sum up, I feel that it would not be fair to expect the Chief Minister to stand down halfway through his term of office when I believe that when one looks at the pluses and the minuses, when one looks at his career thus far in the job in a balanced way, in a fair way, that he has not done enough to merit being removed from office. I also think that the stability of the

Island, particularly during the pandemic, is too important a thing to lose. I would urge Members to reject the proposition.

### **The Bailiff:**

Deputy Gardiner. It appears, Deputy Gardiner, I do not know if you can hear me, but your image has frozen, it appears therefore that your system has frozen. What I shall do is to move on to the next speaker and come back to you when you are able to join us again.

### **2.1.5 Connétable J. Le Bailly of St. Mary:**

It is with regret that I find myself supporting Senator Moore. I have known John, Senator Le Fondré, for a very long time. We both share a common interest in target shooting, though, these days, time does not permit that. John is one of the nicest and most honest people that you could wish to meet. I have defended him vigorously over the past 2 years to the St. Mary electorate, and including the work of the former C.E.O. Charlie Parker. However, things in the public perception have changed. They are fed up. No one seems to understand the remit of Charlie Parker, even though he may have been doing a very good job. The hospital also is a constant bone of contention and of course we have COVID. People are frustrated, even if the problems faced are being resolved. Every Chief Minister has received unfounded public criticism, nothing has changed there. When elected, I made a pledge to the electorate of St. Mary: "It is what you want, not what I want." I am therefore dutybound to fulfil that election promise and it now appears it is time to do that after many people have contacted me on this matter. There are very few Members in the States Assembly who are capable of undertaking the Chief Minister's job and there are very few who would have the backbone to challenge the position. But we are all here to listen to the people, our electorate. What the outcome of this will be is very much unknown. We could find ourselves in a far worse position because of it. But the important issue here is that we are seen to respect the public view. I sincerely hope that this does not cause too big a rift in our Assembly. We do not need animosity or resentment in these difficult times. We need to remain respectful of each other's decisions in order to get the greater job done to the public's satisfaction. It is what we were elected to do. We now have a difficult choice to make. Is it what the people of the Island want or what the people of this Island need? Do we actually have a problem? People's perception has always been that Charlie Parker was the problem. He has now gone because his position has become untenable. Should we burn all of our bridges at once? It seems that this is what the public want. We are their servants but are they right?

### **2.1.6 Deputy R. Labey of St. Helier:**

I could not disagree more with the Constable of St. Mary in this respect. I do find the phrase: "Parishioners who have spoken to me do not want this" or: "Constituents who have spoken to me do not like this and this is why I am voting one way or the other." Because it seems to me a completely pointless piece of information. What would be more useful to know is what the parishioners who do not speak think. Without that balance it is not a very scientific or reliable thing to rely on. I also disagree with the Constable of St. Mary in that he is placed here to do what his parishioners want. He is here to do what is right. A lot is talked of leadership in this debate but every member of a parliament or legislature, specifically and directly elected to it by the people, should be a leader. We should all be leaders in this Assembly. What we are talking about in terms of the Chief Minister is a leader among leaders. How is leadership defined? Leadership is not about standing on the highest platform or speaking the loudest or being the most bombastic or forthright or arrogant or charismatic. Those things may be included. Leadership is about taking responsibility, often taking responsibility for things that are unpopular and persuading people that it is the right thing to do. Persuasion used to happen with swords, now it happens with words. Too often we are hearing that Members of this Assembly are doing what they feel most of their parishioners or constituents want rather than taking leadership and taking responsibility for doing what is right and going out there, back to their constituency, and telling people honestly why they have done so. The timing of this is unfortunate but that is not Senator Moore's fault because of events that happened 2 weeks ago. She has laid out her case and that this was the straw that broke the camel's back. The reason why I feel this timing is

unfortunate, tragic almost, is because we were enjoying a period of universal acclaim for track and tracing and the way that the COVID pandemic was being managed in this Island. That this Assembly, which has taken some knocks, so many knocks, and we know where our reputation lies with our public, but this Assembly was just starting to claw back. People do not delineate between the Government and the States Assembly, the press get it wrong all the time. Everything that happens affects everyone that is in here in terms of how we are regarded. But we were just starting to claw back some respect and some esteem, largely because of how the pandemic was being managed and the huge success of track and tracing and all those people that were on the ground doing the swabs and what have you, and texting you all the way up to the Chief Minister. This is where I do take issue with comments made in interviews that the Chief Minister, and he touched on it himself, has to take the blame or the knock for everything that is not so good. But when it comes to something that is a monumental success, oh no, it has nothing to do with him. I do not think that is fair. I get frustrated with the Chief Minister; it is not going to be a surprise to anyone. He fought me on the issue, my *raison d'être* I feel at the moment, what defines my whole term is trying to get fair votes for people and electoral reform. But he is not the only Chief Minister to do that. Alas, every single one has not taken a lead on electoral reform and neither have the presidents of the Policy and Resources Committee before that or the equivalent before that. I earnestly hope that is going to change in the coming days. That aside, from my role in P.P.C., the Chief Minister has always contacted me, kept me in touch, and put this Assembly first and certainly very high up on the priorities. So in that respect he has made my life a lot easier. At 6.30 p.m. on a Sunday night when the phones goes invariably I know it is the Chief Minister. I am sure I am pretty low on the list by 6.30 p.m. on Sunday but I am sure I am not the last on the list. We talk sometimes for an hour or so and talk about what has to be talked about with no sense of day it is and what hour it is. So I do think people are confused about what leadership is. I do think the accusation that the Chief Minister is lacking leadership is unfair, given the pandemic and how that has been managed. What is the argument here? Is he lacking in integrity or not? Is he dishonest or not? From what I see, I cannot see that our Chief Minister is anything other than honest and truthful and with integrity. So Senator Moore and those on her side are perfectly entitled to challenge his decision-making or what have you, or his policies. But I think those accusations are wrong and unfair.

### **2.1.7 Connétable C.H. Taylor of St. John:**

I would like to start by saying that I was the last person to bring a vote of no confidence in the Chief Minister, which I did in 2017. There was one Minister who came to see me and the reasons she gave that I should withdraw my proposal are contradicted almost entirely by what she is doing today. It was of course the then Minister for Home Affairs and the proposer of this motion. So I am sad to hear her bringing this motion today.

[11:00]

There was some approbation and applause for various comments made about how Scrutiny had contributed to the recent propositions that Government have brought. It made me feel a little sad because Scrutiny, in the previous Government, brought forward some very good amendments and very good proposals. But because of collective responsibility they were always voted down. However, the current Chief Minister believes in evidence-based decision-making. So when Scrutiny comes forward with evidence to show that an amendment or a change should be made to a proposition, and the evidence is sound, he changes the proposition accordingly. That is good Government because that is involving everybody and it is bringing into Scrutiny and into Government decision-making based on evidence and not personalities or feelings. I was interested to hear that the previous speaker, Deputy Labey, gets phoned about 6.30 p.m. on a Sunday evening. I am obviously further down the list because I never get called until usually around 9.00 p.m. on a Sunday evening. Nonetheless, what one needs to understand is the Chief Minister takes the time and trouble to call you. Recently, his calls have been most heart-warming and I have been delighted to be able to speak to him on a range of matters. I am very saddened that an accusation of integrity is brought against

John Le Fondré because nothing could be further from the truth. He may sometimes be frustrating in that he takes time to make a decision but that is because he requires the evidence to make that decision. But to say and to question his integrity I am afraid is a serious slander on the Chief Minister. I have had the privilege of working on both sides, both in Government and in Scrutiny. The one thing I learned on being in the Government in recent years is the extraordinary amount of work and dedication that is required to be in office and to take the decisions that need to be taken. We are exceptionally lucky to have the quality and leadership of the current Chief Minister. There is no banging on the table around the Council of Ministers: “I want this, I want that”, by various Ministers. It is negotiation. In the end, a consensus of opinion and a unanimous decision on most occasions is achieved and everybody is taken along together. That is a very unique style and it is unusual. The last thing we want, and thankfully there is nobody at the moment in our Assembly, is a Trump-style leadership, banging on the table and outrageous comments and: “This is how things should be done.” No. We have quiet but firm and evidence-based leadership and it would be a very serious mistake to replace that at the present time. I urge all Members to reject this proposition and to support our Chief Minister and our Council of Ministers.

### **2.1.8 Deputy I. Gardiner of St. Helier:**

I would like to start by making it very clear, despite past differences in views between myself and the Chief Minister, my support for the vote of no confidence is not because of any policy disagreements we have since I joined the Assembly and it is not personal. I joined the Assembly in 2019 and the Chief Minister was already in post at that point. I did not come with any previous prejudgments or experiences. Twenty months ago when the Chief Minister invited me to join a brainstorming group with other States Members to gather our views on the hospital, I assumed that I was a part of a collaborative Government. As we progressed and I worked on several workstreams, I started to have concerns about the constant delays, the communication between the Assembly and the Government, and the decision-making process. I would like to explain why, like many others, I will be supporting the vote of no confidence. Senator Le Fondré is a hard-working family man who is approachable. I did have an open and good conversation with the Chief Minister. It is not about that. It is about him not being an inspirational leader, in my view. We do not have now a leader that all the Assembly can stand behind and collaboratively take on the challenges we face. The Assembly is deeply divided under his leadership. For me leadership comes down in 3 qualities: having a good and consistent decision-making process; being a clear, open and transparent communicator; taking responsibility for your actions and doing as you promised. I did not sign the vote of no confidence immediately, everybody knows this. I really chose to give the Chief Minister a chance to do as promised, to take responsibility and to see how he is handling the crisis. To see what decision-making is happening and how the message is coming across. Unfortunately, it did not happen, the situation was handled badly on multiple levels. Pressure in a pandemic can cause unforced errors, I accept this. However, this lack of leadership quality was the evidence before the pandemic and was crystalised for me and set in stone in the last night’s announcement. I will take Members through 4 steps, which at least in my head, back in January we did not have pandemic pressures. Why then did the Chief Minister not come to the Council of Ministers and ask for their views? Why, back in January, the Chief Minister did not think that it was appropriate to bring this matter to the States Employment Board and seek their views? We did not have the pandemic; it was business as usual. Second, last Monday I was very, very disappointed on the answers that I have heard in the Assembly. The Chief Minister blamed everybody else, media, communicators, States, chief executive, and even us as States Members. We still do not know when the Chief Minister was told by the chief executive about his second job. It was a simple question. It could be a simple answer, 10th September, 10th August, I have no idea. But it was a simple question and no answer, it is back to communication, transparency, and taking responsibility. The third, we were promised to follow up with the decisions by Tuesday. On Friday we have learned that Council of Ministers does not have any powers and even Ministers were not told the full story. Now we are coming to last night. Less than 15 hours prior to the debate of no confidence, a press release arrived with news of the resignation or stepping

down. What does “stepping down” mean? Why was this word carefully chosen? For me it has created much more questions and the main one, it is not clear and might well never become clear, I do not know, how much it will cost the public purse. I am not talking about the reputational damage that we have. Who is paying for whose mistakes? I would like to ask the Chief Minister in his final speech to clarify what does it mean “contractual agreement”. There are 2 different possible contractual agreements. If it was assessed as a breach of contract, it is one contractual agreement. If we are saying nothing wrong has been done but he stepped down, it is a different contractual agreement and different cost. Another question to the Chief Minister, would the chief executive remain if the Chief Minister wins the vote of no confidence and for how long? There are lots of questions, not many answers, and it is not a democracy, it feels like a secret government within the Government. It is not about mistakes. Everybody can make mistakes. It is about actions the Chief Minister takes to handle a crisis he caused. This crisis has not been handled well and it is not over yet and we do not know what will be the outcome of this crisis. We are still to learn. Now, moving to the second part: it is not the time, we are in the middle of the pandemic, and I would like to address some comments that were made about me opposing the Government during the COVID, following my interview yesterday on BBC Jersey. First of all, we did have disagreements and we all tried to do our best in the interests of Islanders. This vote of no confidence is not about our disagreements or my personal views. I might be wrong. I would like to bring 4 points again here, I do not know how I am going with points today, that just happened. First of all, I would like to remind the Assembly I was the first one to bring the pandemic question to the Assembly. At the time, I was dismissed as bringing up hypothetical scenarios. Second, I consistently brought an alternative view to the Assembly, which I believe was shared by the vast majority of the Jersey people, and repeatedly been dismissed as an uninformed and panicked person. I would expect to have a debate based on facts and evidence and not on personal character attacks. Third, the answers given to the Backbenchers are often so disconnected from the question. When I asked back in May of the Chief Minister if any economic modelling has been done to assess our internal economy, the answer was, and I am reading it: “What I will say as a principle is that there is medical advice and then there is economic advice.” I agree there are 2 different advices but it is not answering the question about assessment of our internal economy. The last point, and again it is not about disagreement where we go, it is about the fact of decision-making transparency and responsibilities. When we ask for the minutes of the S.T.A.C. (Scientific and Technical Advisory Cell) meeting, we were told that the pressure of the COVID has delayed the publication to address the COVID. I understand when COVID is used as an excuse to delay lots of workstreams, but not the COVID, where we need open and transparent information, which helps to ensure confidence of the public. In any crisis management, you have crisis management, you need to be clear, transparent, short, and people in the public will get this confidence that we know exactly on what we base our decision. It is not about wholesale reform of the Government. Many of the major pieces of work I hope will still be carried on. It is subtle changes. The Common Strategic Policy we do not need to debate for months; all this Assembly voted for the Common Strategic Policy and I hope and I assume that if this Chief Minister remains, or whoever will be the next Chief Minister, will continue with our Common Strategic Policy. Government Plan: we had 21 amendments last year, we can bring amendments. It does not matter if you are in the Government or you are in the Scrutiny, you are a Backbencher, we are now all working on the Government Plan together. There will be amendments, regardless if the Chief Minister will remain or if the Chief Minister will be a new one. We need to understand the plan going forward beyond the vote of no confidence. An Assembly will have to pull together for the challenges we face. I want to ensure as much as possible that we have continuity.

[11:15]

We need to do these adjustments, and I also echo the Constable Le Maistre, that I believe that most of the Ministers probably will remain the Ministers because most of the Council of Ministers are doing really, really important and good jobs. It is exactly the right time. In a crisis, we need to have good leadership that we are all behind. It is the logical thing to do. When the Chief Minister loses

the confidence of the Assembly, and more importantly the general public ... yesterday Channel 103, thousands of people replied and 79 per cent wanted to change. Winning today by a single vote I do not think will bring confidence back. Unfortunately, the events of the last 2 weeks have left us in confusion and disbelief. It is not personal for me, it is about the big picture, it is about leadership. In my opinion, we have an excellent crew but a poor captain. We are not fully utilising the potential of our good crew because of unreliable leadership. We cannot expect any one of us to be perfect, none of us are perfect, but we can expect to have someone on the top that we all have confidence in. I will work in the best interests of all Jersey people from my beliefs and not settle any political or personal grudge. I urge Members to make their decision based on their conscience and support this vote.

### **2.1.9 Deputy S.M. Wickenden of St. Helier:**

It is about the right time to come in and start talking about the reality of what would happen if this vote was to be passed. We know in our own rules there are certain obligations that need to be set out within any Council of Ministers. In the States of Jersey Law it states that within 4 months of a new Council of Ministers being formed you have to bring a statement of Common Strategic Policy. The previous speaker, Deputy Gardiner, talks about: "We will just use the same one that we have right now, that is not a problem, we will just lodge exactly the same one, probably change the foreword so it has the new Chief Minister's foreword, and then that will go forward." But the Government Plan is a bit more complicated than the previous speaker talks about. The Government Plan is lodged and the Deputy talks about amendments. But we have to remember also that there is Scrutiny, which the former speaker is on, and Scrutiny is an extremely important part of holding Government to account, as we hear time and time again in this Assembly. It is well-respected. So, the Government Plan tends to normally need at least 6 weeks' worth of consultation because it is going to change in some way. You also have a 12-week lodging period. So it would be very hard to withdraw this Government Plan, change it for the new Council of Ministers, and lodge it again to have any kind of plan lodged and debated before next year, which means that we fall back into the Public Finances Law that states that if there is no approved Government Plan pretty much base budgets come out of the Consolidated Fund month on month until a view is done. We also look at what we need to be doing and what we are working on, which is COVID, there are different policy decisions. Just last month, we agreed that there would be a population policy lodged by the end of next year. It is not a small document that one, now that it has been approved. It will be quite a large document that has to take into consideration and explain how we are going to deal with schooling and infrastructure and the likes. But there will be no money if the Government Plan is being relodged to be able to do those things, so that will be another one that will probably fall by the wayside. We have the Island Plan that needs to be completed. We do not know who the Ministers will be if there is a new Government. We have had lots of people say that it might be that some of the Ministers will stay the same. But nobody is saying who. Nobody is saying: "We are happy for these people to stay but we would probably change these people" or: "I think these people will go." If you are going to vote in favour of this, in the right open transparent integrity way, you should be saying who you want as Chief Minister, who you think would be a better leader, who has shown much better skills than our current Chief Minister in your opinion to take over that role. Who would you expect to hold the Chief Executive Officer, whoever that may be, to account and the officers and the Ministers? Senator Mézec talked about we will return to stability but that is just admitting that we are trying to do something now that is going to create instability. Instability at a time where we are going into winter, where we have the students coming back to the Island from red countries. It will create instability at a time where we really cannot afford to create instability. The Constable of St. Mary in his speech talks about he is going to support the vote of no confidence because he does not agree with some of the decisions and some of the things that have been done. Then he tells us that we need to be respectful for each other's decisions. So is it that we disagree with the decisions of this Council of Ministers and we disagree with the decisions of the Chief Minister, but we have to respect each other's decisions after this? Who does the job? Who wants the job? Who is standing up and saying

that they are supporting this vote of no confidence? Would you want to be in Government? Do you think you could do better? If you do, please tell us, because I would like to hear it. There has been a lot of public opinion going around and I do not think it is as informed as it should have been. It appears that we have used social media now like the taverns of Salem. Instead of grabbing your pitchforks and your torches and going out and riling against the monsters we are now emailing, and social media is just riling up a community of people. I just do not think that is right. I do agree that there has been some poor judgment shown. I feel that the decision of the C.E.O. and the Chief Minister in the N.E.D. (non-executive director) position at this time and place was poor judgment. But we have all been guilty of poor judgment, certainly in times of high stress. I do not think this is really fair to use this small, it is fairly small, to catalyse trying to get political gain over a Council of Ministers you disagree with at a time like today. Anyone that says this is not an opportunist political chance is not really being honest with themselves. We need to think further than what I see as fairly petty political manoeuvring and look and really pay attention to the things like the Government Plan. Will we have the finances to carry on the good work we are doing? Will there be the money for the mental health services that we need to continue doing? We need to make sure that everyone understands what it means to bring a vote of no confidence and how long it will take to get another Government up and running and where we will have a C.S.P. and how will it look for the Government Plan. Any Government Minister that makes amendments to the Government Plan will also have to go through the Scrutiny process. How will that work? Anyone that comes in as a new Minister in this new Government will have to go through the Scrutiny process with their amendments. Is there time for it? Is it fair to Scrutiny to do it in that manner? This vote of no confidence should be voted against. It does not make sense to carry on down this course of action when you understand the implications of what will happen if it passes. I respect that everyone has a right and we have a democracy to do here, but let us be fair that this is not good for the Island, certainly not now. It puts us at significant risk and it should not be entertained. With that I ask Members to reject this vote of no confidence and I will leave it at that.

### **2.1.10 Deputy L.M.C. Doublet of St. Saviour:**

I want to respond to the previous speaker. Also the Chief Minister in his initial speech mentioned that this was about the whole Council of Ministers and not having confidence in the entire Council of Ministers. I want to be clear that the proposition is not directed at all Ministers. It is solely directed at the Chief Minister and so I do not want disruption. I believe that the Council of Ministers should continue largely as it is and major projects should also continue. I have not heard anything different from anyone else who is supporting this vote of no confidence. So the idea that this is designed to create disruption is completely baseless. Any efforts to scaremonger and paint a false picture of disruption are quite irresponsible I feel. So just to bring this debate back to what it is about today, it is solely about the suitability of one person to lead this Assembly, and we must focus on that. We must consider what leadership is and whether we have the right person leading us or not. This is also not about deals, as Senator Mézec mentioned deals. It is not about deals. It is not about political manoeuvring. The conversations I have had with many Members who have come together from across the political spectrum, and not people that would usually work together or particularly want to perhaps continue working together, there is no big conspiracy behind this. What is behind this is a clarity of understanding and an agreement that the leadership we have at the moment is not good enough. As others have said, this for me, and I know for all who would support this vote of no confidence, this is not about the Chief Minister being a bad person, because he absolutely is not. He is a good person. Listening to him speak at the beginning of this debate had quite an emotional effect on me because I do not want to hurt him and I know others will feel the same. But this debate is not about emotion, this is about assessing the facts and the evidence of leadership skills, or lack of evidence as it may be. Leading well is not easy and leading well is not the same thing as working hard, which we all know Senator Le Fondré does. The bar for leadership is often set very high and quite rightly so. It is not uncommon for leaders to fail. Looking at statistics, research shows that up to 70 per cent of employees in corporate environments report that the most stressful aspect of their

job is the interaction with the person who leads them. Indeed, the failure rate of corporate leaders is reported to be up to 60 per cent. So why do we think it would be any different in politics? Likewise, choosing a suitable leader is very difficult. We have responsibility here and we often get it wrong. This is because we tend to have strong subconscious preferences for certain traits when it comes to leadership. Psychology tells us this is because our primitive brains are hardwired. The primitive parts of our brains are hardwired to look for certain things. But of course those parts of our brains have not changed but our society has changed. Our society has evolved drastically. So the research around leadership shows us that human beings are very bad at choosing leaders. In politics, when we choose our leaders, sometimes we have to compromise. Let us face it, for whatever reason, there are not a huge number of Islanders coming forward to be States Members in the first place. There is no such thing as the perfect Chief Minister. I would not expect anyone doing that role to be perfect. In order to achieve goals, sometimes you do have to take a chance on somebody and I think that is what happened with Senator Le Fondré. So it is okay if we take a chance and sometimes get it wrong. It is okay if our leaders try their best but do not perform as well as we would like. What is not okay is clinging on when it is clear that things are not functioning as they should. We have a framework for understanding the function of leadership, and Senator Moore and others have spoken about the Nolan principles. There has been a lot said about integrity and I agree with supporters of Senator Le Fondré, nobody is saying that Senator Le Fondré does not have integrity as it is defined in the Nolan principles. I believe he himself read it out.

[11:30]

I will not read the whole definition but it is about not making financial gain for themselves. I am not suggesting that Senator Le Fondré is dishonest at all. I think that is the very least we can expect of each other and the very least the public can expect of us is honesty. But for me integrity in the person at the very top should go far beyond the definition within the Nolan principles that just focuses on financial interests. In my view, the person who leads us should have qualities, which empower them to stand up for what is right, even when it is difficult or they will be criticised for it. The person who leads us should not be the kind of person who will look on and do nothing. They should be the first to call out bad behaviour of any sort. Perhaps if we look at the 7 Nolan principles, the most important is the last, which is leadership. Among that definition it says: "Holders of public office should be willing to challenge poor behaviour wherever it occurs." Can we honestly say that describes Senator Le Fondré? Because I cannot. He did not act in this manner during the recent episode with the chief executive. I have seen him face other situations where he has shown, when things get difficult, or when he is faced with a bully, he shrinks from it. He avoids the situation or prevaricates rather than dealing with it directly and head on. This is what it boils down to for me, this is almost the ultimate test of leadership. I cannot count on our Chief Minister to do this and therefore I will be voting for this proposition. I understand it might be difficult for some who are undecided about how to vote because many Members have invested a lot of energy into this leader and it can be hard to reverse our thinking in such a manner. It can be hard to take a leap when there are some who are scaremongering and saying that at this time we do not want to have disruption. But I am confident that the disruption would be absolutely minimal because nobody wants it. Both sides, if there are sides, everybody is in agreement that we do not want disruption. We are all responsible enough to minimise that and to act responsibly. But, looking at this with fresh eyes, if we had to consider this leadership position with fresh eyes, would we appoint Senator Le Fondré to this role today knowing what we know now, or would we not? After hearing what others have outlined about the handling of the latest issue, which, let us not forget has resulted in Jersey losing its senior civil servant, that is a huge failing. The question before us today is: do we have confidence in this Chief Minister? We must look upon this question quite dispassionately, assess the facts, and that is the approach I urge Members to take when they decide how to vote.

**The Bailiff:**

Deputy Maçon is seeking a point of clarification from you. Deputy Maçon, what is the point of clarification you are seeking?

**Deputy J.M. Maçon of St. Saviour:**

It is from the Member's speech. When she commented on standing up to bullies, did she mean figuratively or was she specifically talking about the C.E.O., it was not quite clear?

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

I do thank the Member for his question and I apologise if Members may have got the impression I was referring to the chief executive. I was referring to a matter, which occurred before this political term, and while I do not think it is appropriate to name names, I do believe the Chief Minister will understand what I am referring to.

**The Bailiff:**

That was the point of clarification. Does any other Member wish to speak on the proposition?

**2.1.11 Deputy J.M. Maçon:**

I thank Members who have spoken already, this is quite clearly a tense issue. Where to begin? There are some things that I just want to talk about because in this Assembly we have embraced the issue around mental health and well-being and I know from the colleagues on the Health Scrutiny Panel that did the review into mental health, I know the work that Deputy Doublet has been doing in raising the issue of well-being, and I also know that within the ministries under the Minister for Health and Social Services and the Minister for Education we have put that as part of the policy work that we have been doing. I do want to just mention and talk about the effect that this whole episode has had on the Chief Minister as an individual. Let us just remember, over the course of the pandemic, which of course no one knew was going to happen when we all stood in 2018, it has thrown huge amounts of pressure on to all the Ministers and the Chief Minister. He has been in the office early mornings. He has been working late at night, as well as other Ministers, in particular the Minister for Health and Social Services, and the toll that it has taken on them individually, physically, mentally and socially. I think people forget that the Chief Minister, because this is about commitment, this is about leadership, he has been putting all the hours under the sun into steering this Island. To me that does show integrity because he has not let things slip because there has been so much going on. To suggest that some of the faults, and, yes, not everything has been perfect, to suggest that under that extreme pressure not everything has worked or gone the way that everyone wants, as other Members have said, do we expect anyone else to really be able to do that? Let us not forget the personal toll it is taking on the Chief Minister, the time he has sacrificed with his family, the people that he loves and cares about, in order to stand up and protect this Island to the best of his abilities. There are some other things, which I want to mention. Members may recall towards the beginning of this, back in April, there were Members rattled by our constituents, by Islanders, and I understand why, I was getting them as well. The clamber to shut the borders, we must do it now, we must do it now. The Chief Minister, in a slow way, did not give into emotion, did not give into pressure, and he said: "No, I am going to wait for medical evidence and act on the medical evidence that is supplied to me." That to me is leadership because, despite the political pressure that the Chief Minister was getting, he kept to his principles of having the evidence to act. For me, that is incredibly important, especially in a time when there is so much fear, anxiety, upset, among the community. The Chief Minister has stuck to evidence and we should be proud of that. Again, there were other things, which are coming to fruition. We have seen in Education the investment through the work of the Minister for Education and her officers, and for my part a little bit as well, in order to get that much needed investment into the Education Department, which again we gathered the evidence in order to support that. I do not want a new Chief Minister to come in and start slashing budgets left, right and centre, and start taking that money that we need in the Education Department away. Again, we do not know who the replacement is going to be. I know that the bringer of the Proposition did not say: "Oh, and by the way I want to be Chief Minister as well." Again that is an unknown and that is uncertain. We do not

know what the alternative is. We do not know what the alternative policies will be. As for saying: “Many of the Ministers will get back in”, that is all subject to the will of the Assembly and again we do not know who is going to stand. We do not know who can work together, by the way, which has not been mentioned. Because there are some characters who, for various reasons in the past, may not be able to work together in the new Council of Ministers. So we do not know. Therefore, is it best for Jersey, and this is my concern, that this vote of no confidence goes through? We have been getting emails saying: “Of course he should go. He has allowed the borders to be open”, *et cetera*. May I remind Members that the vast majority of policies that came to this Assembly, those key policies came to this Assembly and were supported democratically by the Members of this Assembly. How do I know this? Because I brought that proposition about reopening the borders, which encouraged the Government to bring their own policy, which this Assembly adopted after significant debate, after amendments from the Assembly, which some were unsuccessful, some were. But the States adopted that. Then to go back to Deputy Perchard’s Proposition on the elimination strategy, again the Council of Ministers under the Chief Minister proposed an alternative and the States Assembly supported the Chief Minister. Again, looking at the overall picture, which is what we have been asked to do by the bringing of this proposition, we have been asked to look at the overall picture. These have been very tough, very controversial times, and this Chief Minister has risen, not to everyone’s support because not everyone agrees that the policies have gone the same way. But this Assembly has supported the Chief Minister on most, if not all, of the key policies that the Chief Minister has brought. The Common Strategic Policy got through with unanimous support. That has never happened before. Like it or not, Members will say: “We can ignore that and rush it through the Assembly.” Unfortunately, there is a process in Standing Orders. Again, we do not know who the new Chief Minister is going to be so without knowing that we cannot just say: “It is going to be fast-tracked.” We do not know. Again, that argument has to be put to one side. Again, as Members know, I was not particularly happy with the assignment of the N.E.D. role, but Members know that I have lodged a proposition in order to look at the rules and to change the rules. I have already put that in place. While others were tweeting away about it, I did some work and I put a proposition in to examine that. Because I think what Members also forget, because again we are talking about delays, *et cetera*, but may I remind Members we, as politicians, are not subject to the Employment Law. We do not have the protections under the Employment Law as politicians. It is much quicker or much easier to get rid of or sack a politician, a Minister for example. So, if the Chief Minister wants to get rid of me, he could do that quite quickly. However, when you are talking about a civil servant, they have the protection of the Employment Law. Therefore, policies and procedures and protocols have to be followed. Therefore there is time, which goes into those policies and procedures. Therefore I do not think it is a fair criticism over this particular aspect and the last couple of days of the Chief Minister, and going through that process, when they have had to follow the Employment Law passed by this Assembly for the letter. We are left with a former Minister bringing this Proposition, who, through lack of progression of the issue around the indemnity stuff, left the Island exposed to cases of many millions of pounds and then is touting themselves as the next leader. I do not have an alternative plan at the moment. I certainly do not think that the bringer of this Proposition exudes the qualities of leadership that she is looking for. Therefore, I will not be supporting this Proposition.

#### **2.1.12 Deputy T. Pointon of St. John:**

Unlike many in this Assembly, I have not yet formed a view on whether we should forge ahead and dispatch the current Chief Minister and his team. Many made up their minds about the issue soon after his election when it became apparent that Members who had held office in the previous Government were not selected for office in the new administration. This vote of no confidence has been waiting in the wings since June 2018. Although the issue cited is the Chief Executive Officer’s involvement in the non-executive director role, the seeds were sown long ago and some of the proposers have opted to allow the seeds to germinate, seeing the Chief Minister’s dilemma as the first warmth of spring. Some of course will see this as an opportunity to disrupt the potential for a continuing increase in the liberalisation of Government. Unfortunately, we are already there. This

no-confidence proposition is spotlighting polar positions and driving a wedge between Members who have hitherto been able to work together and reach consensus decisions. Let us remember that, if we wish to put the Chief Executive Officer centre stage in this debate, we are doing nothing new. The Chief Executive Officer took centre stage in 2018 with the approval of P.1/2018.

[11:45]

This Assembly approving it without any difficulty. The decision of that Assembly effectively removed hands-on control of the chief executive by the Chief Minister and paved the way for a relationship that gave the Chief Executive Officer licence to take liberties with the ministerial group and make assumptions about the level, if licence permitted, in relation to all organisational and personal activities. The Chief Executive Officer could not be reined in because of a cosy relationship introduced by P.1/2018 that institutionalised decisions being taken that only required a rubber stamp from Government. P.1/2018 effectively removed the reins from the rider, allowing the horse to navigate the course without effective political control. This state of affairs is not the sole responsibility of the current Chief Minister. If we are to focus anywhere, it should be on the previous Chief Minister and those Ministers that allowed the dire situation to arise. I have to say that some of the proposers of this proposition were part of the previous Council of Ministers who permitted this situation to become a crisis. So what are the various factions going to benefit from by ousting the current Chief Minister and Council of Ministers elected to support him? Some may see opportunities to vie for positions of power in the vacuum created. If the result is a defeat for the Chief Minister, others may also perceive more decisive and swifter decisions being taken in relation to socio-political outcomes. Neither of these groups can be certain that their objectives can be achieved when the outcome of the exercise may return a similar political structure to the one left behind. In our system where alliances are largely secret with political policies and groupings being decided behind closed doors, the idea that unseating the current regime will bring about serious socio-political change is mistaken. Any change is more than likely to herald a hardening of opinion in the corridors of power that will force greater controls within the political arena that stifle debate and perpetuate a much-vaunted view within our post-childcare inquiry society that the “Jersey Way” is very much alive and kicking. This Assembly has to be very careful to avoid partisan conclusions in relation to the vote. The Assembly has to be especially careful to avoid personal bias in relation to past personal political pain. Even at this stage I would urge the participants to move away from their preconceived bias and give the Chief Minister and his Council of Ministers the mandate to take those urgent decisions necessary to see beyond the current COVID-19 crisis and on to the next general election.

### **2.1.13 Deputy G.P. Southern of St. Helier:**

It was a shame the previous but one speaker, Deputy Maçon, spoke in praise of the universal approbation given to the Common Strategic Policy the last time out and I found that deeply ironic because my starting point is that policy. What I wish to do is to add to the words of my party leader, who made a very good speech this morning earlier, and just examine what has been going on in recent times. We have got a specific and clear aim in the Strategic Policy that says: “We will reduce income inequality.” Not try to but will reduce income inequality and improve the standard of living. Then it goes on to say: “Our average income per person is high but this hides large gaps between the highest and the lowest earners. There is concern about growing levels of income inequality and the negative effect this will have on our community and economy.” It is that particular part of the Strategic Plan policy that I see on a daily basis not being followed through and specifically by the Chief Minister. It seems to me that that is a form of words, just a form of window-dressing which sounds good but with no intention of delivering. Why do I suggest that? I suggest that because it is fairly simply, there are only 2 ways to reduce income inequality, one is to boost low incomes and therein where one needs to look at the minimum wage and the level of wages on offer. The other is to reduce the highest incomes; that usually means a progressive tax policy. We have just seen, thanks to the pressure from Reform Jersey, I think, the start of the first moves towards making the taxes progressive, as we look at what has happened to the social security contributions. We need to have

a change but that, at least, is happening; the rest has gone nowhere. When I came to look at this particular proposition and opened the documents, what I found is that my words, surprisingly, made up almost the first full page of the text. I thought that is a bit strange, I am not very often quoted by others, rather pleasing. But that demonstrates what has been going on and what continues to go on in terms of the way we are structured. The quotes used by the proposer on page 3 are mine from some time ago: "Jersey is in crisis. This Government has lost the trust of the Island's public sector workforce, with the result that we have seen, and continue to see, public sector employees, teachers, head teachers, civil servants and firefighters forced to take strike action in order to get their case for a fair pay award heard and respected." That has been going on since before 2018 and actually has been led most recently by our Chief Minister. That loss of public trust is down to him, I believe. It is remarkable that for the first time in our entire history we have seen public sector workers taking strike action in order to get some modicum of respect. What is that about? The proposer in her comments goes on with another quote from me: "The S.E.B. and indeed the Chief Minister himself maintained the mantra that there is no more money, which meant that any pretence at meaningful negotiation was out of the question. Public sector representatives and their members had enough of being ignored and enough of being treated with total disrespect. The public sector workers charged with delivering vital front line services have been forced into a position of having to take action to protect their standard of living after years of imposed austerity and below inflation pay awards." This is a mark of what happened, in that while the Chief Minister says there is no money, nonetheless, he pretends to go on negotiating when he knows there is no more money on the table. This repetition of there is no magic money tree, except when push comes to shove, and it took a deal of shove by the public sector, there was money found. It was possible to come to a deal with respect for what people were delivering. I just want to make sure that no one thinks that I am somebody who would bring a motion of no confidence willy-nilly or do I just go around, like some people think, looking for a fight? My no confidence motion was on the back of 2 propositions over the last 6 months, which I tried to shift the position of this Minister into - and I must say this word - a more honest one than he was repeating at the time. What I tried to do was get additional money set aside so that we could deal properly and respectfully with the public sector pay claim. In P.137 in November 2018 I lodged the following proposition: "That the Minister for Treasury and Resources is requested to bring forward an amendment to the Public Finances (Jersey) Law 2005 in order to provide for there to be a revised Medium Term Financial Plan for 2019, in which the maximum amount of net States expenditure from the Consolidated Fund is increased above the limit set in 2015, so that additional monies can be made available to fund public sector pay claims." That was my proposition, it went to the House. It was defeated by 22 votes, I believe, to 21 with one abstention. A close-run thing like that and we were almost on track if, had we passed that, I believe we would not be facing a motion of no confidence today. Because the root of the malaise in our society lies in that treatment of the public sector. The public sector, which have been since praised to the skies for risking their lives in dealing with the pandemic and making sure that Jersey stays safe. The responsibility for that lies not strictly with Ministers but with the workers at the workplace front, and that is the way it should be. In the meantime, the Chief Minister says things like: "The pay policy of the States of Jersey remains as it always has, to provide for the recruitment and retention of the key skills needed for the provision of effective public services, which is affordable and sustainable for the Island's taxpayers. The importance of developing a fairer and more equitable remuneration structure through workforce modernisation is the basis for pay provisions." Yet that cannot be the case surely because what we know is at the moment in Health and Social Services alone there are some 190 to almost 200 vacancies being carried from one year to the next; 200 vacancies just in health and social care, never mind elsewhere, that is what is going wrong; our pay levels are not set to the right level. Furthermore, having failed to deliver that Proposition, I tried again to avoid a motion of no confidence. In P.20/2019: "To request the Council of Ministers, in accordance with the provisions of Article 9(2)(c) of the Public Finances Law [notice how everything keeps coming back to the Public Finances Law] to take the steps necessary to bring forward a proposition to increase a maximum amount of net States expenditure from the Consolidated Fund in 2019 above the limit set in 2015, so

that additional monies can be made available to fund the public sector pay claims”, instead of pretending to negotiate and there is no offer on the table. For clarity, paragraph 2(c) says: “The Council of Ministers may lodge a proposition for the purposes described in paragraph (1) if the Council of Ministers is satisfied that there is a serious threat to the economic, environmental or social well-being of Jersey which requires an immediate response.”

[12:00]

I argued at the time that this was a matter of the economic and social well-being of Jersey, refusal to deal properly with the public sector was at the root cause of these issues. How do we deal with this income inequality? I will just use one last issue to demonstrate where the Chief Minister is on this and why I have lost faith in what he says. Here we are, pledged to reduce income inequality. It is the most direct thing you could do, you can boost the minimum wage. Here is P.100/2020, this year’s: “To request the Chief Minister, in co-operation with the Minister for Social Security, to take such steps as are necessary to increase the minimum wage to £8.66 per hour from 1st April 2021.” There is a significant step which would reduce income inequality. What did the Chief Minister do? Voted against it, despite the fact that I had added to that: “To request the Minister for Economic Development, Tourism, Sport and Culture to introduce a productivity support scheme for low-pay sectors by 1st April 2021, in line with the programme for economic framework and productivity support.” The money was in the plan, I said: “Go ahead with it, let us have a productivity deal which will enable you to do the full expansion of the minimum wage.” Again, the Chief Minister did not vote for that. Time and time again I have tried various ways to actually get this Government to be honest and treat its workers with respect and time and time again it fails. Just one minor point to finish with, after all of this I think it is not correct for the Chief Minister to say: “If you get rid of me, then the whole scheme of COVID collapses.” No, no, no, no. The Chief Minister, time and time again, has said: “We are just following the science.” He cannot then at the end of saying that repeatedly: “We are just following the science”, then say: “If you get rid of me the whole thing will collapse, will stop, so please vote for me, rather than censor me.” The fact is that Dr. Muscat and his colleagues are the people who will get on with things, not the politicians. Following the science, leave it to the science, we can safely vote for this motion of no confidence.

#### **2.1.14 Deputy R.J. Ward of St. Helier:**

So much has been said and it is good to pick up without repeating, so I will try not to. I am disappointed that I need to make this speech. I came into this Assembly in 2018 with a set of clear manifesto pledges and a clarity on my political intentions, along with my fellow party members and we have been consistent in pursuing them. I am not engaging in personality politics. I do not know the Chief Minister as an individual enough to even attempt this and would not be interested in engaging in this type of discussion anyway; it does nothing for our level of political discourse. I will only say that in my interactions with the Chief Minister he has always been very polite to me and I thank him for that. I was very pleased to support the Common Strategic Policy with its common themes of reducing income inequality, putting children first and specific commitments to the environment. We have seen the Government Plans with high ideas but these have not been backed by actions that address the areas of reducing income inequality and putting children first. It is in actions that I make my judgments. Here I have no confidence that the key areas of change we need are supported. Let us look at this overall picture, there were votes against and I have to, I am afraid, single out the votes by the Chief Minister. A vote against an initial amendment to the Common Strategic Plan that would have increased funding to schools, only to see 2 years later a commissioned report costing £200,000 called for more school funding. A vote against all provision of free buses, even for school children while promoting putting children first; that seems to me contradictory. All initiatives to provide cheaper fares for younger people, such as P.128 second amendment. A vote against all increases to minimum wage, as detailed by Deputy Southern, and also a vote against the extension of provision of G.P. fees, proposed again by Deputy Southern, including young people and pregnant women, while again promoting the key Common Strategic Policy of putting children first.

There are votes against the provision of quiet lanes for pedestrians and cyclists while seemingly encouraging active transport and sustainable transport policy. There are votes against rescinding the removal of some questions in the States Chamber, P.51 and questions without notice to any Minister during the COVID period. Votes against all attempts at electoral reform, all attempts. Following the Care Inquiry we cannot sustain that approach. The Minister abstained on the vote re landlords' licensing, P.106, a proposition from his own Minister for the Environment, as detailed earlier. Only recently there are figures showing 2,900 homes failing minimum standards set by law. How many children does that affect? We do not know because we have got no data on it. How many will suffer ill health due to poor accommodation? That, to me, is a poor judgment. The Chief Minister is not present for the vote on a register of commercial and residential properties, P.93. I mention these things because they are specific actions that lead me to my conclusions today in terms of the way that I will vote and the way that my fellow party members will vote. This is as much, as anything, about the record of a Chief Minister in genuinely supporting and leading, and leading, the key aims of the Common Strategic Policy of reducing income inequality and putting children first, plus the real measures needed to adjust the climate emergency. This issue really does need leadership. It will be a challenge beyond that of the COVID crisis and we need to look ahead and have the leadership on this Island that will address the issues that will face us all and face our children. The political judgments, I think there were missed opportunities in choosing Assistant Ministers to enlist women, younger Members, those with progressive ideas, those new to the Assembly, to give that progressive opportunity to know what they are doing and they have not been taken. What of the COVID response? The officers are central to this response and I join all Members who congratulate them in the work they do. But I remain unsure of the influence on S.T.A.C. and whether the medical professionals are being truly listened to and that balance and that clarity that is there. I, of course, would say listen to the science because that is what we have to do and we have to act on it while those additional pressures are there. But my biggest concern has been from day one and on day one I asked both candidates for Chief Minister the following question and I quote, I do not know if it is good to quote yourself: "I would like to ask the candidate how, under his leadership, he would manage the relative influence of the Assembly, the chief executive and Scrutiny over possible reshuffles and a loss of creation of ministerial roles in addition?" Here is where I see the greatest failure, we have a system of government that is so reliant upon its officers to not only enact policy but to create it; this is fundamentally wrong. It reflects the lack of leadership we have and worse is that the actions taken by non-Executive Members, Backbenchers if you want but it is a better term, when they bring policy to the Assembly. What happens is that the power of Government seems to be used to undermine, detract and oppose real and often positive changes, sometimes with very personal attacks from Ministers or Assistant Ministers, something that does nothing to improve the image of this Assembly. That culture comes from the top and needs to be acted on, otherwise it is left and it is dangerous for us as Members. We have a disjoin in our governance that is not being addressed by our leadership and a vast void in resources in between the ministerial group and their officers and the non-Executive Members of this Assembly. This has not been addressed and reflects to further the poverty of real leadership and genuine democratic governance. As for the care of duty to employees, which we seem to have for the C.E.O., where was that when teachers were driven to take strike action and so many members of staff were unsure as to where they fit into the target operating model? It is more about process than people, infested with sham consultations and top down change from power concentrated into the hands of a few and without political leadership it seems to prevent these excesses. Efficiencies, they are cuts now called rebalancing; too much spin, too little transparency and clarity of purpose. Ask your average States worker how they feel in an organisation. I do not believe they feel part of an organisation that cares about them or the work they do, and that culture comes from the top. We have lost our way. Our community has lost faith in this Assembly, so it is time for change. I too do not believe in the doomsday prophets who collapse with our COVID response. Most, as I have said, is being led by officers and they will stay in post. They will need support from the whole Assembly, just as they do now. But perhaps we will have more clarity in decision-making that will give us and the public more confidence that those decisions are being made for the right

reasons. I will not support a new Chief Minister that wants to start again with a Government Plan or a Common Strategic Policy; it is unnecessary. But I will support someone who does not have a default position of opposing amendments from the Assembly. We need to move forward. This is not opportunism, 3 Members of the Government have resigned with no guarantee of anything in return. I will support the Proposition in order to make a crucial step forward for this Island and I urge Members to support it. Somebody much wiser and braver than me once said: "You must be the change you wish to see in the world." I definitely support the Proposition.

#### **2.1.15 Senator L.J. Farnham:**

I am sure that all of us, as Members of this Assembly, have and will always endeavour to work and vote in the very best interests of our Island and our citizens at all times. I know I certainly have and I always will. Today we are being called upon to exercise that privilege together with our very best judgment to steer us through what is without doubt the most challenging period for Jersey since the Second World War. Jersey has long been known for its stability, both political and financial, and it is a reputation built upon fact and substance; a substance that has placed us in the strong position we find ourselves in right now in the middle of the pandemic and as we approach Brexit. Our track record of stability has provided us with the resources, the finance and the political framework, the legislative dexterity that has enabled us to prepare for and tackle these huge challenges with confidence. I completely understand the concerns and I share the level of frustration felt by many Islanders and colleagues in this Assembly over the past couple of weeks. However, as we deal with the second wave of COVID, the possibility of a no-deal Brexit in a little over 6 weeks and the potentially long economic recovery that lies ahead, Islanders and businesses need certainty; they need stability and they need continuity. Members will recall the unprecedented level of financial support put in place to protect Islanders' jobs and livelihoods at the outset of the crisis. This was the largest ever in our history and a significant achievement, given the sudden impact of the pandemic and the levels of uncertainty which our community have not experienced in modern times. This support, however, created a certain level of economic stability by protecting jobs and businesses and livelihoods and we need to continue to build upon that. My department is currently working on a number of key projects that will deliver further urgent support to business and must be implemented this month. These include further improvements to the payroll co-funding scheme and additional support for those businesses hardest hit by the pandemic and those who have been severely restricted by COVID response measures. These require final ministerial sign-off and authorisation from the Minister for Treasury and Resources within 2 weeks because the businesses we are seeking to help and the jobs we are seeking to protect cannot wait.

[12:15]

Other important work streams underway in my department include the future economy programme; this is a major piece of work to assess our business and labour sectors. This work involves in-depth economic sector analysis and the productivity support provision. The Economic Council work is very nearly complete and it is planned to present their report in early December, following a tight sequential process, which actually commenced yesterday. The sports facility strategy is also a major and overdue piece of work that will ensure our sports infrastructure is co-ordinated in a way as it never has been previously and supports our strategic priority to improve Islanders' well-being, mental and physical health, which is particularly pertinent right now. The retail strategy sets out a way forward for our retail sector and this work was underway before COVID and has been updated in the light of the pandemic and the dramatic fall in footfall in our shops and we now have a final draft that is due to be published shortly, after working closely with the Parish of St. Helier and I thank them. We are working with farmers to review the existing rural economy strategy for update in early 2021. There is an added important emphasis on environmental sustainability here and of course new markets outside Europe as we move towards Brexit. We are also in the final stages of setting up a new medicinal cannabis base, very high-value industry for the Island, regulated to the highest international standards, with potential to generate multi-million-pound revenues that will help fund

our public finances in the wake of the pandemic. The Minister for Health and Social Services is expected to issue licences imminently, as I understand. We were heading for the best tourism figures for many years after a focused drive to reimagine and reinvent our tourism industry. Visit Jersey's role has been even more important through COVID, as the sector has been so severely hit. Major harbour and airport development masterplans were in train before COVID, designed to enhance visitor experience and the financial viability of the ports. Ports of Jersey, as we all know, had a key role to play during the pandemic in maintaining transport links. There has been extremely close working with Government and Visit Jersey and we have not only kept the borders open but also secured new air routes for 2021, despite the severe difficulties being faced by the global travel industry, and this important work has to be ongoing and uninterrupted. Digital Jersey are about to launch a new strategy to enable the Island to capitalise on the fibre network and the accelerated move to more agile, digital, flexible and working practices brought about by the current circumstances. New heritage, culture, art strategies are underway, a new Jersey Competition Regulatory Authority is being established and all this, together with numerous other but no less important streams of business as usual work. If the vote succeeds today, everything falls. Every Minister, every Assistant Minister, every committee, every panel, we start again and that will take time, at least 2 to 3 weeks. I am sure that any new ministerial team at Economic Development or at any other ministerial portfolio would want to or would be duty bound to review all of the current workstreams. Turning to the hospital, the Our Hospital Political Oversight Group have made significant progress and we, the Assembly, are on the brink, I hope, of making a decision next week about the site. The vote of no confidence will delay the process yet again if it succeeds. We know that every day of delay will be costly but it is not just in financial terms. We have promised the residents in the vicinity that, as soon as States Members make a decision, we will move forward immediately with the detailed studies and plans to give them the reassurance and certainty they need relating to their own individual circumstances. To conclude, the electorate expect and deserve leadership from all of us, from every elected Member of this Assembly, whether we are Ministers or we chair Scrutiny Panels or Scrutiny or Backbenchers, they expect and deserve that. Nobody or no single issue is bigger than our Island. But right now we should be supporting each other across all factions of the Assembly. In all my political experience this Assembly is always stronger and most effective when we are together, not when we are divided. Our priority has to be to remain focused on the health and well-being of all Islanders, the protection of their jobs and the livelihoods and the careful stewardship of our economy to ensure that we are well placed and in a good position for the recovery when it comes.

#### **2.1.16 Connétable R.A. Buchanan of St. Ouen:**

I am going to start my speech by responding to some of the points made in the report of the vote of no confidence, which referred to the States Employment Board. Members, in the vast majority of their dealings with States employees, know just how hard they work and how committed they are, amply demonstrated by the response across the service ... Remember earlier this year we were clapping for those in health and social care and the S.E.B. are proud, as the employer, to be responsible for such a talented and devoted group of people. Turning to the pay disputes in 2019, which Deputy Southern raised, it is a matter of record that the Deputy felt that the States Employment Board should simply pay its way out of the pay disputes in 2018 and 2019. It was suggested that the Island was in crisis, that money should be made available from strategic reserves. S.E.B.'s position was clear, every opportunity was taken by officers on behalf of the States Employment Board to reach negotiated settlements. Indeed, this was achieved for the manual workers. However, S.E.B. were adamant on 2 key points. Firstly, that the current financial situation in 2018 and 2019, including available budgets inherited by the current Government, were insufficient to meet the aspirations of other pay groups and, secondly, that it was entirely inappropriate to use reserves to pay for ongoing costs. If reserves were used in this way, then when they were gone they were gone. S.E.B. argued that reserves needed to be retained in the event of a real crisis. S.E.B.'s sensible and prudent view has proven to be prophetic. S.E.B. very much regretted that some unions chose to take industrial action, namely civil servants and teachers. We are fully aware of the destruction this has caused.

However, other groups did not take strike action, as negotiations continued through 2019. In order to bring an end to the disputes, S.E.B. authorised officers to seek agreements by wrapping 2018 and 2019 pay reviews into 3-year deals covering 2020. S.E.B. was able to do this because although there was no more money in 2018 and 2019, the provision was made for higher increases in 2020 through the first Government Plan. Following negotiations with all groups, agreements were subsequently reached with all groups, with the exception of civil servants, who have not agreed to increases implemented. S.E.B. showed significant leadership in working collaboratively with unions to achieve agreements, underlying the board's commitment to negotiate in good faith. By way of example, gain-share agreements that were provided, the same as the Government, as well as improved office unions, were put in place for teachers, prison officers and firefighters. More money was made available to head and deputy head teachers, bringing in new leadership pay structure, and teaching assistants' pay was also improved. S.E.B. also agreed with the unions to bring pay for most nurses and midwives up to the level of civil servants, on average the highest pay group. Sadly, civil servants declined the meaningful gain-share offer, subject that their pay award was implemented without agreement. Since those difficult days S.E.B. notes that our relationship with all unions has improved substantially and markedly and, in particular, much credit is due to the unions and officers for close working throughout the Government's response to COVID. Equally, S.E.B. showed significant leadership when the debacle regarding some allied health professionals and social workers in November 2017 came to light and almost an impenetrable series of management misjudgments were allowed to happen because of a lack of governance. S.E.B. initiated 2 actions, firstly, to implement clearer robust controls to prevent any reoccurrence. Sorry, I should say that the social workers were upgraded as a result of these management misjudgments. The implementation is in place and is working. Secondly, to initiate a comprehensive end-to-end evaluation of all allied health professionals and social workers' roles so that the right gradings for these key groups can be put in place, backed up by evidence. S.E.B. directed that individuals should be kept appraised of progress at every stage and it is a testament also to the professionalism of the trade unions; these have worked productively and well and the matter has now been concluded. S.E.B. remains firmly of the view that the Island was never in crisis during the pay disputes. S.E.B. continues to take its responsibility to be prudent with the public purse extremely seriously. S.E.B. also opposes the view that some of the reserves could be used to pay increases, increased pay offers, loading most cost on to our pay bill and reducing reserves at a time when they could be needed in a real crisis. But I have to say that recent events underline the importance of financial probity, even in the face of difficulty. I would just like to quickly move on to some other points that were made about the States Employment Board in the proposition. Firstly, the proposition suggests that the number of layers in the civil service has increased but that is not the case. The new target operating model directs that there should be only 6 layers up to Director General in each area. This has been achieved and is consistent with building an efficient and streamlined structure for an organisation of the Government of Jersey's size and complexity. It has been suggested that staff morale continues to be very low. The evidence that the States Employment Board has does not support that view. We have commissioned 2 surveys, one in 2018, which was the first one for nearly 10 years and was conducted in March 2018, and then one just recently, which was conducted this summer and was the second one of these. A snapshot of these findings illustrates that overall employment engagement levels has increased to 53 per cent from 50 per cent in this survey. Those who participated said that they now feel proud to work for this organisation. The majority of employees say they love working for the Government. The participant ratio of 50 per cent is similar to other large complex public sector bodies. The Proposition also goes on to make comments about consultancy and a culture of consultancy. We do not believe this is the case. Consultants are not being favoured over existing staff or Islanders. S.E.B. has introduced rigorous and effective measures to ensure that consultants are only appointed where there are clear skills and resource gaps and cannot be filled in any other way. Consultants are required to work to strict statement of works and their work is subject to robust management. The value of their contributions can be assured. The Chief Minister has also undertaken to report to the Assembly with details of all consultants, ensuring complete urgency on this matter. A further point was made about

the consultants' commitments to Jersey, which I feel is an unfounded criticism, which professional consultants and many public servants who work closely with them simply would not recognise. Then the call was made that the number of staff and consultants now work remotely from other jurisdictions and can be for 2 to 4 days a week. I have to say that, inevitably, with COVID travel and testing restrictions mean that some off-Island work consultants are working from home. However, working from home is with us all, wherever home is because of the pandemic, and is not what anyone intended. A number of consultants also do travel to and from the Island but, again, where cost is incurred this is subject to rigorous oversight and prior agreement with the States Employment Board. I should also like to address a few remarks about comments in the Proposition about a hospital site. I sat on the original board that reviewed the site, the selection process when we came into office in 2018. My own view is that the decision to keep Gloucester Street as the site with the new hospital built round the existing building seemed to have been forced through, very much against the available evidence. This is borne out by the repeated rejection of our planning and proposal for this site. Furthermore, I personally could not find a lot of evidence for the future-proofing of Gloucester Street or indeed a lot of evidence that consultation had been taking place with those who had to use the site. In any case, the site was rejected by the Assembly after a proposition by Deputy Labey. By contrast and under the leadership of the Chief Minister and ably driven forward by Senator Farnham, the Deputy Chief Minister, we have moved at pace through a logical and a structured approach, which included consultation with all relevant parties to a point where the Assembly will have the opportunity to agree Overdale as our preferred site in a matter of weeks and then we can move on to deliver the hospital that we have all wanted and know it needs to be delivered. I know people have commented on this but, in my view, the timing of this vote of no confidence could not be worse.

[12:30]

We are still in the middle of the grip of the global pandemic and case numbers in countries that surround the Island are going through the roof, both in France and the U.K. in lockdown. Yet here we are once again talking about ourselves, only this time one of the outcomes because of the removal of the Government. Of course that is the Assembly's absolute and democratic prerogative but the timing with the possible onset of a winter spike and possibility of further restrictions playing on people's minds could not be worse. Is this a good idea to be replacing our Minister for Health and Social Services, my colleague from St. Ouen, when he is proving that we can ably fight this pandemic? We have the Nightingale hospital on hand, a robust track and trace system which works well, and one of the best testing facilities and systems in Europe. We have also implemented, under the guidance of the Deputy Chief Minister, a number of financial support measures to ensure that businesses and employees are to a high degree protected from the worst ravages of COVID-19. While some businesses have indeed suffered, and I feel great sympathy for them, a great number of jobs and businesses have been protected in the Island and this work needs to continue. Which brings me to the issue of Europe. We are currently involved in fast moving and, at times, very difficult negotiations with our European colleagues, with decisions about our longer-term relationship and which will have an impact on our future prosperity of our Island need to be taken at pace. Again, not an ideal time for a change of Government. Finally, we come to the issue with our chief executive. We have all seen the statement from the Chief Minister about the current position, which hopefully draws a line under this saga. The S.E.B. took their decision on second roles based on policies and principles. They have tested those principles throughout this period and they are sound principles. The NewRiver situation was specific but still based on the principles of personal development, no personal financial benefit and no conflicts of interest met these tests at one stage. But the S.E.B. continued to do their own due diligence and we have become concerned about possible conflicts of interest, at which point we gave the chief executive the right of reply; S.E.B. are custodians for employees' right. However, after that the S.E.B. were not satisfied that all the tests had been met fully and took their decision based on this. It was a principle evidence-based decision and one not based on conjecture. It is right that the S.E.B. acts in the interests of the employer and not in the political sphere. S.E.B. clearly has a dual role in these situations and it has to represent the interests

of the Assembly, of the Government but at the same time looking after the best interests of our employees. Once again in this case we have stuck by this principle. Indeed, as I look back at my time as Vice-Chair, I think we handled a number of very tricky issues with care and consideration for all parties and with firmness and fairness to achieve the right result. More so, progress has been made with diversity and discrimination issues, the recognition of the gender pay gap, promotion of initiatives to ensure that women in the States workforce can in future break through the glass ceiling to higher office. We are also determined to drive out bullying from the workforce with the help of the Listening Lounge. With the help of Team Jersey we are moving towards a high-performance culture where colleagues are encouraged to get appropriate training to achieve their best. We still have a long way to go and, despite COVID, progress has been made. If we remain in office the Chief Minister and the rest of the States Employment Board are determined that this progress will continue. My view is that this Government and our Chief Minister have successfully steered the Island through one of the most difficult periods I can ever remember in all my lifetime, as well as continuing to progress many of its stated objectives for safe delivery and, as such, the Chief Minister deserves to retain the confidence of this Assembly.

### **2.1.17 Senator S.W. Pallett:**

I hope you can understand my recent decision to sign the vote of no confidence in the Chief Minister is not something I took lightly. It was a difficult decision to make, as I have thoroughly enjoyed working alongside both Senator Farnham and Deputy Renouf. I am passionate and I am committed to my work associated with health and well-being and a necessity to ensure that as many Islanders as possible can stay physically and mentally fit throughout their lives. My responsibility for mental health was particularly close to my heart and it has been made all the more poignant as a result of the many in our community who have suffered greatly throughout the COVID-19 pandemic. It has been raised as an argument against this Proposition as irresponsible to bring the vote of no confidence at a time when Jersey is not only facing renewed challenges as a result of COVID-19 but also economic risks as a consequence of Brexit. That these issues have been highlighted is not an argument against change, it is precisely because of these challenges that a large number of concerned reasonable Islanders are encouraged that this vote of no confidence be brought. Today is not a day to advance personal attacks. All too often politics is engulfed with personality. It is not the purpose of this Proposition. There are far more important issues to discuss than to engage in schoolyard whispers. There is no doubt in my mind that Senator Le Fondré is a good decent man with strong principles, a family man who I respect for the time and effort he has put into the various roles which he has held as a States Member. Likewise, I am sure that Senator Le Fondré sought election as Chief Minister for the right reasons. However, being a sound individual of good standing and being prepared to work hard is not in and of itself sufficient for the good governance of our Island. For this reason I have concluded that it is right for this Assembly to debate whether or not Senator Le Fondré is capable of leading our Government until the next election in 2022. To be clear, the sole concern of the signatories of the proposition is to ensure that the Island has a strong and effective leadership into the next election. Having served under Senator Le Fondré's Government for 2½ years I can confirm that the requisite political leadership does not exist; worst still the vacuum in our political leadership has been filled by the chief executive who has far too much power and, at times, does not act in the best interests of either the Council of Ministers or the public more generally. The Chief Minister has allowed this to happen and it simply has to change. The statement issued last night by Senator Le Fondré again highlighted his continued inability to accept any wrongdoing on his part. Much has been made by the Chief Minister's supporters that this vote of no confidence is disruptive. It has further been alleged that this proposition is being driven by self-interest and personal ambition. I refute such allegations, they have no merit or basis. In truth, what motivates the supporters of this Proposition, both within the Assembly and more widely, is the growing lack of faith and trust we have in the Chief Minister to lead effectively and to make decisions in the best interests of all Islanders. I am disgusted and disappointed that our chief executive has the cheek to suggest and I quote: "I am truly appalled about what should be an uncontroversial individual employment matter

has been used as a catalyst to challenge your position.” As if elected members in the public have no right to question decisions taken by the Chief Minister. It shows how out of touch both he and the Chief Minister are with the Jersey public if they think the matter was uncontroversial, and underlines why we so desperately need change, not just in the C.E.O. but also the Chief Minister. I want to make clear that I am simply acting in what I consider to be the best interests of the Island, having witnessed Senator Le Fondré’s attempts to lead the Government first hand since the 2018 election. I have lost out as a result of this vote of no confidence; this is not an act of political opportunism and to suggest otherwise misses the point. This is not about personalities, it is about what is right for our Island community. Today we have the opportunity to change the leadership at the top of Government at an appropriate time. I say that is an appropriate time and without wishing to be complacent, COVID-19 cases are currently under control. No Islander is hospitalised with the virus at present and with preparations having been put in place for this winter. For those that do not support a change in leadership, much will be made of the excellent job that the Chief Minister and Government have done in relation to the preparation and management of COVID. It should be remembered that the praise we lavish in relation to our management of COVID should be appropriately directed towards our dedicated officials and hard-working medical professionals, rather than to any one politician. These same officials and medical professionals will continue to go above and beyond for our community, irrespective of whether or not Senator Le Fondré is the Chief Minister. For this reason it is not sufficient to look at the Government’s response to the pandemic in isolation when determining whether or not to support this vote of no confidence. Turning to Brexit, it is anticipated that the next stage of the United Kingdom’s exit from the European Union is going to be difficult for all Crown Dependencies. In reality, attempts are likely to be made to treat us as a pawn in a larger game of chess being played out between the U.K. and E.U. (European Union). But we are well placed and this is not as a result of the Chief Minister’s leadership but rather as a result of the preparatory work that has been undertaken by External Relations team, headed by our very experienced former Chief Minister. If anything, the leadership of Senator Gorst on this important issue has sought to highlight the leadership skills which are lacking in Senator Le Fondré. While we do not know the final outcome, Senator Gorst has led us to the point where we have been able to establish our position and robustly advance arguments in relation to trade, which we consider to be advantageous to Jersey. However, we need a Chief Minister who is going to stand shoulder to shoulder with Senator Gorst and lead from the front, clearly communicate the Government’s objectives and be a strong leader on behalf of all Islanders. Senator Le Fondré has at no stage demonstrated that he is the person to fulfil this role. It is not sufficient for Members to either simply rely on Senator Gorst or hope that the Chief Minister improves with time. The Chief Minister has had 2½ years and offers no signs of improvement. I believe this is too important an issue for Members to simply ignore the lack of leadership or to place reliance upon misplaced hope. Comment has been made in respect of how disruptive a change of Chief Minister would be to government business and that it would take many months to make up for this disruption. In my view, this is misconceived, rather support for the vote of no confidence proposition would mean that Government would have a chance of making real progress in respect of its business up until the next election. Quite frankly, the Government has meandered under Senator Le Fondré, turning from the promise of one review to another and showing no signs of innovation or willingness to inspire. Remember, this is supposed to be the Chief Minister’s year of action. If Members support this Proposition we can make real progress. Within a few short days we can elect a new Chief Minister and within a further short period of 2 or 3 days we can elect his or her Ministers. The same applies to Scrutiny chairs and other elected positions, many of which I suggest may not change hands. It does not, therefore, have to be overly disruptive to Government in the way that some have suggested. This is simply a scare tactic with no foundation in practice. Much has also been made by those who oppose this vote of no confidence that further delays will result from the need for a new Strategic Plan, a Government Plan and, potentially, an Island Plan, which will take months to sort out. Frankly, there is no reason why the current Strategic Plan cannot be endorsed by a new Council of Ministers for the rest of this term. We have a new revised Government Plan that has been lodged and, again, this could be agreed after a

new Council of Ministers is elected. There is no reason why an interim Island Plan cannot progress with its current proposed timeframe. In short, there is no need to scaremonger about disruption when in reality supporting this proposition could see a quick end period. Whoever is elected Chief Minister can lead us quickly by forming a new Government and picking up the reins in preparation for what is going to be a difficult winter and spring. For those that have raised concerns over changing a Council of Ministers mid-term and with the risks that surround us, I have been clear that in my view, aside from a new Chief Minister, only subtle changes are required in the make-up of the Council of Ministers; this ensures consistency and stability. The inherent problem in the Council of Ministers is, in my view, the vacuum in leadership at the top. This permeates through the Council and impacts on its effectiveness. All of those who have contacted me, and there have been many, in fact more than on any other issue since I was elected, they have expressed support for a change but are desperate to get behind the Government at this political stage. However, this support is contingent upon having a Chief Minister who they have respect for and who they have confidence in. They want a Chief Minister who they can trust, one that will restore the public's faith in Government, someone that will lead from the front and not simply one that will have a communications team issue statements. The current situation is not sustainable and is damaging to the democratic institutions of this Island. The public want stronger leadership, better communication and transparent and improved decision-making. Even if we take the last week in isolation, we have seen just how short the Chief Minister has fallen and be unable to offer us any real signs of leadership, that he is on top of his brief or that things are moving in the right direction. In truth, the vacuum in leadership has been sadly lacking over a lengthy period of time. Recent events have simply served to highlight the Chief Minister's shortcomings. If he believes that last night's hastily-issued statements would take the heat out of the situation, then he is yet again showing bad judgment, as all he has done is fan the flames on a situation that over which many questions have still yet to be answered.

[12:45]

Looking back a bit further, it saddens me when I think about the amount of time and effort it took to resolve the damaging public sector pay dispute; that ultimately led to many public sector employees, including teachers, having to go on strike for improved pay. Let us just pause there for a moment; here in Jersey we saw widespread disputes in our public sector, strikes and a significant deterioration in the relationship between workers and their employers. I was at the Weighbridge for one of the public meetings and spoke to many of our dedicated staff who made it clear to me that they never thought they would ever be put in that position. I could see in their eyes the anger but also the disappointment that our political leadership had allowed this to happen; many were also upset that they had been so badly let down. The strength of any organisation is in its workforce and it is vital that a mutual respect exists between employer and employees, so to this day. Not only did the Chief Minister allow this to happen under his watch but his response was to attempt to seek a law change in order that he was no longer responsible for the States Employment Board. Is this really the actions of a Chief Minister who leads from the front? I really cannot understand why the Chief Minister allowed the situation to escalate in the way that he did and why he believed it was right to treat our public sector in such a disgraceful way. I have no doubt that the stance taken during the pay dispute was driven by the chief executive out to minimise the cost of resolving the dispute, rather than dealing fairly with dedicated staff, dedicated staff who have been there far longer than the chief executive managed to stay in position and who will be here for years to come. I was disappointed that the Chief Minister did not step up to the plate much sooner to resolve what was a very sorry state of affairs and one that still leaves a very bitter taste within the mouths of our public sector employees. To make it worse, if that was possible, this co-existed with the chief executive attempting to introduce a new target operating model for the public sector. In his statement last night the chief executive admitted that there was, quote: "Much still to do to complete in public sector reforms." I am sorry to say that the model is in a shambles. Was the damaging pay dispute really the way to get your employees on board? The Chief Minister should have understood that and should have taken a far harder line with the C.E. (chief executive) in resolving the dispute. What he should not have done was to pass the

buck to the Constable to St. Ouen and simply bury his head in the sand. These are not the actions of a leader. Returning to the operating model, today this is not complete and many of our long-serving, loyal public servants remain without full-time contracts. These workers have been employed under short-term interim contracts and without any certainty of employment. What kind of responsible employer acts in this manner? Many workers still added data job descriptions and they are not only disappointed but are becoming increasingly demoralised. This has happened under this Chief Minister's watch and, frankly, whether we have a new Chief Minister or not there is a need to address this issue as soon as possible, so that we have a public sector that is singularly focused on providing the best possible service for the public of the Island. In truth, I do not think we can achieve this with the current chief executive, though I am pleased that he is moving on, or is he? Is he stepping down permanently? Is he continuing in the short term or what exactly? Yet more dithering and lack of information on the terms he will leave under. Come on, where is the leadership here? But today this is not a vote of no confidence in the chief executive, it is the Chief Minister who must take responsibility for the lack of oversight in relation to the chief executive and his failure to deliver that has led us to where we are. Moving forward, we must ensure that those who work in the public sector are treated respectfully. The chief executive contract was clear, he should be fully committed to this Island. From the views expressed to me over the last 10 days by Islanders it is clear that they consider the chief executive was taking the Island for a ride and that his conduct is undermining the very institutions of our community, which are supposed to be beyond reproach. In short, the Chief Minister has, in his time in office, failed to show any real signs of leadership. This was exposed through the public sector pay dispute and his refusal to properly engage with either the media or the public in response to the pandemic. The Chief Minister has demonstrated a gross misjudgment in relation to what is and what is not acceptable in relation to the conduct of his highest ranking public official and this ...

**The Bailiff:**

Senator Pallett, I am afraid the bell went a minute ago and your time for speaking is now at an end.

**Senator S.W. Pallett:**

Thank you very much, Sir.

**The Bailiff:**

Thank you very much indeed. Deputy Martin, can I ask, do you think you will be 10 minutes or so or more?

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

To be honest, Sir, I have not really timed it but I never really stick to what I have written anyway. To be safe, and I know we have only got an hour, but Senator Ferguson might have a shorter speech, she is after me but I am in the hands of the Assembly, Sir. I can go or I can stay, either way.

**The Bailiff:**

The question is, do we stop now and come back at 1.50 p.m., which might be a sensible thing to do, it is still an hour?

**Deputy J.A. Martin:**

Yes, Sir, that will be fine.

**LUNCHEON ADJOURNMENT PROPOSED**

**Deputy R. Labey:**

I propose the adjournment, Sir, and come back at 2.00 p.m.

**The Bailiff:**

Very well. We can adjourn now and come back at 2.00 p.m. and Members have asked that we come back to 2.00 p.m., it gives us a slightly longer lunch hour by about 5 or 10 minutes or so. Very well.

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

Yes, it just seems strange that we have cut off a senior Member, a Senator, when we have agreed to sit until 1.00 p.m. deliberately so we could have more speeches and we are having a 9-minute early lunchbreak and we have not even let the Senator finish his speech. I just wanted to point that out. I, for one, would like to ...

**The Bailiff:**

Deputy, this is not an opportunity to point it out. If you wish to say you do not want to adjourn, then that is something you are entitled to say. But merely to make ...

**Deputy M. Tadier:**

I think I can say that, Sir, and I am saying that I do not want to adjourn. How long are we going to be censored for? This is ridiculous.

**The Bailiff:**

But as an observation from the Chair, the States Assembly said that there should be a 15-minute time period for speeches and there was a 15-minute time period for speeches. That is exactly how the Standing Orders have been applied. There was always the opportunity for anyone to ask for a longer period for speaking had they done so in advance, which indeed one Member did. Very well. You proposed the adjournment. Does any other Member wish to speak on the adjournment? Could those in favour of ... quite clearly everyone has stood in the Assembly. There is a vote that has been passed, could people please indicate whether or not they wish to adjourn by using the voting link in the normal way and we will come back at 2.00 p.m.? Perhaps people could vote in the chat if they cannot vote on the link.

**Deputy J.A. Martin:**

Sir, just before the vote went up, there was a request and I think she might have heard, there were 2 requests, Deputy Perchard cannot come back until 2.00 p.m. but we had already agreed we were going to come back at 2.00 p.m., so just to let her know, thanks.

**The Bailiff:**

The Proposition is adjourn now and come back at 2.00 p.m.; that is the Proposition. If anyone has been able to vote in the link we will count that vote. If anyone has not been able to vote in the link, could they please vote in the chat? I have noted those votes that have been cast in the chat so far. Very well. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting.

<b>POUR: 32</b>		<b>CONTRE: 5</b>		<b>ABSTAIN:</b>
Senator L.J. Farnham		Deputy G.P. Southern (H)		
Senator J.A.N. Le Fondré		Deputy M. Tadier (B)		
Senator T.A. Vallois		Deputy J.H. Perchard (S)		
Senator K.L. Moore		Deputy I. Gardiner (H)		
Senator S.W. Pallett				
Connétable of St. Clement				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of St. Mary				
Deputy J.A. Martin (H)				
Deputy K.C. Lewis (S)				

Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				

We are adjourned and come back at 2.00 p.m.

[12:55]

## LUNCHEON ADJOURNMENT

[14:00]

### The Bailiff:

Yes, we then resume the debate on P.149.

### 2.1.18 Deputy J.A. Martin:

I hope you will not mind if I stand; I noticed Deputy Russell Labey doing it the other day and I prefer the pictures and the real thing. It might be the last time I do it as the Minister, so I am standing for the occasion. I would like to take Members back to Valentine's Day, it was Friday, the 14th. I ask Members to please try and remember where you are because this is a significant day. For some, it might have been a lovely day if you remembered to buy your partner a nice bunch of flowers or some choccies; if you had not maybe it was not so good. But that day was the day I was in my ministerial meeting and people were coming back to Jersey from countries that had COVID, bad COVID, so we said: "We have got to do something." We came up that day, which was Friday, the 14th, we decided that anybody coming back to Jersey from those countries should not go to the doctor, they should self-isolate for 2 weeks, they would get pay for 2 weeks, sick pay, and even if they had not got the full contribution they would still get that money. I signed that Ministerial Decision about 3 days later, that was all getting in train. I say that because we have been accused ... they had no idea what we were doing before COVID landed on our doorstep, whether there were talks going on all the way. Deputy Gardiner this morning said she was the only one who asked a question. No, on Monday, 9th March, and I cannot remember for the life of me why we sat on a Monday, I had a very helpful oral question from Deputy Ward on this specific subject. When I explained what I had done, and I think it was in conjunction with Health, anybody not being here the 6 months as mandatory they would be in hospital, it was all sorted. Privately, Deputy Ward thanked me, I remember as we went through the back there, so he said it was a good decision. Obviously, it was a good decision but then on 10th March we had our first case and the world went mad. I was already discussing what I was going to do for people who were going to be trapped here, who did not want to leave here but they had not done the 5 years. I spoke to my officers, my Assistant Ministers and we talked about 3 different

options and I took them to C.O.M. (Council of Ministers) early on. There was a “do nothing” option, receive income support or do a new scheme under 5 years. Our preferred one was do the new scheme and I got that endorsed by every Member of C.O.M. Every Member said: “Absolutely, we are not having people trapped here with no money” and that was passed. I took it back, I went back to my officers and I said to them on 20th March: “Do this scheme, bring it back to me and I will take it to C.O.M.” which went back on 26th March. It started on 1st April and it was only supposed to be 3 months but I extended it. It ended at the end of August and it helped so many people, and that was what Jersey does. I was so proud to get that through the C.O.M. with no fight and absolutely sanctioned by my Chief Minister. For information, the budget was £710,000 and we spent £530,000. A good decision. Anyone could have challenged it, anyone could have brought an amendment. I would answer these questions or a proposition to do something different. No, what I had done was accepted. On that exact same day, 20th March, and I have checked my minutes and I cannot believe I was in 4 places at once, we set up, the Chief Minister, obviously the chief executive, everyone, they got the right people on board and we produced a community task force. I chaired it along with Deputy Labey. We had Constables on it and I insisted that we had Deputy Alves and Deputy Gardiner on it because they would be able to reach communities that lots of people did not, and that was fantastic. I want to thank everyone that worked on that and I know Deputy Labey wants to say a lot more about that in her speech. Again, on that same Friday, leaving that setting up the community task force, previous to that all week myself, Senator Farnham, the Minister for Treasury and Resources, we have had late nights, my Assistant Minister in Broad Street trying to get the first phase of the co-funded payroll scheme up. Myself and the Minister for Economic Development, Tourism, Sport and Culture were stood giving a press conference at 4.00 p.m. - 4.00 p.m. - and as soon as we finished that one, we had to start on the second co-funded scheme. Just as we had announced the first one, 3 days later we shut the pubs so it was so much needed. On 30th March we locked down and my phone lines, 444444, 445566, had in that one day 2,500 calls and this was all because we had arranged that people could do this. My officers were saying: “We have split the teams, some are at home [this was 4 weeks before] they cannot get ill because people who need to know will need to train more people so people are ...” the most anxious thing is if your money does not go in your bank, your pension, your benefit, anything, so we had that sorted. Did not have a plan though, according to lots I have heard; no plan, absolutely not. At the same time, myself and the Minister for Health and Social Services, who will probably speak much on it later, were having talks with G.P.s and they wanted to go out to the vulnerable, they wanted to give them rescue packs and they did that over the weekend of 13th and 14th March. Letters went out, prescriptions to 3,000 Islanders. I cannot thank our G.P.s enough but it is always forgotten as well, the pharmacies were opening up all hours and they filled those prescriptions. For people who were shielding, we had Jersey Post. All this through the community team, there were so many decisions that needed to be made, all by politicians, hundreds and millions of pounds for these schemes, not the medical team. Not the medical team. The medical advice has been fantastic but the decisions had to be made by politicians. That is when I sit here today, or stand today, and I keep hearing: “We can carry on because everything has been set up. These people have done so well, they have handed over to someone else. We have got the medical people involved as well.” It just beggars belief some of the things I have heard. I mean, some of these people have been politicians nearly as long as me, they would know that a medical man is not running these schemes. I know that the Minister for Children and Housing ... I have talked about a little bit of what I did in the first 4 weeks, we never stopped, and then we were having extra sittings and everything. The Minister for Children and Housing came to me and he was concerned about what I was doing and we worked together and he got so much support. He got an emergency housing team set up, he got full support for freezing rents in this Assembly, no evictions if your tenancy was up. We supported him to do this. More money for shelter, we supported him to do this. With his Children’s portfolio, again, fantastic work he did. Absolutely fantastic work. He wanted for the vulnerable children that were identified ... and believe it or not there were 10 identified children whose parents had only been here 10 weeks on my C.R.E.S.S. (COVID-19 Related Emergency Support Scheme) and they were in these schemes because we were working across and together. I

am really sad that Senator Mézec resigned and his speech today, and a few people have said this ... and I have to pull people up because I am the Minister who brings employment law and brings changes to employment law. But according to what happened to the chief executive, we should not have followed any of that, there were demands of this last week. Deputy Gardiner said she wanted to know last Friday why did it not happen? What do I do, carve out a process for high executives or just do I carve out for people who are on a lower wage? I do not carve out for anybody. During the pandemic I got a lot of pressure to change employment law and about the redundancy rule. Not moving. I did not move and none of my Ministers or my Chief Minister asked me to do so. Today everyone says of Senator Le Fondré's leadership. Well, we did not have collective responsibility going through, the worst thing Jersey can remember in politicians' history. We know there have been worse things and we had a left party, a far right, a middle but he got a consensus with everyone and it moved fast. It moved fast. That again, my disappointment in the Reform Senator to take his party with him, thinks he is going to ever get a better listening on what he wanted to do and the support, I just do not see it. We have the best COVID test in Europe, we have been asked to go to Heathrow and teach them, so what is this vote about? I have been listening and I still cannot quite get my head around it yet. Some people have gone as far back as when Senator Le Fondré was elected, they did not vote for him and he did not do something else. It should have been me or it should have been him but it was not their choice. I am thinking and the best - the best - all the work, all through COVID putting this Government Plan together, the Le Fondré plan, all our pictures are in it, all that work, I have been told today by Deputy Gardiner, Deputy Doublet, a couple of Constables, an ex-Assistant Minister, Senator Pallett: "Oh, we will keep that, thank you very much. We like that" but I looked that up. When you take somebody else's work, there is a word for it, it is called "plagiarism". You be very careful if you take my hard work. Also I have been told by 3 or 4 Backbenchers: "We only want to cut your head off. We will keep the rest of you." Nobody spoke to me. My integrity, honesty and everything else in the Nolan principles has been insulted too but they are saying: "You are all right, you will keep your job." Do not make presumptions I am going to dig you out of this hole or all the Ministers will dig you out of this hole if you think this is the time to bring a vote of no confidence. Get your facts straight or talk to some of us first. Never tell me that I have got a job. I have had a job for 20 years that has been all different shapes and forms. We are a small nation government who compete and we punch well above our weight in the world of international finance. We do this and we know that we do this because we had a stable government. Senator Moore said: "Think of finance, the public have got no confidence in this Chief Minister." That is absolutely mad, finance wants stability. I cannot believe where we are today. I think people should think very, very carefully why and if you are going to support this vote. This is a nuclear option, you have to give serious thought to the effect what this vote of no confidence could do to the reputation of this Island. If you are not giving it really, really serious thought, you really should. I want to finish - there is always more I can say - I am proud of this team, we have worked tirelessly, we have still much work to do, it is ongoing but it has been a pleasure and I have never properly thanked enough all the officers who have been there. I have been in 4 meetings a day and I might have only been in 2 but it would be the same officers every time from 8.00 a.m. in the morning until 10.00 p.m. at night.

[14:15]

We have not got an over-fat civil service. When we needed them they stepped up and these got the people the co-funded payroll scheme. People have come up to me in the street and said: "The States have done fantastic for us." It has taken many greater past States Members, men and women, to get Jersey where it is. Fifty years, over 50 years, many sadly are not with us now. Most of them would be turning in their grave at this time, in the middle of a winter COVID and on that runaway train called Brexit that has no deal, but bring in another Chief Minister. If you vote for this today, these past States Members and your decisions will come back to haunt you. Be sure, if they do not, I surely will. Thank you.

**2.1.19 Senator S.C. Ferguson:**

My thanks to the I.T. Department who got me back to the bar, so to speak, over lunch. I do not know why I am still on it, oh, well, never mind, if you can still hear me.

**The Bailiff:**

Senator, I think the ruminations as to how you are here is probably eating into your time a little bit.

**Senator S.C. Ferguson:**

My thanks for the patience. Let us first of all go back to the position before the last election. We are in a mess but it harks back to the last election. We were busy before the election with a multitude of legislation, too much, really. It was ill-advised and we did not complete the changes which were required in the structure of the various civil servant officers and required disciplines after the election. Also, while we were busy with the election, we changed Chief Ministers and we gave the keys of the safe to the head of the civil service and during the election process our new civil servants got entrenched. It is also a problem that we do not have a policy for the C.E.O. not to have second jobs as they do in Whitehall nor for the second layer of civil servants at the top to list their financial interests. I have to, why should they not? They have got a bigger pension than I have and a bigger ... but anyway a much bigger salary sounds thoroughly unreasonable but it is not, I do not think. If you are taking public money, you should be responsible for having ... but that is a debate to be discussed when I get this Proposition lodging shortly. I will not linger over the job profile which I have been looking at, the job of the Chief Officer. I leave it to you to contemplate, sometimes the onlooker sees all. For Jersey, we had a large property which the company would help develop some large sites. Given that we have got an external property company, S.o.J.D.C. (States of Jersey Development Company), and given that the operational count of the profits on building one, as highlighted in the Auditor General's report, it seems that (a) they cannot count and it is a very tempting target. Scrutiny concentrated on their narrow furrows instead of on the ball. Did the Treasury even discuss this mistake on the properties? The other interesting fact of transferring Jersey Property Holdings to the Chief Officer's office around about last quarter, I think, we need a character like David Flowers to run Jersey Property Holdings, someone who can run a property estate but is not distracted by the mundane and has sound business experience in the wider property market. One thing is clear, the due diligence is not efficient within the States. We need the careful in-house as well as out-house. Those who have done due diligence work in the private sector or at the J.F.S.C. (Jersey Financial Services Commission), I do not chase child molesters but I do have the thrill of the chase after crooks and financial thieves. That is why the Public Accounts Committee has taken so long to complete the report on the real estate organisation. It is very big and it is very complicated and we need to look at it carefully. It is now in the hands of the new chairman, Deputy Gardiner, which will be an interesting work of art I shall enjoy watching. Our problem includes the fact that our civil servants do not regard either the public or the Backbenchers or Scrutiny on the whole is worth regarding, certainly the higher-level ones. We have our 1(1)(k)s offering contacts with influential pharmacists in major companies and being regarded as a nothing. They ring up to say: "I know so-and-so at such-and-such a company who would be delighted to contact you" and: "Oh, yes, thank you, we know all about it." They have been treated like rubbish and the only complaints register is also rubbish at the moment which is why we did a report on it. There are problems where the F.O.I. (Freedom of Information) system is reviewed and censored in the same way you will hear me comment on the Vanguard consulting system who have great success in coping with painless improved efficiency in the civil service, particularly in regard to health. It has testified before the U.K. Public Accounts Committee about H.M.R.C. (Her Majesty's Revenue and Customs) and he has spoken to our own Public Accounts Committee. He has spoken to the Chamber of Commerce and, unknown to members of the Institute of Directors, he has worked for the companies of which they are branches but unfortunately it has not connected for the civil service. Rubbish. Basically we need an efficient civil service system. Do not send me a Public Accounts Committee report of 160 pages, that is totally incompetent. It required a 2-page-plus and a short appendix. As a graduate recruit of Columbia Business School, I would have been thrown out of class for such stupidity. I want to

increase the efficiency of the public service but, as I always say, communicate from the front line. As a manager you must communicate with your front line staff. So this is my summary of the situation. The civil servants should no longer be ignoring the States. Part of my summary of the situation. F.O.I.s should not be censored and 170-page reports to Scrutiny should be never used. I think the format of the agenda and practice of the Council of Ministers' meeting should be changed and these should be something the Chief Minister can effect. The papers for the meeting are not given to Ministers early enough. This is rubbish, there should be 3 or 4 days. Each decision must be thoroughly debated by all the Council so that all are involved in the discussion. Initially we would inform with advice that bullying and contradictions by civil servants is not allowable, just like censoring. Ask for a 2-page and an appendix, ask for a decent set of rules for senior levels of management and take some notice of your secretary and think of Sir Humphrey. If we moan about the cost, Chris Swinson, who was the first Comptroller of Tax, would say when he was preparing a report on leaving the States: "If there is a problem it is better to reach an agreement sooner and sooner would be better." The current ethos among some of the - only some - various high-level incumbents is that they tell Ministers often what they want to hear or else perhaps others what the officers wanted them to hear. Due diligence needs to be better and it will have to be good to beat those of us from the private finance sector. Most of all, remember Ronald Reagan, trust and validate. I am also worried personally about your position as Chief Minister. You will be tired and you need to think about this position. If it is a vote of no confidence, you may well find yourself to be a lame duck. The ideal situation would be to replace you in the Treasury and someone else to be the chairman, after all, he who controls the purse can control the organisation. You should also keep a track on the civil servants. Thank you.

**The Bailiff:**

Thank you very much indeed, Senator.

**Senator S.C. Ferguson:**

I am sorry, it is a bit of a muddle because my papers are in a mess and I am out of practice in typing.

**The Bailiff:**

Well, there we are, thank you very much, Senator.

**2.1.20 Deputy L.B.E. Ash of St. Clement:**

When we debate issues like this, my mind often strays to when I was elected and I went door to door around St. Clement, one of the most mixed Parishes probably in terms of social diversity, in terms of economic capability in the Island. The one thing that struck me was that behind each and every front door was a life being led, individual or a family, and I realised that if elected I was to be responsible to that life when decisions were made. I was very struck by that, and I still am, and was particularly focused on the fact during the COVID crisis. So it is in that spirit that I look at the decision that has been placed in front of us and I look at what I told my children years ago, not that they probably listened and not that the Assembly may listen now, but what I said was this: "Never lie to yourself" or in the words of William Shakespeare: "Unto thine own self be true."

[14:30]

That is to say, you can convince others of your reasons for doing something but deep down you know your real reasons. I would ask Members to look in the mirror and ask the question: "Why is this being brought? Do I really support it and is it in the best interests of the Island?" If you are bringing it because you were not offered the position that you hoped to get in the current Government and you have carried this wrongdoing about for 2 years, then I would suggest you are wrong. If you are bringing it because you dislike the current C.E.O. and have done since he was appointed, then I would suggest you are wrong. If you are bringing this because you feel the current Chief Minister is not up to the task, then I fully respect your opinion and your right to air it but would like to suggest to you why you are wrong and I hope that you will listen to my reasons. We have seen a recent advert in

the *J.E.P.* that is, to be honest, fairly distasteful, where a group have taken it upon themselves to bring down the Chief Minister and the Government, not in an honest way of forming a party and standing in an election but by using the media, both mainstream and social, to do so. Sadly, Reform, who I have always seen and indeed publicly back as open and honest, have now decided that they will follow this route. Strange bedfellows indeed Unite and Jersey money but there you are. I do believe, and will continue to believe, that the people of middle Jersey are due a party to represent them and when the dust settles hopefully progress can be made to provide one. To that end I make no apologies in quoting an email we all received from John Henwood which, while being slightly harsh, shows that not all Islanders are as anti the Government as some would have you believe. He stated: “The recent advertising calling for support in a vote of no confidence says it is in favour of decency and good values. Do those who paid for it really think a damaging and at times disingenuous personal campaign against Senator Le Fondré is an example of decency? What has Jersey come to when a small group of ambitious States Members motivated by self-interest, aided by a handful of people with an axe to grind, might bring down a Government which is actually doing a good job of steering the Island through the biggest crisis we have faced in a couple of generations?” Often in politics facts are ignored but let us look at one of the main complaints brought up by the *J.E.P.* advertisers against the Chief Minister and his Government. The one word that sprung out to me was “dithering”. Dithering. In an 8-month period the Chief Minister and the Government have, with considerable help from the professionalism of the civil servants, managed to build a Nightingale hospital with amazing speed, closed schools and then reopened them in a controlled manner, closed pubs and restaurants and then reopened them, again, in a controlled manner. We introduced a payroll scheme that many have said could be described as a benchmark on how to run one. We boosted the economy with a £100 card scheme that the card supplier said he was amazed at the speed we managed to roll that out at, a card scheme that has been hugely successful in helping the local economy and a card scheme against which Senator Moore voiced considerable disapproval. We put in place a point-of-entry scheme that is considered one of the best in Europe. We put in place a loan to Blue Islands to prevent our air communications being cut off. We put in place a track-and-trace system. We prevented patients from hospital going to care homes without testing. We paid an extra £100 to those on benefits and on basic pensions. We cut employee social security contributions to put money in people’s pockets. Together with the stakeholder companies who performed admirably, we put a number of initiatives in place to help during lockdown, including the freezing of electricity prices. Amidst all of that, we put together a plan to move to same-year taxation, the biggest change in Jersey’s tax since 1926. We appointed a construction partner for the hospital and, barring States Assembly intervention, this will set us on course to put that spade in the ground by 2022. But in the words of Deputy Huelin on BBC Radio on Friday: “The hospital P.O.G. (Political Oversight Group) has achieved more in the last 10 months than previous administrations have in the last 10 years”, a P.O.G. put together by, yes, the Chief Minister. Maybe this is an area where the Chief Minister and the former chief executive have not excelled in putting out the message to the public. I have spoken to several people, both by email and in person, and I have explained all that I have just outlined there and they said: “I never realised that, I am sorry.” But they do not need to be sorry, it is we that should be sorry, that we should have blown our trumpet considerably more and as a Government we have been too silent while allowing a vocal few to utilise the press in undermining our efforts on a consistent basis. I will not go on about our achievements as others will doubtless speak more of them but I will close with one question to all States Members, some of whom have criticised Senator Le Fondré’s integrity. This is a man who is steeped in Jersey tradition, who, like his father before him, wishes no more than to serve the Island to the best of his ability. Could you really stand, look him in the eye and say: “John, I doubt your integrity”? Thank you.

### **2.1.21 Deputy C.F. Labey of Grouville:**

I really wish we were not in the position we find ourselves today. This vote of no confidence is creating a divisive rift in our community when we should be pulling together. Surely as we steer our way through this pandemic, this is a time for unity. We, as States Members, or leaders of this

community, need to work together and set the example. But I understand why we find ourselves where we are today and it is not for most of the historic reasons cited in the Proposition. But for what it is worth, it is my personal opinion that a non-executive directorship like this is not compatible either with the duties or the public image of the Island's most senior civil servant. I am afraid the whole thing was handled very badly and I understand why people are angry. I am angry and I am not going to stand here and defend any of it but the punishment has got to be proportionate and considerate of where we are as an Island. I also think that more attention must be paid to the sidelining by the Executive branch of Ministers in the States. I thought Senator Mézec made the points well in his excellent speech. It has led to a fall in public trust in Government and a decline in the morale of our hard-working civil servants, and I shall come back to that point at the end. A few people have contacted me to ask me to vote with the vote of no confidence. I have had to point out that I am part of this Government so it would be like voting against myself. If I thought we were getting things so badly wrong, I would have resigned beforehand instead of waiting for a man to be down and then put the boot in. I would like to ask how many of those voting with the vote of no confidence have taken the trouble to go and speak to the Chief Minister and raise their concerns with him. His door is always open, evenings, weekends, perhaps they should reflect on that as we all represent our community. I understand some people find the Chief Minister's style difficult, infuriating even; I do on occasion but people also found the former C.E.O.'s style difficult. Islanders criticise both for probably completely the opposite reasons so you can never win. We are in the middle of a pandemic. From the outside world, how does it look that a Government starts a campaign of in-fighting and instability at this time? If the Government were making a complete hash of things then, yes, I would say: "Get rid, change the Government and move on" but that is not the case, is it? This Government with this Chief Minister has been dealing with a global health crisis. We are balancing a health crisis with our economy and find ourselves in a far better place than most places around us. This did not just happen. We had co-funding launched within 24 hours of the W.T.O. (World Trade Organization) announcing COVID-19 was a pandemic. We have an internationally-recognised track-and-trace programme, we put together a fiscal policy package to save businesses and help Islanders. Decisions with very big price tags were made quickly, decisively and well. There were 3 focus groups set up within government for health, economy and community. The Chief Minister put Deputy Martin and I in charge of community. Within 2 weeks of the pandemic being declared, the COVID community task force put together a partnership strategy with the voluntary and community sector, the Parishes and businesses. We included Backbenchers in this work as John Le Fondré is always keen to do this inclusive government. We were ably assisted by Deputies Carina Alves and Inna Gardiner and we worked really well as a team, all pulling together. We set up Connect Me, a new database supporting and training team members, implementing systems and circulating information and how to get support. We received 3,000 applications for volunteers, initiated and funded D.B.S. (Disclosure and Barring Service) checks, agreed medicine delivery to Islanders' homes, set up an emergency housing team, secured additional capacity for Shelter and Women's Refuge, worked with supermarkets to ensure stability and service development. Proactively contacted Islanders who are extremely vulnerable. Actively supported the co-ordination of the charitable funding processes, one application, one decision, delivered a comprehensive multi-channel communications campaign, leaflets to all households, adverts, social media and press conference. We were able to do a lot of this because of a decision that we made to invest in I.T. had been taken before the pandemic. The initial focus of the community task force was on practical support because listening to Islanders and Parishes confirmed that this was the greatest concern and their priority need. These health, community and fiscal responses did not just happen. They required politicians to make decisions to listen to medical advice, instructing policy officers, law draftsmen, bringing propositions to the States for approval. It happened under the leadership of the current Chief Minister who worked day and night, 7 days a week for many months to achieve it. To say that all the good things that have happened are down to the officers but all the shortcomings are down to the Ministers is simply not fair. Over the past 2 years the Chief Minister has also been a supporter of my area of

responsibility, international development, and it is under his leadership that he recognised the position warranted a ministerial role.

[14:45]

Which not only brings us in line with other wealthy countries but sends a powerful signal to the world that Jersey takes its international responsibilities seriously. From having a seat around the Council of Ministers' table, I have managed, and this Government has agreed, to reverse the decline of my international development budget, which frankly beforehand was causing international embarrassment of an international finance centre. During the COVID crisis, Jersey Overseas Aid have made 10 responses totalling over a million to help those in most need around the world with this dreadful pandemic. Other work continues. In the last 10 days alone, for example, we have had conversations with the World Bank about establishing a development finance institution in Jersey with the chair of the African Venture Philanthropy Association about bringing a social investment and funding it. The Government cares about global Jersey and knows that a strong international profile is a key element in building the connections and allegiances we need on an international level to succeed in a post-Brexit world. During COVID, this expertise really showed its value. I was able to deploy our professional Jersey Overseas Aid staff to help with the establishment and governance of the Bailiff's COVID fund and with ensuring local charities receive the funds they needed from local donors through the community task force mechanism. The Chief Minister set up this structure and has supported this work. The Chief Minister and this Government also recognised and acted on another key policy area of mine and that is how we view ourselves as an Island and how other people see us. The Chief Minister convened a policy development board under my chairmanship. In Jersey, our ability to work together, care for each other, grow our economy ...

**The Bailiff:**

Deputy, we appear to have lost you.

**The Deputy of Grouville:**

Sorry, I do not know where I got up to, where you last heard me. Shall I start ...

**The Bailiff:**

Well, you have been speaking for a bit over 10 minutes so probably the last 10 or 15 seconds, if that works for you, would be fine.

**The Deputy of Grouville:**

The Chief Minister and this Government also recognised and acted on another key policy area and that is how we view ourselves as an Island and how other people see us. The Chief Minister convened a policy development board under my chairmanship. In Jersey, our ability to work together, care for each other, grow our economy and look after our environment depends on us being bound to each other by more than just a shared geography and a set of rules. Internationally, our long-term future relies on projecting a positive image of the Island, a richer international profile than that of the world-class finance industry. Our unique history and constitutional status, our extraordinary endeavours in other fields should also be recognised as part of our overall personality. Co-ordinating and projecting these facets of our Island identity will help us build the reputable relationships we will depend on to thrive in a globalised world. The Chief Minister has been the instigator and a great champion of this work. With this in mind, I think the real requirement now is to look to the future not, I would say, to change the Government but to change the way we portray ourselves and select those who choose to serve within it. I make this point especially in light of my recent work on Island identity. So I would like to plant the following idea in Members' minds and for S.E.B. to consider it. Jersey is not a sovereign state but we are a self-governing country with our own Parliament, Government, Ministers, legal system, judiciary, taxes, language, I.S.O. (International Organisation for Standardisation) country code, credit rating and money. We are not a U.K. borough. If we rely on people who serve at high level within our public sector and who, through no fault of their own, lack experience at

government level, who lack experience of working with politicians and serving elected Ministers, we will end up as some subdivision of English local government and in so doing sell our amazing public sector and the whole of our Island very short. Thank you.

#### **2.1.22 Deputy S.M. Ahier of St. Helier:**

In his candidate speech for the role of Chief Minister, Senator Le Fondré said: “I believe I can provide the leadership we need but also represent stability.” I do not believe that the Chief Minister has provided either of these qualities. Our Island now finds itself without a Chief Executive Officer as the result of a scandal which will have damaged Jersey’s reputation internationally and will make finding a replacement even harder. We are in the midst of a political crisis entirely of the Chief Minister’s creation yet the only person who seems to have accepted any responsibility is Mr. Parker himself. It is clear that the C.E.O. is not the only one who has let our Island down. Mr. Parker at least reported his intentions to the Chief Minister and received no warnings from him not to proceed in this way. The Chief Minister, on the other hand, did not report this exchange to anyone. The Chief Minister has accused Members of seeing this vote as “an opportunity for political gain”. He says this knowing full well that he is no stranger to acting in his own political self-interest. He became Chief Minister, having made a deal with Reform, which he ensured was kept secret from the Assembly until after he was elected. On the day of his election, he was asked directly by another Backbencher which groups he had talks with. He declined to name Reform. It is in this context, either deeply ironic or entirely unsurprising, that a failure to disclose important information is what has landed him in this predicament. While his ambition to become Chief Minister was clear from the start, what has become increasingly unclear is how he intends to move Jersey forward. He has been absent from the great number of votes on key policy decisions. His voting record places him 45th out of 49 politicians. He oversaw the movement of government officers to Broad Street but there is still no decision on the office strategy policy, which was due to have been announced in September. He has also delayed the extension of Mont á l’Abbé School, delayed the creation of the North of St. Helier Youth Centre and delayed the introduction of the Public Services Ombudsman. He expanded the Communications Department to over 30 people, although this debacle has demonstrated that he does not directly authorise their press releases. This all amounts to a clear abdication of responsibility. If he does not participate in the Assembly’s debates, if he is not overseeing the Government’s communications with the public, if he does not keep the deadlines for strategic decisions which he has set for himself, then I must ask the impertinent question regarding his recent remarks to the media: “What exactly about his role that demands so much of his focus?” Then again, no one could blame him for wanting minimal contact with the S.E.B. given that his stewardship of it failed to avert unprecedented strikes, causing chaos across the Island. I conclude with these remarks, a political leader must keep looking over his shoulder to see if the people are still behind him. We who support the vote of no confidence stand accused of engaging a political opportunism but we have taken this action reluctantly. Our motive is to do what is best for all Islanders and the message that we have heard from them over and over is that it is time for meaningful change. Those of us who have brought this vote occupy a range of positions across the political spectrum. As Senators, Constables and Deputies, we are all manifestly aware of the lack of leadership being shown by the Chief Minister. We believe that it is for the Ministers to instruct their officers, including the chief executive, to tell them which actions to take and to prevent them from taking actions which would clearly be inappropriate. The current situation suggests that the tail is wagging the dog and that a vast amount of decision-making power has been vested in people who are unaccountable to anybody. Mr. Parker has sensibly agreed to step down. It remains for Senator Le Fondré to be held to account. The man who claims that he simply forgot to tell the S.E.B. about Mr. Parker’s second role is not the man who should be given the responsibility of appointing a new chief executive or he may well reappoint Charlie Parker. I urge the Assembly to vote for this Proposition. Thank you.

#### **2.1.23 Deputy J.H. Young of St. Brelade:**

Two years ago I supported our Chief Minister in his election and I saw at very close hand how he put together this ministerial team and made bold decisions to build for the first time a coalition of people with different political ideologies, with strong characters in that. Under his leadership we broke the mould. We adopted a new Finance Law, we abandoned the flawed M.T.F.P. (Medium Term Financial Plan) straitjacket and set out on an exciting new Government Plan for the first time with new priorities, social priorities and for our environment. He picked up the mess left behind by the previous Council on the hospital project and got it on track. He set up policy development boards bringing Government opportunity to policy development, in housing, in migration, in funding environment and climate change and many others. He has championed the progress on putting children first, and I could go on about that and many other projects. But having mapped out our plan, we got struck by COVID-19 and other Members have spoken on what we had to do. We had to switch all our efforts to control the virus and maintain our economy and support those most of all who were acutely affected and protect our population and, as an example, to spend on the Nightingale hospital was his decision, as was the voucher scheme and investment in border testing, decisions unparalleled made in days under our Chief Minister and he was absolutely there leading. Now his personal stance is conciliatory, it is mild-mannered, it is consultative, which I think some people have misread as being soft but it hides a powerful, analytical mind weighing up the pros and cons of every issue. Some people get irritated with that but, in my judgment, these are good qualities. When he decides he is firm in his resolve and sees it through and he is an example of integrity and standards in public life to everybody. Now the supporters of the Proposition say: "We need a strong leader, a tough person, an inspirational leader." Now of course there is more than one way of inspiring people.

[15:00]

Just look across the water at the U.S. election to see that demonstrates more than I have ever seen. Do we really want a Jersey Trump? No, much better win hearts and minds. There is more than one way of leadership. We have learned what happens when we introduce division in our community, it creates a toxic culture. We do not want that to be repeated. Now of course the Chief Minister did not get to choose his Chief Executive Officer, he inherited the person in the process. I am sure that if the recruitment had been under his control we could have had psychometric testing to make sure of compatibility. But we did not need to see the contrasting personal styles which, in my long experience, recruitment in a different organisation told me that such a contrast of styles was always going to end in tears but I was prepared to give it a chance. Having had our C.E.O.'s first messages such as: "My way or the highway", it was a bad start and it did lead to an austerity-led bitter pay dispute, which I was very unhappy about and publicly said so. Our Chief Minister found a way through it. Yes, he may have compromised but, like me, he gave our C.E.O. a chance. I am now clear, in hindsight, our C.E.O.'s U.K. eccentric style does reflect right elsewhere but it was not right for Jersey but it is what we brought into the Island. I praise his decision now to stand down. It is wise and will help us lead to a culture which is more suitable, and I hope this will be quickly and sensitively arranged as part of the exit arrangement. As somebody who has personally experienced being asked to exit from a major role in a previous life 2 decades ago, I understand how hurtful that will be to him but it is the right decision and I can assure him there is life afterwards in other careers. Our Chief Minister is criticised because he is not powerful and a strong speaker. I agree he sometimes, like me, does overdo the content but just look at the Prime Minister in the U.K. to see what happens if we give oratory priority over judgment and competence. Quiet competence is good. Then there is our flawed system of Government, which the Chief Minister inherited; not just the faults in our ministerial system but the last-minute changes just before he got elected which were ill-thought-out by the previous Council of Ministers under P.1/2018 causing huge divisions. That has not helped any of us a bit. On the plus side, the removal of collective responsibility allowed dissent of reflecting those political differences. There have been strong words spoken across the table but our Chief Minister has also been willing to find a compromise on issues of non-confidence. There was also the negative effect, which was the flawed single legal entity decision which lay at the heart of the vision of mandate given to our chief executive to achieve savings by the previous Council of

Ministers. Our C.E.O. has certainly tried to introduce austerity in pay. Thankfully, it failed. He was also tasked to strip out silo thinking and bring about One Government and he has certainly achieved that. I think in terms of finding the balance, the structural changes in the target operating model, which I have challenged, do need some adjustment but this cannot be done in 5 minutes. I know that that is an important issue of how we get ministerial oversight of policy. That was an inherent problem in the legacy that our Chief Minister inherited, so shall we get rid of him because he has not yet corrected that? No. He has said it is his intention to do that. It is going to be corrected. This is not the time to be diverted into internal structural matters which most Members consider abstract or arcane. This way will enable us to improve the structure to avoid the very problems which people are now blaming our Chief Minister for. I want to address the Reform party position. Deputy Ward made a case based on the Chief Minister's own voting record which goes against his political ideology which, in some cases, I voted differently. In the coalition, the Chief Minister has to take account of and follow the majority view of his Ministers because not to do so would destroy the whole basis. There has been no occasion when the Chief Minister failed to follow the majority of Ministers and there are times we have to sign up to things we do not like and accept them, so we have disagreements. I have accepted decisions that I have disagreed with and even recall dissent. I do not do that very often but, for me, the Chief Minister's judgment has kept C.O.M. making forward progress and particularly the criteria for me in my role in Environment: are we making progress on the environment policy? Yes, we are. It is slower than I want but it is better to make headway and leave a better situation for Members who follow after the elections. I want to give them a good platform in environmental policies. I want it for the younger Members who have great potential and have shown such vision. I say to those Members who are supporting the vote of no confidence because of their frustration with the lack of delivery and what they consider to be civil service excessive influence on policy inherent in a flawed system, yes, we need to adjust that and get better safeguards. I brought that before the States in detail about ministerial government and the system problems but nobody challenged my diagnosis. They did not like my solution but today to them I ask: is it a solution to get rid of the Chief Minister? No, it is not. The same problems will beset any new Chief Minister so the solution is not getting rid of the Chief Minister and replacing him with another but at the ballot box and for the Reform party politics, but that is another day. Now any Chief Minister has to work within existing perfect, imperfect and broken structures and it has been said that Ministers supporting the Council of Ministers today - myself, for example, as it has been said about me - are protecting their own position. I had many emails like that and from what seems to be an orchestrated campaign. I do find that offensive and I am upset about it. I put my hand up for the role of Minister for the Environment 2 years ago and some people might say I am past my sell-by-date but I have worked full-time and really hard and want to drive the environment to work to ensure that the momentum in that policy work is made, despite the pandemic, making sure the Island Plan will deliver affordable homes, new infrastructure and the protection of our Island. Of course, I did warn Members these changes, because of the pandemic, in order to hit the Island Plan's February 2021 debate, it is a very tight timetable. I have to publish the draft within 3 months, which means I do not have latitude in that timetable for any delay. My fear is a month's delay here to accommodate a new Chief Minister, whoever gets the role, could be fatal to that project and will probably mean shortcutting consultation at best. I have been criticised in the *J.E.P.* that I make understatements so please, Ministers and colleagues, I am not exaggerating. We have no latitude. Even days will put that timetable out. I have to publish the plan late February. I have the St. Helier Town Plan, the Coastal National Park Plan and the Marine Plan, the Minimum Waste Plan to get to the Council of Ministers in the next few weeks. I have said that my duty is to see this through and I felt to abandon that responsibility will be letting the public down. Of course, it is said there will be a ministerial change. There will be no problem if we have a new Council of Ministers. Any exaggeration that we can simply just replace a new Chief Minister just like that, I do not think is at all realistic. There is going to be disruption. It is going to be completely unpredictable and the uncertainty changes the whole dynamics of how people work together so the notion to swap one person sounds fine but it is not the real world. I do not think we can get a new Council of Ministers,

if this succeeds, until 27th November. We have no time to review the Government Plan and we have lost the 16th November States. Deputy Wickenden told us about the Government Plan and I doubt his knowledge. The hospital date is lost or delayed and then we have urgent Brexit U.K. talks, a decision to be made and legislation to be made within days. Now I agree the Chief Minister did make an error with allowing the Chief Executive Officer to progress his personal aspirations for the future which, frankly, we all know was a non-starter anywhere, let alone in Jersey, but his eye went off the ball. He has apologised. Are we not going to allow him one mistake with all the achievements other Members and I have spoken of because he has been full on with COVID? The Ministers were pointing that out to him and it was right. Yes, it took time to resolve but this had to be done properly under the Employment Law provisions that Deputy Martin so well told us about. I think this is an opportunistic Proposition; I respect the rights of people to bring it but I ask for it to be redacted. Let today's debate, if there is a purpose, vent the tensions. Let us get back to the priorities of serving the public with the existing Chief Minister in place. We will need a new chief executive. I believe we will be able to find one, a very good candidate hopefully in the Island, who will bring a much less confrontational style and who will have the personality which compliments the Chief Minister and who the public can respect with the style being appropriate. Style is a personal thing. It is not a criticism. I think, in summary, it is time to heal over the divisions, restore our Government to a happy place and end the distractions that have caused the public to lose confidence. Please vote again and let us close the door on this episode and move on and look forward. Thank you.

#### **2.1.24 Connétable M.K. Jackson of St. Brelade:**

I am pleased to be supporting the mover of this Proposition and commend her for having the courage to challenge the Chief Minister. It is easy for us to grumble and criticise Government but not so easy to stand up and be counted. I really think it is democracy at its best and we should not denigrate anyone for so doing. I also admire the media for bringing this to the fore. It is a free press in this Island of ours and a little deep digging is exactly what investigative journalists do, and we are fortunate to have some excellent people here in the Island. It is for those in authority to be ahead of this and not get caught out by not being abreast of their briefs. There will always be a justifiable reason for not bringing such a proposition whether it be the prevailing pandemic, the economy, or any multitude of different reasons. Of course, I am cognisant of the global situation but I have to base my judgments on the reality of the situation here in Jersey today. The Chief Minister is as nice a chap as one would wish to meet. His integrity is unquestioned and commitment to the role is undoubted. However, there is always a "but". Some of us are just not going to live enough to see the fruits of the eventual decisions which his Council of Ministers should have been making far more swiftly. I fear that the Chief Minister has become out of touch with Jersey residents and needs to take a step or 2 down the ladder and, as some might say, smell the coffee. The Chief Minister has a penchant for managing the States property portfolio and, as a result, we have a stagnation because it seems that disposals are blocked, refurbishments are blocked and, generally, the States buildings are in a poor condition and lacking ongoing investment. The case in point is in the old Les Quennevais based store building in my Parish. We have known for years that it would be redundant once the new store opened and yet, despite emails, meetings and conversations from my quarter, absolutely nothing has happened. We have people crying out for rooms over their heads. Why, I ask, has the Chief Minister been so dilatory? He does not really need to have any involvement at all. I suggest he should leave it to his Property Holdings Department to get on with. My principle concern is that my Chief Minister has allowed himself to be made a fool of by his inability to manage the Chief Executive Officer. It is this that has undermined public confidence in him and I, like many others that have been in contact with me, feel his actions cast doubts as to his ability to make the right decision choices at this sensitive time when he had not only the pandemic but Brexit negotiations to contend with.

[15:15]

The Chief Executive Officer has stood down or resigned or been stood down or in temporary employment. Perhaps the Chief Minister might tell Members and indeed members of the public in his summing-up what the present contractual status is of the Chief Executive Officer within the parameters of what he can reasonably publicly say and what the proposed interim employment period might be. It would seem likely that the departure of the Chief Executive Officer will incur significant costs to all of us taxpayers. I would ask the Chief Minister will he be accepting responsibility for this? He will not be able to tell Members the quantum but responsibility for this must fall squarely on his shoulders. He has dropped the issue right into the lap of the States Employment Board to deal with and I feel that is a bit of an abrogation of his responsibilities. I would appreciate a straight answer to this without the opacity to which the Chief Minister is want. I do not think any member of the public would agree that the proposals to build a new hospital have been successfully directed by the Chief Minister. I am pleased of course to see that the project is advancing under the direction of the Deputy Chief Minister but there are still lots of holes in the process and hoops to go through, for which the Chief Minister must carry ultimate responsibility given he is the man at the top. Despite having spent some £40 million, there does not appear to be smart objectives, those specific measurable, achievable, relevant and time bound objectives to link what previous information was used to the current project. Without this information, it is challenging to make objective decisions to measure what, if any, costs have been reduced and what information was used. There does not appear to be any inclusion for unseen setbacks within the process. This could cause a project to go off-track and cause costs to spiral so easily. What about the 40 to 50-year lifecycle with no clearly defined projected timeline and the absence of hospital specific analysis documentation? The site selection process was inconsistent and, while I gather a topographical survey was carried out on 5 sites, what about the 17 other potential areas? Why was South Hill eliminated at stage one? It was large enough. Has the Chief Minister some other grand plan in his self-appointed property management role I ask? Consideration has been given by some as to the consequences of supporting this and I would like to outline what I understand may happen in my understanding in the case of the Proposition being successful. The Public Finances (Jersey) Law 2019 and the States Assembly Standing Orders are the 2 pieces of legislation to consider during the Government Plan's lodging period. Article 27 of the law suggests that, in the event that a Chief Minister loses, he will be expected to remain in the role until the appointment of a replacement. Otherwise, the Deputy Chief Minister will act in his place. It seems to me therefore that the Council of Ministers will not immediately fall should the Chief Minister be removed and will only do so once the Council of Ministers has been elected under Article 19. The new council can then decide whether to carry over propositions that have been lodged by the previous council. The Public Finance Law does not cover the possibility of a vote of no confidence in the Chief Minister because it is lodged by the Council of Ministers and not an individual Member. so it would appear that authority to the Government Plan would therefore be transferred to the succeeding council. It is probably too late to lodge an entirely new Government Plan unless the States were to agree to reduce the usual 12-week or truncated 9-week period under Standing Order 26(7). There could of course be amendments as long as they do not lead to a negative balance in the Consolidated Fund. It should also be noted that, should the Council of Ministers choose to amend the taxation levels presented within the 2021 Government Plan, then the taxation draft should be expected to be amended almost immediately to facilitate this under Article 13 of the Public Finances Law. Under Article 17 of the Public Finance Law, if the States has not approved a lodged Government Plan before the first year covered by the plan, and that is generally 2021, then a set amount may be withdrawn from the Consolidated Fund based on a proposed head of expenditure as set out in the unapproved plan provided there is an equivalent head of expenditure in the previous Government Plan. I apologise for trying to confuse Members but I have been trying to understand, in my own mind, what the consequences were of any actions we may take today. It may be for Her Majesty's Attorney General to advise Members as to whether the Chief Minister is required to remain as the head of the Council of Ministers following a successful vote of no confidence and, indeed, how quickly the States could appoint a new Chief Minister. That concludes my few words in support

of the Proposition. In the interests of this arising, I perhaps would ask, Sir, that you may ask the Attorney General to make the appropriate comments. Thank you.

**The Bailiff:**

Thank you very much, Connétable. The position is, as I am sure Members will know, that in the event that the vote of no confidence passes, the Assembly then has to appoint a new Chief Minister. Candidates would have to submit their intention to be considered by 12th November and the next States meeting on 20th November would be the time for electing the new Chief Minister were that to be the case. The Attorney General does not need to advise on that, I am sure. Hopefully, that is sufficiently clear.

**The Connétable of St. Brelade:**

Thank you, Sir.

**2.1.25 Connétable K. Shenton-Stone of St. Martin:**

I am pleased to follow my fellow Constable who is one of the most measured Members of this Assembly. Our Chief Minister John Le Fondré is a decent chap and I do agree with other speakers that he is fundamentally a good, honest man but I would like to state that I am not personally against the Chief Minister. I am also not ruthlessly pursuing his downfall and I am certainly not looking for power. I am my own person. I just want what is best for the Island. Those who know me will know this vote of no confidence has caused me real turmoil. We States Members have all received some very strong emails from supporters on both sides all telling us that if we vote pour, no one will ever vote for us. If we vote against, no one will ever vote for us. If we vote for, we are disgusting. If we vote against, we are deplorable. We have now been told by Deputy Martin that there is no way you can change a Government mid-term. Really? Whatever happens? Does our dissatisfaction not count? Does the public's dissatisfaction not count? Do we have no redress? If there is a change, I was under the illusion that if many of the ministerial roles were kept and changes were made to the Government Plan, *et cetera*, that stability would be maintained. Surely, no one, not even Deputy Martin, thinks it is a good idea to throw the baby out with the bath water. Surely, we all want stability and we can still have stability with the change of Government. I am not here today to question the integrity and hardworking nature of the Chief Minister. I am also not questioning the response of the Council of Ministers in relation to COVID. They have done well and, with hindsight, we can always do things better, especially when we are faced with a situation we have never faced before. Where, however, I do have an issue is the lack of judgment shown when approving a second job for our Chief Executive Officer during the pandemic, especially given the issues we face outside of the pandemic in relation to health, education, population and planning, to name but a few. Even if the Chief Minister believes that the Chief Executive Officer had the time, the Chief Minister completely misread the mood of the public and fellow States Members. I was further disappointed that rather than accept his failures, he tried in desperation to blame others. People are not perfect, the Chief Minister is not perfect, none of us are but one has to have the leadership qualities to not only judge a situation but also to admit when they have misjudged it. His term started with disappointment concerning his Council of Ministers choices keeping his deal with Reform quiet until it was too late and those of us who had voted, without knowing about deal, could not choose to change our vote. He has been criticised since for leadership and strength and, as I say, I have no doubt as to his integrities and passion but I need a States person as a leader and, with this latest debacle, unfortunately that position has been lost. I must say it is with real sadness that I feel I have no option but to vote for this Proposition. Thank you.

**2.1.26 Senator T.A. Vallois:**

I am not going to lie. I have really struggled with this and I have penned many speeches over the last few days and, each time, having to consider the tone and pitch in which I approach this debate. I will start with what it states in our own Code of Conduct under schedule 3 of Standing Orders around maintaining the integrity of the States: "Elected Members should at all times conduct themselves in

a manner which will tend to maintain and strengthen the public's trust and confidence in the integrity of the States of Jersey and shall endeavour in the course of their public and private conduct not to act in a manner which would bring the States or its Members generally into disrepute." With what has happened recently and especially with this debate, it has caused me more so now than ever to reflect on the role I play and the responsibilities I uphold not just as a Minister but as an elected Member of the Assembly. Deputy Maçon earlier referred to a risk of losing the extremely long and arduous fight of obtaining the funding settlement for education which, let us remember, has not yet been agreed. I stood for Senator on the basis of hoping the States Assembly would support me to be the Minister for Education no matter who the Chief Minister was as, during my many years in the States Assembly, I believe I have been able to work with all the different views of Members with respect. Many will know me for not being backwards in coming forwards and there is no one that is more aware of that than our current Chief Minister. I actually share many of the frustrations and concerns that Senator Mézec relayed in his speech and I believe this boils down to not only the gaps in government around our machinery of government but also the willingness for patronage to the detriment of doing the right thing that meets the principles and values that are clearly more hardwired in some and not the many. The Deputy of St. John referred to P.1/2018, blaming this Assembly for its admittance. However, it was this Assembly that approved the Public Finances Law even though there was an option to hold back on the power being provided via a separate vote on the crucial Article. The downfall I feel is that the premise of P.1 was not enacted in its full consideration with the States of Jersey Law and the Employment of States of Jersey Employees Law, which would have provided the rounded accountability and responsibilities needed against the power being given. I move more intrinsically into the struggle with which I am having with this Proposition today. I will refer again to our own Standing Orders as follows: "Leadership. Holders of public office should promote and support these principles by leadership and example to maintain and strengthen the public's trust and confidence in the integrity of the States and its Members in conducting public business." I know whatever happens today, things have to change. The Chief Minister referred to how he works and his financial literacy skills, which is to be applauded, and I believe it is important to share my thanks to him for the endless days and nights he has committed, along with dedicated and hardworking officers to see us through the last few months in particular. The picture painted by some does not reflect the reality. What comes to mind when considering this Proposition is the phrase that "no man is an island". There are many of us with many skills in this Assembly and at the Council of Ministers that can help, support and ensure good leadership. It is whether that political advice is wanted or not and it does not have to be based on left or right-wing agendas. The failure with the latest debacle is, I feel, that there was no consideration for consulting the political team around the Chief Minister and how that could have been demonstrated properly and in good time to avoid further undermining the role of the Council of Ministers. Instead, it was a second request by the Deputy of Grouville that enabled a meeting to be held at a time, which we have learned, was too late. The reputation of our Island is about holding good governance and that is just as serious as the reputation of our Island around financial governance. This is where I am. What is really going to change either way? Yes, I am a Minister. A Minister that does not want to stop working hard to improve our education offering, get us through a COVID winter and continue the valued and considered challenges I make and are needed by the many groups and meetings I am party to. Here is my open challenge for action to the Chief Minister.

[15:30]

A subcommittee of the States Employment Board needs to be created to enhance and speed up progress on our human resources policies while the main board carries on with business as usual; put back on the agenda for this Government Plan the Public Ombudsman; bring forward the Employment of the States of Jersey Employees Law changes in short order with the States of Jersey Law; create a training programme for senior civil servants on how democracy works in Jersey; the Treasurer is not to be a Director General and the creation of a different reporting mechanism for our ministerial support unit and policy unit. There is one final question that I have to ask. In the correspondence

we received last evening with regards to the loss of our Chief Executive Officer I ask whether the last paragraph of the letter that we have received where it suggests he will stay on for an orderly transition should the Government wish him to; I would like to know how long that length of time would be and whether the mention of the Government in this letter refers to the Council of Ministers or the States Employment Board. What role does the Council of Ministers have in terms of advising the Chief Minister in an appropriate political direction for the betterment of our Island? The Chief Minister is aware of my disappointment and anger at where we are. Maybe I am just a troublemaker. Maybe I am the problem. Maybe I am not as loyal as I am supposed to be. But my loyalty lies with the public I serve and the principles and values I hold so dearly. So what do I do today? That is where I am sitting and I have been listening to all speeches, whether that is for or against, and I do not have the ability to list the many things that I have been supported with, like my other ministerial colleagues. But it is good to hear that it does happen in certain quarters. Maybe Education is not seen as a high enough priority as I feel and know that it should be. I would suggest the Economic Council and many others certainly get it, and that it is a running theme through all of our Common Strategic Policy. Finally, I will say I have really struggled with this. There are many speeches I have written to try and decide what I say today. I have every respect for our Chief Minister but the vote of no confidence in the Chief Minister is a vote of no confidence in me and the Council of Ministers as well, so it opens the door as to what happens going forward. I recognise the arguments about where we are and whether it is the right time, but I think that there is no good time ever when we talk about votes of no confidence, and I would like for my question and the actions I have asked for of the Chief Minister to be appropriately addressed in a public forum within the States Assembly because I do think things need to change.

#### **2.1.27 Deputy K.C. Lewis of St. Saviour:**

I have not prepared a speech but I will just be speaking from a few notes I have made and maybe a few comments from previous Members. Senator Mézec complained earlier on that an officer went against his wishes; a perfectly justifiable complaint. I do not have a problem with that; I have had the odd run-in myself with a few officers. But then goes on to say that he went to the Chief Minister who sorted it out so, result, as far as I am concerned. But the Deputy of St. John and Deputy Vallois made excellent points regarding P.1/2018 and machinery of government. Maybe that needs to be revisited again. It is often said that officers advise and Ministers decide. That can be taken with a pinch of salt by some officers so maybe that does need tightening up as a Minister does have political and legal responsibility. If things go wrong it is definitely our head on the block. When the World Health Organization announced the pandemic COVID-19 many groups were set up, many late-night meetings in Broad Street. One meeting I remember finished at 2.30 a.m. and we had to make some very, very difficult decisions. The Nightingale hospital was designed and constructed in record time with the Jersey Electricity Company, Jersey Water, pulling out all the stops to get it all sorted in record time and many contractors who were normally in competition with each other, working side by side to get the job done. Most of the planning, organisation, decisions and the landowners - who were absolutely brilliant, I might add - were done over a weekend. We gave our multi-storey car parks over to the people of Jersey because many were in lockdown, and we gave Patriotic Street Car Park and Gloucester Street, over to the doctors and nurses at the General Hospital. We did make very difficult decisions very quickly. Positive news, everyone has been listening today, a COVID-19 vaccine is on the horizon, but this is some way away yet so we cannot be complacent. But what I would say to Members is let us just put this to one side now; let us keep the Chief Minister in post. It is about a year and a half away to the next election and if the people of Jersey want a change then so be it. I will be voting against the Proposition in a nutshell, and I will be supporting the Chief Minister to carry on in his role.

#### **2.1.28 Connétable L. Norman of St. Clement:**

There have been some very good speeches today and there have been a few which perhaps have not been so good. But there was one that was particularly well delivered, but really disappointed me,

and that was from my good friend Senator Pallett. Because while he delivered the speech he started off by saying this is not a personal attack on the Chief Minister, on Senator Le Fondré, and then went on to personally attack him for most of his speech. All of the bad things that have happened - and of course there have been some bad things, there have been some mistakes made - were all Senator Le Fondré's fault; and all of the good things were down to the medical professionals, the civil service and even, even Senator Gorst with the Brexit negotiations. But none of these could give credit to the Chief Minister. Of course it is a personal attack on the Chief Minister. Look at the Proposition; it is a vote of no confidence in the Chief Minister. Not the Council of Ministers, not me, not Deputy Martin and Deputy Labey and the Deputy of Grouville, Deputy Renouf and everybody else. It is a vote of no confidence in the Chief Minister only, therefore, it is personal, Senator Pallett, it is personal. No one argues - and certainly Senator Le Fondré does not argue as far as I can tell - that he has made a mistake, and because of that mistake he is now facing what can only be described in political terms as a nuclear attack: a vote of no confidence. In that case I suspect that every single Member of this Assembly could face a vote of no confidence. Can any elected Member of this Assembly say: "We have never made a mistake"? I am talking about the elected Members, not the officers. Certainly, I have. I am quite happy to admit that, I will not tell Members what those mistakes were, that is for them to find out, but I know have. Certainly, Senator Moore has; as Minister for Home Affairs she was criticised by the Comptroller and Auditor General for interfering in the governance of police operational independence. I am bringing forward legislation as the current Minister for Home Affairs - if I still am tomorrow - to ensure that no Minister for Home Affairs can ever do that again. But the error was compounded by the then Minister for allowing the budget of the police to be slashed so that police numbers were reduced from about 240 to 190 and the police force became reactive rather than proactive, and even the vital community policing was removed. The morale of the police force at the end of the Senator's term was at the lowest levels ever known and Members may recall the survey that was done among the police. I, with the support of the Chief Minister, have addressed those issues. It is a bit of a cheek, I suggest, for Senator Moore to say, despite the fact that she is as flawed as Senator Le Fondré: "I can do a better job than he has been doing." I do not accept that one iota. Now, those remarks are not to criticise Senator Moore because one day, one day she may well make a good Chief Minister, but I draw attention to these facts to show that we can all make mistakes and we do not need votes of no confidence just because we have made a mistake or 2 or 3. We do not need that. On the radio this morning I heard Senator Moore complaining that it took 2 weeks to resolve the issue of the Chief Executive's non-executive directorship. Two weeks. That was not slow by any stretch of the imagination, but it did take a bit of time because the situation was carefully and thoroughly considered by the Chief Minister in consultation with the Council of Ministers. We were, and the Chief Minister was, dealing with a loyal employee whom we have and he owed a duty of care. The Chief Minister demonstrated that care in the way he handled the situation. I can tell this Assembly that in all he does the Chief Minister is thorough, thoughtful and compassionate, and he treats people, colleagues and employees, with dignity and care. We should give him our support today. Earlier this morning I looked at the statement he produced when he first stood for Chief Minister and for what it is worth I quote just 4 words from that statement that resonated with me. It said: "Teams work; egos do not." I hope the States will support the Chief Minister.

### **2.1.29 Deputy J.H. Perchard of St. Saviour:**

Senator Le Fondré is a good man. He is kind, he loves our Island, he does what he thinks is right and he does have integrity. This is not what this vote of no confidence is about. This debate is about whether we have confidence in his ability to continue to lead us through the pandemic and the rest of this political term. I did talk with the Chief Minister to share my views on the situation with the chief executive. I, like Deputy Gardiner, did not make a decision on how I was going to vote today until Friday evening as I wanted to give the Chief Minister the week to deal with the mistake that had been made. Last night's announcement was welcome but there are still questions that remain unanswered around the terms of the Chief Executive's resignation, the financial implications, the potential impact

of this vote on his resignation; and I do not feel reassured that the situation is now fully resolved. The mishandling of the Chief Executive's appointment has been described by some as the straw that broke the camel's back. There is a widespread perception that those leading the civil service are the ones in charge, that political leaders are overruled by officers, that unelected persons form the man behind the machine. This perception alone is a threat to our state of democracy. If the people believe that those they elected to power are disenfranchised why would they vote? Why would they engage? Why would they have any faith in our ability to execute our campaign commitments? The perception of disempowerment is destructive. That this perception has in fact been a reality for some Ministers is frightening. That some Ministers have experienced disempowerment should be beyond comprehension in a modern democracy. We have heard from Senator Mézec examples of his own battles, battles he should never have had to fight, over both the serious and the mundane. The Minister for Education has spoken repeatedly to Members of the difficulties she has faced in her own areas of work since the start of this term. This is especially disheartening given the importance of her portfolio. Education and Health are the cornerstones of our society and no Minister should have to struggle to get things done in these fundamental areas.

[15:45]

We have seen a proposition brought by the Minister for the Environment that attempted to address the issues that arose from P.1/2018, issues around the governance structure and the concentration of power in the public sector that was endorsed in that year. This is relevant to our debate today. Why? Because the only antidote to any such imbalance of power lies in the hands of the Chief Minister. The last Assembly put the Chief Minister in this position when they adopted P.1 but rejected Sir Philip Bailhache's amendment to it. The power to manage the leader of the public sector lies in the hands of the Chief Minister. The power to hold the chief executive to account, the power to ensure the Executive is implementing the policies brought and voted on by this Assembly, the power to ensure that democracy is upheld through the political relationships with the civil service lies with the Chief Minister. I do not blame the current Chief Minister for this. Indeed, I do not envy this position at all. Senator Le Fondré was in fact one of the Members who voted with Sir Philip to try to prevent the imbalance of power between the Assembly and the principal accounting officer of the States. However, the Senator took on the role of Chief Minister in the knowledge that this relationship now exists and in the knowledge that it would be down to him to hold the Executive to account. The handling of the NewRiver situation is relevant to this debate because of this relationship and this responsibility that the Senator took on when he was elected to lead. The chief executive should never have been given verbal permission to take on another role in a pandemic, especially without consultation with the Council of Ministers or the States Employment Board. Irrespective of the salary, irrespective of whether there were or were not conflicts of interests, it should have been obvious to the Chief Minister that during a global health crisis the Chief Executive's request to split his focus in this way would be met with outrage by the public. This is not just a mistake, this is a demonstration of being out of touch with the people. The fact that this was not obvious is where my concern lies. I need a leader whose kneejerk response to that request would have been no. I do not want a review. I do not want a new subcommittee. I want a leader who is tuned into the public. When the views of the public contrast with what needs to be done I need a leader who can communicate effectively when they need to make unpopular decisions. We have to take the people with us. Unpopular decisions do need to be made and it takes courage and metal to make them. I think the Chief Minister has demonstrated that he possesses these qualities but it also requires clear and empathetic explanations. It requires the avoidance of mixed messages. It requires emotional insight. This is where our leader has not succeeded. Policies that strongly urge or simply advise are not clear. Policies that advocate take the risk you are willing to take for yourself are not empathetic to those who are vulnerable. "We prefer you to wear a mask but nothing will happen if you do not" just screams it is not necessary, it does not matter and do what you want for you. It does not say: "Masks would save the lives of the vulnerable." It does not say: "Be community minded and wear a mask for someone else." This is not the fault of the Communications Unit. The communications

officers are tasked with communicating the political decisions to the public. There is only so much you can do to communicate woolly political positions with clarity. The recent press conference in which teenagers were addressed in relation to COVID is another example of being out of touch with the public base and was called out by the Children's Commissioner. Why are we telling off teenagers for partying instead of talking to parents about keeping our children safe? If parents are willing to let their teenagers go to parties at the weekend then we have not effectively communicated with them about the risks posed to their children. The fact that people are not keeping to guidance demonstrates it is either open to interpretation or the reasons for the guidance have not been clearly communicated. No one is breaking the rules with the intent of spreading the virus. Since the start of the pandemic I have made several pleas, both publicly and directly to the Government to do more to protect the vulnerable. I have been consistently told that it is down to vulnerable individuals to manage their own risks, however if the general public are not maintaining a social distance and only some are wearing masks then to a highly vulnerable person managing risks translates to not going out. This style of leadership does not work for me and it does not work for the Islanders it impacts. I do not think the Government have demonstrated the empathy and understanding I have needed and, I believe many members of the public have needed, to feel safe. In the face of continued school outbreaks and daily rises in cases, I have tried many times to push for more to be done to protect the highly vulnerable but I am left feeling frustrated and without hope for this winter. Members have come together from completely different political perspectives to address urgent leadership deficiencies. This vote is about an urgent need to stabilise Government in a crisis and to restore the confidence of the public. Should this vote succeed or should it fail, I will expect the Chief Minister to commit to the immediate redress of the problematic governance structures and lines of accountability brought by P.1 2 years ago. I will expect a firm commitment to protecting the vulnerable through the winter. I will expect nuanced and empathetic communications from our political leaders that do not assign pain nor create confusion. With that, I will be supporting this vote.

### **2.1.30 Deputy S.G. Luce of St. Martin:**

I would just like to say to Members that I have not written a verbatim speech here so you may have to bear with me. But that is not that I have not tried. As Members will know, I usually attempt to use the phrase "working together" into my speeches but I am going to support this vote of no confidence today and under those circumstances it is difficult to use those 2 words. I could have tried to base my speech on some other emotions, anger, annoyance, frustration, but the word that kept coming back to me, as I tried to scribble a few handwritten words down, was the word "disappointment" and I am really disappointed that we are here today. I am disappointed that as an Assembly we have not been able to do better, in my eyes, in the last 2 years. I am even more disappointed in myself that I have not managed to do better or do more in the last 2 years, and in many cases that is not for want of trying. But the most disappointing I think is the number of communications that I have had from Islanders who feel like I do, fortunately, that we must do better as we move forward. Hindsight is a wonderful thing and the grass is always greener if you look back. I wonder how we have managed to move away from some of the ways that we used to do things not very long ago. A couple of months back a senior member of the utilities sector came to see me with a high-level strategic problem and he amazingly asked for some advice on how he thought we might best tackle it. My initial reaction to him was: "Well, if this was 18 months ago or even 2 years ago I would know exactly what I would have done." I would have gone to the various Ministers and resolved the issue hopefully. But I said to him: "You know what, under the current circumstances I would go to the C.E.O. because he is the man who can get things done." I found myself asking the question that how have we moved into a world where politicians now do not always seem to make those difficult decisions? What happened to civil servants advise, politicians decide and civil servants implement decisions? We have got a wonderful civil service and they have never worked harder than they have in the last 6 months, and I want to pay tribute to them. But I also am bitterly disappointed that we have lost so many good and fantastically able civil servants in the last 2 years. Islanders around the globe are resilient, they are inventive, they are entrepreneurial people, how

disappointing it is that we have not, as an Island, been able to find more people who are capable of filling the roles in our civil service. I am bitterly disappointed that we have lost our C.E.O. and I hope that in the near future we can start to recruit more people who are living locally to jobs in government and in the civil service. I am disappointed that the Government today has been pushed into decisions by Backbenchers. Most people will know if you have a 4-year term you want to get your difficult stuff out of the door and over the line in the first couple of years because it becomes increasingly difficult. But we have seen the increasingly difficult policies and we have seen those coming from the Backbenchers. Ann Court, the environment, the Care Model, carbon neutrality, even population and migration, we have had to see those difficult areas being pursued by Backbenchers. I was very disappointed last week. I did not agree with the view that was being taken but I was disappointed with the Chief Minister last week for not coming out and supporting his Assistant Minister on that migration debate. Some say this is not the right time. But to me it is absolutely the right time. Some say because of COVID but COVID will go on and we are not in the depths of winter yet. It may get worse. We have a fantastic team behind us who will keep advising, keep providing the proper medical advice that politicians can consider and hopefully follow. People say it is not the best time for a vote of no confidence because of Brexit but we have heard only this week that it will be another 2 or 3 weeks before a final decision is made and, in any case, our fantastic Brexit team will be there advising whoever is in charge. I very much hope and believe that it will be Senator Gorst that will continue that work. Today is not about timing, it is not about the C.E.O. particularly. It is not about S.E.B. They have a really tough job to do and I appreciate the hard work and the difficult decisions they have to reach. But I firmly believe in myself, and I am disappointed to say, they have been put in a completely terrible and impossible position by the Chief Minister. It should not happen like that. No chief executive of an independent legislature should be anywhere near an N.E.D. role. I understand N.E.D. roles but they are not for somebody who is the senior civil servant for an independent legislature. I have spoken to the chief executive about that. I have messaged him. We have had conversations. He knows my feelings. He and I have got on well ever since he has been here. I would class him as a friend but he knows, and I know, that we do not agree, in fact we have discussions about a whole roll of things. But it is especially important that the C.E.O. does not go off and do something else to take his mind off the job with COVID and Brexit looming. I just cannot believe that this situation has happened and I am so - I will get back to the "D" word - disappointed; bitterly, bitterly disappointed that we are where we are because in my mind the chief executive should have been given an absolutely clear no right from the outset by the Chief Minister. So I am disappointed in the Chief Minister's judgment in this issue and I have to say that because of that he no longer has my confidence. I will absolutely be supporting this Proposition.

### **2.1.31 Connétable R. Vibert of St. Peter:**

I would like to say that both the Chief Minister and former chief executive, Charlie Parker, are men of the highest integrity and honesty, and personally I have no issue with them as individuals. They are both good men and have shown me respect and friendship. Both of them recently helped me with a difficult personal issue and that has made reaching a decision on this matter all the more difficult. The Chief Minister is undeniably a good politician but is he now an effective Chief Minister? We certainly believed he was in 2018, and I was one of those who supported this view. However the passage of time has led some of us to change that view. He is by nature a cautious man and that is not a bad thing. It is not always compatible with the decisions required of the Chief Minister. The public has interpreted this as an inability to make decisions and the reason for delays in progress in numerous areas across the Island. He has lost the confidence of the public. As a result, we see this Proposition before us asking for a vote of no confidence.

[16:00]

Numerous parishioners and other Islanders have contacted me since the vote of no confidence was lodged. An unprecedented number have called in to see me. In fact, I have never known so many people contact me on an issue. They have also visited me at my home and almost exclusively have

asked me to support the vote of no confidence. As Constable, I cannot ignore their views but nevertheless I did not rush into a decision as to whether I would or would not support the Proposition. Last week my Procureurs made their views known to me and that in their view I should support the vote of no confidence. Very few of the parishioners, in fact I do not believe any of them, considered the issue of the Chief Executive's N.E.D. position was particularly relevant to the vote of no confidence. Instead they had issues with taxation and the Taxation Department at every level, from the man on the street, to the wealthiest of residents. The hospital was another hot topic where parishioners believe there had been unnecessary delays. In 2018 we told the public we would be undertaking a review of the hospital project. Over 2 years later we are only just on the brink of voting on the new hospital site. Those who have spoken to me are unhappy at the time it has taken to reach that decision and the substantial increase in costs over that period. Others have referred to the failure to address the issue of rogue landlords and the Chief Minister's failure to support that legislation. I could go on but there are other matters I wish to refer to. For me, the final straw was yesterday's announcement that the chief executive was standing down. It is the way in which it was handled which is the issue and the chief executive cannot be paying for this. Ultimately the Chief Minister must accept full responsibility for this fiasco that has not only resulted in the loss of an excellent chief executive, Charlie Parker, but once again has brought the Island into disrepute in the international community. We have consistently failed to allow Chief Executive Officers to complete their contract, with a number of resignations over the years. We were lucky that a man of Charlie Parker's ability was still willing to pick up the role in Jersey given that there would have been a relatively small group of people able to undertake the role and we already had a tarnished reputation the way we had treated those previously in the role. If we look at what has taken place in respect of the N.E.D. position, in the first instance the chief executive spoke with the Chief Minister and, as we have heard, the Chief Minister failed at this initial stage to suggest he needed to consider the matter and it might not be appropriate for the C.E.O. to take up an N.E.D. role. Instead the chief executive was left with the impression he could move forward. Technically he required written permission but my experience is that in the business world sometimes these matters are overlooked if approval has already been given by a director or board member. When the N.E.D. role became publicly known the initial communication suggested the Chief Minister and the Deputy Chief Minister were aware of the role and had agreed to it. However, relatively quickly, we were then told that this was not the case and that the Deputy Chief Minister had suggested the role might not be appropriate. Why was the initial incorrect communication allowed to be released? The Chief Minister has to accept responsibility for this. I feel sorry for S.E.B. An emergency S.E.B. meeting was then called and ratified the decision to allow the C.E.O. to take up an N.E.D. role, and I feel they were rushed into this. At this point the Chief Minister and S.E.B. appeared to have supported the chief executive however at that time S.E.B. did not have the full facts and therefore they should have delayed the decision but I do feel that they were rushed and pressure was put on them. A few days later, however, we had an announcement from ...

**The Bailiff:**

I am afraid, Connétable, you have faded into enormous quietness. We can barely hear you.

**The Connétable of St. Peter:**

Sorry, I am still here. Can you hear me?

**The Bailiff:**

Thank you, that is much better. If you can stay closer to the microphone.

**The Connétable of St. Peter:**

A few days later however we have an announcement from C.O.M. that the N.E.D. role is not compatible with his role as chief executive, a complete turnaround from the S.E.B. decision. It set the scene for confrontation between the Government and the chief executive. This was a disaster, a situation which should not have been allowed to have occurred by the Chief Minister. S.E.B.

subsequently wrote to the chief executive essentially giving him an ultimatum, which resulted in him being forced to stand down yesterday. A situation which, with the correct handling, could have been avoided. The chief executive, in effect, was sacrificed to save the Government due to the total mishandling of the issue which the Chief Minister must, as I have said, take full responsibility and accept that in this case his leadership qualities were lacking. I also think it is unacceptable that a member of the Government, when this decision was announced by the chief executive, contacted me and expressed the opinion that as they had now been able to remove the chief executive would this secure my vote today? I do not believe that somebody's demise should be used as a bargaining chip. Some of the Members of the Assembly are suggesting a doomsday scenario if the vote of no confidence is successful. I feel confident that this would not be the case and that plans have already been made to ensure this does not happen. Surprisingly, no one has referred to the significant disruption which will now occur as a result of the chief executive stepping down, albeit that he has offered to stay on for some time. He will be unable to complete his planned reorganisation of the public sector and achieving significant efficiencies. There will be delays and a new C.E.O. may have different methods of approaching the issues before us. Staff will have to adapt to these changes and workstreams will change and will have to be adapted. The whole process will be delayed irrespective of the outcome of this vote of no confidence. I urge Members to vote for the proposition, however whatever the outcome I think that bringing this proposition has been important so that the various issues can be aired and we can all learn from them.

### **2.1.32 Deputy S.J. Pinel of St. Clement:**

I wish, as usual, to be clear from the start. I shall be supporting the Chief Minister. I also want to express strong disappointment at the timing of bringing this vote of no confidence. It is a huge distraction in times of such uncertainty. When the first COVID-19 case was announced 8 months ago on 10th March, Government moved expeditiously and effectively. We very promptly made amendments to the emergency powers in the Public Finances Law with the agreement of this Assembly. This provided the flexibility and assurance that whatever came our way the Island would have the finances to spend whatever needed to save lives and livelihoods in unprecedented times. We also immediately put in place the revolving credit facility ensuring the future and safe in the knowledge that we did not have to sell our reserves at market depressed prices. There was an immediate investment in P.P.E. (personal protective equipment) before world demand created a shortage. We introduced a government-funded payroll scheme beginning in the last 2 weeks of March and extending to the end of March 2021. The Treasury, with the benefit of work to date on the finance transformation, has been at the centre with the departments of the development of this economic package. The co-funded payroll scheme is a Jersey solution without the restriction of schemes, such as the furlough scheme in the U.K. There was the immediate decision to allow the deferral of G.ST. (goods and services tax) and social security contributions for 6 months. We are supporting Blue Islands airline to maintain our connectivity to the U.K., the investigation and investment in testing and tracing equipment was extensive and has been recognised as one of the best regimes in Europe. This allowed us to open up our borders on 3rd July, permitting families and friends to reunite and assist in bringing confidence to the economy. In addition, we introduced the C.R.E.S.S. scheme and the loan guarantee schemes. Most recently, we introduced the £100 spend local cards to every Islander. There was also an additional £100 for all those on income support and pension plus schemes. The extraordinary pace at which this innovation has launched was a great example of States departments, business and schools working together. It has been a huge success with much positive feedback, especially from business in supporting the local economy. We have recently introduced a 2 per cent reduction to employees' social security contributions, putting money back into the hands of the workers. With the States Assembly approval next week I shall be able to put the fiscal stimulus fund into action, which will put a further £50 million into the economy over the coming year. We are working with Scrutiny and proposing to seek their views on the bids that are made to the fund. In addition to the huge amount of work involved in our response to the COVID pandemic, we have produced a Government Plan, which had to be completely revised because of the

situation, and to how we future balance the books. There have been big changes in the Taxes Office replacing the 35 year-old I.T. system and all the time-consuming and time-wasting processes embedded in it. With the introduction of online filing for the tax returns, removing the requirement of manual data input, we are concentrating on creating satisfying careers in tax as a profession for local people. I have listed all the above to dispel any myths that this Government is uncoordinated, under-achieving and lacking in leadership. A huge amount of change, improvement, reduction in waste and big transformation has taken place over the last 2½ years and I, for one, am proud to be part of it. This has all happened under the leadership of the Chief Minister and Jersey is in a better place both medically and economically than most other jurisdictions under this pandemic. There is still much more to do. We have the Government Plan to see through, the Island Plan, the third phase of the payroll scheme, the implementation of independent taxation and the abolition of married man's tax. In addition of course, the ongoing vital Brexit negotiations. With so much achieved, and so much still to achieve, we categorically should not have a change in Chief Minister for these future plans. I support the Chief Minister and will vote against the vote of no confidence.

**2.1.33 Deputy R.E. Huelin of St. Peter:**

2020 is a year none of us will ever forget. What started with the usual aspirations we have, as we fulfil our respective roles doing what we can for the Island we all love, is ending up far, far away from our wildest expectations. Yes, a virus was mooted in China around New Year and the vast majority of the world all but ignored it. Our mutual goals were to fulfil the Government Strategic Plan, work towards the annual update of the Government Plan, support work on the Island Plan, population and, in my case, make sure we were on track to build a hospital. Basically business as usual. The business of ensuring we represent Islanders in maintaining and improving livelihoods, education, health and environment. We knew Brexit needed to be closed out and expected to continue work on the settlement scheme and immigration, *et cetera*, then the bombshell arrives; COVID-19 or coronavirus. However, it did not arrive with a manual or a handbook to tell us what to do. We had to learn on the fly, as did our health professionals, and tailor whatever evidence we could glean from across the globe to see what was and was not working and then adapt it to fit our unique needs. What has been achieved is, I feel, absolutely fantastic. Yes, many of our Islanders have been very concerned and worried.

[16:15]

Yes, on the way we have had heated debates and frank exchanges of ideas. That is democracy. But ultimately we can all agree we have done well. Financial measures, track and tracing, managing our borders. While we have an immediate concern with winter approaching and ensuring increased tensions we shall be moving towards Christmas, celebrating our achievement. All of this has been achieved under extreme pressure. Having to make fast decisions with ever-changing information. Let us face it, these are the hardest decisions of all, the matter of life and death. Not just from COVID but from the many consequences that COVID and lockdowns can bring. A friend of mine described to me the days and months leading up to the sale of his business as like driving down a motorway at 100 miles an hour, your windscreen shatters and you have to catch every shard of glass. I shared this analogy with the Chief Minister back in the spring and it resonated. Unprecedented pressure not seen in the Island since the Occupation. I would like to know exactly how many decisions our Chief Minister has made since he took office. Is it hundreds or is it more? We are here today because he dropped one shard of glass. Thank you.

**2.1.34 Deputy G.C. Guida of St. Lawrence:**

I think I will start this by asking the supporters of the Proposition or telling them to beware what they wish for. I am not sure that everybody understands really what is going on here. Some of the supporters - and Deputy Pointon was very clear about this putting it in a very nice way - do have self-interest in mind but I feel that most of the rest do it to punish the Chief Minister for some private matter they have with him or something that did not work out. It is interesting because it is something that I felt when I started receiving emails from supporters or people who were against the Proposition.

I started recognising names especially from planning issues. “We have refused your planning application for a shed” and now you want to get rid of the Minister. “That is your slap on the wrist because you did not quite do what I wanted.” The funny thing is that most of the people talking against the Minister today are pretty much in the same situation. “I was on the Hospital Board and things did not happen and I was not questioned as deeply as I would have wanted to so here is a slap on the wrist” except this is not a slap on the wrist. This is the nuclear option. This is being in a plane at night over mountains in a storm and then deciding to hijack it or, even worse, to sabotage it which is quite crazy considering that the runway is in sight. We are weeks away from some of the biggest decisions of this term. We are almost there and some of the Ministers have mentioned the work that they have done in the past 2 years and it is quite interesting because you tend to concentrate on your own problems and forget theirs. It is mindboggling. COVID is nothing. It is really nothing. What about Brexit? What about the Island Plan? What about the hospital and all these major things that have been done on top of business as usual? This has been an incredible, incredible 2 years and I cannot think of anything that, in a general way, we missed. There may have been little problems and certainly not everybody will come out of it with exactly what they want. I am sorry, the Prime Minister is not Ian Gorst and the Prime Minister is not Jeremy Corbyn so you will not get that sort of stuff from him but he has led us to do extraordinary things in the last 2 years. Yes, beware what you wish for and I am not sure that everybody voting for this or wishing to vote for this Proposition really has thought about what will happen tomorrow. Who will we elect as a new Chief Minister? What will they do? Who will they propose as the new Council of Ministers? There will be changes. There has to be changes. You cannot just say: “Well, I am the new Minister and everything goes on as usual.” It will not work like that. There will be very, very big changes and, thinking of your own position in this Assembly and the way that you want to serve the people who elected you, are you going to be in a better position to do so after these changes? Senator Le Fondré has been the most collaborative Chief Minister in many decades. We have had a Government which embraced the furthest right and the furthest left that Jersey has to offer. It made them work together. Yes, the furthest left. I cannot think of anybody else, sorry. That is you. That is the Senator. I think that was extraordinary and I think we were richer for it. I think I disagree with almost everything that this particular Senator believes in but I do believe that our Government was richer for having him inside and this is something that the Chief Minister did not do to gain votes. At the time, he thought there was a place for them. If you remember the election, we, meaning this Government, could have done without the Reform vote. There would have been a majority but Senator Le Fondré was thinking about integrating everybody. I would like to remind Scrutiny and those who were in Scrutiny in the last term, I did not experience it personally, but I have a feeling that their job was not as easy as it has been those last 2 years. This Government has tried to integrate Scrutiny into their work. This came from the top. We saw the Chief Minister ask us to do it and we did. Ministers, when we come up with something new, immediately the first thing they say is: “When do we want to get Scrutiny involved in this?” We tend to do it immediately so that they know that this is the lifeline that whenever they want to be informed about what we are doing and get involved, they can. This is new. This really is new. What about the work with Backbenchers and you want to do good work here? When a Backbencher comes up with a proposition, the first thing the Council of Ministers says is: “Can we work with this? Is this something that we can work straightway with? If not, let them come in. Let us have a chat and let us see how we can make it work.” I sincerely doubt that this happened 2 years ago. You have this little idea on plastic bags: “Yes, come and have a chat. It needs a little bit of massaging but we can turn it into something good.” I really do not think this would have happened 2 years ago. Will it happen again tomorrow? Well, think about what you wish for. Who is going to be your next Chief Minister? What sort of Government are they going to lead? We have something that we know and the extraordinary thing is that almost everybody has agreed to say that we have a fantastic Chief Minister: “A really, really good Chief Minister but, oh, yes, there was this little problem here and this little problem there.” The last thing is non-executive directorship. In the corporate world, this is the equivalent of a book club. It is really, really not something that you build your life around. Some people literally have dozens. It is really not important. The level of

importance again in the corporate world of this is about the same as asking whether you should be writing in blue ink or black ink. So when somebody who is familiar with this asks somebody else who is familiar with this: "Do you mind if I take a non-executive directorship in a British company?" "Yes, why not? Who cares? What is the problem?" That is about the extent of it. Now once the Jersey public has decided that they are not comfortable with this, that is fine. Then we tell our Chief Executive Officer: "That is fine but you cannot have this. Our public does not like it. It does not matter that it does not affect your life much. Our public does not want it." That is what happened. However, that was the last straw for our Chief Executive Officer was trying to lead a normal life in Jersey, has been doing extremely well and working extremely hard trying to do exactly what we told him to do. Unfortunately, that was the last straw and that is why he is leaving. Otherwise, it would have just have been a matter of saying: "Well, that is fine. I am dropping this and then I keep my post." So we have lost our C.E.O. because of the colour of the ink in his pen. This is about the level of importance this had and it is really, really a shame. Again, think in the same way that you have to think about what you are going to get as a new Chief Minister and what we are going to get as a new C.E.O. Well, there is every chance it is exactly the same person because that is the person we need. So we are going to look, it is going to be expensive, it is going to take time, it is going to be quite problematic and we will end up with a very, very strong-headed leader that can run 7,000 people. Exactly the same thing. It is a shame that we lost this one because he was doing a good job. Yes, for the last time, beware what you wish for and make sure you understand exactly where you will be sitting in a week's time if this happens.

#### **2.1.35 Deputy D. Johnson of St. Mary:**

Like most other Members, I am disappointed and feel uncomfortable to be here but I think that once the furore had broken, there perhaps was little option other than to bring this no confidence vote. To that extent, I will not say I welcome it but I can see why and I think that the bloodletting so to speak may do us no harm. I would like to concentrate on this N.E.D. situation which has more than broken the camel's back, I think. As far as the public are concerned, it is the focus of their attention and I can see why. I will leave for the moment the question as to where the apportionality of blame might be but the public of Jersey are entitled to expect that their Chief Executive Officer devotes his full-time energies to running Jersey and, indeed, that is what his contract of employment says. That contract is supplemented by the fact that, as in any contract really, you would obtain written consent before conducting any other venture. That is obviously where the problem lies. The Chief Executive Officer sought to acquire an N.E.D. appointment and I do not blame him for that. My own reading is that if he had raised it with me, I would have said the public of Jersey will not stump up for any cost. Drop it." I think that is what should have happened. This is where the interpretation of events takes over. My understanding is that he did take it upon himself to raise it with the Chief Minister who gave his personal view, unfortunately in my view, things went from bad to worse from thereon. But if the version of events, as I understand it, is correct - and I am sure the Chief Minister will confirm this in his summing-up - he simply offered his personal opinion when that was first broached and said: "It is a matter for the S.E.B. and you apply to them in the normal way and it will have its proper deliberation at that board level." That is as it should have been so, yes, the Chief Minister did make a mistake but it remains the case surely that the responsibility for this excursion to another field is entirely that of the Chief Executive Officer. He always had the option, on realising there was opposition, to drop it and to say: "All right, okay, I understand the public's feeling. I will withdraw that hope of mine and confine myself to my role in Jersey, which is fulfilling enough" but he chose not to do so and that is the point. Having re-read the Chief Executive Officer's resignation letter, if I can call it that, of yesterday evening, nowhere in that is any suggestion that he ever contemplated that, so I think it is wrong to put the blame of this entirely on the Chief Minister. He made a mistake, in my view, in not knocking it on the head on day 1. It was from thereon control of the matter was within the power of the Chief Executive Officer.

[16:30]

I do not know what has happened in the last 2 weeks but he could have chosen to withdraw from that appointment at some time but has chosen not to and has decided that the N.E.D. appointment is more important than holding on to his job here, in which case the public will take their own view as to his decision. So my point is saying that, yes, I think the Chief Minister did make a mistake in his initial reaction but, if I understood him correctly, he then left it to S.E.B. in the proper course of events and that is where the problem lay and it should not be regarded as his sole responsibility. Having said that, if I can just move on. My own Constable this morning said he was going to vote in favour of the Proposition because that is what his constituents tell him to do so. I imagine that some of those constituents appear on my email list as well but as to others holding the opposite view. All I can say is I apologise to those to whom I have not replied as yet. I would have dearly liked to have explained where we were on this and to express my reservations that while I can see where they were coming from and why they should feel aggrieved, this nuclear option, as we mentioned, may not be the way forward. We all have a responsibility to see the government business carried out within the course of this Assembly and we are perilously running out of time. Some projects of my own through L.A.P. (Legalisation Advisory Panel) have been shifted right to the end and they have been earmarked for debate, I think, in the spring of 2022; that, to me, is perilously close to the election. I am conscious of what happened last time and I very much hope that timing can be relooked at because I think that things are in danger of being lost because of it. But the general point I do make is that, yes, a bit like an ocean liner, it takes a while to change direction and I am concerned that the size of what we have to achieve is not sufficiently large to prevent us from being as nimble as we would like and getting everything through. At this moment in time my inclination to vote against the Proposition is simply because we have a programme to fulfil and I think we are better suited to getting it through if we keep the present regime in place, so on that note I will conclude.

#### **2.1.36 Connétable P.B. Le Sueur of Trinity:**

Along with many other Members who have spoken today I am disappointed that we find ourselves in this situation today. I would like to align myself with some of the comments of Deputy Martin, insofar as I think this goes far beyond what is going on in Jersey today, that we, as an Island, are viewed as somewhere with a stable Government, somewhere that investors are happy to place their business. Bad enough we have lost our chief executive, to lose our Chief Minister and throw the Government in disarray will, I believe, be enormously reputationally damaging. This debate is serving nothing other than to polarise the views of the Assembly. We find ourselves in a global crisis, not only a global crisis with a pandemic, but the financial crisis is that that is going to result in around the world and Jersey will not be divorced from that. I am reminded, I think it was the words of Mark Antony: "I come to bury Caesar, not to praise him." I would ask Members, will we remember our Chief Minister for one mistake and all his good work buried with him? I think not and I hope that the Members will not support this Proposition, as I intend not to do and vote against it.

#### **2.1.37 Deputy K.F. Morel of St. Lawrence:**

I speak not really knowing where I am going and that is as big a surprise to me as it is to half of this Assembly, I am sure. I agree with my learned colleague on the Economic Affairs Scrutiny Panel, Deputy Johnson, that while it saddens me enormously that we are discussing this vote of confidence, I also agree that sometimes we do need these procedures to be gone through in order to come out the other side. I have no doubt about Senator Le Fondré's integrity and I have no doubt that he is a good person. Indeed, I can happily tell him that there are thousands of people in St. Lawrence who would agree with those statements. Regardless of today's outcome he should take that and be pleased with that, that that is 8 years of service and more to the Parish who have stood him in good stead and he is much liked by parishioners. No doubt Senator Le Fondré has his shortcomings as well, we all have our shortcomings. I am still unhappy with the communication and the way we see communication being undertaken by the Government; it is poor. We have seen this in this latest episode regarding this C.E.O.'s second role, there is no taking of responsibility by Government, not just by this Chief Minister but by Government. We have seen the chief executive fail in his statements to take

responsibility for his actions. That is appalling and that is wrong and that is the worst of spin. Back in the U.K. Governments of the past we heard much talk about spin doctors and there is no place for that. People often noted my frustrations in Scrutiny, that I have been known to blow steam out of my ears at times in Scrutiny and almost every single time it is because I am being faced with a lack of direct answers to direct questions. It needs to change. Government needs to understand it is there to be held to account. They are people doing a job for Jersey and the Islanders of Jersey want to understand why they are doing it and what they are doing. Communication is poor. I also believe Senator Le Fondré has not reached out appropriately to Scrutiny and to non-Executive Members of this Assembly during these past 2 years. I also feel that that was exactly the same situation in the previous Government and I believe it is exactly the same situation in the Government before that. I also believe, and this will be a point I do not think has been mentioned today, that Senator Le Fondré made a real error in not inviting Senator Moore into his Council of Ministers. She is a talented and intelligent person who had already served as a Minister, knew her way around the civil service and had plenty to offer the Council of Ministers and that was a mistake. I fear he was driven by personal grievance, rather than a strategic view of what is best for Jersey. But, on the other hand, Senator Le Fondré, and this has been mentioned, has held a politically diverse Council of Ministers together. He has allowed Ministers to vote relatively freely, much to my own frustration at times, as I see a Minister speaking against their own Government and I know, for instance, Senator Mézec lodged a proposition for a new tax system in 2018, which was the manifesto pledge of his and I do understand that. But it frustrated me that the Minister for Treasury and Resources' very first budget, Senator Mézec, another Minister, was lodging something against that or it has made it difficult for her, and Senator Mézec defended that. But there have been incidents like that which Senator Le Fondré has put up with, when I wished that Senator Le Fondré would have said: "No, please, come into line, we are a team here." Sometimes the Government does not look like a team. Senator Le Fondré has also provided more resources to the Greffe and to Scrutiny. This is great but I can assure you and I can assure Islanders, Scrutiny certainly and almost certainly the Greffe, as a whole, is massively inadequately resourced. The amount of legislation that comes out of Government and the amount of work or the amount of bodies we have in Scrutiny even now with the extra resources do not even come close to what is needed and that fails Islanders. Because as the world becomes more complex, as legislation becomes more complex, we need people able to scrutinise and that absolutely needs to change. I have seen that with my own eyes these past 2 years. But, again, other Governments previously have also failed Scrutiny in that respect. Sadly, this lack of resources, I think, to Scrutiny has meant that Scrutiny has found it difficult to find its place in the Assembly. Indeed, I believe the Government, not just this Government but the Government under previous Chief Ministers, have also believed that they are above the Assembly; that the Assembly and Scrutiny are annoying impediments to their own progress. However, I believe that that is not the fault of the Chief Minister or previous Chief Ministers so much, it is just the way that senior civil servants view Scrutiny and the Assembly, and that needs to change. Yes, that is leadership which changes that. I do not know what has or has not been said by the Council of Ministers or the Chief Minister to the civil servants but I do believe that that has not been taken seriously. Part of this proposition today I am sure is because of that snubbing of the Assembly and snubbing of Scrutiny that seems to come from the Government side. There is no doubt in my mind that the Assembly needs to reassert itself. Ministerial government has led to a diminishing of the Assembly status and it is unacceptable and, more importantly, it is dangerous to be undemocratic. It is my enormous concern for the state of democracy in Jersey that has driven my thinking on the system of government that we have cobbled together over the last 20 years. The system has shifted in the way that gives unelected servants far too much power. However, the Chief Minister is not to blame for that system. In my view, the chief executive has spent the past 2 years exploiting the weakness of the Assembly and the system within which it exists. This brings me to the issue of the C.E.O.'s ill-judged decision to take on a non-executive director role, that he could not see that the role's incompatibility with his job as head of public service shows that he has never appreciated the love and strength of feeling Islanders have for Jersey and its Government and in fact, no, not its Government but the States of Jersey. I am not English, I am not French, I am not

Spanish, I am not Scottish, I am not Welsh, nor am I German or any other nation, I am Jersey. Jersey is my nation and it is clear that the C.E.O. has been completely unable to grasp that point. I have consistently called during this last period of a couple of weeks for the C.E.O. to resign from that second position. I wanted the Chief Minister - I fervently wanted the Chief Minister - to stand up and say: "No, you may not have that role. Jersey demands that the Head of the Government be 100 per cent focused on the one role as head of the public service and not distracted by others." It saddens me enormously that the Chief Minister did not do this. He allowed weak statements to be issued, that he appeared more fearful of losing the C.E.O. than of Islanders being insulted but, in my view, the way the chief executive dealt with the backlash from Islanders, his failure to just admit that he was wrong, his failure to turn immediately and say: "You are right, I should not have that second role, I know where I am meant to be focused", that was an insult to Islanders. These matters have bothered me enormously and I believe they have shown the Chief Minister's shortcomings in a clear light. We have, however, to date reached the point of the chief executive standing down, of him showing that he is more concerned with his second role, which apparently pays no money, than his job here. But there is more to this Proposition than just the C.E.O.'s misadventures. There is, of course, Jersey, the Island as a whole. There is COVID. I believe we are in a good enough place now and I believe, as others have said, that no matter what happens to the Government today or tomorrow, we will cope with COVID; we are in a good place to deal with that.

[16:45]

But more worrying and something we know nothing about, not one Member in this Assembly can tell me what will happen with Brexit; not one. If I ask the Minister for External Relations, who is as close as anybody, he will tell you he does not know. At best there is going to be a very weak and thin deal, at worst there will be nothing. But if Jersey is not there speaking to London day in, day out on top of it, who knows where Jersey will be at the end of that process during the next 2 months? The next 2 and 3 weeks coincide entirely with the key timing of the U.K. negotiating Brexit. Jersey needs to be there. We cannot afford not to have our Ministers engage with that. It is not just the Minister for External Relations; it is the Minister for the Environment, it is the Assistant Minister for the Environment, and there are other Ministers who need to be there. Any uncertainty in that area could have enormous, long-term adverse consequences for Jersey. I know this as chair of the Brexit Review Panel and without that proper representation at this most crucial moment in negotiations, I worry. If Jersey is negatively impacted because of our own internal politics, I would never forgive myself for having voted to let that happen. This is a key issue for me. It is one that if you had asked me about 5 days ago, when I was very much caught up in the C.E.O.'s role, I perhaps would not have thought so strongly about Brexit. But the more I have thought about it, the more worried I am about where we are going as an Island. Our very relationship with Europe and with the U.K. is being negotiated around us and we need Ministers to be on that. I was not planning to speak quite yet. What I can say is I am agonising over this. My strength of feeling about it has changed. I am worried about Jersey as a whole. If there is one other thing that I can perhaps let Members think about, which also concerns me, the one thing we do not need going forward over the next 18 months is any sort of lame duck Council of Ministers and Chief Minister. I do ask: if the Chief Minister is removed today, is there any chance that he may end up as a Scrutiny chair, with great experience? Would Deputy Martin perhaps end up as a Scrutiny chair, someone with great experience, of Scrutiny that is? Whichever Council of Ministers they are working with, they may feel that that Council of Ministers booted them out of their own decisions as Council of Ministers. It would be well within their possibility to block up the system, to make life difficult for a new council and make life difficult for a new Chief Minister. We cannot afford to have that nothingness happening, that inertia, in Government over the next 18 months. There are problems with our Council of Ministers. I do not like speaking personally in this way. Put it this way, in 18 months' time I may not vote for the same Chief Minister as I did last time. That is a decision to be made in 18 months' time. I truly believe, and I am sure the Chief Minister and anyone would agree with me, that in 18 months the Chief Minister will not break Jersey, but we do need him very much on his job now. It is difficult because

I know who felt ... I walked in here today and I was strong in my view. However, there are very large issues at hand here. I cannot let my own concerns about the chief executive and the way he ... honestly, I believe he will not be happy with me. I believe the chief executive has had us all dancing to his tune and here we are as a result of that today. I cannot let that affect Jersey Island as a whole and the stability that we need through the period of Brexit, through the next 18 months. We will then put it to the people, as we rightly do, or maybe we could vote beforehand. We must not be divided, this Assembly needs to be united and working together. If we are divided as an Assembly then Jersey suffers. We cannot do that. Maybe we need an election sooner. One way or another I have come to the view that it is the election that is the appropriate time to decide this matter, not now. I am going to finish on 15 minutes. Thank you.

### **2.1.38 Deputy K.G. Pamplin of St. Saviour:**

History shows us here today to back up the commonly-held view that when a vote of no confidence is put forward something is wrong. It causes division and we are all caught in this today. To me, and I can hear in others, this vote of no confidence was always going to happen. It was not a matter of if, it was when. On the record, I think it is a poor incomplete convention. On the record also, I would like to state that I did not sign the paper that brought this proposition nor was I involved in the conversation with Backbench Members. Obviously, I have listened to them and Members of the Government in making my mind up. As a new States Member, it was clear from day one, politics in Jersey is no difference from anywhere else. It is so close to functioning as it could be, but sadly divided in a system of ministerial government, which has never been fully accepted, a lot of big upheaval in the civil service of late. That has created a culture and delivery, which having good merit by good people, it has uprooted similar political fragility; a workforce left unsure, with a rise to a culture of perceived bullying and folks unsure of the future of their jobs or their pay. That is unacceptable. To deal with the issue that triggered this debate, personally, after researching and weighing up the arguments on my own, it seems clear to me that this issue was badly handled. People make mistakes. Errors in judgment are not the preserve of the public, any more than we should expect politicians to be perfect. I do think a serious error of judgment was made. However, my main point on this situation is how important that error is dealt with and the attitude communicated to the public. I have often said this year that in a crisis it is always the way, you cannot run and hide. Everything is exposed: the good, the bad. This one issue is very similar, though very different, in my opinion, to the actions of the chief adviser to the U.K. Prime Minister. The journey Mr. Cummings took, his way or the highway, was not so much the problem as it was the serious public reaction to it. It is, in my view, that had he shown any level of contrition swiftly and if the U.K. Prime Minister had issued an even swifter firm and very public reprimand or condemnation, the matter would have played out very differently. Instead, there was a complete lack of contrition and the resulting view of some of the public that the rules did not apply to the people making them. It is fatal to the respect and the confidence that the public must have in those that they have placed their faith in. It is a stark reminder of who we answer to: our C.E.O.s, our bosses, the people who put us in his Chamber, the Islanders we represent. We must respect their views and listen to both sides. I draw a direct link between that episode in the U.K. and some disregard to the COVID-19 lockdown rules that followed there, because I think this reflected the view that those at the top were not prepared to practice what they preach and the consequences of that. Not motivated to admit and accept that anything wrong occurred in such a public way that why should then the public take that insult. It is vital that this Assembly and the Government of this Island does not appear to put itself in the perception of being above and beyond the same rules and moral obligations that guide the principles of all our Islanders. Most Islanders are making those decisions every day and, because of this year, especially now. As to this Proposition, while I accept and agree with a lot of the frustrations expressed, I find the comparison drawn to the recent elections in Guernsey and America is misconceived and of concern. Those elections were due to take place in 2020 and despite the pandemic they both went ahead. The results were based on the people of those jurisdictions and the issues that compelled those voters to have their say. It is so important to say that a democratic way to bring a change of leadership is a

public election. The fact that a vote of no confidence in a Government, if successful, does not trigger a general election, in my view, cannot be right. The public, all of the public, must be allowed to follow up their views expressed by some, as we have seen, with meaningful action, with proper improved, reformed public elections, with clear leadership mandates for us to vote for. In summary, as I have often said, one of the biggest challenges we have to democracy is the degree to which we do not share a common baseline of facts. Everyone is entitled to their opinion. Everyone is entitled to their own opinion, but not to his or her own facts. It is our responsibility to uphold decency. With the new age of the world we live in, my children live in, all of us live in, it is fuelled now by a new world, 24-hour news consumption, social media and opinion-led media, often seen as reporting, and other outside powerful influences in which things can be exploited. At a certain point, if you are not careful, you can live in a bubble surrounded by people who tell you what you want to hear, rather than what you need to hear. This bubble needs to be burst urgently. I have come into this Chamber to work hard and vote without fear and with good conscience. The pandemic has forced change. Islanders are concerned by the impact all around us and, as others had mentioned, Brexit. I will be returning to the public at the next election, whenever that is, to present my work, my values, and seek their endorsement based on this. I will not be running and hiding from that. We need to bring this Island more together and understand each other better, to help each other, to improve productivity, but not at the expense of the mental health or well-being of everyone, especially those who do not get their voices heard, who are even struggling as we speak to stay afloat, not knowing if their business or the family are going to stay together until the end of this year. I personally believe the new Members around me have helped improve policy, the quality of debate, questioning, and I dare say brought the best out of and revitalised those Members who have been here longer than us. Even before I took my oath of office, I made it so clear that my role would be proactively and constructively with clarity and honesty, making a stand for improving mental health services and the overall well-being well overdue, as well as the importance of leadership and communication, honestly, clearly, thoughtful, but not at the expense of anyone, especially this Island. It does not matter to me if I am in Government or not. I think I have shown that in my work. It is so hard personally to see the events that are currently happening, which have divided and worried Islanders and seeing Jersey affected by the results of fear, unsurety, lack of transparency, poor communication and egos. Our Island has always been more than one individual: the good ones, the not so good ones. The one issue leading to this vote, and for no other reason, I will be voting for this Proposition. It sends the most serious message I can in response to the elemental responses to the current situation, as highlighted earlier in my speech, construed of the Chief Executive's actions and the Chief Minister's responses. It is not in support of some of the motivation or some of the comments that have been thrown around, minds based on opinion, as I say, not facts, and also alongside very misplaced personal attacks, sadly. I truly wish, as Deputy Morel said had been agonising, as I have been, in this position. Everyone, I believe, has given their best, the best that they can, despite the poor structures around us politically and elsewhere. I will continue to wish the Chief Minister all the best to succeed, because they have to. If the Chief Minister succeeds, the Island succeeds. That question, without any shadow of a doubt, goes to the current Chief Minister. I will continue doing what I have been doing in the role that I have been lucky to have. We cannot let this moment divide us any further, whatever the result.

[17:00]

**2.1.39 Deputy R.J. Renouf of St. Ouen:**

I was not Senator Le Fondré's choice as Minister for Health and Social Services in 2018, but he has included me in his diverse team, which he put together after those elections. I have observed Senator Le Fondré in his role as Chief Minister and I have worked closely together with him during this pandemic. He is hardworking, conscientious and diligent. He reads his stuff. He asks for information. He knows his brief. He understands the numbers. He cares deeply for this Island and its future. He is committed to good government. He is honest, he is honourable and he conducts himself with absolute integrity. I have seen Senator Le Fondré challenge officers. He will call out sloppy work. He will get angry when his instruction has not been followed. I have seen Senator Le

Fondré working under pressure; pressure from circumstances around him, pressure from detractors throwing every criticism at him. But under pressure he is steadfast and he is focused. He is not a charismatic leader. He is not a self-publicist. He is a genuine man, who does not try to be all things to all people. He is a man of substance and not superficiality. His style does not appeal to everyone. A decision to bring down the Government must be about more than the disputes about style and these are so many of the arguments I have heard; the style of his leadership. Others concentrate on a mistake that has been made. But show me someone who has made no mistakes and you will see a person who hides from responsibilities. A debate on our confidence in any Minister should be about policies and outcomes. But the Proposition report and much of this debate focuses on the personality of the Chief Minister. This Government, led by Senator Le Fondré, is delivering on its Strategic Policy agreed by this Assembly. There is much more delivery to come in the forthcoming Government Plan. Our hospital project, led by him, is ready to deliver a decision on the site of a new hospital. Significantly, the programme has kept to the timetable that the Chief Minister set at the beginning of his term of office. It was important to him that this time clinicians were supportive of the site selection process and that they were involved in determining the spatial requirements of the new hospital. He has successfully ensured that. As the Chief Minister, he has encouraged and supported work to transform the health and social care model, which has served us for decades, but which now needs to change to meet the needs of a different demographic. The Chief Minister supported change, to ensure the Government can bring forward preventative health programmes, to keep people in better health throughout their lifetime. Under Senator Le Fondré's leadership as Chief Minister, significant changes have occurred in health and care governance. H.C.S. (Health and Community Services) is now headed by a public board, chaired by me and meeting in public. Sitting under the board there are 3 committees, headed by Assistant Ministers, holding the Director General and the executive team to account. Under this Government, we have shifted to clinical leadership, structures across H.C.S. Managers, doctors and nurses report to clinical leaders, who determine the delivery of safe care. Under this Government, at last we now have transparent hospital waiting list information, available online; not average waits, but actual waits. I am proud of the changes that we have made in H.C.S., with the full support and encouragement of this Chief Minister, who is committed to improving governance across the whole of our government. I am also proud of the Chief Minister's leadership, of our COVID-19 response. Perhaps this is the greatest crisis the Island has faced since the Occupation. It has seriously challenged Government and the public service. The Chief Minister did not bolt. He stepped up and he sought out good advice and information. He was clear that our response was to be informed by evidence and the advice of scientific and technical experts. Decisions have been taken on that basis, led by the Chief Minister. Sometimes they have been extremely difficult or controversial decisions, but he did not shy away from them. Decisions also need to be implemented. The Chief Minister sits at the head of a number of teams rapidly brought into being to implement those decisions. The success of those teams has not come about by accident. It is not just a matter of luck that the Island has remained largely a safe place. It has taken leadership in a fast-moving situation, which requires almost daily monitoring and adjustments. The Chief Minister has provided that leadership by daily attention to our handling of the pandemic, effectively chairing the decision-making bodies, scanning the horizon for looming challenges, asking tough questions of advisers and holding officers to account for the delivery of the COVID-19 programmes. All that, I have seen in him. What I find completely irresponsible is the timing of this Proposition in the midst of a pandemic and at a time when our future relationship with neighbours in Europe is being tossed about by politicians in Westminster and Brussels. These things require daily detailed oversight by the Chief Minister and other Ministers. Toppling a Government creates instability from the top down. It cannot merely be left to officers to hold the line while politicians take their time to reorganise themselves. Yes, after 2 weeks we might have a new Council of Ministers, which then has to come up to speed with all that is going on. There are real risks to our good control of COVID-19 and a dangerous delay to the legislation that we need to introduce, including legislation on masks, gatherings and vaccine. The latter of which will ensure we can deliver and administer a COVID-19 vaccine safely in tandem with other jurisdictions in the British Isles. I

do not want us to be out of step with the other British jurisdictions in delivering this important public health intervention. Why would we wish to defer next week's important debate on the hospital site selection, as we would need to do if this Proposition succeeds? That risks upsetting a tight timetable and could well mean we do not get a planning application through before the next set of elections. It is suggested as well by those who might support this Proposition that we can keep the Strategic Policy and Government Plan. They are the policies and the plans of this Government, led by our Chief Minister. If those who bring this Proposition suggest they will adopt the previous Government's programme then we will eventually end up on the same path, because it seems that we believe that is the right course for the Island. Fine, but why then, unnecessarily put the Island at risk of huge upheaval caused by an unnecessary change of Government? This Proposition is opportunistic and harmful. I urge Members to soundly reject it.

#### **2.1.40 Deputy M.R. Higgins of St. Helier:**

I have served in this Assembly for last 12 years. No one can accuse me of being an establishment figure or someone who automatically supports the Council of Ministers or toadies up to Ministers. I am not a Member of the Council of Ministers or any political faction or grouping in the Assembly. I am fiercely independent and I make up my own mind based on evidence and my core values. I am also old-fashioned. I highly value honesty, integrity, and fairness. I abhor hypocrisy, self-aggrandisement, egotistical behaviour, self-praise, and unrestricted naked ambition. As someone who is content with his life, does not harbour grudges, and harbours no political ambition, other than to do the best for the people I represent, and fight against injustice and for fairness in this Island, I have been able to observe what has been going on within the Assembly since the last election. I do not like what I see. Unfortunately, this Proposition is based on revenge, hurt feelings, and naked ambition. Others have jumped on the bandwagon for a variety of reasons; some for honestly held and valid reasons and others that are not. Some of the relatively new Members are appalled by the quality of some Ministers, by the slowness of the Government machine, and frustrated by many of the decisions of the Chief Minister and the Assembly. I share some of their concerns. Some approached me some time ago, asking how they could get rid of some Ministers who they felt were not up to the job, they did not know their brief and had to be bailed out constantly by officers. I explained to them the process and some of the problems they would face if they attempted to remove Ministers. The fact that this Council of Ministers is a coalition and if the Chief Minister tried to remove a Minister he would be faced with a revolt from their supporters. It would be divisive and lead to the turmoil that we are facing now, which I do not think is good for the Island. I also wonder if there was an invisible hand outside the Assembly trying to influence the Government of the Island and Assembly, perhaps the former Minister known for his Machiavellian tendencies and another who had to step down from a non-government body. I do not know, but these rumours do persist. Some of the plotting and intrigue that has gone on in the Assembly since the last election is worthy of a Shakespearean play. I can visualise Act 1 Scene 1 of Macbeth, with the witches circling and stirring the toxic brew in the cauldron; or Richard III scheming and murdering, scheming and murdering repeatedly in his lust for the crown; or Brutus thrusting his knife into Caesar's back. Although I would say for balance that there are some wonderful and dedicated people who are working for the public good and are genuinely concerned about governance in general, there are others who are not. Most Members consider Senator Le Fondré a good man. He has integrity. He is kind and respectful. I also believe the Chief Executive is a good man and a hard worker, although I disagreed with his approach to the workforce and some other actions. He was also wrong to take on this non-executive directorship. Am I completely happy with the Chief Minister's actions? No, I am not. But the proposer has put forward a vote of no confidence rather than a vote of censure. They put forward the nuclear option, which I think is a step too far. I think the Chief Minister made a serious mistake. But which of us at some time in our lives or political careers have not made serious mistakes? I could have supported a vote of censure to show my displeasure with the Chief Minister and the Chief Executive's mistakes, but I cannot agree to removing him from his job. Why? For 2 reasons. I believe we are holding him to a higher standard that we have held the 2 other Chief Ministers with

whom I have served within this Assembly or other Ministers currently serving in the Assembly. Secondly, I have looked at the alternatives to prospective Chief Ministers and I was found wanting. The proposer, for example, has said that she is prepared to stand to replace him. I could never support her candidature, as I believe she failed as the Minister for Home Affairs and failed the Island. Why do I say this? I went to Senator Moore and her Deputy Minister for Home Affairs, Constable Mezbourian, with a person who had been badly wronged by the Planning office, which I believe was acting corruptly. We were seeking an external police force to investigate, because the States of Jersey Police had failed to properly investigate the matter, which involved some of their former colleagues. She did absolutely nothing. She was not prepared to investigate the corruption or rock the boat. Had I been Minister for Home Affairs in this situation, I would have been concerned and wanted a proper investigation. The Island deserved nothing less.

[17:15]

Senator Gorst later did agree to an external investigation and after the election it was supported by Senator Le Fondré, when he took over as Chief Minister. I am grateful to them both. The Norfolk Police have been investigating this matter for the last 2 years. I believe they are nearing the end of their investigation. I am confident that they will be recommending prosecution of some people for their actions. However, this is no thanks to Senator Moore, who simply did not act and was not prepared to deal with corruption and was prepared to let it go un-investigated. She is criticising the Chief Minister for inaction or poor decision-making. I believe this was poor decision-making. I have supported votes of no confidence in the past, but I cannot support this one. I am a democrat and I believe this matter should be decided by the population as a whole in the next elections, for some of those outside who have been writing to us or commenting on the radio or whatever, as Deputy Guida said, be careful what you wish for. Senator Le Fondré is a known quantity. Some of the others are not. I would also say, for example, to those who want a strong leadership, strong leadership can be dangerous, as Germany found out during World War 2 at the cost of millions of lives. That is not the same as here in Jersey, but strong leadership can lead to arrogance and abuse and injustice. I cannot stand for that. In conclusion, I will say I will not support the vote of no confidence. If it does succeed, I will be highly critical of those coming forward and trying to find the best candidate. At the moment, I cannot see one.

#### **2.1.41 Connétable D.W. Mezbourian of St. Lawrence:**

I have no doubt that Senator Moore, when she sums up, will address the comments that have just been made about her by Deputy Higgins. Let me start, please, by saying that anyone who says a vote of no confidence is not personal cannot, in my opinion, be more wrong. This debate allows, indeed it encourages, every Member to summarise their thoughts on the performance to date of the Chief Minister of Jersey, Senator John Le Fondré. It could not be more personal, as we consider and scrutinise to the nth degree and in public the decisions and actions of the person that we, the Assembly, elected in 2018 to this vital role. Vital, because the Chief Minister sets the course of this Island and affects the way of life of every Islander. I have sat in this Assembly under the leadership of 4 Chief Ministers: Senators Walker, Le Sueur, Gorst and Le Fondré; each of them completely different in character, each with their own vision for our Island, and each displaying their own and different leadership style. In 2018, I supported the former Chief Minister, Senator Gorst, when he stood for re-election as Chief Minister. He was not successful in his bid. Senator Le Fondré was the preferred choice of the Assembly, as no other Member chose to put themselves forward for consideration. From the outset, our new Chief Minister told us that his preferred style of leadership was through consensus. Some derided that laudable objective. But as someone who chooses consensus over division, I applaud that approach and style of leadership. We need consensus in Government in order to deliver what is best for our Island, be that through the Strategic Plan, a new hospital, or the much needed changes to our antiquated tax system. I am a proud and independent Member of this Assembly. I make decisions based upon best evidence and, in certain circumstances, upon legal advice. When Senator Le Fondré became Chief Minister, I pledged my support to him. I

gave him my confidence. I do not believe that he has let me down. As we have just heard from Deputy Higgins, I served as Assistant Minister at Home Affairs when Senator Moore was Minister. Indeed, she invited me to join and work with her. We worked well together, successfully bringing much needed law changes, such as the updated Sexual Offences Law. I have high regard for the Senator and I respect her decision to bring this Proposition, as is her right. However, I have high regard also for Senator Le Fondré. It is only during this term that I have worked closely with him, that being as an independent member of the States Employment Board under his chairmanship and as a member of the Emergencies Council. Both of those roles have taken up many hours of time; many hours of careful consideration and deliberation before finally reaching and making difficult decisions. Some may not like the decisions that have been made. However, from my observations of him chairing those bodies, allowing everyone to have their say and to reach their own conclusion, as well as challenging civil servants when necessary, the Chief Minister has demonstrated to me effective leadership. Others have referenced the many positive ways in which the Council of Ministers have worked together over the past 2 years, but particularly have referenced the benefits brought to many Islanders by the proactive stance taken during the COVID-19 months. The Island is recognised internationally for having one of the best border testing regimes in Europe; high praise indeed. All of the benefits and the international recognition have come about under the quietly determined leadership of the Chief Minister: determined to put the Island and Islanders first before his personal and family life; determined to ensure that the Island and Islanders are in the best possible situation to [offline]; determined to make decisions based upon scientific and medical facts, evidence and advice; determined too to act as a fair and responsible employer, working within the confines of local employment law and delivering a duty of care to all staff at no matter what level. The Constable of St. Clement has referred to the speech made by Senator Pallett and I will do the same briefly; by saying that the Chief Minister referred to by him is not the Chief Minister that I know. I did not recognise the description he gave. I turn now to the words of Senator Moore in her opening speech. She told us that it is unacceptable to not uphold the Nolan principles. Yet I do not see how the Chief Minister has not upheld them. I would ask the Senator to provide examples in her summing up of where he has breached all of the 7 principles that are under the Nolan guidance. I have been through a question and answer session with myself. I want to share it with Members. Could the Chief Executive Officer have undertaken the role of N.E.D. at NewRiver from a professional perspective, acting in his own time? Yes, without a doubt. Would it have been beneficial to the Island, through his personal development and the consequential benefits he would have brought back to his role? Yes, without a doubt. In the private sector, is this encouraged? We know the answer: it is yes, without a doubt. However, in the public sector, do we encourage our staff to improve and develop themselves? Yes, without a doubt? Does the States Employment Board support and promote representation of women at senior levels through public service by promoting board level apprenticeships on public sector boards to give experience of senior decision-making, strategic thinking, and Government responsibilities, through the women in leadership scheme? Yes, rightly and without a doubt. Am I disappointed that there has been an error in process with the C.E.O.'s appointment to the position of N.E.D.? Absolutely, yes, without a doubt I am disappointed. Am I disappointed that he is now leaving us? Yes, without a doubt. Am I disappointed in the way that this has become a political issue? Yes, without a doubt. Do I believe in the selflessness, integrity, objectivity, accountability, openness, honesty, and leadership of our Chief Minister? Yes, without a doubt. Finally, perhaps the most important question that I have asked myself, and I share with Members as I conclude: do I retain confidence in Senator John Le Fondré as Chief Minister of Jersey? Yes, definitely, and without a doubt.

### **The Bailiff:**

Thank you very much, Connétable. We have reached 5.30 p.m. There was some suggestion that we might take a short break at this time, but I will leave someone to make that as a proposition if that would be of assistance and if that is desirable. To let Members know, I am intending to have a short break between the last speaker and the Chief Minister's response, so that the Chief Minister and

Senator Moore can gather their thoughts for their closing speeches. That will only be for a short break and is accordance with usual practice.

**Deputy R. Labey:**

I think Members will be grateful of a short recess now for 10 minutes or so. The Chief Minister has obviously been in his chair since lunch time and so have you, Sir. If we could just have a short recess for 10 minutes.

**The Bailiff:**

I do not propose to put that to the vote. That is a sensible suggestion. It is within the discretion of the Chair to adjourn for a short period of that nature. We will therefore reconvene in 10 minutes, shall we say 5.40 p.m.

[17:28]

**ADJOURNMENT**

[17:38]

**The Bailiff:**

Does anyone else wish to speak on the Proposition? If no one else wishes to speak on the Proposition then I ...

**Deputy M. Tadier:**

I have only just rejoined so I do not know if I have missed anything.

**The Bailiff:**

No, you have not, Deputy, but if you wish to speak ...

**2.1.42 Deputy M. Tadier:**

I would like to speak, thank you, Sir. First of all, some Members have but most Members, I think, have not necessarily spoken to the proposition in hand. This is a vote of no confidence and the question that we are being asked today is a very simple one: do you as a States Member, do I, do we have confidence in the current Chief Minister? That will be a very subjective answer that we give. It is not about COVID because tuning in accidentally or deliberately to this debate today you might have thought: "Oh, they are debating whether or not the Government has had a good response to COVID." Some people might have thought that it is about the pay scheme, because we have been talking a lot about the pay scheme and how successful that is. That is not what we are here to do today, it is to decide whether we, as an individual, on our conscience, can look at our constituents in the eyes and say that when we vote today we did it based on whether we do not have confidence in the current Chief Minister. I do have some sympathy for the argument put forward by Deputy Russell Labey when he said to the Constable of St. Mary: "We are not here simply to do what our parishioners or constituents want, we are not delegates, we have to exercise our own conscience, discretion, discernment and judgment." But what we do have to do once we have done that is look them in the eye and say: "I voted with my conscience and because I do not, for example, have confidence in the Chief Minister this is why I voted against. Some of the speeches you would be forgiven for thinking Members do not believe that a vote of confidence should ever be possible because we have had some comments saying you should only change the Government at election time. If that is the case somebody should bring an amendment to Standing Orders to get rid of the possibility of having a vote of no confidence ever. Others have pointed out that you need a new common policy to be put forward and that we cannot change the Chief Minister because we have a vote of no confidence in the Chief Minister, then we will have to have a new Chief Minister. I am thinking: "Yes, obviously that is what happens. That is axiomatic, that is consequential." But the point is not everything else goes out the window. I would say to Deputy Morel - and I really feel for his dilemma because he has been one of the most vocal critics, I think, of Government generally in the last 2½ years and yet when

it comes today he was still torn when he spoke quite late, number 38 of the speakers when he spoke. He was not sure which way he was going to vote. I just ask him the question: does he have confidence in the current Chief Minister? I will tell you why I do not have confidence and there are a few things. The first one is this recent debacle, I think, has been the straw that broke the proverbial camel's back. The way I see it is very simply that the Chief Executive Officer at some point said to the Chief Minister: "I want to join this book club which pays me £50,000, is that all right?" Of course it is not a book club, is it, Deputy Guida? I thought that analogy was so offensive to say that: "Oh, you know, these for the multi-millionaires like us who live in Jersey, we have loads of directorships, these are just like badges that we collect, £50,000 here, £50,000 there, for not doing much work." Completely offensive to the average punter who is listening out there who has been out perhaps threatening strike action last year, who is not even sure that they are going to get a cost of living pay increase when we laud the public sector. They look up to this person right at the top who seemingly thinks nothing of £50,000 if we are to believe this Deputy of St. Lawrence. For a start that just shows the disconnect. I think that we are saying that is possibly what the Chief Minister thought. The Chief Minister being told verbally ... you can imagine it in a corridor in between meetings, in the toilet possibly, where all ... I will not say where all the big nobs hang out because that would possibly be ...

**The Bailiff:**

Please do not, Deputy.

**Deputy M. Tadier:**

Although I understand that is where some good conversations happen sometimes. You can imagine that scenario where it is like: "By the way, John, I have just got given this job, is that all right?" and the Chief Minister says: "Yes, that is fine." Nothing is thought of it until, of course, it appears on the front page of the *J.E.P.* and then the Chief Minister realises: "This is a complete nightmare because it is not okay. I thought it was okay." Then he has to defend the Chief Executive saying: "Look, this is quite normal, he is not doing much work for it" and we find out that he has been working on Buckingham Palace apparently, and then we find out a few days later: "Do not worry, he is giving all the money to charity so that is all right then." It is a complete P.R. (public relations) disaster. It has not just happened by chance because at any of those points it could have been rescued and the Chief Minister could have said: "No, Charlie, you cannot have the job."

[17:45]

Or: "Yes, possibly, I do not know, you need to send me something in writing, I cannot make that decision on my own, I need to sit down and talk to my Council of Ministers with it." Then we have this strange situation where a few days later the S.E.B. give retrospective permission for that job saying it is okay. Then later on we have a whole load of Ministers presumably, including the Vice Chair or whoever the ministerial supporters of S.E.B. were, saying that they do not want the chief executive to have that second role. It goes from the S.E.B. giving retrospective permission after the Chief Minister has given verbal permission to then Ministers saying: "We do not want him to have the job" to yesterday, remarkably, this resignation, which has been mutually agreed it seems. This worries me because we have heard from several States Members saying that the Chief Executive is a real hard worker, he is diligent, he is conscientious, he puts in long hours - and I believe all of that - and that he is a really good executive and we need him. This makes the Chief Minister's crime, if you like, even worse because not only did he give permission verbally when he should not have, he has also ultimately led to not just this vote of no confidence happening, because this is a consequential ... it is triggered in the dominoes but it has led to us losing, if we are to believe what the Chief Minister and other Members have said all along, a very good Chief Executive Officer during a pandemic because of the Chief Minister's ill-judgment. I do not want a Chief Minister who I cannot rely on to make those kind of basic judgments. It is not about whether somebody makes an error every now and again. This was a catalogue of errors and it could have been rescued at any one of those points by instilling a correct process. The second point that I want to make is that I have absolutely no doubt in my mind that if the boot had been on the other foot and Senator Le Fondré

was still in Scrutiny, and he saw these kind of events unfolding with whichever other Chief Minister and the chief executive, he would be the first one to put a vote of no confidence in. He would be the first one going to the newspaper and saying: "This is completely unacceptable, I do not have confidence." You know, this is politics, this is what happens, it is not about whether the Senator is a nice man, it is not about whether or not the Chief Minister calls you on a Sunday night for 10 minutes or for an hour, that is not how we should be making decisions for the public of the Island. If it is then we have something terribly wrong here. The other reason I cannot have confidence in the Chief Minister is not just due to this, as I said I think this is an accumulation of factors, but it is because of fundamental things. Notwithstanding political differences, this is not because the Senator is not a leftie, it is not because he has different political ideas to what I or my party might have; we accept that, we go into that agreement wide open but when you have cowardice ... and I do put this at the Chief Minister's door unfortunately, he has had a lot of praise put his way but I think that in certain key instances he has not stepped up to the plate. In particular, what I have seen from my brief time working at Environment is that he has severely let down the Minister for the Environment and the Minister for Children and Housing by extension because one key policy they need in order to upgrade the quality of housing in the Island ... and actually that ties in with the whole income inequality because it is the poorest, as Senator Mézec has said previously, who are more likely to find themselves in substandard accommodation. On 2 occasions when we last debated the landlord registration scheme, the first time he was not to be found because he allegedly had not come back from the U.K. and he could not be in the Assembly, and he let the Assistant Chief Minister deputise and support the reference back. The second time he managed to exclude himself from the debate, in my opinion for spurious grounds because he did not need to. It is a wide area that is shared of interest. There was no financial need for him to excuse himself from that debate, because simply he is the Chair of whichever housing trust it was, Les Vaux I think. He will correct me if I am wrong. Fundamentally, by not showing the leadership ... and I really put this to Deputy Young, who I know is torn on this, he wants to remain in office for another year and a half to try and do what he can but if he cannot have confidence that the Chief Minister is going to fight his corner when a key cornerstone of his legislation is coming to the Assembly, what is the point in him remaining in office? I have seen the officers at Environment having to plan the next round of policy and arguments. This is something that should have been done months ago at the very beginning and they are having to work, thinking and possibly knowing that what they put forward is not going to be accepted and they are not going to have the support of the person at the top. This is simply not acceptable. I put the same challenge to any other Minister who is looking at this. Why would I resign from my position when I am actually really enjoying the job, especially at Culture where I have got some good wins and I have worked very well with Senator Farnham. I do thank him and Senator Pallet, who also resigned, because I thought we were a very good team. There is loads of work that I wanted to carry on with but simply I found that, you know, often it is being outside of Government that gives you more flexibility and you can get the wins. When I got my 1 per cent for the Arts, it was no thanks to the Chief Minister or the Council of Ministers, it was because the Assembly decided that they wanted to fund and support the Arts which had been through a whole decade of cuts. I did that as a non-Minister. If Ministers cannot expect basic support from the Council of Ministers then I would say to them: "Look, you have nothing to lose, you can vote for the vote of no confidence today because it is the Assembly that appoints you." Our quibble is not with the Minister for the Environment, with the Minister for Treasury and Resources, with the Minister for Education, with any other Minister in the Assembly, the Minister for Health and Social Services, it is with the Chief Minister who has fallen short and continues to fall short when he could have rescued it over the last 2 weeks. So I think that naturally speaking as humans we do not like conflict, that is understandable and we will do whatever we can to avoid it, but I think this is an opportunity, this is a simple political matter and when it comes to Brexit, Deputy Morel, there will be people sitting around the table, whether it is in 2 weeks, in a month's time, because we have people who are competent in the civil service and External Relations and we will appoint the best person to do the job at External Relations and the new Chief Minister will be able to do that. I am an optimist, I think we can do better. The people of

Jersey deserve to be listened to. It is not simply a matter of blindly following their will but it is about giving them the kind of leadership they can expect, yes, in a crisis but also coming out of a crisis with a more visionary approach, an ability to communicate but also an ability to make the right decisions in the first place to communicate. There is never a choice, there is never a binary choice between making the right decisions or making tough decisions. You do need to make tough decisions in politics but you also need to make the right tough decisions and you also need to show that you have clear judgment. When that clear judgement starts to lapse ... and it is true that P.1/2018 is part of the problem. With most of the Assembly, apart from 5 of us and I think 3 Reform members at the time, and I think it was Deputy Higgins and the former Deputy Bree voted against P.1. but we decided ... I will finish, I have one minute. It sounds like "Just a Minute" on Radio 4. P.1/2018 is the problem and we gave the chief executive a lot of power but similarly we need to have a Chief Minister who can be clear in his mind and his purpose as to what that vision is in order to counterbalance that power. I do think that we have a duty to make this Proposition carry today and to instil a better quality of leadership in the Island. I will leave it at that.

#### **2.1.43 Deputy M.R. Le Hegarat of St. Helier:**

I did not intend to speak but I am going to make a couple of points. Firstly, I do not agree with the principle that all of us make leaders because I think that is factually not true. I think some people make good leaders and some people will be better off in different roles. The point I wanted to make was in relation to ... and it is because of what was said by the previous speaker about if anybody would have listened to this debate they would not have thought it was a debate in relation to this matter. I am going to mention the Future Hospital, because a lot of people have said: "Oh, that is on the agenda for next week, what is going to happen with that. We are progressing with it, that decision needs to be made next week." I would just like to highlight a fact about this particular project. I have been heavily involved - well, reasonably involved - with the residents because of the concerns that they were raised by them a number of weeks ago and eventually we had a residents' meeting at the Town Hall where a number of us from the States Assembly attended. There was a question asked by one of those individuals and they asked us - all of us, including the Constable - did we feel that we had sufficient information to vote for this proposed site? Not one of us said that we had. Okay, that was a couple of weeks ago but there is still information coming in from one of those residents who sent out an email yesterday to highlight the fact that they still have not had the detail in relation to the road, the structures and the impact, *et cetera, et cetera*. I just wanted to make that point. Everyone is saying: "We are all ready to go with this, we are all ready to go with that, we are ready with the Government Plan and everything will be delayed." I do not believe we are ready with the Future Hospital project. I know that there will be speakers that follow me that will disagree with that fact. I just wanted to bring that point to this because this was about a vote of no confidence in the Chief Minister and I think that the events of the last 2 weeks have made this and this is why we are where we are today. A lot of people have said about the whole thing with the chief executive, one Member said about a small piece of glass. I have to say I think that is a very odd analogy because we have just had a letter from our chief executive saying that he is happy to stand down and we think that is a small matter? My goodness me, where are we if we think losing our chief executive is a small matter. Personally, whether you do or do not support those individuals, it is not a small matter. This has had a significant impact on this Island in the last 3 years since that individual has been in post. Whether you think that implication is good or bad is irrelevant. That individual has a significant impact ... the new incumbent will have a significant impact on this Island because that is what we expect them to do. Do not say it is insignificant because it is not, it is very significant. I have worked with that individual because I was working in the Chief Minister's Department when that individual arrived. There have been some very positive impacts in relation to that and we have also lost a lot of staff along the way. All of those things need to be taken into consideration. I really wanted to make the point because everyone today has said about COVID and everybody knows how hard everybody has been working. It is not only people in the Council of Ministers who have been working hard, it is across the Island everybody has been working hard in relation to COVID-19, whether it is States

Members, States employees, people in hospitality, agriculture, everybody in the Island has been working their utmost (a) to follow the rules and (b) to do whatever they could to help their neighbours. I think that is critical because that is way we all work because we are a small Island community. For me, and I am not ... let us make this quite clear, this seems to have focused on some people's minds about what are we going to gain? I am not going to gain anything. Whatever happens today it makes no difference to me. I am not going to gain anything by today. As everybody knows, there is somewhere else I would have liked to have been today but we will not go into that. However, I will not be gaining either way. I love my Scrutiny job and my colleagues I think are the same. It is not about us politically gaining, it is just our opinion. Our opinion differs to that of the Council of Ministers. Quite frankly, I would be surprised if that was not the case because we all have different views and different perspectives. We have all seen things from a different angle so we all do think differently. For me, there have been lots of positives but, let us be frank, there is always going to be things which have not been done as well. Us losing our chief executive, for me, is a fundamental big issue, not a small one. Thank you.

[18:00]

#### **2.1.44 Deputy H.C. Raymond of Trinity:**

I have to say this has probably been one of the biggest learning curves of my life, especially with some of the work that I have done previously, and I will come on to that later on. There have been very, very good professional speeches and one of the biggest things that has come out is how professional and also the number of people that have experiences that make the politics in Jersey slightly different to the rest of the jurisdictions and the U.K. But we are here with regards to a vote of no confidence with regards to the Chief Minister. Now, to me that would never, ever happen virtually in any other political situation because if you were going for the Chief Minister, effectively you would be voting against the Government, and we have jumped all over the place today, going from Government to Chief Minister. The other thing with regards to going against the Chief Minister is that you have what I call a very personal problem, which I find can be quite offensive. I think that to have a proper debate in a situation like this, where so many people are listening, then you effectively should be taking on, as I say, the Government and not the person, i.e. the Chief Minister. I will make that clear. One of the other reasons, as I said, why I was not going to speak and why I was going to speak later is that how each of us decide upon how we vote has obviously come across from not only the debates that have been made today and the discussions but also the emails and the texts and letters we have received from quite a few people across the Island. Some can be offensive, but most of them come with a lot of background and experiences. I know this sounds a little bit egotistic, but the reason I said about not speaking was that virtually all of my working life, unlike a lot of people sitting in that Assembly today, was spent in the U.K. Believe it or not, I was a teacher for a couple of years, but then most of the time I worked in the finance industry but was involved also with politics both nationally and locally. I have to say you would never have this type of debate in the U.K., and that I am always concerned about because everybody says we are not the U.K. But we still are a professional Assembly where we make decisions on behalf of everybody in the Island and I totally accept that we are also making it for the rich, the poor, the needy and the people that need a lot of help. I think sometimes both people at the top or at the bottom forget we are all here for the same reason. We want to be able to look people in their faces and say: "We want to help you. If there is a problem, please come to us." But probably the most important lesson I have learnt is that the comments made about individuals being almost the sole reason for change is not good. If you look into the professionalism of clubs, businesses, schools, countries or whatever, moving one individual is not usually professionally very good, but here we are now with the possibility of not only losing the Chief Minister but also the chief executive. The strategic view includes the timely view, and we have said it all before, all of us: is this the right time for change bearing in mind all the implications change brings? I think sometimes many of us are not following through what that means. I am not talking about whether you are left-wing, right-wing, centre or whatever. We are in the middle of a pandemic and we have made that perfectly clear. We also have to thank Senator

Gorst for the work that he is doing with Brexit. If I hear rightly from my colleagues in Westminster, there are some twists and turns that are going to be a real problem for Jersey, so it will be great to see that somebody like Senator Gorst stays on with regards to the work that he is doing. It is, therefore, not the right time to change anybody in this position. Change must be timely. It must be expedient and it must be right. There is so much work going on behind the scenes, and I take on board that is probably a complaint. I am fortunate or I am privileged that they put me on the OneGov Board as well as the P.O.G. Board, so I know what is going on in the sense of the work being undertaken behind the scenes. Not only the hospital and office buildings, we have Fort Regent. We are going to have to change road structures. We are going to have to do all sorts of things, and all this is going on. I am not sure how within this Island we can get that across to the people, but I can assure you that if the Chief Minister can find a way of doing it, the existing Chief Minister, he would be doing it. So if we were to change, the disruption and dare I say it - and we have not had an opportunity to even talk about money - the cost would be colossal to the Island. I agree that mistakes have been made but, as I said earlier, we must look at the total bigger picture. Sometimes with some of the discussions and debates being spoken about today, that bigger picture has not been looked at. Yes, 2020 was an unprecedented year, but I am going to make the statement that probably 2021 is also going to be an unprecedented year. Jersey has been led over the years by a calm and reflective Chief Minister. It does not come out; let us say he is shy, I do not know. While we have cases of COVID currently in the Island, Jersey is in an enviable position globally right now. Let us keep it that way and move forward. We have a general election, which has been stated, in 18 months' time. I believe then is the right time to change leaders and direction if that is what is needed for now, but we definitely need continuity. It has been a privilege to sit on the board as Assistant Minister and it has been a privilege to deal with the Ministers. I leave you with just a quote from a very famous retired American baseball coach, and that is: "Although there is no progress without change, not all change is progress." I think we stick to the status quo and I will certainly be supporting the Chief Minister and voting against this Proposition.

#### **2.1.45 Deputy G.J. Truscott of St. Brelade:**

I have to confess I have a bit of a headache coming on but I can understand why. It has been a long day and I have been contacted by about a dozen constituents, all wanting me to support the vote of no confidence. I said I would listen intently to the debate and I have. We have had some very good speeches. I think the Constable of St. Helier did a particularly good speech, and also the Constable of St. Lawrence. I thought it was quite brilliant the way she delivered that one and I totally concur with both and with what they have said. Just referencing the people that did contact me, I do thank them. Any time people want to express their concerns I think it is so good that they do contact their political representative. But it is the silent majority that do not speak, that are generally content or reasonably happy with the way things are going, and those are the ones we never hear from. To say that the whole Island feels that Senator Le Fondré as Chief Minister is not doing a good job I think is a misrepresentation. I think on the whole, speaking to many constituents, they quite like his style. I think it is steady. They think he is considered, which is a very good attribute. It is, as I say, the silent majority. I think COVID could not have come at a worse time, let us face it. This year, effectively 9 or 10 months since we had the first outbreak of COVID in the Island, we were on course to start delivering things finally. We have the hospital coming up in a week's time. We were making progress, but I have to say I will lay some criticism at this Government. It has felt at times, and I can feel the frustration and empathise with the frustration of Backbenchers and other Members, because it has felt like we have been wading through treacle at times. We have major decisions to make and there should be due consideration of all the factors. I totally appreciate that. It is taxpayers' money we are dealing with, so proportionality I think is important. I sit on S.E.B. and it has been a privilege and an honour to serve with the Chief Minister. For a number of years we have had private conversations on this, that and the other. He does consult with a lot of Members and I find him to be very passionate about the Island. Without question, his integrity is unquestionable. He is a very honourable man and I think to have integrity and caring at the heart of the Government is so

important. I for one would not like to see that go. As I say, it is late in the day and I think most of us are now pretty polarised on which way we are going to vote. I am all for maintaining the status quo. I think we have some very important decisions to make. COVID has laid our reserves flat. The economy is in dire straits. We need unity at the moment going forward. We all need to pull together rather than this kind of time to go in a different direction type scenario. So, for me, I will be not supporting it.

#### **2.1.46 Senator I.J. Gorst:**

I think we would all agree that this has been a very difficult debate. Some speeches have been very good. Others have been extremely certain on both sides of the debate. For me, it is debates like this that make me wonder what on earth I am doing in politics because I dislike them intently. What this debate has shown is that we as an Assembly are divided and what my inbox and telephone message machine has shown is that, to some extent, the Island is divided as well. That is extremely disappointing for me. I am very, very sorry that some Members have decided today to impugn the motives of Senator Moore for bringing this proposal and supporters of the vote of no confidence. These decisions are really difficult and they do not often bring out the best in us at a time, as we have experienced through COVID, of needing to understand our common humanity. I am one of the few Members of the existing Assembly - as I have said before, I start to feel like a dinosaur - that has experienced a personal vote of no confidence in the way that we are having this conversation today, so I understand the effect that it will be having on the Chief Minister and on his family, and I am sorry that they are having to go through this today.

[18:15]

Whether one agrees with the Chief Minister, whether one has confidence in him or not, I think it is right for us to acknowledge the effect upon his family and I am sorry that they are having to encounter that effect. But each one of us knows when we go into politics ... Sir, I am just going to put a timer on my clock, otherwise I am going to run out of time. Each one of us knows when we go into politics that we will be in the public eye and, therefore, we have to encounter these difficult issues. I could look back at my own vote of no confidence, and I was reminded by a G.I.F. (graphics interchange format) on social media earlier this week that the mover of that vote of no confidence said that they would not trust me ... I think the term they used, to make it parliamentary, was to organise a stag night in a brewery when it comes to decisions about funding of the hospital, because during that vote of no confidence we were informed as an Assembly that the Government could build a hospital for £90 million. So sometimes we really do have to be careful about what we say in the public arena. But I do not want to look back to that. I am always, and always have been, a great believer in moving forward and thinking about the vision for the future. I am clear that, whatever happens, we as an Assembly cannot after today put our heads in the sand and ignore our community. There are those, and we have heard it again today, who have struggled with the Government's and the Assembly's COVID strategy. There are those who have struggled with some of the changes that the Government and the civil service executives have tried to deliver to transform the public service. We all know that there are a number of critical jobs in our Island, a handful of critical jobs that are so important to our success as an Island, and one of them is the role of Chief Minister. It is a difficult job and I have disliked the last few days where we have had dirty politics, where we have had personality politics. They are the things that I do not feel sorry to have left now that I am no longer in that role because the calls upon the Chief Minister to make difficult decisions day in and day out is not one to be envied. It takes a toll on one personally and, as I have said, also on one's family. I have been humbled to serve in that role for 2 terms and I have made mistakes. Any Chief Minister would make mistakes. I am sorry that I made those mistakes, but we all know the important thing about mistakes is how we move forward and how we learn from them. We have to say sorry. In some instances we have to ask for forgiveness, but we have to acknowledge that we are all human and, therefore, mistakes are made. I do not want to get into quoting the parables but we all know the parable that deals with casting stones. I do want, in the short time I am now allowed, to cover a few areas. I want

to first think about S.E.B. If I think about my term as Chief Minister, some of my regrets are some of the decisions that we made as S.E.B. that continue to have effects upon some individuals now. They were based on advice. We tried to do the right thing, the best advice that we had before us, but that advice has now been found wanting. S.E.B. have had a very difficult job to do over the last few days and weeks, over the last few years, and that again is a very, very difficult job that we call our colleagues to serve upon that body as the employer. I want to thank those members of S.E.B., and we have heard some of them speak today, for the work that they do. It is largely a thankless task, but I thank them for it. There has also been a lot said about P.1/2018 and how that is the cause of all our ills. That is a political view, but let us remember that the only bit of P.1 that was brought into force was the creation of the principal accounting officer and Senator Vallois clearly reminded us that it was we in this Assembly that put that creation of the principal accounting officer into the new Finance Law that was brought forward. All of these issues about corporation sole and removing power from Ministers, they were not enacted. In fact, an officer reminded me today when I had told them that they should stop doing it, and then I asked the Chief Minister if he agreed with that and he did. Every Government struggles with the difficulties of government. Is it people? Is it systems? Is it processes? Sometimes they bring forward solutions that work and other times they do not. We have also heard from some Ministers that they came into ... well, we have heard from one that they came into office and that they felt that some officials obstructed them. That may be their experience. I have never found that. I have found in the past some officials slow. I have found sometimes the civil service bureaucratic and not wanting to take action, but I have found those officials close to me understood fully the democratic principle that they have a line manager to the senior officer, but they are accountable to the Minister because the Minister is accountable to the Assembly and the Assembly is accountable to the public. That is how democracy works. I want to thank those officials certainly that work in my department and I know work right across Government to deliver on the policies and priorities of Ministers and of the Assembly. I could not be clearer. Officers work for Ministers, not the other way round. If it is the other way round, then we as Ministers need to consider how we are working with them and how we can overcome those blockages. Many people have said to me that this debate is a matter of conscience, and I think it is. But I think most of them, when they were asking me to consider it as a matter of conscience, were believing that if I did that I would simply vote with the vote of no confidence. Like many Members of this Assembly, I have had, as I have said, correspondence from individuals that I greatly respect asking me to support the vote of no confidence because it is a matter of conscience, but I always ask myself every time I have to make a decision: what is best for the Island? The answer to that question for me today is difficult but it will be different for each Member. It is an open secret that I have been probably the only - others probably are right-wing - conservative Minister in the current Council of Ministers, and others have said why they think that Senator Le Fondré's broad Government has worked well. But I have had to fight for things that I believe in and they have not been accepted. There are a number of things in the Government Plan, for example, that I fought against, but I was unsuccessful. So, in many respects, like Islanders, I am not happy with where we find ourselves and I firmly believe things have got to change. I do not believe that the Council of Ministers can sail on without taking consideration of what Islanders have said to us and what has been heard today from right across the Assembly and right across the Island virtually. If the vote of no confidence is lost, I would encourage the Chief Minister to give serious thought to reshuffling the Council of Ministers, both across the jobs and with new people, to show that this Assembly can be brought together. It is a matter of conscience. Yesterday, I had virtual meetings with 2 ambassadors, the C.E.O. of NatWest and the chairman of NatWest. Right now in front of me, as we have been having this debate, I have been looking at legal text for deals across Europe. So what is best for Jersey in the short term? What is best for Jersey in the long term? That is a difficult decision for Members to make but for me, as Deputy Morel has said, I have been entrusted by the Assembly to try and work through Brexit. That is my priority. I have to put aside my personal feelings. I have to put aside what I might like to do or not do. I have to put aside the past and to focus simply on what is best for Jersey.

**The Bailiff:**

I am sorry, Senator, that is the 15 minutes up, I am afraid.

**Senator I.J. Gorst:**

May I just finish the final sentence?

**The Bailiff:**

You can finish the sentence, certainly, if it is at all ...

**Senator I.J. Gorst:**

For me, delivering Brexit and making the decisions over the course of tomorrow and the next 2 weeks is why I find myself voting the way that I do this evening.

**The Bailiff:**

Does any other Member wish to speak on the Proposition? If no other Member wishes to speak on the proposition, then I close the debate. Chief Minister, did you wish any period of time before you begin your speech?

**Senator J.A.N. Le Fondré:**

A few minutes, Sir.

**The Bailiff:**

Senator Moore, would you require some time before you close?

**Senator K.L. Moore:**

No, thank you.

**The Bailiff:**

Very well, we will just wait for you then, Chief Minister. **[Interruption]** I am sorry, we are still in a sitting of the Assembly. If you wish to stand up and make a point, Deputy Martin, please do.

**Deputy J.A. Martin:**

Well, no, Sir, Senator Le Fondré said he only needed a couple of minutes, but then Senator Moore said okay, but I did not get that she was ... she might have just needed a comfort break for 5 minutes, but if she is fine, she is fine.

**The Bailiff:**

Thank you very much. Very well, if you are ready, Senator Le Fondré?

**2.1.47 Senator J.A.N. Le Fondré:**

Yes, Sir, I believe so. So, it has generally been a good debate. I will say that I was prepared for negative comments. I was not prepared for the positive ones, which sometimes, oddly enough, I find harder to take. I am not going to address every individual's remarks but I will try to pick up what I think are the key areas.

[18:30]

We have a team that has huge tasks ahead and disrupting that team will cause significant delay and ultimately uncertainty and insecurity among Islanders. Just looking ahead at our future work programme, we know we need to continue to support our children. The hospital: the aim is to be contractually committed, subject to this Assembly, by the end of this electoral term. It is tight, it is doable and it is on track, but any delays could be catastrophic. The population control policy: we are debating that in a few weeks and then much more next year. Brexit, economic recovery, the office strategy, and in terms of capital spend I am still slightly unclear where we got £190 million from. Mental health: we know we have massive issues there, but we are making progress. The Island Plan: even a month is going to cause a problem we have heard. COVID-19 is still with us and we heard

about the potential delays in a vaccine law if this Government falls. Weeks do matter here and everyone expects the winter months to be tricky. That is to name but a few. We need to focus on what is to come and we have a lot to do. I am trying to pick up some general remarks as well and I am going to try to do a general comment around the details of the issues surrounding the C.E.O. that some Members wish to delve into. I would dearly like to say more but, as I have said, we must remember we have serious contractual obligations and that requires very careful professional consideration, particularly from an H.R. (human relations) and employment perspective. That, for example, is why we distinguish between the Council of Ministers and the States Employment Board and I am really serious about that. It is frustrating but it is something I am bound by. I can obviously repeat what I have said previously that the chief executive is receiving his contractual entitlement and no more. That is his employment contract. There is no additional pay-out and no extras. To be clear, contrary to rumour, he has not got his qualification for residency. He honoured his contract and, importantly, further speculation at this time will make it more difficult to tie up final arrangements. In relation to dates, the C.E.O. letter at the end of October refers to when the process started, but it was delayed because of COVID-19 and resumed in mid-summer. The C.E.O. is very clear he should have followed up in writing with me. It was his responsibility to do so and that is the nub of that particular issue. He has apologised to both myself and the S.E.B. I have also apologised to the S.E.B. But can I also add, as I have said previously, I do recognise the anger among the public, Ministers and Members on this particular matter and I absolutely do apologise for the mistakes that have been made. I also recognise that we need some form of healing process on this and to learn the lessons from this. Yes, I have learned a lesson. The last 10 days have been mentally and emotionally draining, both for me, my family, and also colleagues, both political and official. However, as I have said all the way through, judge us by the overall actions and results, not just by this single issue. In relation to the Connétable of St. Mary, I would like to thank him for his kind words. We have known each other for a long time. But I do have to disagree with the key point of his speech when he said we must always and only listen to the public in effect. Absolutely the right principle, but there are times when you have to make decisions based on evidence rather than perception. When I first started in this Assembly, we had a petition of thousands upon thousands of people against the introduction of G.S.T. This is memory, so I might be wrong, but it may have been as many as 15,000 people. There were demonstrations in the Royal Square with placards giving alternative versions of what G.S.T. stood for and the first word was "Get" and the third word was "Terry" who was the Minister for Treasury and Resources of the day. But the point was there was a lot of anger and there was a lot of angst among a significant part of the population. What we have to do here is we need to recognise that part of the public perception in the last 10 days, and I say "part", has been an orchestrated campaign. For example, we have had 3 Facebook videos from the proposer and we have had sponsored adverts in the *J.E.P.* So in this instance I am not clear exactly who we should be listening to. I will refer to this later as well. But if we had listened to the petition back in I think 2006/2007, then we would not have introduced G.S.T. and we would be in a far worse place today. I think that is an appropriate analogy for today. In relation to the Deputy of St. Mary, I agree with his concerns for the time of debate for items he has interest in. I am very happy to work on that with him. A number of Members have referred to P.1 and I note that both Senator Moore and the Deputy of St. Martin have both referred to the structure, which they as former Ministers would have brought in. I would seriously welcome a review, for example, by the Corporate Services Scrutiny Panel with a view to what improvements could be made in light of experience to date. We do know that improvements are required in the S.E.B. structure. The C. and A.G. (Comptroller and Auditor General) did a review in 2019. Most of the recommendations have been implemented and good progress has been made, other than those requiring legislative changes, which I understand are coming to the S.E.B. and Council of Ministers in quarter one of next year. The Employees of the States of Jersey Law is also on the agenda. The independence of the J.A.C. (Jersey Appointments Commission), status and accountabilities of accountable officers, the principal accounting officer, and clarification around office holders. As I have said, many things have been delayed because of COVID but that is probably the very end of quarter one coming to S.E.B. and then to C.O.M. So it

is coming and we will be doing it next year and hopefully the first part of next year. Deputy Ward just referred to the Climate Emergency Fund. It was me that had the conversation with Treasury to get that initially in place in the Government Plan. Be very clear about that. I am very supportive of appropriate and sustainable funding to get this into the right place. Yes, of course there have been delays this year in lots of areas. COVID has caused massive delays in many things. We are in a different world compared to the beginning of this year. We have had to act differently because of the financial and social consequences that we have been facing and the consequences if we did not act as we had done in February, March, April, May, June and to date. I also need to be clear, as Ministers will know, and it has been referred to. I have always looked to see if we can support or amend a non-executive proposition so that we can accept it. That is why I always ask or plead with Members, if they can, speak to us in advance. So often we can find a way; sometimes we cannot, but that is about the style and consensual approach. Senator Pallett, I am afraid I rather found his arguments to be somewhat inconsistent. He was saying there is nothing wrong with the Government Plan or even the C.S.P., *et cetera*, but there is everything wrong with me. It did not get there by accident. I agree, there is a risk that we have a difficult winter and spring ahead. But he wants a team that is going to be able to deal with it. Well we have a team that can deal with it and have already demonstrated that. That team took us through last spring, which was particularly difficult, and we came through it. So with uncertainty ahead he wants to ditch the team that got us to that point and that surely cannot be in the interests of Islanders. Just before I start to conclude, I did feel quite strongly or sympathetically toward Deputy Morel in his speech, and I welcome his feedback from the parishioners of St. Lawrence as some of them have also been in touch with me. I also absolutely endorse his comments and those by the Connétable of Trinity about maintaining the stability of this Island and protecting the health of Islanders and our Island economy going forward as well, particularly for the short-term challenges we have in the next few weeks and months. We have referenced emails that we received, so just to give a slightly counterbalance I suppose to that I would like to read from 2 that came in. Generally I would say I do not know either of these: “Good afternoon, Mr. Le Fondré. I would just like to express my thanks for keeping the building industry alive during this year of COVID. It is my belief that the decisions you made helped our industry survive and now prosper in this difficult time. Without your support one of my businesses, which employs over 20 direct full-time staff, would have been in real trouble. As it is, all the men are back full-time working without any redundancies or even any loss in earnings. A vote of no confidence in you after all you have done for the Island in the last 9 months is a ridiculous insult and should not be given any thought at all.” The second one: “Dear Chief Minister Le Fondré. At the time of this pandemic and the vote of no confidence against you, I just wanted to thank you. Thank you for doing what I think is an excellent job at running our Island and keeping a lid on this pandemic to an extent where the general public, in my opinion, should feel very safe. It is a shame that not everybody in the States can see eye to eye and will not work together and support you. Keep fighting the good fight and do not give up. You are doing a brilliant job.” I do have to point out it is a team that I lead that is doing the important job and a brilliant job. But it is a team I lead. I am dedicated to this Island, its people, its culture and its uniqueness. I believe I have remained true to the person the public voted in and who you all chose as your Chief Minister. I am not into quick fixes but long-term planning based on solid information and teamwork for the future of our Island. I doubt there are many people who could put in more hours, 90-hour weeks at times, weekends, often to the sacrifice of everything else personal, including my family. I believe I have demonstrated that I can juggle and understand the details of the massive range of issues, which come up on a daily basis, while driving long-term projects forward. I constantly challenge both my colleagues and officers to get to the crux of an issue. As we have heard today, I do the reading and understand the detail in order to then be able to apply it to whatever the wider issue is that we are dealing with. It has already been stated on a number of occasions that I lead in a slightly different way. But I lead by showing commitment. I lead by showing integrity. I lead by achieving consensus and I lead by professionalism. As I have said, we have a lot to do. I came across the following, which I believe summarises my style, it says: “The challenge of leadership is to be strong but not rude, be kind but not weak, be bold but not bully, be

thoughtful but not lazy, be humble but not timid, be proud but not arrogant, have humour but without folly.” I have been in this Assembly for 15 years and Chief Minister for about 2½ years, we have around a year and a half to go. Some have suggested this is about character. I can tell you without hesitation that being Chief Minister of the Council of Ministers, of leading the Island through a pandemic, is absolutely about character. But it is not always about being popular. We have had to make some of the toughest decisions no one would wish to take. It is about having a strength of character to listen objectively, without anger or rancour, without seeking to make political capital, and to assess sensibly what our decision is going to be. It is about being prepared to come to a meeting at 10.00 p.m. in the evening that might last until 1.00 a.m. in the morning because it is in the interests of the Island. Because it is in the interests of the Island you need to without giving into tiredness or irritation. That is my job. Please, let no one denigrate my integrity or my commitment to the Islanders of Jersey and I absolutely urge Members to reject this Proposition.

**The Bailiff:**

Thank you very much, Chief Minister. Deputy Southern has asked if you would give way for a point of clarification.

**Senator J.A.N. Le Fondré:**

I think we have said enough.

**The Bailiff:**

Then there is no obligation on the Chief Minister to answer for a point of clarification.

**Senator K.L. Moore:**

I would like to start by quoting ...

**Deputy G.P. Southern:**

I believe the Chief Minister is ducking away from points of clarification.

**The Bailiff:**

I am sorry, Deputy, the Standing Order is that the Chief Minister can be asked to give way for a point of clarification. If he does not, that is an end to the matter. You will form your own view about that without doubt but ...

**Deputy G.P. Southern:**

My opinion is that he is hiding from the question.

**The Bailiff:**

No, sorry, you do not have a forum for expressing your view ...

**Deputy G.P. Southern:**

Enough said.

**The Bailiff:**

... that is as far as we can get, I am afraid. Senator Vallois, you have asked for a response to the challenge in your speech and the question that you have asked. I am not sure that is a point of clarification or in any way at all within Standing Orders, so I am going to move on. Senator Moore, I am sorry for the interruption.

**2.1.48 Senator K.L. Moore:**

I will start again and I wanted to start with a quote from a commentator who wrote in the *Jersey Evening Post* this morning: “Nothing is so unedifying as someone heaping the blame on their subordinates.

[18:45]

A person who, by virtue of seniority, is able to give their version of events to the exclusion of all others.” That strikes to the heart of our reason for being here today. Since lodging this Proposition a week ago, I have been at pains to avoid reference to the chief executive, yet at 7.00 p.m. last night we learned that the chief executive is now leaving. Although of course there are some questions in relation to the letter that was written and the exact terms of that departure. I have been criticised and my track record has also been brought into question today, so I would simply like to say in response to those Members that I have never personally claimed that I was perfect. Nor do I expect any other person to be perfect. Neither am I an automatic replacement for the Chief Minister. Yes, I would put myself forward if this vote was successful, as is proper. But I am well aware that in the eyes of many in this Assembly I am not the person they would currently choose. I do stand by my track record. I introduced 2 major pieces of legislation while at Home Affairs and the Sexual Offences Law, the Criminal Procedure Law, I opened the Sexual Assault Referral Centre and negotiated the funding to start a parent/infant psychotherapy service. Baby Steps, an antenatal service, was made available for every parent in the Island. With regards to the budget of the States of Jersey Police Force, if the current Minister would care to look at Hansard, he would be able to remind himself that, yes, the police force did suffer some budgetary cuts, but those were 10 per cent. I had resisted very strongly the demands for a 20 per cent budget cut that was asked for by my colleagues on the Council of Ministers at the time. That perhaps is one of the reasons why I identify with the treatment of Senator Vallois and the difficulties that she has experienced in the Council of Ministers. It is not an easy place to sit and it is extremely important that individual Ministers fight for their relative departments and do what they think is right. That I would do again. But this is not about my performance as a Minister. That is history. It is also not about my performance as a scrutineer, which in my view has been, on the whole, constructive in the past 2½ years. I have been honoured to work with an excellent panel and officers who I can never pay enough credit to. We have worked constructively to amend work such as the Government Plan and to highlight alternatives. Last week 3 proposals would have been thrown out had it not been for Scrutiny bringing forward improvements to them. We have also brought amendments to the safer travel guidelines and Backbenchers themselves have brought debates about strategy and communication in these difficult COVID months. They have helped in themselves to enhance the Island’s response to the pandemic. Have we seen the requests of the Assembly around openness and transparency as we agreed in P.88? Have they been brought forward? No. We are still waiting for Minutes from S.T.A.C. Last time I looked, which was quite recently, we had got to the end of July. But obviously now we are in November and people wishing to see transparency within Government and openness would be looking for those S.T.A.C. Minutes so they can properly understand the decision-making processes that have been going on. Have we seen an improvement in the communications we and the public have requested? No. We have particularly seen that very clearly in the past week or 2. That is why, in my opinion, and those many Members here today, we do need new leadership. We need leadership that can carry the confidence of the public and communicate with them as we enter a COVID winter. The failure to communicate clearly and to hold the confidence of the public has a serious and negative impact, firstly on the well-being of the public. Secondly, it does damage our reputation on the international stage, upon which we have, over decades, developed a strong and solid reputation. While I understand concerns that a change of leadership could impact upon our reputation, staying with a leader that does not carry the public with it or who does not perform well on the international stage does not give a good impression and that has been noted. Our testing regime has developed into a success story. However, the team that work behind it in the contact tracing centres struggle every day due to poor communication. They have to watch press conferences closely to know how to answer the inevitable questions that will flood in afterwards, such is the poor level of communication with them, a key part of the Island’s coronavirus team. Members of the public have contacted me recently because they are concerned and frustrated by the contradictory information they are given. This advice of course sometimes forces them to remain in isolation due to the conflicting advice. There are fines and criminal offences if they are found to have acted incorrectly. This Assembly is

about the Chief Minister and his performance, particularly with regard to communication. We have tried to encourage; we have tried to give advice. We have had to, as an Assembly, and with Deputy Pamplin's Proposition, tried to introduce new rules to help with that guidance. None of these various factors have delivered significant improvement and so we find ourselves here today asking the Assembly to bring the ultimate sanction. There was an event that acted as the catalyst for this debate. That event was significant because it was the final straw. That situation has called into question the need for us all, and senior officers, to recall the importance of the Nolan principles. This is because of the obvious faults in the information contained in a press statement and the loss of faith that it brought to members of the public, many who have questioned whether, for example, F.O.I. responses were always accurate. An incident like this compounds those concerns. I am not going to run through all of the Nolan principles for the Constable of St. Lawrence, but I think she understands. This vote is not about personalities. It is about leadership. We have to ask ourselves whether to stick and give the benefit of the doubt again or change. I know that some Members will find this particularly hard due to the roles that they have dutifully been performing throughout this Government. Those Ministers should have nothing to fear by voting on their conscience today. Good work will not be knocked off course but a stronger team could put the Island back on track and deliver a stronger future for the Island. The Constable of St. Helier asked who will take over and what will happen to the hospital project. The first question I have referred to. That process of finding a new Chief Minister would happen in relatively short order. In lodging, I am aware that there is at least one other person who would put themselves forward, so there would be a healthy competition. The debate on the hospital can go ahead but there do remain major issues and the Constable of St. Brelade and Deputy Le Hegarat have mentioned those. Scrutiny has got a report, which is due to be published this week. It identifies significant issues in relation to the process of site selection and the panel is bringing forward amendments to impose greater rigour and clearer cost constraint, which does not currently exist. We are about to lodge an amendment that hopefully the Assembly would be able to debate next week along with the site decision. Constable Crowcroft identified himself that many of his parishioners are looking for clarity and reassurance because the communication there too has failed. S.E.B., if we can turn to them now, are also an example of a group of people who have been let down somewhat. Why was it that on Remembrance Sunday an Assistant Chief Minister's parishioners were proudly told to expect a big announcement the following day? If the decision-making lay on the shoulders of S.E.B., surely that person did not know what was going to be occurring the following day. In some respects, the chief executive himself has been let down too. In the statement accompanying the appraisal in September, the Chief Minister said: "I am very pleased with the Chief Executive's performance in 2019. Impressed at the energy and professionalism he brings to his leadership of the public service and grateful to him for his diligence, calm advice and experience, as together we have navigated some difficult challenges for the Government." Yesterday that person he rated so highly was thrown under the bus. Members have rightly identified a number of issues, a lack of progress with the target operating models and structural change, failure to meet efficiencies without impacting on services, the culture within the public sector. The Constable of St. Ouen mentioned the staff survey, but it has not yet been published. The speed with which decisions have been taken, inaccuracies in press statements, questions regarding F.O.I. responses and a failure to take personal responsibility. Failure to make progress on the priority of reducing income inequality, one of our common strategic priorities that as an Assembly we have all supported. This vote is about taking responsibility and stopping the blame game. When something goes wrong, a good leader will acknowledge that. When they make a mistake they apologise. Failure is not unacceptable but failure brings lessons and failing to learn from failure is unacceptable. We are here as an Assembly to deliver for the public who have put us here. However, as Deputy Morel said, we need direct answers and we need vision. We have heard suggestions that social security contributions could go up from 2023. We have heard that G.S.T. could rise. There could be changes to corporate tax. They are also under consideration. None of those messages help to provide clarity or stability. We are here to deliver for those who have worked hard to get the Island through the COVID situation so far. Everyone has pulled together and we owe it to them to improve their chances of protecting

lives and livelihoods during the winter ahead. This is not about a single issue. It is the final straw. Yes, it is a nuclear option, but it is because we have run out of tools. Because we can deliver better. Many Members are aware that there is a serious problem with morale within the public sector and particularly so in Health. This must change. Yet there is no perceptible effort forthcoming from this Government. One senior health worker messaged me in support after a T.V. (television) interview. They said: "Saw the Chief Minister on ITV saying: 'Look at the results re COVID and how it would be irresponsible to make changes now'. The results have been achieved by officers dragging his Government kicking and screaming to take the necessary measures, not in any way through his leadership. Remember, J.L.F. (John Le Fondré) was telling this Island it was fine to go on holidays. We were screaming for him to shut everything down in the initial period. He had no recognition of the severity. Indeed, the non-Executive Members of this Assembly have also worked hard to influence our position today, bringing propositions and amendments to improve upon work of this Government. A sign that there is considerable talent here and not just around the Council of Ministers table. Some have argued that there would be unnecessary disruption to Government. We have run through the issues with the Common Strategic Policy and also with the hospital. Many Ministers of course would stay. They have important work to complete. Some should be welcomed back. Many have acknowledged frustrations with the Government publicly and privately and this is an opportunity to rectify and deliver better Government for the public and to start the process of healing that is clearly needed. The Common Strategic Policy was adopted by this Assembly and it can be reaffirmed with minor amendment. The Government Plan process is in full swing. There is still time for amendment from both Government and Scrutiny, who are deep in their work at the moment. Last week, the Chief Minister told us that we should not listen too much to social media. In his view, it should not be the reason to take a decision. However, it is amazing how freely people will share their views. Should that not be harnessed as a force for good in an Island where we often ask ourselves why civic engagement and, in particular, turnout at elections is so poor? We could have filled all of our speeches with comments from social media and the emails that we have received. Let us repair the poor communication by listening and engaging with the views of the public, both adults and children.

[19:00]

The poll that has been conducted over the last day or so on Channel 103 has seen about 2,500 people express their view. They have a wide listener and follower base and 70 per cent of those people have voted in favour of change. Not exactly an endorsement of the Chief Minister winning the hearts and minds of Islanders. If I could share one Twitter message from a parish official: "I do find it incredible that many Members are content with the current leadership while virtually none of the public are. It is a massive disconnect. Presumably, those that have positions of some authority under the current regime are concerned they could lose their coveted roles within the States. Those failing to sign are not only putting their own interests above the Island's but are being cowardly by shying away from a difficult but important decision that has been on the cards for a long time. Good luck with this. The Island will be grateful if you succeed." I would like to compliment Members on this debate. It has been a very difficult debate and none of us have enjoyed this day but those Ministers who are feeling uncomfortable with the position they are in, I do urge that they vote on their conscience. That is what it says we ought to do in our oath of office and you have nothing to fear. There was some concern that a vote of no confidence would cause greater division, though it is very clear that the Assembly is finely split and in fact I do not think this has been the case. In fact, it is good for us to talk about issues openly, no more wilful blindness. Whatever the vote today, Deputy Truscott is correct about the need for unity. Some of us have found ourselves unified over this matter, working in a broad group, unified by common purpose. As Senator Farnham said, we are stronger together but this inclusive Government has not worked. It has not created unity. Remember what Senator Mézec said about his experience in Government. In order to build bridges, perhaps the best way to achieve that is to go for change. Change is about better serving the public in difficult times, so let us get this over the line. Let us keep that spirit going. Let us focus on our values and our principles and

together we can achieve a smooth transition and focus on delivering a stronger recovery for our Island. I would like to thank Members for their participation today and the officers of this Assembly. I ask for the *appel*.

**The Bailiff:**

The vote is called for. I ask the Greffier to post a link into the chat in the normal way. It is there. I, therefore, open the voting and ask Members to cast their votes using the link if possible. If not possible then we will obviously count them in the chat as well. If every Member has had the opportunity of casting votes either in the link or the chat, I close the voting. In the link there are: 15 votes *pour*, 21 votes *contre*, one abstention. I will ask the Greffier to compare with me the count in the chat. I am sorry, we are working to reconcile the 2. I am afraid there is some confusion in the chat. The Proposition has been defeated. We have 21 *contre* in the link, a further 10 *contre* in the chat, 15 votes *pour* in the link and a further 3 or 4 - we have not quite reached a figure the Greffier and I agree on at this point - *pour* in the link, one abstention.

<b>POUR: 19</b>		<b>CONTRE: 29</b>		<b>ABSTAIN: 1</b>
Senator K.L. Moore		Senator I.J. Gorst		Senator T.A. Vallois
Senator S.W. Pallett		Senator L.J. Farnham		
Senator S.Y. Mézec		Senator S.C. Ferguson		
Connétable of St. Saviour		Senator J.A.N. Le Fondré		
Connétable of St. Brelade		Connétable of St. Helier		
Connétable of Grouville		Connétable of St. Clement		
Connétable of St. Peter		Connétable of St. Lawrence		
Connétable of St. Martin		Connétable of St. John		
Deputy G.P. Southern (H)		Connétable of Trinity		
Deputy M. Tadier (B)		Connétable of St. Mary		
Deputy of St. Martin		Connétable of St. Ouen		
Deputy L.M.C. Doublet (S)		Deputy J.A. Martin (H)		
Deputy M.R. Le Hegarat (H)		Deputy of Grouville		
Deputy S.M. Ahier (H)		Deputy K.C. Lewis (S)		
Deputy J.H. Perchard (S)		Deputy M.R. Higgins (H)		
Deputy R.J. Ward (H)		Deputy J.M. Maçon (S)		
Deputy C.S. Alves (H)		Deputy S.J. Pinel (C)		
Deputy K.G. Pamplin (S)		Deputy of St. Ouen		
Deputy I. Gardiner (H)		Deputy R. Labey (H)		
		Deputy S.M. Wickenden (H)		
		Deputy of St. Mary		
		Deputy G.J. Truscott (B)		
		Deputy J.H. Young (B)		
		Deputy L.B.E. Ash (C)		
		Deputy K.F. Morel (L)		
		Deputy G.C.U. Guida (L)		
		Deputy of St. Peter		
		Deputy of Trinity		
		Deputy of St. John		

**The Deputy Greffier of the States:**

Those voting in the link voting *pour*: the Connétable of Grouville, Deputy Ward, Deputy Alves and Deputy Le Hegarat, Senator Mézec, Senator Pallett, the Constable of St. Peter, the Constable of St. Martin, Deputy Ahier, Deputy Pamplin, the Constable of St. Brelade, Senator Moore, Deputy Tadier, Deputy Gardiner. Then voting *pour* in the chat I have: the Deputy of St. Martin and Deputy Perchard and Deputy Southern. Then voting *contre* in the link ...

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

I am sorry, this is the Constable of St. Saviour. I voted *pour* in the chat.

**The Deputy Greffier of the States:**

Apologies. Yes, you did. I missed you out. The Constable of St. Saviour as well. Those voting *contre* in the chat: Deputy Lewis, Deputy Guida, Deputy Ash, Senator Ferguson, the Constable of St. Helier, Senator Gorst, the Deputy of St. Mary, the Constable of St. Mary, the Deputy of Trinity, Senator Farnham. Then in the link: Senator Le Fondré, Deputy Higgins, Guida, Deputy Martin, Deputy Truscott, the Deputy of Grouville, Constable Norman, the Constable of St. Ouen, the Constable of Trinity, Deputy Wickenden, Deputy Labey, Deputy Morel, the Constable of St. John, Deputy Young, Deputy Pinel, the Deputy of St. Ouen, the Deputy of St. Peter, the Constable of St. Lawrence, Deputy Maçon, the Constable of St. Helier again and the Deputy of St. John, and Senator Vallois abstained.

**Senator L.J. Farnham:**

Can you give an approximation, please, Sir, of the actual final result?

**The Bailiff:**

Do you mean in terms of numbers?

**Senator L.J. Farnham:**

In terms of numbers, so the numbers *pour*, the numbers *contre* and the numbers of abstentions, please.

**The Bailiff:**

By my calculation there are: 19 votes *pour*, 31 votes *contre* and one abstention. Would that be correct by your calculation, Greffier?

**Senator L.J. Farnham:**

That has given us 2 more Members than we have, Sir.

**The Deputy Greffier of the States:**

Yes, that is not right. Constable Crowcroft voted in the link and in the chat, so that is one extra *contre*.

**The Bailiff:**

That is beginning to sound a little bit more sensible.

**The Deputy Greffier of the States:**

I think we had Deputy Southern twice in the chat voting as a *pour*.

**The Bailiff:**

The outcome is quite clear. I think we will have to provide the numbers subsequently.

**Deputy J.H. Young:**

Sir, could we have the numbers who did not vote?

**The Bailiff:**

I am not sure that anybody did not vote, but that is certainly not within our gift at the moment, I am afraid.

**Senator L.J. Farnham:**

Sir, may I speak with respect, I think these numbers are important and I wondered if it might be worth the Assembly just waiting a couple of minutes while they were calculated and confirmed.

**The Bailiff:**

The vote does not appear to be very tight, Senator. Of course we are in the hands of the Assembly as to whether you wish us to ... Greffier are you able to ...

**The Deputy Greffier of the States:**

If Members are happy to wait just 2 minutes while I ...

**The Bailiff:**

Very well. If Members will wait an extra 2 minutes, we will do this.

**Male Speaker:**

Sir, I think it is important for clarity and transparency that we get the vote right on this.

[19:15]

**The Bailiff:**

Yes, that is fine. That is being done now. No comparison in the chat to the Pennsylvanian vote counting system. By cross-referencing the sheets, we are able to say that the vote is: 19 votes *pour*, 29 votes *contre*, one abstention. Very well, that concludes the business of the Assembly today and the States stands adjourned until 9.30 a.m. on 17th November 2020.

**Senator J.A.N. Le Fondré:**

Sir, can I just thank everybody for their support? Thanks.

**Senator K.L. Moore:**

Sir, I also would like to thank everybody for their time today. I think it is very important that we do approach difficult topics sometimes.

**The Bailiff:**

Thank you very much, Chief Minister. Thank you very much, Senator.

**ADJOURNMENT**

[19:16]