

STATES OF JERSEY

OFFICIAL REPORT

MONDAY, 19th JULY 2021

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[14:31]

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

COMMUNICATIONS BY THE PRESIDING OFFICER

The Greffier of the States (in the Chair):

1.1 Welcome to Members

I would like to welcome Members to this meeting of the Assembly.

APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

2. Appointment of a member of the Jersey Police Authority

The Greffier of the States (in the Chair):

There is nothing under part E, Withdrawal of Propositions, which brings us on to the appointment of a member of the Jersey Police Authority following the resignation of Deputy Wickenden. If I can remind Members, neither the Minister for Home Affairs nor any Assistant Minister for Home Affairs can be appointed. Similarly the Connétables and members of the Children, Education and Home Affairs Scrutiny Panel are also not eligible for appointment. Minister for Home Affairs, do you have a nomination to make?

[14:45]

2.1 Deputy G.C. Guida of St. Lawrence (The Minister for Home Affairs):

I would like to nominate Deputy Inna Gardiner please.

Deputy I. Gardiner of St. Helier:

I think it was a miscommunication between me and the Minister. We did have an initial exchange but we did not progress with this and I personally will decide not to go forward with this nomination.

The Greffier of the States (in the Chair):

Deputy Guida, do you want some time to consider this? We could perhaps come back to it tomorrow.

Deputy G.C. Guida:

Yes, please. If you do not mind I would like it deferred to tomorrow. I do not have a back-up plan for the next 5 minutes. Thank you.

Deputy I. Gardiner:

Apologies.

The Greffier of the States (in the Chair):

Thank you very much, we will come back to that at the start of business tomorrow.

QUESTIONS

3. Written Questions

3.1 Deputy C.S Alves of St. Helier of the Chair of the States Employment Board regarding Government contracts (WQ.320/2021)

Question

Will the Chair provide –

- (a) a summary of the progress to date on the project to centralise records of Government contracts, and the expected timeline for delivery; and

- (b) a copy of the new Commercial Services third party code of conduct, as referenced in the response to Written Question 105/2021, stating when it is expected to be in place; and an explanation of how it will enable workers to receive the living wage?

Answer

- (a) A Commercial Services central contracts register was created in January 2021. Work is underway to identify and register contracts across government. This is being monitored with KPIs outlined in the COO Operational Business Plan.

Currently there are 441 contracts registered and 124 copies stored on the site. The target set for 2021 is 400 registered and 200 stored. The collection and maintenance of contracts is an on-going process. Gathering of contracts is essential for the successful roll out of ITS and therefore the deliverable date is aligned to the programme roll out schedule in 2022.

- (b) The Third Party Code of Conduct is currently being piloted with launch being anticipated in January 2022. This Code of Conduct reminds government suppliers that the Government is a Living Wage accredited organisation and there is a contractual requirement for suppliers to meet the relevant criteria, where applicable.

It is important to note that there is already a provision for this in government contracts and therefore the Government is not reliant on the Code of Conduct to enforce this as a requirement. As stated in the answer to WQ.105/2021, the current contracts recorded centrally all include a provision for meeting the Living Wage criteria.

There are very few government contracts whereby the Living Wage criteria needs to be applied as outlined in WQ.444/2019.

3.2 Connétable of St. John of the Minister for Children and Education regarding the Corporate Parenting Board (WQ.321/2021)

Question

Will the Minister inform members of the following –

- (a) whether or not the Corporate Parenting Board (C.P.B.) is still in existence, and if it is, the reason for the pause in its meetings since 3rd December 2019;
- (b) the actions that have been taken (if any) to arrange a meeting of the C.P.B. since 3rd December 2019;
- (c) the anticipated release date for the C.P.B.'s Annual Reports for 2019 and 2020;
- (d) the membership of the working group cited under Item 6 of the C.P.B. minutes from 3rd September 2019;
- (e) an update on the progress of this working group with regards to the “long list of actions” identified by the C.P.B. in the same minutes; and
- (f) a date for the publication of the working group's findings?

Answer

- (a) The C.P.B is still in existence and the last meeting was held on 11th September 2020. The Minutes for this meeting will be uploaded to gov.je once they have been approved by the Board at their next meeting.
- (b) Meetings have been planned since then. However, initially due to the onset of the pandemic, combined latterly with the several changes in the responsible Minister who chairs this board, the diarised meetings have been postponed enabling new Ministers to familiarise themselves with this aspect of the portfolio. The last postponement was the 28th June 2021 meeting which

was not considered appropriate to proceed with due to the election of a new Minister taking place the following day. Deputy Wickenden has now been elected as Minister for Children and Education at last week's Sitting, the cycle of quarterly board meetings can now resume and the next one has been arranged for 20/09/2021.

- (c) Due to the disruption caused by COVID-19 it is proposed that a report on the work of the Board during 2019 and 2020 will be completed no later than the end of this year and published alongside the Board minutes on the Government website. (A date for the publication of a report for the publication of a report into the Board's work and achievements in 2021 will be agreed at the next meeting of this body.
- (d) - (f) The actions identified in the Board meeting of 3rd December have been severely disrupted by the emergency Government response to the COVID-19 Pandemic. As a result, the working group, as originally identified in the minutes of the Board, was not established. However, key actions that have progressed include:
- Continued progress to place Corporate Parenting into the draft Children and Young Peoples (Jersey) Law 202- which is scheduled for lodging with the Assembly later this year.
 - A whole of Government workshop on 22nd January 2020 to explore the application and meaning of Corporate Parenting led by the Chief Executive, the CYPES Director General and other senior officials. There were 135 Senior Government Officers participating with a guest speaker who had experience of care (and works for the Government of Jersey). Evaluation of the event showed that 90% of attendees found the event either useful or very useful. The workshop built on previous Children and Housing Minister's correspondence to Council of Ministers which were referenced in the Board minutes of 3rd September.
 - A follow up workshop with Senior Leaders across the Government of Jersey will take place in September to further cement their commitment to Care Leavers with tangible actions for delivery
 - Arrangements to work with Jersey Cares and Who Cares Scotland via a letter of engagement was agreed in January 2020, shortly before the Pandemic took hold during 2020.
 - The reconvened Board, with strengthened governance to include the Independent Reviewing Officer team manager will, with the Executive Leadership Team and the Council of Ministers, be taking stock in the second half of 2021 of the engagement and delivery strategy across Government to ensure that corporate parenting is at the leading edge of the Government's commitment to put children first.
 - The Children in Care Partnership and Care Leavers Outcomes Boards were established in 2020 to strengthen the partnership working across government and external agencies, focussing on tangible actions to directly improve outcomes for children.

3.3 Deputy J, M. Macon of the Chair of the Environment, Housing and Infrastructure Scrutiny Panel regarding the Comité des Chefs de Police (WQ.322/2021)

Question

Further to the response to Oral Question 149/2021, in which the Chair stated that there would be a meeting with the Comité des Chefs de Police, will the Chair advise whether this will be a public

hearing so that all interested parties will have full access to any comments made; and if so, when will the hearing take place?

Answer

The Panel met with a representative of the Comité des Chefs de Police on Wednesday 7th July. This meeting was held in private to discuss the Comité's concerns with the ability to police the Draft Road Traffic (No.68) (Jersey) (Regulations) 202- [P.39/2021], should the draft regulations be adopted. A written record of the meeting was taken and, once approved, will be made publicly available on the States Assembly website. It is intended to communicate this across social media channels when the upload has been made.

The Panel will be arranging meetings with other stakeholders in due course and dates are yet to be confirmed. Regular review progress updates will be made available on the [review page](#) on the States Assembly website.

The Panel questioned the Minister for Infrastructure on P.39/2021 at the Public Quarterly Hearing held on 6th July. A copy of the [transcript](#) is available on the States Assembly website. There are currently no plans to hold additional public hearings at this stage.

3.4 Connétable of St. Lawrence of the Minister for Health and Social Services regarding text messages within Health and Community Services (WQ.323/2021)

Question

Given that missed appointments incur costs in time and money within Health and Community Services (H.C.S.), will the Minister explain why text messages to remind patients of forthcoming appointments are sent from some, but not all departments, within H.C.S.?

Answer

Sending appointment text reminders is currently a manual process. Reports are run to extract appointment details from the HCS patient administration system (TrakCare). These data are then uploaded into a Jersey Telecom application – 'Soprano' – which holds department-specific templates and is used to generate the messages. A small number of services operate their appointment system separately from TrakCare e.g. Radiology, Clinical Investigations. 93% of all clinics on TrakCare send patients text message reminders.

The appointment reminder system has an opt-out function. The use of this function is decided at specialty level. Reminder text messages may not be suitable if the message relates to a particularly sensitive clinic e.g. sexual health; a clinic where patient confidentiality may not be assured e.g. some learning disability clinics; or where other people may have access to the telephone of the patient. For some clinics, the text reminder system is not needed e.g. where specialties are operating telephone clinics and the clinician phones the patient or where a patient has a recurrent appointment at the same time and place e.g. some physiotherapy clinics. Finally, a patient may decide they wish to be excluded from receiving text reminders.

The fact that 93% of all TrakCare clinics send patients text message reminders is a strong foundation. However, the Connétable's question is a timely reminder that for the further benefit of patients we

may be able to improve on the extent of such reminders being sent. I have therefore asked the HCS operational lead managing the text reminder system to revisit with the relevant clinic leads their reasons for opting out.

3.5 Senator S.Y. Mézec of H.M. Attorney General regarding legal basis of signage on private property (WQ.324/2021)

Question

Will H.M. Attorney General explain on what legal basis, if any, a landowner may put up signage on their land stating 'no public access' or 'no trespassing' when that land is openly accessible (i.e. not blocked off by permanent structures such as walls or fences) and might otherwise form a safe and convenient pathway for walkers?

Answer

A landowner may do anything with their land which they are not otherwise prohibited from doing as a matter of law. A landowner is free to erect signage on their land providing it complies with the Planning and Building (Jersey) Law 2002, its subordinate legislation and any other relevant laws.

3.6 Connétable of St. Martin of the Chief Minister regarding medicinal cannabis (WQ.325/2021)

Question

In relation to medicinal cannabis, will the Chief Minister explain –

- (a) how cross-departmental activity relating to the cultivation of medicinal cannabis is currently co-ordinated by Ministers across the Government; and
- (b) whether any consideration has been given to establishing a Political Oversight Group to coordinate the licensing of medicinal cannabis and the development of policy and guidelines concerning its cultivation and, if so, why no such Group has been established?

Answer

- a) the diversification of the rural economy is a key policy area within the Rural Economy Strategy (RES) which has been endorsed by the States Assembly, led by the Minister for Economic Development, Tourism, Sport and Culture (with whom political responsibility lies). The establishment and regulation of the Island's emergent medicinal cannabis industry is consistent with the RES, but is technically complex and requires a cross-government approach. As such, a Cannabis Coordination Group has been established with officers representing the necessary Govt. Departments including Health and Community Services, Law Officers, Justice and Home Affairs, IHE, Treasury and Economic Development, Tourism, Sport and Culture. Officers on the group report back to their respective Ministers as required. The Council of Ministers have also endorsed an Economic Development Framework for Cannabis Investment in Jersey

- b) Following States Assembly approval at the end of June 2021 to amend the current proceeds of crime legislation and once these amendments are made, Jersey's cannabis investment framework will be established. In the interim, the Minister for EDTSC will be considering the need for a broader Political Oversight Group to oversee the ongoing development of this new sector within the rural economy.

3.7 Connétable of St. Martin of the Minister for Economic development, Tourism, Sport and Culture regarding security fencing of medicinal cannabis (WQ.326/2021)

Question

Will the Minister –

- (a) provide the minimum dimensions of the security fencing required at sites to be used for the cultivation of medicinal cannabis; and
- (b) state how these dimensions are monitored in the regulation of organisations cultivating medicinal cannabis?

Answer

- (a) There are no set minimum dimensions for security fencing at sites to be used for the cultivation of medicinal cannabis. Sites vary considerably and security arrangements are bespoke for each one. Licence applicants need to demonstrate how they will satisfy the security requirements detailed in Home Office security guidance where consideration of perimeter fencing is listed. The guidance can be found at [Home Office Security Guidance](#).
- (b) If an applicant proposes to use a perimeter security fence, the dimensions will be determined during the planning process and monitored through that process.

3.8 Connétable of St. Martin of the Minister for Health and Social Services regarding travel for unvaccinated people with mitigating circumstances (WQ.327/2021)

Question

Will the Minister advise –

- (a) how any Islanders who are unable to be vaccinated due to demonstrable mitigating circumstances, such as underlying health conditions, will be able to travel back to Jersey when travelling without being subject to more stringent self-isolation requirements than vaccinated Islanders; and how and when relevant policies on this subject will be developed; and
- (b) what work is being undertaken to develop international agreements in respect of travel to ensure that any Islanders who are demonstrably unable to be vaccinated are not discriminated against, or treated separately to vaccinated Islanders?

Answer

- (a) Ministers have agreed updates to the Safer Travel Policy to better align to recent policy changes to isolation requirements for direct contacts, protection afforded to Islanders by our levels of vaccination and the current low rate of severe illness and hospitalisation. The

updated Safer Travel Policy will take effect on Tuesday 13 July 2021 and will have the following testing and isolation requirements:

- passengers who are fully vaccinated will only be required to have one test on arrival and will not be required to isolate
- passengers who are not fully vaccinated will be required to be tested upon arrival (day 0) and on day 8, and will need to isolate until their first negative test result
- enhanced testing and isolation will remain for the very small number of passengers who have visited very high-risk countries (those subject to the UK Government International restricted list) in the 10 days prior to arrival, regardless of vaccination status.

With these changes, those passengers arriving in Jersey who are unable to be vaccinated will only have a marginally increased requirement compared to those who are vaccinated, and there will be no distinction between vaccinated and unvaccinated Islanders for those who have visited very high-risk countries.

We are continuing to develop all policies relating to Covid Status Certification at pace and consideration of any significant inequalities is a key part of that work.

- (b) The Government of Jersey, chiefly through the Ministry of External Relations, remains closely engaged in discussions to enable the safe resumption of travel to and from international destinations, in line with the Government's Safer Travel Policy. Ultimately, each jurisdiction retains the ability to administer its own controls over incoming travellers to protect public health, and the Government of Jersey must respect these decisions whether in relation to vaccinated or unvaccinated individuals. External Relations officials are in regular contact with their counterparts in the UK Foreign, Commonwealth and Development Office, which is leading on discussions with international partners over travel restrictions and entry requirements – including those for Jersey residents – in view of the ongoing pandemic.

3.9 Connétable of St. John of the Minister for Health and Social Services regarding the Intensive Care Unit (I.C.U.) bed occupancy (WQ.328/2021)

Question

Will the Minister provide –

- (a) for each month of the years 2018 to 2021 –
- (i) the total number of Intensive Care Unit (I.C.U.) beds at the General Hospital;
 - (ii) the average percentage I.C.U. bed occupancy;
 - (iii) the total number of invasive ventilators in the General Hospital;
 - (iv) the average usage rate of invasive ventilators in the General Hospital; and
- (b) for each month of 2020 –
- (i) how many Covid-19 patients required hospital treatment; and
 - (ii) how many of those patients required treatment using an invasive ventilator?

Answer

(a)

- i) The Intensive Care Unit has 7 beds – these comprise 5 in the ward area with 2 single / isolation rooms. This number is unchanged since 2018.
- ii) Percentage ICU bed occupancy Jan 2018 to June 2021 by month and Use of Invasive Ventilators

Month	% ICU Occupancy	Use of Invasive Ventilators¹
Jan-18	52.5	7
Feb-18	47.2	3
Mar-18	64.5	10
Apr-18	57.1	2
May-18	52.1	7
Jun-18	42.1	12
Jul-18	45.6	10
Aug-18	54.8	7
Sep-18	51.0	6
Oct-18	42.1	3
Nov-18	51.7	4
Dec-18	50.2	6
Jan-19	52.8	11
Feb-19	58.2	6
Mar-19	49.5	11
Apr-19	51.4	5
May-19	54.0	8
Jun-19	34.1	6
Jul-19	62.3	6
Aug-19	62.2	10
Sep-19	49.8	7
Oct-19	50.7	11
Nov-19	62.1	10
Dec-19	51.2	9
Jan-20	63.5	4
Feb-20	53.0	7
Mar-20	36.9	5
Apr-20	65.7	6
May-20	22.1	2
Jun-20	28.2	3
Jul-20	59.7	6
Aug-20	63.6	2

¹ Number of procedures

Sep-20	52.6	8
Oct-20	58.5	4
Nov-20	39.5	3
Dec-20	50.2	6
Jan-21	56.2	6
Feb-21	56.4	2
Mar-21	63.6	3
Apr-21	62.9	4
May-21	58.4	7
Jun-21	41.4	2

- iii) There are 20 invasive ventilators in the hospital. In addition, there are 18 anaesthetic machines that can also be used for invasive ventilation should the need arise.
- iv)

Year	Average Use of Invasive Ventilator Per Month (in Year listed)
2018	6.4 per month
2019	8.3 per month
2020	4.7 per month
2021 (First 6 month)	4.0 per month

Month	Covid Patients in Hospital	Requiring Treatment Using Invasive Ventilator
Jan-20	1	1
Feb-20	16	0
Mar-20	16	1
Apr-20	7	3
May-20	1	0
Jun-20	1	0
Jul-20	3	0
Aug-20	3	0
Sep-20	21	0
Oct-20	44	0
Nov-20	1	1
Dec-20	16	3

3.10 Connétable of St. John of the Minister for Health and Social Services regarding cancer screening (WQ.329/2021)

Question

Will the Minister advise –

- the total number of cancer screenings per month for the years 2018 to 2021;
- the total number of appointments for cancer treatments that were delayed, deferred, missed, or cancelled per month for the years 2018 to 2021;
- what action, if any, is being undertaken to encourage people to attend screenings; and
- what action, if any, is being undertaken to increase capacity to cope with any backlog?

Answer

Cervical Cancer screening (smears)

	JAN	FEB	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL
2018	549	507	482	433	466	467	409	553	522	531	532	456	5907
2019	674	633	686	651	635	596	620	616	588	571	543	403	7216
2020	590	511	373	55	110	369	530	477	548	729	686	512	5490
2021	536	684	761	605	554	620							3760

Cervical screening is available to women aged 25 – 64 years at their GP surgery or at Le Bas centre free of charge. They are recommended to attend every 3 years.

Bowel Screening

	2018	2019	2020	2021
Jan	66	49	59	28
Feb	63	46	32	28
Mar	51	48	49	16
Apr	43	56	0	8
May	53	48	0	0
Jun	64	66	1	2
Jul	101	72	0	
Aug	41	38	0	
Sep	46	51	28	
Oct	71	39	44	
Nov	54	54	35	
Dec	23	25	22	
	676	592	270	82

The Bowel screening programme in Jersey to date has been a flexible sigmoidoscopy which is offered to members of the public in their 60th year. This is an invasive procedure that requires significant preparation on the part of the patient and post-Covid, patients were also asked to self-isolate prior to this in keeping with other planned procedures. As we emerged from the 1st wave of Covid, screening endoscopy sessions recommenced, but at a lesser capacity due to impact of infection control measures to reduce transmission of Covid and the required time therefore in between patients. Many patients who were invited for a bowel screen declined due to the reasons above.

In addition, due to patients with symptoms (therefore not screening) requiring the same procedure, clinic capacity has been prioritised for these islanders that have symptoms of higher clinical risk rather than those people needing a flexible sigmoidoscopy for a screening purpose alone. Additional endoscopy capacity has been commissioned as part of a Covid recovery bid and will support access to both symptomatic and screening appointments in 2021. A new model of bowel screening currently in the planning stages, which is in place in other jurisdictions such as Guernsey and the UK, will allow us to offer bowel screening to more islanders for the future and support the recovery process from Covid. This is expected to commence in the autumn. This is a home test rather than an invasive hospital procedure and offers comparable rates of cancer detection and should ultimately support a wider uptake of bowel screening by the public.

Breast screening

2018		2019		2020	
Month	Women Screened	Month	Women Screened	Month	Women Screened
January	468	January	263	January	397
February	479	February	528	February	439
March	417	March	452	March	283
April	520	April	408	April	0
May	505	May	346	May	9
June	466	June	405	June	103
July	623	July	494	July	189
August	721	August	466	August	111
September	569	September	386	September	297
October	564	October	455	October	440
November	604	November	477	November	461
December	383	December	310	December	229
Total attendance	6319	Total attendance	4990	Total attendance	2958

- (a) the total number of appointments for cancer treatments that were delayed, deferred, missed, or cancelled per month for the years 2018 to 2021;

These figures are not available. However, while the Covid pandemic brought challenges for all and oncological treatments were deferred/ cancelled and even stopped within the NHS, locally no patient's plan of treatment was deferred or stopped, with the exception of a few supportive therapies that would not affect patient outcomes.

- (b) what action, if any, is being undertaken to encourage people to attend screenings;

Health promotion activity is undertaken throughout the year, which includes the distribution of a range of publications/posters for both healthcare professionals and patients/public describing the available services in regard to cancer screening and how the public can access these. This information is also available in Polish & Portuguese. This year, this has included some newly produced easy-read versions to support persons living with learning disabilities/difficulties. Information is also available on the gov.je website, which has recently been updated. Health promotion staff attend Closer to Home events to advertise these

services in the community e.g. parish halls. In addition, workplace sessions are delivered e.g. 'well women' and 'well men' events.

There is an increased focus on different cancer screenings on particular days throughout the year, in tandem with international campaigns such as cervical cancer screening week in June, breast cancer month in October, cervical cancer prevention week in January, and HPV awareness day and colorectal cancer awareness month in March.

Post-Covid, a business case was submitted to Treasury for recovery monies to increase our normal screening capacity to allow more people to come forward who were affected by the interim cessation of cancer screening during Covid. To promote this additional capacity, there has been increased activity across social media platforms and a radio campaign.

(c) and what action, if any, is being undertaken to increase capacity to cope with any backlog?

A business case is being developed to implement a new model for bowel screening. This will allow us to screen more patients for bowel cancer as the home test approach will support both the reduction of the backlog and also provide increased capacity in the future.

In the autumn of 2020, when restrictions eased and non-emergency clinical contact could resume, additional funds were requested and secured for cervical cancer screening. The impact of this is shown below in Q4 2020, where more smears were delivered than in previous years, a result of more members of the public coming forward for screening and the capacity being available to deliver that activity.

3.11 Connétable of St. John of the Minister for Health and Social Services regarding Scientific and Technical Advisory Cell (S.T.A.C.) minutes (WQ.330/2021)

Question

Will the Minister advise –

- (a) the dates of all Scientific and Technical Advisory Cell (S.T.A.C.) meetings held between 29th March and 5th July 2021;
- (b) whether the minutes from this time period have all been agreed by the Cell within 7 days of the meeting in question and how many were challenged during this 7-day period, if any;
- (c) what action, if any, he has undertaken since his answer to Written Question 305/2021 to publish the outstanding S.T.A.C. minutes;
- (d) whether he has requested that the Chair publish the outstanding minutes within a specified deadline, and if not, whether he will do so; and
- (e) when he expects the S.T.A.C. minutes for meetings for April, May and June to be published?

Answer

Scheduling meetings of the Scientific and Technical Advisory Cell (STAC) is the responsibility of the Chair, but I understand that meetings have continued to be held on a weekly basis on each Monday during April, May and June (other than the 31 May bank holiday week). I believe that comments from members of STAC regarding draft minutes are generally received within seven days of the draft minutes being circulated, but that settling the draft can sometimes take two or three weeks if facts

need to be verified or comments substantiated. Since my answer to Written Question 305/2021 (tabled 28 June), the Director General for Strategic Policy, Planning and Performance has been asked on occasions before and since to seek to expedite the publication of further sets of minutes. Specific deadlines have not been set given the risk that this could lead to patient care being delayed or clinical governance matters being deferred, and in any event there is an ongoing need to protect the safe space for STAC to discuss live issues whilst matters remain policy under development for variable periods of time (as mentioned in the answer to Written Question 175/2021), but the need to seek to improve the flow of minutes through to publication has been emphasised. Further sets of minutes up to 7 June 2021 (61st Meeting) have now been published on the gov.je site.

3.12 Connétable of St. Brelade of the Minister of Infrastructure regarding Jersey-registered vehicles abroad (WQ.331/2021)

Question

Given that the United Kingdom (U.K.) Government is changing the signage needed abroad on vehicles registered in the U.K. from 'GB' to 'U.K.' by 28th September 2021, will the Minister advise what proposals, if any, he will be bringing forward for Jersey-registered vehicles?

Answer

The Minister will not be bringing forward any proposals to change the distinguishing sign selected for display in international traffic on vehicles registered in Jersey.

The distinguishing sign will remain "GBJ" as notified to the Secretary General of the United Nations for the purposes of Article 20(1) and Annex 4 of the Geneva Convention on Road Traffic 1949 and Article 46(3) and Annex 3 of the Vienna Convention on Road Traffic 1968.

When the UK notified the Secretary General of the United Nations on 28th June 2021 that the UK is changing the distinguishing sign it had previously selected for display in international traffic on vehicles registered in the UK from "GB" to "UK" with effect from 28 September 2021, it stated that:

"this change will apply only to the United Kingdom of Great Britain and Northern Ireland, and will not extend to any territories for the international relations of which the United Kingdom is responsible".

My officers are meeting with the Department of Transport (DFT) early next week to ensure that this is highlighted in a separate communication from the DFT to all EU jurisdictions to allay any concerns Islanders may have that the GBJ distinguishing sign displayed by Jersey registered vehicles whilst circulating abroad may not be continued to be recognised by those jurisdictions.

3.13 Deputy K.F. Morel of St. Lawrence of the Minister for the Environment regarding Arup projects (WQ.332/2021)

Question

For each year from 2016 to 2021 (up to June), will the Minister list any projects for which Arup was engaged by the environment and planning departments (or their equivalent), with the following details to be included –

- (a) the titles of any reports delivered as part of the contracts;

- (b) the value of each contract; and
- (c) whether or not a tender process took place for each contract?

Answer

In response to Written Question 332 to the Minister for the Environment and Written Question 333 to the Minister for Infrastructure, the information requested has been presented as a joint response and, where appropriate, tabulated.

3.14 Deputy K.F. Morel of St. Lawrence of the Minister for Infrastructure regarding Arup projects (WQ.333/2021)

Question

For each year from 2016 to 2021 (up to June), will the Minister list any projects for which Arup was engaged by the Department of Infrastructure (or its equivalent), with the following details to be included –

- (a) the titles of any reports delivered as part of the contracts;
- (b) the value of each contract; and
- (c) whether or not a tender process took place for each contract?

Answer

In response to Written Question 332 to the Minister for the Environment and Written Question 333 to the Minister for Infrastructure, the information requested has been presented as a joint response and, where appropriate, tabulated.

3.15 Deputy K.F. Morel of St. Lawrence of the Minister for the Environment regarding Granite Products (WQ.334/2021)

Question

Will the Minister advise whether or not he has requested that officers inform Granite Products to progress its planning application(s) for the extension of La Gigoulande Quarry into Field MY966, in advance of the draft Bridging Island Plan consultation process being completed?

Answer

The Minister for the Environment has not requested that officers inform Granite Products to progress its planning application(s) for the extension of La Gigoulande Quarry into Field MY966, in advance of the draft Bridging Island Plan consultation process being completed. The progression of a proposal to develop land through the submission of a planning application is a matter for the applicant, not the Minister.

In its submission, [Promotion of an extension to the mineral extractions operations at La Gigoulande Quarry, Jersey: appraisal of the proposed southern extension](#) (January 2021), prepared by MJCA on behalf of Granite Products in January 2021, it states that “...work to prepare a planning application has commenced with the objective of submitting the planning application for the southern extension by the end of 2021.” Beyond this statement, the Minister for the Environment is not aware as to what the intentions of Granite Products are.

The draft bridging Island Plan simply seeks to **safeguard** this site for mineral extraction based on the need to identify how the island might seek to meet its need for aggregates: it does not propose to confer any presumption of approval for this form of land use.

The development of the land involving the extraction of minerals from the site would still need to be the subject of separate planning application. Any planning application would be the subject of public consultation and could, at the Minister's discretion, be the subject of a planning inquiry. Proposals for minerals extraction would also need to be accompanied by a full and comprehensive environment impact statement which would also be subject to its own process of scoping and consultation.

Many of the issues of detail being raised, through consultation on the draft bridging Island Plan, as to the potential environmental impact and its mitigation associated with the extraction of minerals from Field MY966 can and will only be addressed through the context of a planning application and associated EIA processes.

The Minister for the Environment is, therefore, of the view that there may be public value in Granite Products submitting a planning application sooner rather than later in order that interested parties might be afforded further opportunity to be consulted on and have an opportunity to consider all of these detailed issues as part of the determination of a planning application. There is considered to be no reason why this process could not run in parallel with the current Island Plan Review.

The public consultation process for the draft bridging Island Plan closes on 12 July 2021, with the States Assembly due to debate the draft plan and associated amendments in March 2022.

3.16 Deputy R.J. Ward of St. Helier of the Minister for Children and Education regarding Covid-19 and school returns in September (WQ. 335/2021)

Question

Will the Minister inform members what preparation, if any, is being undertaken for the return of schools in September, in light of the prospect that children may not have been vaccinated against Covid-19 and that some Covid-19 restrictions affecting schools may therefore still be in place?

Answer

The following preparations are being undertaken for a safe return to schools in September:

Senior officers are in regular meetings and discussions with colleagues from Health and SPPP (Strategic Policy, Planning & Performance), to review schools' return guidance and mitigation measures, which form part of the safety planning and risk assessment process. Regular briefings are provided to the Children and Education Ministerial Team.

Communication and consultation with Unions, Head Teachers and the Office of the Children's Commissioner will continue.

Following departmental/corporate strategic meetings the note of visit inspections has commenced with schools and business areas with safety plans and risk assessments being reviewed and updated.

The department's Covid risk management framework, self-evaluation and continuous improvements process has ensured the following mitigations are implemented:

- PCR and LFT (Lateral Flow Test) for all staff
- Good hand sanitising/hygiene messaging
- School ventilation systems and methods are being reviewed
- Masks are being worn in communal areas
- One-way systems implemented
- Bubble groups maintained
- Physical distancing maintained
- Safety signage and Government messaging reviewed and where required updated
- Cleaning strategies reviewed, with frequencies for horizontal surfaces and touch points increased
- Suitable and sufficient PPE (Personal Protective Equipment) provided
- Self-isolation areas

All the above is subject to change and dependant on the Government's reconnection strategy and meetings with colleagues from Health and SPPP planned during the summer.

3.17 Deputy R.J. Ward of St. Helier of the Minister for Infrastructure regarding LibertyBus financial returns (WQ.336/2021)

Question

With reference to the response to Written Question 294/2021, in which the Minister stated that financial returns made by LibertyBus to its parent company HCT Group are available to view via their Annual Reports and published accounts webpage under the LibertyBus registered name 'CT Plus Jersey Limited', will the Minister advise –

- whether CT Plus Jersey Limited's financial statements for 2019 and 2020 can be accessed and, if so, how; and
- whether financial returns to the parent company are tracked by his Department and if so, how, and how any such tracking informs decisions regarding funding for this service from the Government Plan (or any other Government funding sources)?

Answer

- The HCT Group annual report and financial statements for the 2018 to 2019 accounting period, which includes a sectoral analysis, can be viewed on the website of the [Charity Commission for England and Wales](#). The equivalent document for the 2019 to 2020 accounting period is expected to be submitted to the Charity Commission for England Wales in September 2021.
- As outlined in the answers I have provided to previous questions, financial returns to HCT Group from CT Plus Jersey Limited are governed by the mechanisms provided within the bus operator contract, which is administered by my Department on an open-book basis with the contractor, and let under competitive tender in accordance with the government's financial codes. The successful bid from HCT Group made provision for contributions towards the costs of group overheads and shared services, in the same manner as other operational costs

such as staff, fuel, maintenance and so on are allowed for. This ensures that the local company, CT Plus Jersey, has access to and benefits from the expertise and systems available within the group that would not otherwise be present, and which is vital to the continuing successful operation of the Jersey bus service.

As is required by the Contract, the government is provided with HCT Group accounts and CT Plus Jersey's financial operating statement. Government monitors payments for services, delivery of services, and income and expenditure as it relates to the contractual profit-sharing mechanism. This process establishes the CT Plus Jersey contractual return to HCT Group, who are entitled to a return as a commercial business.

The funding for the bus service contract is set by the Government Plan and has historically been fixed, with expansion of the network being funded by the operator at their commercial risk. On the outbreak of the Coronavirus pandemic in March 2020, this situation has changed to a degree in that it has been necessary to make additional funding available. This has ensured that the bus service has been kept operational throughout the period where significantly lower passenger demand and fare income has been experienced, leading to considerable operating losses being incurred. This additional Government support funding has been made available from the Covid-19 head of expenditure as set out in the Government Plan 2021, and further payments are likely to be required while passenger demand continues to run at a significantly reduced level compared with that recorded in 2019.

3.18 Deputy R.J. Ward of St. Helier of the Chief Minister regarding Government ideology (WQ.337/2021)

Question

In light of responses provided during a recent 'Meet the Ministers' event to questions about the Chief Minister's nominee for Minister for Children and Education, in which it was stated that Ministers "share the ideology of the Chief Minister and Government", will the Chief Minister –

- (a) explain what consideration, if any, has been given by either the Chief Minister individually, or the Council of Ministers as a whole, to the development or agreement of an ideology for the Government; and
- (b) advise members what assessment process, if any, he followed to determine which members he wished to propose to fill the most recent Ministerial vacancies in accordance with Standing Order 117 and whether (and how) this process included consideration of the members' alignment with the Government's objectives and any such ideology that has been identified?

Answer

- a) In so far as the Council of Ministers has a codified ideology, it exists in the form of the Common Strategic Policy. Members will recall the development, publication and subsequent adoption by the States Assembly of the [Common Strategic Policy](#) (CSP) which was informed by the views of Islanders and Ministers and continues to inform Government policy. The five priorities contained within the CSP have been reflected in the subsequent Government Plans of 2019 and 2020.

- b) Nominations for Ministerial office follow a political process based on a variety of nuanced considerations. Members may recall that I outlined my reasons for supporting both nominees in an email to all Members on Sunday 27th June.

3.19 Deputy M.R. Higgins of St. Helier of the Minister for Treasury and Resources regarding Value Added Tax (V.A.T.) on goods (WQ.338/2021)

Question

Will the Minister explain what steps her department is taking to prevent Jersey residents from being overcharged by companies which include Value Added Tax (V.A.T.) on goods that are being sold to Jersey (when the tax is not applicable) or which, when challenged, charge and retain an equivalent sum to the V.A.T. figure as ‘import duty’; and, as part of her response, will the Minister list any bodies her department has contacted about this matter, providing the dates of any meetings or correspondence with such bodies?

Answer

The Deputy is referred to the Minister’s recent responses to Oral Questions 14/2021 and 124/2021. Report R.52/2018 is also helpful in setting out some of the issues arising.

An analysis of the top ten retailers by volume into Jersey has indicated that nine of them zero-rate goods dispatched to Jersey direct by them; and that the tenth will refund VAT on request.

Some smaller retailers, including some of those trading through the large online marketplaces, still appear to include a sum purporting to be VAT in their prices – for whatever reason but probably in some cases because they lack the systems or intention to do otherwise; or to recoup any additional costs of sending goods offshore.

Revenue Jersey is raising this issue with large online marketplaces and other retailers on a confidential basis as part of my review of the scope for offshore retailers to charge GST at the point of sale. If we can legislate to require offshore retailers to charge GST then it is more likely this will deter retailers from attempting (wrongly) to charge UK VAT.

As the Minister has previously stated, the “consumer is king” in this regard. VAT should not be charged on goods dispatched to Jersey and consumers could choose not to buy from retailers who seek to charge VAT.

The Minister will announce, in the forthcoming draft Government Plan, her proposals to see that GST can be charged by offshore online retailers at the point of sale and expects that this will be helpful in stopping this practice.

3.20 Deputy M.R. Higgins of St. Helier of the Minister for Children and Education regarding bodies responsible for the safety of children (WQ.339/2021)

Question

Will the Minister provide members with –

- (a) a full list of all bodies for which he is responsible that exist to ensure the safety of children in the Island;
- (b) the role of each such body, its membership, and the number of times each body has met during the last two years;
- (c) the regularity with which each body publishes minutes of their activity; and
- (d) details of any bodies that have failed either to take or to publish minutes regularly and the reason for any such occurrences?

Answer

(a), (b) and (c)

Bodies	Role / Terms of Reference	Meetings June 2019 – June 2021	Publication of Minutes
Corporate Parenting Board	Terms of Reference	11 th June 2019 3 rd September 2019 5 th June 2020 11 th September 2020	Minutes are published retrospectively on the Government of Jersey website once they have been approved by the Board at the subsequent meeting
Children’s Strategic Partnership Board	Terms of Reference <i>To note: these revised terms of reference were agreed in April 2021</i>	7 th February 2019 30 th May 2019 18 th October 2019 6 th March 2020 25 th June 2020 24 th September 2020 19 th April 2021	Minutes are circulated to Board members with further cascade out to Community and Voluntary Sector via two representatives.
Children’s Improvement Board	Terms of Reference <i>To note Board changed name to Children’s Strategic Leadership Board from 12 June 2020</i>	21 st June 2019 8 th November 2019 13 th February 2020 12 th June 2020 15 th March 2021	N/A

(d)

Corporate Parenting Board: Meetings have been planned since the last Board meeting of 11th September 2020. However, initially due to the onset of the pandemic, combined latterly with the several changes in the responsible Minister who chairs this board, the diarised meetings have been postponed enabling new Ministers to familiarise themselves with this aspect of the portfolio. Following the election of Deputy Wickenden as Minister for Children and Education at last week’s Sitting, the cycle of quarterly board meetings can now resume and the next one has been arranged for 20/09/2021.

Children Strategic Partnership Board: Scheduled Board meetings have been disrupted by the Pandemic and Ministerial changes. However, work has progressed during this period to review and strengthen the membership and Terms of Reference of the Board with a greater focus on outcomes for children. Additional administrative capacity is being allocated to the Board which will allow publication of Board meeting minutes going forward.

Children's Service Improvement Board: The key objective of the Board is to oversee delivery of the Children Services Improvement Plan. Reports and reviews of progress are provided to Ministers and Senior Officers. The Board terms of reference do not include publication of minutes or agendas.

3.21 Deputy M.R. Higgins of St. Helier of the Minister for Social Security regarding Data Protection (WQ.340/2021)

Question

Will the Minister explain what measures, if any, are taken to assess the compliance of the functions undertaken within her portfolio with the requirements of the Island's Data Protection legislation and whether any such assessment has highlighted deficiencies in that compliance; and will she state whether any exemptions from the requirements of that legislation have been granted in respect of those functions and, if so, what those exemptions are?

Answer

The Department assesses compliance with the Data Protection (Jersey) Law 2018 (DPL) through the monitoring and management of incidents and customer feedback. This involves the introduction of process improvements and lessons learned where any deficiencies are highlighted. There is also mandatory training for staff and compliance with this is also monitored by the department.

Part 7 of the DPL describes a number of exemptions which can be applied by Data Controllers in certain circumstances. These relate to all Controllers of data and not just Government and do not need to be granted but can be applied by the Data Controller as appropriate.

3.22 Deputy M.R. Higgins of St. Helier of the Minister for Social Security regarding administrative mistakes (WQ.341/2021)

Question

Will the Minister state what procedures or policies apply in instances where a mistake of administration is made by officers working within her portfolio to the detriment of the customer and whether any such procedure or policy –

- (a) requires an acknowledgement to the customer of the mistake that was made; and
- (b) provides for the mistake to be corrected or rectified regardless of how long it takes for the mistake to be identified;

and if within any such procedure or policy neither of these matters are provided for, will the Minister explain why not?

Answer

Most of the portfolio held by the Minister for Social Security is administered by the Customer and Local Services (CLS) Department. Other services are supported through the Justice and Home Affairs Department. All departments strive to offer a high standard of customer service across the many services that they offer the public. In situations where this standard is not met for any reason, there are robust and consistent procedures across government that welcome feedback and complaints from customers.

The Government of Jersey Customer Feedback Policy can be found in full here

<https://www.gov.je/Government/Comments/Pages/CustomerFeedbackPolicy.aspx>

As part of this policy, all complaints are:

- listened to and logged
- assessed and investigated
- responded to with options for resolution
- dealt with as quickly as possible
- handled confidentially with no detriment to people giving feedback
- handled in accordance with the customer feedback policy

Where it is established that a mistake has been made, the department will acknowledge the mistake and take the appropriate course of action to rectify it.

If the Government of Jersey complaints process has been completed and issues have not been resolved to the customer's satisfaction, the next stage is independent external review by the States of Jersey Complaints Panel.

In the case of benefits administered by the CLS Department, there is a separate, legal right for the customer to challenge a decision that they think is wrong. This right is included in every letter from the CLS Department that communicates the award of benefit or a change to benefit entitlement.

If a benefit claimant wishes to challenge a decision about their benefits, they can first request that their decision is reviewed by a different officer. Following a second decision, there is the right of appeal to an independent tribunal.

This legal challenge can be done at the same time as a complaint, but if a person chooses not to exercise their right to challenge a decision there is in many cases a point after which they stop having the legal right to do this.

3.23 Deputy G.P. Southern of St. Helier of the Minister for Treasury and Resources regarding tax returns (WQ.342/2021)

Question

Further to the response to Oral Question 153/2021, in which the Minister stated that the ratios quoted by the question in respect of the relative tax take from individuals and companies were not recognised, will she provide members with the correct ratio, which she undertook to provide, to include the items she listed when answering the question; and will she explain how Social Security contributions can be regarded and treated as comparable with taxation, given that such contributions are not considered to be taxation revenue and that the income is ring-fenced for the Social Security Fund?

Answer

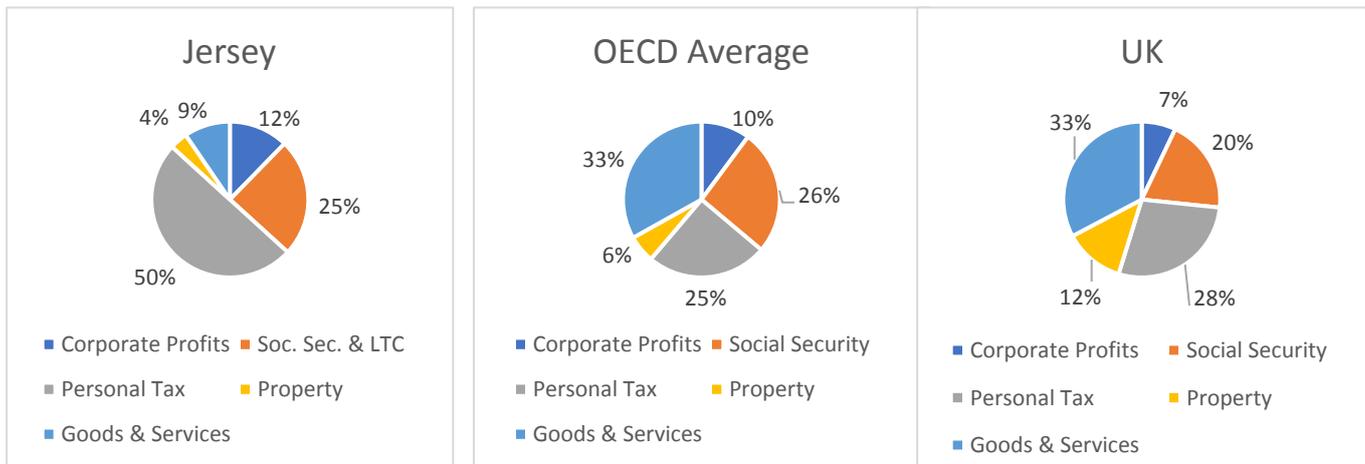
The ratio that is used internationally for revenue mix is the OECD standard, which includes taxes on personal income, corporate profits, property, goods & services and employer/employee social security contributions.

Personal income taxes apply to business profits and dividends as well as salary. A Jersey individual shareholder of a 0% company pays personal income tax on the total value of dividends received from that company, without the usual tax credit that would apply to dividends paid from a positive rate company. Therefore, tax on such dividends is reflected fully as personal income tax rather than as a mix of personal and corporate income tax.

Tax on property is defined as recurrent and non-recurrent taxes on the use, ownership or transfer of property. It would include stamp duties or annual property taxes but not income tax on property rentals.

Social Security contributions are included as revenues in this OECD benchmark because they are compulsory payments made to Government by both employers and employees.

Based on the OECD international standard, the comparative revenue mix figures for Jersey v the UK and OECD average are as follows:



These charts demonstrate that:

1. The 12% ratio of corporate income tax in Jersey is higher than both the UK and OECD average comparable figures.
2. The Goods & Services Tax (GST) ratio of 9% in Jersey is significantly lower than the equivalent returns from consumption taxes in the UK and OECD, which are both 33%.
3. Property taxes in Jersey (4%) are also lower than the UK (12%) and the OECD average (6%).

3.24 Deputy G.P. Southern of St. Helier of the Minister for Treasury and Resources regarding the sale of the subsidiary Jersey telecom company I.O.T. (Internet of Things) Ltd. (WQ.343/2021)

Question

Further to the response to Oral Question 143/2021, will the Minister, as shareholder representative, provide members with the relevant figures regarding the sale of JT’s majority stake in JT I.O.T. (Internet of Things) Limited, including any dividends received, and expenses and fees paid and due in relation to this transaction by any bodies concerned; and will she present alongside this information the totals of dividend payments received from JT over the last 5 years?

Answer

It is too early to determine the net proceeds of the IoT division sale and how they will be distributed between the shareholder and JT. However, the Minister’s intention is to ensure JT can reinvest some of the proceeds, whilst also ensuring an appropriate return to the shareholder. The Minister met with the Chair of JT on Tuesday 13th July to commence these discussions. Future investment back into the business will enable JT to continue to provide world-class, secure connectivity and to maintain Jersey’s critical infrastructure.

Specialist professionals were engaged to advise JT on the sale of the majority stake in JT IoT Limited. The process for the selection of these advisors was independently reviewed by Davies Consulting (appointed by the Treasury and Exchequer Department) and was found to be appropriate. As is normal in such cases, Non-Disclosure Agreements and legal contracts were required to ensure commercial confidentiality is adhered to and hence the split of fees between the advisors (Advisory, Legal and Regulatory, Financial) is commercially sensitive and cannot be disclosed.

There were no direct costs to the shareholder relating to the sale of the IoT business, other than the engagement of Davies Consulting, the professional fees for which were less than £20,000.

The dividend payments received from JT are disclosed within JT's annual financial statements. However, the dividends received in respect of both the ordinary and preference share classes are as follows:

	2016	2017	2018	2019	2020
Total Cash Dividends	5,496,000	4,692,000	4,790,000	4,775,000	4,105,000

3.25 Connétable of St. John of the Minister for Health and Social Services regarding physiotherapists and occupational therapists (WQ.344/2021)

Question

Will the Minister advise –

- how many physiotherapists and occupational health therapists currently work for Health and Community Services;
- how many of these staff are on zero-hour contracts;
- how many are part-time staff;
- how many are locums;
- how many vacancies there are currently for physiotherapists; and
- how many vacancies are there for occupational health therapists?

Answer

	Total number of staff	Number on zero-hour contracts	Number of part-time staff	Number of locums	Number of vacancies
Physiotherapy	52 qualified physiotherapists	None	23 of the qualified physiotherapists	4 qualified physiotherapists	7 qualified physiotherapists
Occupational therapy	29 qualified occupational therapists	3 qualified occupational therapists that choose to remain on the Health bank following retirement	8 qualified occupational therapists	3 qualified occupational therapists	4 qualified occupational therapists

3.26 Connétable of St. John of the Minister for Infrastructure regarding voluntary redundancy in the Department of Infrastructure, Housing and Environment ((WQ.345/2021)

Question

Will the Minister state –

- (a) how many staff in the Department of Infrastructure, Housing and Environment have applied for voluntary redundancy in each of the last 3 years;
- (b) how many staff in this department have been made voluntarily redundant in each of the last 3 years; and
- (c) how many former full-time employees of the department, if any, are now working for the department –
 - (i) on a consultancy basis;
 - (ii) on a fixed term contract; and
 - (iii) on a zero-hour contract?

Answer

- (a) Department of Infrastructure, Housing and Environment employees who have applied for voluntarily redundancy:

2018	2019	2020
14	28	0

- (a) Department of Infrastructure, Housing and Environment voluntary redundancies that were approved by the ‘VR Panel’:

2018	2019	2020
3	2	0

- (b) Former full-time employees of the department, working for the department in 2021 –

Employed on a consultancy basis	0
Employed on a fixed term contract	3
Employed on a zero-hour contract	0
Employed to provide Professional service	7

The information contained in section c refers to the IHE department as a whole on this date and is for the provision of professional services needed within specific areas of business.

3.27 Deputy G.P. Southern of St. Helier of the Minister for Health and Social Services regarding the full complement of staff required by his department (WQ.346/2021)

Question

Will the Minister inform members of –

- (a) the full complement of staff required to run the full range of services offered by his department in the hospital, in the community and in social services;
- (b) the number of vacancies in these areas in the latest month for which figures are available;
- (c) the number of locum or agency workers currently engaged in delivering these services;
- (d) the additional cost of using such locum or agency workers compared with the employment of full-time staff in those positions;
- (e) the estimated total annual cost for 2021 of using such locum or agency workers; and
- (f) the total annual cost of using such workers over each of the previous 5 years?

Answer

- a) 2,458.12 full-time equivalents (FTE)
- b) 199.24 FTE
- c) 92.00 FTE

(d) the additional cost of using such locum or agency workers compared with the employment of full-time staff in those positions;

The premium charged for the use of agency and locums for the backfill of HCS posts is dependent on a number of variables including agency, level of post, duration, and individual negotiations based upon skills and experience etc. Based upon recruitment agency rates, this can range from 30% to 40%. Therefore, in calculating the premium across HCS for agency and locum staff, an average of 35% has been applied to represent a realistic mean of the additional expenditure above substantive costs.

This gives a forecast figure for the 2021 financial year of £2,914,625.

(e) the estimated total annual cost for 2021 of using such locum or agency workers;

£8,327,500

and

(f) the total annual cost of using such workers over each of the previous 5 years?

2021 (forecast): £8,327,500

2020: £10,927,182

2019: £11,688,938

2018: £11,622,946

2017: £10,860,856

2016: £6,101,164

3.28 Senator T.A. Vallois of the Minister for the Environment regarding Planning Inspectors for the Island Plan (WQ.347/2021)

Question

Will the Minister advise whether Government officers will be appointed as Planning Inspectors for the Island Plan; and will he further advise whether, as a matter of policy, Government officers may be appointed as Planning Inspectors for any planning application and, if so, how conflicts of interest are considered in such circumstances and whether any consideration will be given to the appointment of such officers as Planning Inspectors in respect of the planning application for the Hospital?

Answer

As required to do so by law, the Minister has already announced the appointment of independent planning inspectors to carry out an examination in public of the draft bridging Island Plan².

Following a tender process, UK company 'Intelligent Plans and Examinations Ltd', have been awarded the contract to undertake this work, and the following inspectors have been appointed:

- Lead Inspector – Keith Holland BA (Hons) Dip TP MRTPI ARICS
- Assistant Principal Inspector - Geoff Salter BA MRTPI
- Assistant Senior Inspector - Derek Stebbing BA (Hons) DipEP MRTPI

None of these inspectors are States' employees.

It is a matter of law that inspectors appointed to conduct public inquiries or to consider appeals against certain decisions made under the auspices of the Planning and Building (Jersey) Law are States' employees, as set out in Article 107:

107 Appointment of inspectors^[254]

- (1) There shall be appointed as States employees such number of persons as the States may direct being persons who are, to the satisfaction of the Jersey Appointments Commission, capable of acting and willing to act as inspectors for the purposes of this Part.
- (2) Appointments under paragraph (1) shall be made by the Minister following recommendations made for the purpose by the Jersey Appointments Commission.
- (3) The list of persons so appointed shall be made available for public inspection at all reasonable hours.

As required by the law, those persons appointed as inspectors to deal with public inquiries or planning appeals must be capable of acting as such, as assessed by the Jersey Appointments Commission.

3.29 Deputy J.H. Young of St. Brelade of the Chair of the Emergencies Council regarding the recent rise in Covid-19 cases (WQ.348/2021)

Question

In light of the recent prevalence of Covid-19, will the Chair inform the Assembly what advice has been received by the Emergencies Council or the Competent Authorities Ministers (C.A.M.) from the Island's medical experts regarding the actions required to control the spread of the virus, stating –

- (a) whether it is the conclusion of the Council or C.A.M. that Covid-19 has been rendered relatively benign by the Island's vaccination programme;

² See news release of 08 April 2021: <https://www.gov.je/News/2021/Pages/PlanningInspectorsIslandPlan.aspx>

- (b) whether the increasing local prevalence is considered likely to lead to increased hospitalisations, mortality and illness from Long Covid and to what timescale any increases are expected;
- (c) the level of infection within the community considered safe by the Council or C.A.M. (indicated as a percentage of the population);
- (d) whether 'Herd immunity' has been adopted as the primary control method as a matter of policy;
- (e) what consideration has specifically been given by C.A.M. to the implications of the increased level of infections for the Island's G.P.s, health service and schools; and
- (f) the actions C.A.M. considers need to be taken to reduce the opportunity for increasing infections to give rise to new variants and for perpetuating the spread of the virus both locally and to outside the Island?

Answer

- (a) whether it is the conclusion of the Council or C.A.M. that Covid-19 has been rendered relatively benign by the Island's vaccination programme;

The protection from severe illness and death afforded by vaccination is significant. Current vaccines deliver an estimated 80% protection against symptomatic infection, 95% protection against hospitalisation and 98% protection against death. Rates of hospitalisation as a proportion of infections are now expected to be low. Most people infected with COVID-19 will experience a mild to moderate viral illness with respiratory symptoms and recover without requiring special treatment.

- (b) whether the increasing local prevalence is considered likely to lead to increased hospitalisations, mortality and illness from Long Covid and to what timescale any increases are expected;

Increasing prevalence may lead to increased hospitalisations, mortality and long COVID, however, as set out in the answer to (a) the high levels of vaccination coverage in Jersey will provide very high levels of protection and result in low levels of severe illness and mortality.

There is a time lag between increasing prevalence and increasing hospitalisations, mortality and potential illness from Long COVID. The Office for National Statistics reports that the median delay (lag) between symptom onset and hospital admission varies between 1 and 6.7 days depending on age and whether the patient lives in a nursing home. Time between symptom onset and death from COVID-19 ranges from 2 to 8 weeks, with reported median times of 16 or 19 days³. In the context of high vaccination coverage, the risk of hospitalisation and death has been considerably reduced. By definition, it would be at least 4 – 12 weeks from onset of symptoms before any impact on Long COVID would be seen.

- (c) the level of infection within the community considered safe by the Council or C.A.M. (indicated as a percentage of the population);

There is no single figure to indicate a safe level of infection as a range of other factors, such as vaccination levels, number of symptomatic cases and hospital occupancy, have a significant bearing on risk and safety. Ranges of risk based on data and evidence have been presented by the Public Health Intelligence team to both Scientific and Technical Advisory Cell (STAC) and CAM and have been considered in policy development. A balance of harms approach is needed in developing a proportionate response also considering liberty, business continuity and connectivity.

³ [Coronavirus \(COVID-19\) Infection Survey technical article - Office for National Statistics](#)

- (d) whether ‘Herd immunity’ has been adopted as the primary control method as a matter of policy; ‘Herd immunity’ has not been adopted as a matter of policy.
- (e) what consideration has specifically been given by C.A.M. to the implications of the increased level of infections for the Island’s G.P.s, health service and schools; and

Representatives from Primary Care, HCS and CYPES have been consulted during recent policy developments and have attended STAC when relevant policy positions have been considered. C.A.M and STAC give ongoing consideration to case rates in those settings.

- (f) the actions C.A.M. considers need to be taken to reduce the opportunity for increasing infections to give rise to new variants and for perpetuating the spread of the virus both locally and to outside the Island?

These actions include a continued pause to Stage 7 reconnection, strongly advising for masks to be worn in indoor public places and updated guidance in the following areas:

- Symptomatic isolation
- Positive case isolation
- Direct contact guidance
- Advice for at-risk Islanders.

The impact of these actions will be continually monitored to ensure they continue to hold down levels of severe illness, hospitalization and deaths. Further updates will be provided over the next few days.

3.30 Deputy M.R. Higgins of St. Helier of the Minister for Health and Social Services regarding transparency of Health and Community Services Department (WQ.350/2021)

Question

Will the Minister advise what consideration he has given to the impact on the Department of Health and Community Services, and its relationship with Islanders, not only of the decision not to publish the performance report for the Department due to concerns that the report would be “sensationalised” (as stated at a public hearing of the Public Accounts Committee) but also of concerns expressed about the availability of minutes of meetings of the Scientific and Technical Advisory Cell; and will he state when the performance report will be published and what other measures, if any, he intends to pursue to ensure public confidence in the Department is maintained?

Answer

The Minister for Health and Social Services always had the intention of making information about the department’s services and related performance available to Islanders to support an open and transparent culture, whilst also ensuring Islanders have access to health and social care performance data in a reliable and understandable manner.

Due to legacy processes and IT systems, including the continued existence of paper-based systems and no dedicated informatics resources, this information was not easily available in the past.

However, since 2019, more data has been made available across the Government and in particular for Health and Community Services (HCS). This includes: the publication of detailed waiting list numbers across a range of specialities; HCS service performance data in the Annual Report & Accounts; the HCS Departmental Business Plan; the 6-month update report of the Government Plan; and metrics in the Jersey Performance Framework.

In addition, HCS has developed a robust governance framework based on the 2018 report and recommendations of the Comptroller and Auditor General to increase and maintain public

confidence. The HCS governance culminates in the HCS Health Board chaired by the Minister for Health and Social Services. The board is held in public and includes representation from partner organisations.

As part of its overall review of the governance arrangements, the Department also focused on the delivery of a performance report that looked at measurable indices of healthcare – as is best practice in other jurisdictions. The report is produced by the internal HCS Health Informatics Team and consists of a range of data metrics over time grouped by services. By its nature, it is a technical report designed to track activity as well as quality metrics to support improvement and continuous learning across health and social services.

The Performance Report has been presented at the HCS Board meetings in the past and the next report will be presented at the public HCS Board meeting on 9 August 2021. HCS is working on mechanisms to publish this and future reports on the gov.je website.

STAC minutes are available on gov.je and are being made available as soon as reasonably practicable.

3.31 Deputy M.R. Higgins of St. Helier of the Minister for Children and Housing regarding the use of Silkworth Lodge’s Hope House therapeutic facility (WQ.351/2021)

Question

Further to recent reports that the Royal Court had been informed that there is currently no alternative to the use of Greenfields, will the Minister advise whether any consideration has been given in cases involving vulnerable children to the use of Silkworth Lodge’s Hope House therapeutic facility as an alternative facility to Greenfields and, if so, why this facility has not been used as such an alternative?”

Answer

Greenfields is a secure children’s home used by the Children's Minister and the Royal Court for Secure Accommodation Orders that restrict the liberty of children and young people, when there is evidence that they would otherwise put themselves at risk or others at risk. Greenfields is also used for a remand in custody and/or as a sentencing option by the Youth Court or the Magistrates Court.

Secure Accommodation Orders usually last for up to 12 weeks. Youth Detention Orders can be for up to 12 months. The laws that allow the restriction of liberty for children and young people aged 10 to 18 expect this to be a last resort and in the best interests of the child. For Secure Accommodation Orders the decision to restrict the liberty of a child or young person is reviewed every 28 days.

The current programme offered at Hope House is a 28-day residential treatment programme focused on resilience and preventative wellbeing initiatives such as structure, exercise, coping skills. It is registered as a Children's Home but is not a Secure Children's Home, so does not have the facilities to manage high risk. Young people must consent to being at Hope House and therefore Hope House cannot be used as an alternative to Greenfields.

The Government is keen to work with Silkworth as it is likely, from time-to-time, that the Minister will consider placing a young person at Hope House as part of their care and support arrangements, when it best meets their needs.

Discussions to explore how Hope House can meet the needs of a wider group of children and young people in Jersey are ongoing.

4. Oral Questions

4.1 Deputy I. Gardiner of the Minister for Health and Social Services regarding the extra workload and stress due to increase in Covid-19 cases: (OQ.166/2021)

Will the Minister advise Members what impact the recent sharp increase in COVID-19 cases has had on workload stress experienced by staff within the Island's health service?

Deputy R.J. Renouf of St. Ouen (The Minister for Health and Social Services):

The Health and Community Services well-being service has been regularly monitoring the well-being of staff throughout the COVID-19 pandemic. Throughout this time we have seen an increase in the numbers of H.C.S. (Health and Community Services) staff who have taken absence from work. Some of these absences relate to emotional difficulties that are work-related while many relate to factors outside of work. Our staff have been telling us through a number of forums that working through COVID has been difficult for them, understandably. Many of the stories we have heard show the most significant impact on their well-being, as related to H.C.S. staff, not being able to use their normal supportive networks during COVID. We are particularly aware of H.C.S. staff struggling because of their family not living in the Island. They have not been able to visit them for long periods of time while perhaps knowing they are unwell or even that they have lost a family member and have not been able to say goodbye personally or attend their funeral. Clearly all of these events have an impact and have had that impact on our staff.

4.1.1 Deputy I. Gardiner:

Would the Minister advise how many of our health staff in numbers and percentage have tested positive, isolating or signed off sick at the moment? What extra resources have been allocated to mitigate the stress, the rapid rise of cases it is causing?

The Deputy of St. Ouen:

Currently, as of today, we have 16 positive cases among staff in H.C.S. Eleven are isolating as direct contacts. We have 38 in total listed as absence due to COVID-related because the balance isolating or absent for other reasons in the main because they are supporting family members who may be positive or who may be having to isolate. In terms of supporting them, in these difficult times, we provide regular well-being checks and follow up all those staff with our wellness team. We offer one-to-one counselling sessions and we have team reflective sessions with the specific focus on building resilience.

4.1.2 Senator S.Y. Mézec:

Could I ask the Minister whether, at the time the decision was made to allow COVID back into our community, when the restrictions at the borders were loosened, did the Minister seek out any sort of advice or projections on what the potential impact of more COVID cases in Jersey would have on health staff and what his department's ability would be to manage this?

The Deputy of St. Ouen:

So many of these factors were taken into account. The pressures on hospital service were a very significant factor in our considerations, and continue to be.

4.1.3 Senator S.Y. Mézec:

Could the Minister indicate what record there will be of advice or projections that were provided at the time and what it said? What it told the decisions-makers were likely to be the consequences of this decision and what the health service would therefore have to endure?

The Deputy of St. Ouen:

I cannot recall what specific advice or the detail that was given at the time because it is some removed since the time the borders were opened or restrictions relaxed, rather. But there are the usual S.T.A.C.

(Scientific and Technical Advisory Cell) minutes. There would be the Public Advice health, which in turn would be informed by advice from H.C.S.

4.1.4 Senator K.L. Moore:

Does the Minister also recognise or identify that the wider culture in Health and Community Services also takes an additional impact on staff at this particularly difficult time already? If I could quote from a hearing that has been recently conducted by the Corporate Services Scrutiny Panel, which encapsulates the point. It reads: “The culture in Health is currently terrible. I have worked here for 25 years and never heard so many cases of poor treatment of staff. Morale is rock bottom.”

The Deputy of St. Ouen:

I do not accept that morale is at rock bottom. This is an extremely difficult time for the staff, for the reasons I outlined in my answer to Deputy Gardiner. But I want to uphold the staff in H.C.S. who have been doing a wonderful, excellent job in looking after Islanders, whether COVID-related illness or not. The hospital has kept operating and we have an excellent staff who are responding. We are all on a journey through a period of change, through a period of transition, and of course those transitions are sometimes difficult. People come along at different speeds but there is good, joint working. Our hospital service is clinically-led and all clinicians, all staff working in them, are able to input with their concerns into their respective peer groups. I think we should be conscious that we should not take simply the comments made by one person in isolation but try and have a more rounded view of over 2,400 people working in H.C.S.

4.1.5 Senator K.L. Moore:

I would remind the Minister of my comment in the question, which identified that it was a common theme, and he will be able to read more when we publish our report. The question is: what does the Minister propose to do to ensure that the well-being of staff is improved and better supported?

The Deputy of St. Ouen:

I have spoken, in answer to the question, about our wellness team. We have counselling sessions but we are also working across the organisation to develop our response to the Government-wide Be Heard survey and to understand what our staff are saying to us and to make improvements in the service we offer and the care we give, not only to patients but also to our staff.

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

Could you tell me if the homeless and those sleeping rough have been given the vaccination please?

The Greffier of the States (in the Chair):

I am sorry, that question is not within the original question, I am afraid, which is about the impact on staff within the health service caused by COVID. You could ask that under questions without notice, Constable.

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

Given that a sharp increase in COVID cases may mean an increase in long COVID cases, would he agree that that might be one of the issues that is causing stress among staff? Could he outline specifically what he is trying to do to support members of his staff who have long COVID?

The Deputy of St. Ouen:

Yes, I would agree, like everybody in the Island, we would all have concerns around the possibility of long COVID and what its affects may be, which have yet to be fully understood. There is support within H.C.S. for those who may be suffering currently or who may be concerned about the effects of long COVID. Certainly we are anxious to develop an understanding both locally with primary care, where long COVID is likely to manifest itself, but also nationally. I know Dr. Muscat is

working closely, keeping in close contact with those studying long COVID both nationally and internationally.

4.1.8 Deputy R.J. Ward:

For those who are currently suffering long COVID in his staff, his workforce, are there options to go to their G.P.s (general practitioners) for support and pay each time they do or is there something specific in place in his workforce care plan to look after those members of his staff?

The Deputy of St. Ouen:

Yes, there is specific help. The help I have spoken of that can be accessed by each and every member of H.C.S. staff, and they know the pathways that they can use to seek that help.

The Greffier of the States (in the Chair):

Senator Ferguson, you are a little late to the pass here but there is room for a short question if you want to come in. We cannot hear you, Senator. If the Senator is having some connection problem she could perhaps raise her question during questions without notice and I will call Deputy Gardiner for her final supplementary.

4.1.9 Deputy I. Gardiner:

At the beginning of June concerns were expressed with the Minister regarding capacity of test and trace. Weeks later we needed to change rules as test and trace did not cope with increased numbers. Now we are raising concerns regarding the staff at the hospital. How can the Minister reassure Islanders that we will not face a similar situation at the hospital?

The Deputy of St. Ouen:

I do not think it is appropriate to compare hospital staff support with a very operational type, a new procedure, that is the test and trace system. Obviously we have been through the second wave in the winter in which our services or support to staff were tested at a very severe time. That stood up and that help was available to staff, and I fully anticipate that it will remain in place. It is going to be there and that will be available for all staff to access and they know the pathways to it. It is being used, I am pleased to say.

4.2 Senator T.A. Vallois of the Minister for the Environment regarding Planning Inspectors: (OQ.162/2021)

With reference to the Planning and Building (Island Plan) (Amendment) (Jersey) Order 2020 to allow Government-employed planning inspectors to consider Examinations in Public, will the Minister advise whether this will only take effect in relation to the Island Plan and whether he intends to change or repeal this Order in due course; and, if this is the case, when does he anticipate doing this?

Deputy J.H. Young of St. Brelade (The Minister for the Environment):

I thank the Senator for her question. The short answer to the question is yes.

[15:00]

The change that I made to the Planning and Building (Island Plan) Order 2009 in February last year allows those inspectors who are currently, or those who have been employed by the tribunal service dealing with planning appeals, and they are required to be appointed as States employees to be able to act as inspectors for an Island Plan review. Of course it is my intention to change that part of the primary law, the Planning and Building Law, which requires inspectors to be appointed as States employees in order that they may be engaged as independent contractors. My intention is to lodge this for consideration by December; the current timetable is September. I am grateful for the question. My Written Answer 347 gives more details on the legal provisions.

4.2.1 Senator T.A. Vallois:

I thank the Minister for his answer. I have had a number of members of the public contact me with regards to this. What assurance can the Minister give that this Order will not apply to the hospital planning application, and give the reasons as to why the Order was put in place the first time considering the answer to the written question.

Deputy J.H. Young:

I will perhaps deal with the second part of the question first, if I may. The Order amendment was done at the time when we were right in the middle of COVID; the second wave was still in the middle of COVID of course, which we did not expect. We were having to assess where we would get inspectors from to do the Island Plan review. As it has turned out, of course, that we had managed to secure an independent firm with 3 independent inspectors so therefore that was not necessary. But what we were worried about was precluding those people that have been inspectors who have done work for the tribunal service, the Judicial Greffe, who are absolutely independent but, under the law, had to be appointed as States employees. Of course they do have a lot of special knowledge and knowledge of Jersey's planning rules and so on, and that is why that change was made. What assurance about the hospital? This is really important. It depends when of course the planning inquiry for the hospital happens and the planning decision for the hospital. I can deal with the question of if it is done during my period in office, and there is real uncertainty about that at the moment, but I will absolutely make sure there is scrupulous independence on there and there is no conflict allowed. At the moment I have asked the Planning officers to talk to those inspectors that we recognise have the greatest experience. I may as well be open about this, I have asked them to talk to the inspector who dealt with the last 2 planning applications for the hospital, and therefore knows the full background best, whether he would be prepared to consider an appointment for this one.

The Greffier of the States (in the Chair):

No other Member has expressed a wish to ask a question so, Senator Vallois, I think you have the final supplementary.

4.2.2 Senator T.A. Vallois:

I thank the Minister for his answers. I would like to ask the Minister to confirm if he feels that there may be any issues with regards to conflicts that there may need to be further changes to the legislation and that we should not be relying on just an individual in post.

Deputy J.H. Young:

I would be again open and honest. My answer so far has dealt with the issue about planning inspectors and what the law requires and the issue of their independence. But there are, I believe, other parts of the planning law where there are real conflicts of interest in place, and they are giving everybody a lot of problems to ensure the integrity of the planning process is maintained. I have no reason to believe that anything is going wrong in practice but, in terms of challenges for the future, I want to be sure that we can demonstrate that beyond any doubt in the future. The issues are completely inherent, as the Senator knows, in the structure of the target operating model that created this monster called I.H.E. (Infrastructure, Housing and Environment) that I think is a fundamentally flawed arrangement and needs to be changed. I have told the acting chief executive that, and I am expecting it to be changed.

The Greffier of the States (in the Chair):

Members will see in the chat the Deputy of St. Martin asking whether he can have his question, which is number 4, asked next because he has a medical appointment. I am going to assume the Assembly will be content with that proposal.

4.3 Deputy of St Martin of the Minister for Health and Social Services regarding mental health services: (OQ.160/2021)

I am grateful to Deputy Tadier and to the Assembly for allowing this to happen. Will the Minister inform the Assembly how many positions there are in both the Adult Mental Health Service and the Child and Adolescent Mental Health Service, and how many of those positions are currently unfilled?

The Deputy of St. Ouen (The Minister for Health and Social Services):

My Assistant Minister, Deputy Pointon, will take this question.

Deputy T. Pointon of St. John (Assistant Minister for Health and Social Services - rapporteur):

I thank the Deputy for his question. In the order it appears in the question, there are 307 full-time equivalent positions in Adult Mental Health Services. There are currently 46 vacancies, 13 of which are covered by agency staff. In the Children and Adolescent Mental Health Services there are 22 full-time equivalent positions and of these positions there is only one vacancy, a medical secretary post.

4.3.1 The Deputy of St. Martin:

I am grateful to the Assistant Minister for his answer. Does he or can he tell the Assembly what he believes to be the main reason why he has so many positions unfilled in his Adult Mental Health Services?

The Deputy of St. John:

Included in that number are 17 vacancies newly created because we are putting money into services this year. There are 8 complex trauma team vacancies, 8 crisis and home treatment team vacancies, and one administrative post dealing with mental health legislation. The remainder of the vacancies are being sent out to advertisement and we are searching for further agency staff to fill those vacancies. The problem we have is we are working in an atmosphere in which most of our staff are drawn from the United Kingdom and they themselves are having extreme difficulty recruiting staff. We are making efforts to fill the vacancies but that is a difficult process.

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

Could I ask the Assistant Minister specifically about C.A.M.H.S. (Child and Adolescent Mental Health Services) please? Whether there are any new positions that are being created on top of those existing ones that are either filled or vacant at the moment?

The Deputy of St. John:

In C.A.M.H.S. we have new money this year, which has meant that we have been able to appoint 5.4 additional staff places to cover specifically ... the primary focus being on the duty and assessment service, which is assisting the increase with the increase in need. There is a focus on supporting children, families and young people in the community. So there are additional agency positions that have come into being because of the advent of COVID.

4.3.3 Deputy L.M.C. Doublet:

Does the Assistant Minister agree with me that more posts need to be created on a permanent basis specifically to address the waiting list for A.S.D. (autism spectrum disorder) assessments but also for the wider C.A.M.H.S. functionality as well?

The Deputy of St. John:

I could not agree more and the team are looking at development of the service. For next year, 2022, there is £1.75 million allocated for development of service, and that of course will include a number of clinical posts to be able to support the facet of C.A.M.H.S. that are currently struggling.

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

Could I ask the Assistant Minister whether the position he describes, with something like 16.5 per cent vacancy rate, whether that situation for adult level care is sustainable?

The Deputy of St. John:

As I say, we have 17 vacancies that are currently being recruited to. One would hope to be able to fill those vacancies. That being possible then the service should retain its sustainability.

4.3.5 Deputy G.P. Southern:

Was that answer directed at adult mental health? I thought I heard some much bigger numbers than 17, and if so would he like to respond, if he was talking about C.A.M.H.S. rather than adult mental health to my question, which was about adult mental health.

The Deputy of St. John:

Yes, I was referring to adult mental health. The overall number of vacancies is 46, 17 of those vacancies are out for advert and 13 of those vacancies that are currently filled by agency staff. We are endeavouring to fill the gaps and to create resilience within the service.

The Greffier of the States (in the Chair):

Senator Ferguson. Senator, we cannot hear you, I am afraid. I think maybe Senator Ferguson needs some technical support. If you have a question, Senator, I can make sure you are taken during questions without notice.

4.3.6 Deputy K.G. Pamplin of St. Saviour:

Can the Assistant Minister give us an update of the feedback his department are receiving on the recruitment process? We know it is a daunting challenge to get people to come to the Island for various reasons that we have explored previously together in our mental health review, but could he provide the Assembly with an update on any information he is getting on the difficulties of the recruitment campaign for those issues we have outlined?

The Deputy of St. John:

Let me give you an example. Only this morning I learned of a new consultant psychiatrist who has been appointed but he is having difficulty or will be having difficulty finding accommodation. If he were a locum psychiatrist accommodation would be found for him. We have to do something. We are having this conversation. We have to do something to ensure that people coming to the Island who have no knowledge of the Island previously are assisted with accommodation.

4.3.7 Deputy K.G. Pamplin:

I thank the Assistant Minister for his candid answer, as always. On a further note of the recruitment process, the H.R. (human resources) process is something that he will know from our time together as well, has slowed up processes. Can he give us an update on any indication on what is happening that may be delaying things there, if he is aware of any?

The Deputy of St. John:

I am not personally involved with the H.R. process as such. But clearly if I have one report of difficulties with the introduction of individuals to posts in the Island then there are more than one, and it is significant and we have to overcome those difficulties.

4.3.8 Senator S.C. Ferguson:

I understand that there are therapeutic services being set up at Greenfields. How many children need the therapeutic services that will be offered at Greenfields?

The Greffier of the States (in the Chair):

I hate to disappoint but the question is about staff positions in Adult Mental Health Services and C.A.M.H.S.

Senator S.C. Ferguson:

I am sorry, they would not need the staff if they have not got the numbers of children. I think we are entitled to have an idea of the number of staff, the number of children that are required by so many staff being required. Perhaps the Minister could give us an idea please.

[15:15]

The Greffier of the States (in the Chair):

That is a fair point.

The Deputy of St. John:

What I can say is that there is certainly no current consideration being given to setting up Greenfields as a C.A.M.H.S. in-patient unit. What is being looked at in relation to children social work is developing a therapeutic facility for looked-after children. That is not my department as such. It is that of the Children Social Work Department. I cannot really help the Senator any further with that.

4.3.9 The Deputy of St. Martin:

I thank the Minister for his answers. A 16 per cent vacancy rate is not good. I have to say that I expected that number to be higher, certainly my own personal experience is that it is higher. But I will take the Minister on his word. It makes me slightly angry to hear that we have people who could come to the Island to work for our service and it is an issue of accommodation. I would urge the Assistant Minister to try to get this Government to join up their services, because this is urgent. My final question to him is this: can you please make sure that if he is short of staff that he is exhausting every local third sector agency that he could to provide mental health services for both adults and children? I realise the Minister has got a tough job and staff are difficult to find, but can I urge him please to try to find anybody locally who can help his situation?

The Deputy of St. Ouen:

We are locally training mental health nurses and we are embarking upon a training programme for healthcare workers. It is not difficult to find - I do not use the term disparagingly - people who are in the less-skilled group. It is difficult to find fully-qualified people across the board and that is where we have most difficulty.

4.4 Deputy M. Tadier of St. Brelade of the Minister for Health and Social Services regarding waiting times for eye appointments: (OQ.176/2021)

Will the Minister state the current waiting times for eye operations and is it his assessment that such waiting times are satisfactory? Is it also his assessment that waiting times generally across the health service are satisfactory?

The Deputy of St. Ouen (The Minister for Health and Social Services):

There are currently 299 patients waiting for surgery within ophthalmology, of which 43 patients have their surgery scheduled prior to the end of August. Those patients have an average waiting time of 120 days. The remaining 256 patients will be offered dates for surgery from September, with patients booked in line with clinical priority. Ophthalmology has been challenged by disruption caused by the COVID-19 pandemic, however there is underlying pressure in terms of capacity versus demand. For this reason we are recruiting additional medical, nursing and administrative support alongside equipment and the expansion of the physical estates in which the service operates. Recruitment of the nursing and administrative posts has been successful, however expanding the medical workforce continues to be a challenge for ophthalmology, which is recognised as a speciality that is hard to recruit to nationally. The question also asked me for the wider view generally across the health service and the issue is that waiting times in some specialities are not satisfactory and, of course, I would like to reduce them considerably. In other respects, waiting times are, one could say, satisfactory. One would always hope to bring waiting times to the very minimum possible, which is

what we will always try to do. In terms of the comparison with the U.K. (United Kingdom) my understanding is that waiting times in Jersey are generally good.

4.4.1 Deputy M. Tadier:

Is the Minister aware of some patients complaining that they have been told they have to wait for 4 years for certain eye operations and also being encouraged often directly to go private to avoid having to wait such a long time?

The Deputy of St. Ouen:

I am not aware of a 4-year wait for an operation. If the Deputy has any such issues or knowledge of that perhaps he will get in touch with me directly. What I think there may be some confusion about is that when a patient may start developing problems with their eyes and first see their specialist it is not appropriate to operate immediately and it is necessary for medical reasons to wait a time before an operation is at the right time to conduct. It may be that that is the longer period that people are getting confused about. If the Deputy wishes to contact me I will take up that point.

4.4.2 Senator S.C. Ferguson:

How many consultant ophthalmologists does the Ophthalmology Department intend to engage?

The Deputy of St. Ouen:

We are seeking one additional ophthalmologist at the present time.

4.4.3 Senator S.C. Ferguson:

Will the department be more relevant in employment techniques than were held with Dr. Alwitry?

The Deputy of St. Ouen:

I am sure the States Employment Board has learned the lessons it needed to from that case the Senator refers to. The process is one conducted by the States Employment Board and I cannot answer for its processes, but I certainly hope that all will proceed well.

The Greffier of the States (in the Chair):

Deputy Southern, Deputy Morel, the Constable of St. Saviour and Senator Vallois. I am going to be quite strict about moving on after that because we have a lot of questions to get through.

4.4.4 Deputy G.P. Southern:

Is it not the case that we are moving slowly but inexorably towards a 2-tier medical service where those who can afford get prompt, timely action and those who cannot do not?

The Deputy of St. Ouen:

That must never be the case, and we are working hard within H.C.S. to ensure transparency, so that members of the public can be sure that the public time that is given by consultants in accordance with their contracts is utilised entirely on public work. We are getting to the position where that is absolutely transparent and that will be the rule and be shown to be.

4.4.5 Deputy K.F. Morel of St. Lawrence:

Notwithstanding the Minister's explanation about waiting times for eye operations, while he does not recognise a 4-year waiting time would he recognise a 2½-year waiting time? Coincidentally I had a conversation with a parishioner today who has waited 2½ years for a fairly basic eye operation. Does the Minister recognise 2½ years as a more standard waiting time for eye operations?

The Deputy of St. Ouen:

I do not, I am afraid to say. Again, if the Deputy would like to contact me with details of that case. As I have said before, it is not always the case that the minute a patient in ophthalmology comes into

our care that they are immediately placed on a list for an operation. More than that I cannot say without the details.

4.4.6 Deputy K.F. Morel:

Would the Minister provide the Assembly with a figure for what is the average waiting time at the moment for eye operations?

The Deputy of St. Ouen:

I have said that those patients having surgery by the end of August have waited 120 days or will have waited 120 days as an average. The remaining patients who will be offered surgery from September have an average waiting time of 144 days, slightly longer because they will not be the urgent cases. That is the information I have.

4.4.7 The Connétable of St. Saviour:

Do we know if the people sleeping homeless and rough have been offered the vaccinations, please?

The Greffier of the States (in the Chair):

I am sorry, Constable, that question does not relate to this particular question, which is about waiting times. You can ask that in questions without notice later on.

The Connétable of St. Saviour:

I will try again, Sir.

4.4.8 Senator T.A. Vallois:

I would like to hear from the Minister what he deems as satisfactory in terms of waiting times at the hospital and what more we could be doing to improve the service other than with regards to staff and education.

The Deputy of St. Ouen:

There is no single figure. A satisfactory waiting time depends on whether it is a routine appointment or soon, or urgent. It depends on the speciality, because there are different pressures in recruitment of staff and the capacity to fill vacancies. What I want to do is to ensure first that those waiting times are now publicly available and are accurate. Previously when I came into post what was published was an average waiting time, which was not a terribly great indicator. We now have online the waiting times that you can receive. When you know you are on a waiting list you can go on and, depending on whether you are soon, routine or urgent you can have a good idea of how long you need to wait. That has been an improvement and we want to continue with our transparency throughout the service. We will be measuring, for example, key metrics which is part of the question that Deputy Higgins will be asking later on, the performance report that H.C.S. is developing.

4.4.9 Senator T.A. Vallois:

Can the Minister advise what assurance he has given that referrals made to the hospitals that lead to the demand with regards to waiting lists, that those that are referred are appropriate and dealt with in a timely manner?

The Deputy of St. Ouen:

These are dedicated, professional people so I do trust them, that if a patient is referred to them they will deal with those patients in an appropriate and professional manner with the care that the service gives. If the Deputy has concerns about how patients are treated please raise them with me.

4.4.10 Deputy M. Tadier:

Is the Minister aware of a practice that exists for patients to be encouraged to go private? How does he feel about this, if he is aware?

The Deputy of St. Ouen:

It is certainly not anything I would condone or that H.C.S. management would condone. I have heard this before, so there is no practice direction, no encouragement given. Of course it is possible that when patients are talking to staff they might ask what the time would be if they went private. If they want to ask that, they should be given that information but there is no encouragement.

[15:30]

We wish to maintain our public lists; we will seek to improve on waiting times and I do not want people to be propelled to seek out private healthcare because they feel that public waiting times are not satisfactory.

4.5 Deputy G.P. Southern of the Minister for Health and Social Services regarding operations being cancelled: (OQ.169/2021)

Given reports that there are 82 vacant beds at the General Hospital will the Minister explain why operations are being cancelled and waiting lists are continuing to lengthen? Will he state what measures he is taking to ensure equal access to healthcare in the Island for all?

The Deputy of St. Ouen (The Minister for Health and Social Services):

The recent cancelled operations within the General Hospital are specifically as a result of theatre staffing issues and they are not related to the availability of hospital beds or ward-based staffing. The vacant beds at the hospital are not closed beds; they are open but they do not have patients in them at this time. As we have previously reported since the pandemic started, we have seen a reduction in hospital admissions and emergency attendances. Indeed, that has been seen in most jurisdictions. We are unable to utilise these beds for additional selective surgery at this time because of the theatre staffing issues we have encountered and which have been explained in other places, and which I could explain again now if the Deputy wished me to.

4.5.1 Deputy G.P. Southern:

So the Minister is saying that his major problem with empty beds is that we cannot get the staff to do the operations or to perform the care that is needed. Is this a sustainable position and what does the Minister intend to do about recruiting a wider range of better qualified staff?

The Deputy of St. Ouen:

What we have had to do to meet this very temporary situation is to cancel routine surgery in certain cases, but all emergency cases were unaffected in the first week, and in our second week we have been taking emergency and urgent cases with only routine being deferred until September. This arises simply because 5 staff members have recently retired. One staff member has relocated to the U.K. for family reasons, one member of staff gained promotion and was moved internally within H.C.S. and one trainee assistant practitioner decided to stand down from training. There are currently 9 theatre staff on annual leave, which is standard allocation based on the overall staffing establishment of theatres. If we were to say they should not take leave that would disrupt the service to a later part of the year when they would need to take their leave and it may affect the well-being of staff and further increase staff sickness or absence. This is an operational decision to deal with a temporary situation that has arisen.

4.5.2 Connétable A. Jehan of St. John:

Is the Minister aware of patients who find themselves stuck in hospital and who are not able to be discharged due to the lack of availability of care packages?

The Deputy of St. Ouen:

Yes, I am aware that occasionally occurs, that a patient is fit for discharge either to their own home with suitable care being placed around them or into residential care. Of course, sometimes those arrangements are not in place immediately, so it might take a few days at most to bring those but that

is monitored and there is work that goes on around that to reduce those waits and that anxiety and those pressures on the hospital system.

4.5.3 The Connétable of St. John:

Is the Minister aware that that part of the department is facing unprecedented pressure and what is being done to increase the capacity for care packages?

The Greffier of the States (in the Chair):

I was quite tolerant with your first question, Constable, because you were quite quick, but it is quite a long way removed from the original question.

The Connétable of St. John:

I do not believe it is, Sir, because it is about equal access to healthcare for all, which is part of the original question.

The Greffier of the States (in the Chair):

Good point. Minister?

The Deputy of St. Ouen:

Yes, the care packages are arranged through the long-term care funding system and also social care, so there are 2 elements that have to come together. The adult social work team is working to try to find a placement or the support that is needed and the financial aspects of it are managed by the long-term care team, which works within Customer and Local Services. Once those 2 pieces have come together then the patient is offered the care that is needed. I am not aware of any significant pressures at the moment that make that any more difficult than it sometimes is, but if the Connétable wishes to draw any cases to my attention I will look into it.

4.5.4 Senator S.Y. Mézec:

Can I ask the Minister a similar question to that which I asked under a previous question? What advice did he receive at the time of loosening of restrictions at the border on what potential impact a rise in COVID cases on Island could have on the ability to provide health services in other parts of the department and, in particular, the effect it would have on waiting times?

The Deputy of St. Ouen:

We received advice that the opening of borders would risk a feeding of cases into the Island. The rates of hospitalisation were considered, but we were aware with the continuing success of the vaccination programme that rates of hospitalisation would not be as seen during the second wave of COVID because of the good protection that vaccination offers. Assessments were made of the capacity and it was known that the hospital service would be able to meet any pressures.

4.5.5 Senator S.Y. Mézec:

Does the Minister believe that that situation has come to pass and that it is having a greater adverse effect on the provision of our health services, greater than what he may have anticipated at the time that that decision on the borders was made?

The Deputy of St. Ouen:

Our hospital is coping with COVID pressures at the moment and the theatre closure is not solely related to COVID but is more so related to other absences that have come together, retirements and the like, as I have explained. It is not a consequence of COVID that this temporary closure of the theatre has caused.

4.5.6 Senator S.C. Ferguson:

It is being said in the community that the relaxation on isolation and the rules for that, and the cutting of operations in the hospital, is due to keeping beds available for COVID. What is the Minister's comment?

The Deputy of St. Ouen:

That is not the case. I have given the reasons for the reduction in the theatre operations.

4.5.7 Senator S.C. Ferguson:

I understand it has been caused by the fact that if too many people are required to be in isolation then there will not be the staff available to run the emergency services. What is the Minister's comment?

The Deputy of St. Ouen:

Emergency surgery is continuing. That will never ...

Senator S.C. Ferguson:

No, emergency services, I am sorry, you misheard me.

The Deputy of St. Ouen:

Does the Senator mean fire, police and ambulance?

Senator S.C. Ferguson:

When an ambulance crew says that they were not allowed to ...

The Greffier of the States (in the Chair):

We are having connection difficulties, Senator. My understanding of the question, Minister, was whether there is an effect on the provision of emergency services due to COVID isolation in your area, not outside your area.

Senator S.C. Ferguson:

No, it was not that at all.

The Greffier of the States (in the Chair):

I am afraid, Senator, we cannot hear you consistently. Whatever your question was, we only caught snippets of it.

Senator S.C. Ferguson:

I am sorry. Well, I only catch snippets of Richard, but basically I have a case where a 91 year-old lady in a hotel, they called an ambulance for her and she was told that the ambulance crew could not take her to hospital but that she should get a taxi and she was quite ill.

The Deputy of St. Ouen:

I am afraid I cannot answer questions on individual cases like that, without knowing the circumstances behind it. Our ambulance service would never say anything like that. Our ambulance service would treat everybody in an emergency who needs their services.

Senator S.C. Ferguson:

Well, I think I had better come and see you about it.

The Greffier of the States (in the Chair):

Sorry, Senator, you have had a fair crack of the whip.

4.5.8 Deputy R.J. Ward:

Does the Minister have information or does he know whether operations undertaken privately are continuing as normal? Would any of the H.C.S. beds be used for private patients in their recovery after their private operation?

The Deputy of St. Ouen:

Private patients are accommodated on the private ward. The 82 vacant beds in the public service would not be offered to them. I am unaware of the activity within the private service. It is not something that I have any responsibility for. I am pleased to be able to represent the public service, which I believe is a good service and one we can be proud of.

4.5.9 Deputy R.J. Ward:

Is it the case that if public operations are being cancelled out due to a lack of staff but private operations continue unaffected there is a discontinuity and there is certainly not equal access to healthcare in this Island?

The Deputy of St. Ouen:

The Island has a private healthcare facility. That is part of Island life. In those terms, some people have a choice and others do not. That is something I accept. What I need to do, and what we are doing within H.C.S., is to make sure that all the activity within the public service is fully transparent and that all those working in the public service devote their time to public work, and that can be demonstrated to the satisfaction of myself, as the person overseeing the service, my Assistant Ministers and the whole H.C.S. governance structure. That is what is happening within H.C.S.

[15:45]

The private service offered by consultants to patients who choose to go private is something that is a matter of choice and is regulated only by themselves, but that must not impinge on public service, and we are striving to ensure that is always the case.

The Greffier of the States (in the Chair):

Thank you, Minister. Can I remind Members if they are not speaking to mute their microphones?

4.5.10 Deputy G.P. Southern:

The Minister appears to be saying that he has such a vacancy crisis that he cannot even build succession planning or even cover normal staff holidays. He referred to nurses. The overall vacancy rate for his department is hovering around 8 per cent. What is it specifically for nursing staff?

The Deputy of St. Ouen:

I do not have a specific figure for nursing staff. This is not a recruitment crisis. Theatre operations are continuing for urgent and soon cases. It is routine elective surgery that has had to cease temporarily because of very temporary pressures, which we are attending to and we are bringing in agency staff as quickly as we can to cover any gaps pending the situation regularising itself.

The Greffier of the States (in the Chair):

We have got through 5 questions in an hour. There are a lot of questions on the Order Paper so I do hope all Members, Ministers and questioners can be mindful of that and we can speed up to get through the other important matters which are on the Order Paper.

4.6 Connétable M.K. Jackson of St. Brelade of the Minister for External Relations and Financial Services regarding EU vessels fishing in Jersey waters: (OQ.156/2021)

Following the repeated extensions to the deadline for allowing E.U. (European Union) vessels to fish in Jersey waters will the Minister update Members on his engagement with the U.K. Government departments that have responsibility for E.U. negotiations with regard to Jersey management of its territorial waters as agreed in T.E.C.A. (Trade and Economic Co-operation Agreement)?

Senator I.J. Gorst (The Minister for External Relations and Financial Services):

I briefed Lord Frost ahead of the first meeting ahead of the E.U.-U.K. Partnership Council, which he co-chairs. Since the commencement of the most recent extension I have met with U.K. Fisheries Minister, Victoria Prentis, and also the E.U. Ambassador to the U.K. The Chief Minister and I have been in regular contact with Lord Wolfson, the lead Minister for the Crown Dependencies at the Ministry of Justice and Lord Wolfson, all being well, will visit Jersey later this week. Part of his itinerary includes an excursion aboard our Norman Le Brocq fisheries patrol vessel. In addition to all of that of course External Relations and marine resources officials engage frequently on fisheries matters with officials at the Cabinet Office, Defra and the Ministry of Justice, all of which have a role in delivering and overseeing the E.U.-U.K. Trade and Co-operation Agreement.

4.6.1 The Connétable of St. Brelade:

I thank the Minister. Would he also confirm, while it may not be directly in his remit but that of the Minister for the Environment, that our fisheries are not being prejudiced by this long, drawn-out action, which is a great disappointment to our fisheries industry in Jersey generally?

Senator I.J. Gorst:

It is difficult to see how one could reach that conclusion when one visits the harbour and sees the amount of Jersey produce being exported into the European Union on a weekly basis. We understand the dissatisfaction among some in the fishing industry who would like the full co-operation agreement to be functioning, even though some of those same voices did not necessarily welcome the agreement in the first instance. It is by far preferable to work through those detailed technical issues in slow time rather than prejudicing positive relationships with the European Union and with the U.K.

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

Can the Minister tell us whether there is any realistic chance of an agreement with the French authorities in particular before the French presidential election, which is almost a year away, and does he accept that we may have to keep on making concessions until that time when people will get a formal resolution of the problem?

Senator I.J. Gorst:

It is a good question and I really hope that is not the case, and that is why it is very important that we are using both informal and formal channels. There has been productive engagement on a quadrilateral basis, that is Jersey, U.K., European and French officials talking about some of the technical issues. They are not resolved. I think it is fair to say to Members they are some distance from being resolved and I have got no doubt that of course there is not just the technical issues that need to be resolved, but also as ever with these matters a dose of politics as well. The Deputy rightly points to one of these difficult political processes on the calendar.

Deputy M.R. Higgins:

I thank the Minister.

4.6.3 Deputy K.F. Morel:

Would the Minister update the Assembly as to whether he is engaging the U.K. and, as a result, the E.U. authorities with the idea of devolving in any way, shape or form some element of the decision-making with regard to fisheries in our seas and the Bay of Granville area to the Island of Jersey and the regional authorities in France?

Senator I.J. Gorst:

That was something that we spoke about in the run-up to the formal agreement between the U.K. and the E.U. It did not find favour, and even when I have spoken to some regional political representatives where we have discussed that possibility it has not unfortunately found favour with Paris. What of course we cannot do, which is what some would like, is to go back to the Bay of

Granville agreement, because the terms of that agreement are not appropriate where we are now for matters of fishing and access to markets considered third countries. We of course continue to raise that as an option, but it has not found favour with Paris and that is why we continue on the engagement on a quadrilateral basis. I think a bilateral basis has got us to where we are and that is why it needs to be quadrilateral.

4.6.4 Deputy K.F. Morel:

Given the Minister's answer, would he therefore agree that the E.U.-U.K. T.E.C.A. has resulted in Jersey losing an element of its autonomy? While we have a 3-mile exclusive area outside of that all decisions are being made very far from this Island; indeed, they are being made in London and Brussels and not in Jersey.

Senator I.J. Gorst:

It is completely incorrect. The decisions are being made as the T.E.C.A. envisages by the Jersey Minister for the Environment and of course the Jersey Minister for the Environment, in my view rightly, agreed to an amnesty extension in the best interests of Jersey. It is not in my view right to think or to read it in any other way.

4.6.5 The Connétable of St. Brelade:

Would the Minister, in his continued negotiations, agree not to be diverted from the original theory of the T.E.C.A., which was to protect our fishing rights and our waters for our future generations?

Senator I.J. Gorst:

The T.E.C.A. deals with a number of issues. One is access to waters; the other is access to markets and importantly for Jersey and for the environment team, and I share this, it deals with sustainability as well. These are technical issues and they must be managed in an appropriate, calm and technical manner if we, in Jersey's interests, are to get the best for our future out of the arrangements negotiated, which we approved.

4.7 Deputy S.M. Ahier of St. Helier of the Chief Minister regarding the selection process for the new Chief Executive Officer: (OQ.161/2021)

Will the Chief Minister explain why no States Members, aside from himself, will form part of the selection process for the new chief executive officer undertaken by the Jersey Appointments Commission?

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

Under the Employment of States of Jersey Employees (Jersey) Law 2005 paragraph 26AA the States Employment Board are required to nominate the Jersey Appointments Commission and an independent commission to the J.A.C. (Jersey Appointments Commission) as chair to undertake the recruitment process for an appointment in the role of chief executive officer. This in turn falls under the Jersey Appointments Commission's guidelines for recruiting into the role. The guidelines state that the Chief Minister is the only political member to be included on the appointments panel as a voting member. However in discussion between myself, the independent commissioner and the chair of the panel it was agreed to invite members of the States Employment Board to have individual and informal engagement meetings with the short-listed candidates prior to the formal panel interview. These took place with 3 members of the board after which their feedback and observations were provided to the full appointments panel. I hope that clarifies matters.

4.7.1 Deputy S.M. Ahier:

Were those 3 members that were chosen selected by the Minister?

Senator J.A.N. Le Fondré:

As I said, it was the members of the States Employment Board, so it was offered to all members and 3 were able to make the dates. It was my suggestion that it was members of the States Employment Board but it does include both ministerial and non-executive members.

4.7.2 Senator S.Y. Mézec:

Does the Chief Minister believe that there is enough political input from politicians in appointment of these senior roles to make sure that the politicians have confidence that these appointees will not just be competent but will be effective in implementing what will ultimately be the elected politicians' political priorities?

Senator J.A.N. Le Fondré:

I think there are 2 things that the Deputy potentially is conflating there. One is one would expect any professional chief executive to be able to implement the political wishes of any political direction essentially without necessarily having any view, because the civil service as a whole and the chief officer particularly is meant to be neutral in their approach. What is very clear in the guidelines that I referred to just now, which are covered in the law, specifically states that political interests must be accommodated within a system that selects on merit and makes appointments which can last and which are free from personal or political bias. I think that is quite fundamental, because we have seen issues in the past where politics has got mixed in and has not resulted in necessarily the best outcome for the Island.

4.7.3 Senator S.Y. Mézec:

It is obviously going to be the case that politics will play a part in this because we are elected politicians making political decisions based on our political priorities. Does the Chief Minister have satisfaction that processes are in place so that elected Ministers will have the ability to influence who it is they are working with to get their agenda achieved? My understanding so far is that when appointments have been made to senior officer roles Ministers are sometimes asked for their opinion but do not have an involvement in the appointments process and end up being given somebody to work with who may not have been their choice.

[16:00]

Senator J.A.N. Le Fondré:

The Senator is suggesting designing a system that each time the Minister changes, if they are not comfortable with the person giving the advice, that person would be removed, dismissed, or put somewhere else in the organisation. That is not good employment practice, politicises the public sector, which is or should not be the intention, and completely creates an air of uncertainty from an employment perspective. That is why the Assembly well before my time made the decision that the States Employment Board is the employer, not the Government or the Assembly. If the Senator wishes to change to a process where there is a lot more political involvement I think it is a case of be very careful what one wishes for. We have seen political interference in the past and frankly it has often caused significant problems.

4.7.4 Deputy M. Tadier:

I am slightly bemused with that answer because despite the intention of the policy outlined by the Minister we always seem to end up with chief executive officers who are highly political and also who are political in a neoliberal conservative sense. The question to the Chief Minister is: would it not make more sense to have a chief executive officer who, if he is working for a conservative Government, is chosen by that conservative Government with experience to implement conservative policy? If at the next election a non-conservative Government is elected then that Government should be allowed to appoint their own chief executive officer with experience in implementing a different policy direction.

Senator J.A.N. Le Fondré:

I am sorry, I have to fundamentally disagree with what Deputy Tadier is suggesting. The whole point is that the principle should be that the public sector is politically neutral, that is why we have relevant standards in place, to avoid political comment by certainly members of the public sector. That should apply all the way through. If one has an appropriately professional chief executive, for example, it should not matter what - for want of a better expression - political colour the Council of Ministers of the day is, they should be perfectly capable of implementing the decisions of that Council of Ministers. That really very much should be the case and that is also why the law is quite clear, as I have alluded to, as to what the process is around the chief executive.

4.7.5 Deputy M. Tadier:

Would the Chief Minister explain why then consistently in recent years various chief officers and indeed high- ranking civil servants have stood in the way of politicians giving them direction and suggested different policy outcomes and directions rather than politicians telling civil servants what to do?

Senator J.A.N. Le Fondré:

I think the whole point there is that is why we have talked about the necessity to change the culture of the organisation and to make sure it is on a professional and objective basis. That is something that should always have been the case. I think it has been strengthened over the last couple of Council of Ministers.

4.7.6 Senator T.A. Vallois:

Can I ask the Chief Minister how many of those 3 members of S.E.B. (States Employment Board) were non-exec? What lessons the current Chief Minister is taking with him, for the selection process, considering the history we have with our chief executive officers?

Senator J.A.N. Le Fondré:

Of the 3 members who gave their feedback: one was non-exec, one was a Minister and one was an Assistant Minister. It was offered to all 5 but unfortunately 2 others were unable to participate. In terms of lessons learned, we have tried to make sure that the process is as professional and objective as possible.

The Greffier of the States (in the Chair):

Before I call the final supplementary can I ask the Members who are engaged in a procedural discussion in the chat not to because it means I cannot see who is wanting to ask questions. Thank you very much.

4.7.7 Deputy S.M. Ahier:

Also taking part in the selection process is the chief executive of HSBC in Jersey, described as a local Jersey representative. Does the Chief Minister accept that a States Member would better fit that description?

Senator J.A.N. Le Fondré:

Not necessarily the case. It was a point about having a broad width and some external observations as to what might be appropriate for the traits and characteristics in selecting the head of the organisation, which ultimately employs just under 7,000 full-time equivalents. I think it was the point of bringing in a wider, particularly commercial and business, experience, which might be appropriate. As I said, it is more around the balance across the panel and we have tried, and I believe have achieved, an objective outcome, which we think is in the interests of the Island.

4.8 Connétable A.S. Crowcroft of St. Helier of the Minister for the Environment regarding the Jersey Bowling Club: (OQ.173/2021)

Could I just say for the record, first of all, that I am the president of the Jersey Bowling Club and the Parish of St. Helier owns the club. Will the Minister confirm that he will be prepared to sign a compulsory purchase order to acquire the land, in line with the Assembly's adoption of P.129/2020, in the event that it is impossible to find an alternative location for the Jersey Bowling Club?

Deputy J.H. Young (The Minister for the Environment):

The proposition which charged the Minister for the Environment to be empowered to use compulsory purchase powers, on my reading of it, it is entirely dependent, I think, on the availability of funding. Obviously the Compulsory Purchase of Land (Procedure) Law 1961 requires the States have also put funding in place. But obviously the Constable raises a hypothetical question, which is an important one, if the States do approve the funding for the whole project because the acquisition of land is for the hospital, et cetera, the whole thing, I would be prepared to sign a compulsory purchase order to acquire any land required, if that is necessary, to implement those States decisions. However, an important requirement, I have advised my officers that in the complex procedure of various notices under law I would not personally, as Minister, be prepared to sign the final third notice, which is the vesting order to transfer the land into the ownership of the States - I would not personally want to do that - until such time that the planning decisions in respect of both the Island Plan and the planning application have been made and the matter is very clear-cut.

4.8.1 The Connétable of St. Helier:

Would the Minister also be constrained by the decision of the States on 1st February to adopt my amendment to P.167/2020, under which the States agreed that any existing community facilities impacted by the development of the new hospital access road would be relocated and replaced?

Deputy J.H. Young:

I do apologise, I would have to take advice on that point. Obviously if we are in a position we have a series of various States decisions to the extent that one affects the other, the answer that I have given draws upon P.129/2020; the decisions in there that empowers the Minister for the Environment to do those acquisitions so I would have to take advice on that. I cannot say at the moment.

4.8.2 Senator T.A. Vallois:

I would just like to ask the Minister, just to clarify his answer, when he referred to the third notice with regards to this particular situation, whether that was on the basis of the planning application or whether that is on the basis of the planning application being determined in favour.

Deputy J.H. Young:

We are dealing with hypothetical here, but my thinking is, is that it would be wrong to prematurely take land compulsorily, even if the States had given all the authorities for it, until first of all the draft Island Plan that includes an explicit policy to enable the development of the land associated with Overdale and associated for the purposes of the hospital, until that is adopted by the States. Secondly, there is a planning application which has gone through a planning inquiry in a great deal of detail and there is a recommendation to approve which if it is me, as ...

The Greffier of the States (in the Chair):

I am afraid, Senator, you have frozen.

Deputy J.H. Young:

Sorry, my system froze. The third notice is a final step. A third notice goes straight to the Royal Court. On the Royal Court order, the land to be transferred on the Friday morning at their session and then that is it, the land is moved. I think that would be premature to invoke those without those preconditions being achieved, but I do think the procedures, the first and second notice which are leading up to negotiations possibly are useful things to do.

4.8.3 The Connétable of St. Helier:

Does the Minister believe that there is a distinction to be drawn between land that is required for the development of a hospital at Overdale itself and the Jersey Bowling Club site, which is only required because the hospital team want to drive a U.K.-style superhighway up Westmount Road?

Deputy J.H. Young:

This is a difficult one for me because I have declared an interest in having to make the planning decisions at every possible step of the way and nowhere have I expressed a personal view. But I am clear about one thing, that the road proposal goes with the hospital. I made it exactly plain to the team when I was asked for procedural advice that the planning inquiry should include both. None of us can predict the outcome of that inquiry but the 2 go together, as far as I am concerned, and I do not think they are separate. The road is being proposed because of the hospital.

4.9 Deputy M.R. Higgins of the Minister for Health and Social Services regarding the refusal to release the report on the hospital failings: (OQ.157/2021)

Following a recent Public Accounts Committee hearing at which it was stated that a performance report for his department had not been published, will the Minister explain the grounds on which the report has been withheld?

The Deputy of St. Ouen (The Minister for Health and Social Services):

I am pleased to have the opportunity to answer this question because, as Minister, I have always had the intention of making information about Health and Community Services and their related performance available to Islanders as that supports an open and transparent culture while ensuring that Islanders have access to health and social care performance data in a reliable and understandable manner. The report has not been withheld, as the question might suggest, as it has been presented at the public H.C.S. board meetings in the past. However, it is important that data is presented with relevant background information and within the clinical and operational context to ensure information is interpreted correctly. This is easier to achieve with a verbal presentation in a board meeting than in a published report on a website. That is why we have not yet been able to publish it. Due to legacy processes and multifaceted I.T. (information technology) systems, including the continued existence of paper-based systems, data is difficult to retrieve and to validate. The report is produced by the Health Informatics team, who continuously work in validating data with clinicians and establish the processes to report. It is very much a work in process and is updated monthly but continuous work is required to ensure that the data in it is validated and useful for Islanders. The next report will be presented at the public H.C.S. board meeting on 9th August and it is my intention to publish the information that is validated, and all future reports, on the gov.je website so that by next year we will have our full performance report on the website and Islanders can measure how we are achieving.

[16:15]

4.9.1 Deputy M.R. Higgins:

I welcome what the Minister has said about openness and transparency and definitely hope that the information will be published on 6th August because would the Minister not accept that by not doing so, and the way this matter has been handled, you have shot yourselves in the foot and the public are already suspicious of data coming from the Health Department and some of the policies. Therefore it has just added to the overall suspicion of the department.

The Deputy of St. Ouen:

What was said in the public meeting was well-intentioned because it is about validating the data in an understandable way. Because we all know when we see professional documents that they can be written in a way that the professionals can understand but could be confusing for those of us who are not within that profession. We want this to be a useful document and understandable and something that can be used by members of the public to have confidence in Health and Community Services.

This information was simply not available when I came into office. Information of this nature was scant and was certainly not collated in any sort of document which might have been made public. So much has happened over the last 3 years to draw this together under the management that we have who were told impetus is about a pathway of improvement and transparency in a clinically-led organisation. You will see the remarkable change and States Members will be able to question me directly on data that is on the website, rather than having to ask about it all the time.

4.9.2 Senator T.A. Vallois:

I thank the Minister for his answers as a member of P.A.C. (Public Accounts Committee), but can I ask what consideration the Minister is giving to having performance reports from G.P.s to identify the difference between primary and secondary care and ensuring that the future of the Jersey Care Model is the right way to go forward for Jersey?

The Deputy of St. Ouen:

That I believe is an excellent question. That is the sort of work that will be developed with the G.P.s and our partner organisations within the Care Model work because it is right that all those offering care services in the Island should be accountable for their work and should publish their performance data, we should know the standards by which they are operating. That is not clear at the moment. That work needs to be done but it is flagged up and it will be done as the Jersey Care Model work progresses.

4.9.3 Senator T.A. Vallois:

I just wanted to ask the Minister to give some assurance and a timeline for performance reports for G.P.s to compare and contrast please.

The Deputy of St. Ouen:

I do not think I can give a timeline at the moment because the initial work to plot the changes in the Jersey Care Model is a 4-year programme. We are working with the G.P.s to plot that but there is not a precise timeline at the moment, but I can assure the Senator that that work is envisaged and will form part of discussions.

4.9.4 Deputy M.R. Higgins:

Will the Minister also agree to publish data of negligence claims against the hospital service and the health service generally, where the States are being sued, and give indications of what the reasons are for it and the sums being sought or remedy being sought?

The Deputy of St. Ouen:

That is a very specific question and I would need to take legal advice on how much of that could be disclosed prior to any decision being reached on those claims. What I have seen is that data can be released and is intended to be released on the complaints received by H.C.S., how they are dealt with, times in which they are dealt with, whether they are satisfactorily dealt with, so that I can say ... I cannot give a precise answer, and I trust the Deputy will understand, because I need to take specific advice in relation to legal claims.

Deputy M.R. Higgins:

I shall ask in the future, thank you.

4.10 Deputy G.J. Truscott of St. Brelade of the Minister for Infrastructure regarding mobile speed cameras: (OQ.168/2021)

Given that, in adopting P.91/2020, the Assembly agreed that legislation should be brought forward allowing the Honorary Police to use mobile speed cameras unattended, will the Minister advise when this legislation will be lodged for debate?

Deputy K.C. Lewis of St. Saviour (The Minister for Infrastructure):

I recently approved a road law project to address requirements of P.91/2020 and other known shortcomings in our current road and traffic laws to ensure our legislation is fit for purpose. I believe reviewing speed enforcement options for the police is best served as part of this new project, which is now resourced and ready to start. Officers will be working closely with Parishes, Justice and Home Affairs, and other relevant stakeholders to bring new legislation before the States in a timely manner. Due to the extent and complexity of this project I cannot commit to a completion data at this time.

4.10.1 Deputy G.J. Truscott:

There are a number of speeding hotspots in St. Brelade and we are keen to deploy the radar devices as soon as possible to effectively dampen down those areas. I am disappointed to hear the Minister effectively launch something new here. We have only got, effectively, 9 months working left in this Assembly, could he not be a little bit more specific of when that legislation could come in front of the Assembly?

Deputy K.C. Lewis:

I regret not. It will be by the end of this year but we will be working obviously with my colleagues in the Parishes and our colleagues in Home Affairs to bring this forward as soon as possible.

4.10.2 Deputy I. Gardiner:

Would the Minister confirm to the Assembly that this Assembly will be able to debate and make a decision on this legislation during this term?

Deputy K.C. Lewis:

Indeed. By the end of this year we should have all the information that we require.

4.10.3 Deputy M. Tadier:

Would the Minister remind us whether he supported the proposition and also whether he remembered that a number of States Members asked for more detail of this because the proposition, as it was, was very thin on any detail and it seemed to almost be rubberstamped by the Assembly even though his own department since has been saying that many aspects of the proposal are unworkable?

Deputy K.C. Lewis:

Yes, excellent question. It is a very complex subject. We will need many changes in the law to bring it forward. Regarding the devices, the devices would need to be calibrated, we would need to employ an expert to do this work, and obviously many changes in the law to bring it forward. It is very complex. Whether it is needed or not, I work at the discretion of the States Assembly. As the Deputy has quite rightly pointed out, it was a majority vote that this be brought forward.

4.10.4 Deputy M. Tadier:

In the meantime, would the Minister perhaps advise any constituents, wherever they are in the Island, that they do have an elected Honorary Police Force who are answerable to the Parish and who are theoretically elected by the Parish., and that if people in certain areas of Parishes want more speed checks to be done then they simply need to talk to the Honorary Police, and perhaps the Constable or Chef de Police, about getting that done? Is that a good way forward in the meantime?

Deputy K.C. Lewis:

Absolutely. I welcome the Deputy's remarks, both Honorary and States Police are fully trained and qualified to use the speed guns that they have at the moment.

4.10.5 The Connétable of St. John:

The Minister has referred to the project to review the Road Traffic Law. My understanding from a briefing we received is that could take some 5 years to complete. Is the speed camera going to be taken as a separate matter or combined with the 5-year project?

Deputy K.C. Lewis:

I believe it would be a separate project but it is multifaceted and very complex. We will be working with colleagues to bring this forward as soon as we can.

4.10.6 The Connétable of St. John:

Does the Minister have dedicated resource to work on this project?

Deputy K.C. Lewis:

Funding has been identified for this project, yes.

4.10.7 Connétable R. Vibert of St. Peter:

Would the Minister agree that part of the complication with regard to this legislation is that not a single U.K. police force operates equipment of the type that was described by the proposer of the proposition?

Deputy K.C. Lewis:

I believe that to be correct. A lot of it is delegated to qualified technicians who maintain all of the equipment on the stationary units and then forward that to the relevant authorities. I believe that to be the case.

4.10.8 The Connétable of St. Peter:

Would the Minister agree that in fact this type of mobile camera possibly does not offer anything in addition to the current devices that both the Honorary Police and States Police use on a regular basis?

Deputy K.C. Lewis:

I believe this is an enhancement on systems being used at present but obviously there are limitations, as the Constable has pointed out.

4.10.9 Deputy G.J. Truscott:

Just to speed things along - please excuse the pun - could the Minister apply some pressure to the process and do his utmost to bring the necessary legislation for debate by December?

Deputy K.C. Lewis:

Indeed. As I have just mentioned, the funds have been allocated for this, so it will be brought forward in a timely manner.

4.11 Deputy R.J. Ward of the Minister for Children and Education regarding absence from primary and secondary schools: (OQ.171/2021)

Will the Minister state, as a percentage, the overall absence rate in both primary and secondary schools during the final week of the summer term, additionally giving the highest and lowest absence rates identified in each sector without naming specific schools?

Deputy S.M. Wickenden of St. Helier (The Minister for Children and Education):

During the final week of term the overall absence rate for children in reception and above, in primary schools was 18.4 per cent and in secondary schools it was 27.7 percent. Therefore the overall attendance rate for primary schools was 81.6 per cent and secondary school it was 72.3 per cent. The highest absence rate across the whole week of primary school was at 45.7 per cent and the lowest was 6.1 per cent. At secondary school, the absence varied between a maximum of 44.3 per cent and a minimum of 8.8 per cent. It should be noted that these figures are based on data that we have currently received from the schools and that they may be revised by subsequent data quality updates. It should further be noted that the pupils in years 11 and 13 have been excluded as they have completed their exams and were largely on study leave. Additionally, one school has been excluded from the figures because of data recording issues, which are now being addressed.

4.11.1 Deputy R.J. Ward:

What plans does the Minister have to ensure that these high absence rates do not occur again in September? What are the reasons he thinks these absence rates were so high in that last week of term?

[16:30]

Deputy S.M. Wickenden:

We are working across the C.Y.P.E.S. (Children, Young People, Education and Skills) Department to get ready and make sure we are ready for September. We are keeping an eye on the rates of COVID within children across the summer term, across early years, and the summer schools that have been going on, and we will have a plan that we are working on in place based on the information as it happens over the summer holidays. Work is already happening to make sure that we can keep education levels at their highest level. I must stipulate, though these appear high in level, compared to December of the last week of school where the absence rates were 46 per cent and 81 per cent in secondary schools rather than the 18 per cent and 27 per cent in July we have seen much better educational outcomes and attendance during towards summer holidays.

4.11.2 Senator T.A. Vallois:

Can I ask the Minister whether he will consider providing States Members with an updated position and strategy for schools and early years sector at least 2 weeks before the autumn term begins for 2021?

Deputy S.M. Wickenden:

I see no problem with updating certainly Scrutiny and States Members on a briefing about what it will look like when we open schools as we get closer to the time.

Senator T.A. Vallois:

I thank the Minister for his answer.

4.11.3 Deputy I. Gardiner:

Would the Minister answer the second part of Deputy Ward's question when the Deputy asked about the reasons that led to the situation in the Minister's understanding?

Deputy S.M. Wickenden:

Sir, I believe Standing Order 10 says that a question shall not ask for an expression of opinion and that would be my ...

The Greffier of the States (in the Chair):

Sorry, Deputy, are you raising a point of order?

Deputy S.M. Wickenden:

Okay, Sir, can I raise a point of order? In Standing Order 10(6)(b): "A question shall not seek an expression of opinion." Is that correct?

The Greffier of the States (in the Chair):

That is what the Standing Order says, yes.

Deputy S.M. Wickenden:

Yes. Sir, in your opinion, does the question ask me what my opinion on the schools is in breach of that Standing Order?

The Greffier of the States (in the Chair):

I do not think so. The question is asking what the reasons are for the absence rate ... sorry, if I could just finish the point. I suppose the questioner assumes that the department would have made an assessment for the reasons. If you have not, obviously that is the answer.

Deputy S.M. Wickenden:

Okay, Sir. The absence was due to COVID. Parents who had decided that they did not want to put their children into the school environment before the summer term and normal absences, they were the 3 reasons why children did not attend school.

4.11.4 Deputy I. Gardiner:

What steps will the Minister take to ensure that these reasons will be mitigated in September?

Deputy S.M. Wickenden:

We have got a plan being headed forward. If somebody still has COVID in September, depending on what the rules that S.T.A.C. and C.A.M. (Competent Authorities Ministers) come up with, it depends on whether there will be an attendance. Normal absence through sickness and normal absence will still be normal absence and parents who decide that they do not want to bring their children to school will be marked probably down as unauthorised absence; it depends on the situation we are in in the Island for COVID.

The Greffier of the States (in the Chair):

Final supplementary, Deputy Ward.

Deputy L.M.C. Doublet:

Sir, I think I ...

The Greffier of the States (in the Chair):

Sorry, Deputy, you were too slow, I have already called Deputy Ward to give the final supplementary.

Deputy R.J. Ward:

Sir, I am happy to give way because I know that the system is slow at the moment; that is why I have not got my camera on.

The Greffier of the States (in the Chair):

I will allow Deputy Doublet but after that we will move on because we do need to try and get through the Order Paper as best we can.

4.11.5 Deputy L.M.C. Doublet:

I would like to ask the Minister, what mitigations he thinks might be needed in the wider community to give parents that certainty about feeling confident to send their children to school?

The Greffier of the States (in the Chair):

I am going to step in, I am afraid, because the question is about the overall absence rate and that supplementary is very broad about mitigations in general in the community, so I do not think it is in order. Deputy Ward.

Deputy L.M.C. Doublet:

Sir, it is to prevent absences in the schools, it is directly related to absences.

The Greffier of the States (in the Chair):

I think the question was about overall absence rates and that supplementary is a much broader question. Deputy Ward, final supplementary.

4.11.6 Deputy R.J. Ward:

Does the Minister have data on how many of the absences in the last week of term were recorded as unauthorised absence and what action will he be taking on those unauthorised absences?

Deputy S.M. Wickenden:

In primary school the unauthorised absence was 3.9 per cent and in secondary it was 3.8 per cent, which is about standard in the unauthorised absence across the schools. Any absence due to a parent not wishing to put their child into school due to fear of COVID was marked as authorised absence. The unauthorised absence was the standard absence from schools.

4.12 Connétable J.E. Le Maistre of Grouville of the Chief Minister regarding a limit on the number of high net worth individuals: (OQ.180/2021)

Has a limit been set on the number of high-net-worth individuals who are given permission to take up residency in the Island each year and how many such permissions have been given this year to date?

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

Sir, Senator Farnham is answering this question.

Senator L.J. Farnham (Assistant Chief Minister - rapporteur):

No limit has been set, however, we have maintained a longstanding aspiration; 15 approved applications every year. Our 3-year average has been 18, that is slightly above the target due to demand; 17 permissions have been granted so far this year and it is the first half of the year usually seeing the highest number of people applying. I understand there are approximately 4 applications also in train.

4.12.1 The Connétable of Grouville:

Does the Minister accept that letting so many such individuals into the Island is overheating the house market? It is also having an effect on the building industry because usually high-net-worth individuals want to spend money on the houses they buy and is also likely to lead to some land being lost to agriculture because they get many of these individuals that buy the land around the house and put them to soft agriculture, such as orchards, and they will no longer be available to mainstream agriculture.

The Greffier of the States (in the Chair):

Before you answer, could I just ask Members to make sure their microphones are off, unless they are intending to speak because at least one is live at the moment?

4.12.2 Senator L.J. Farnham:

Had a little bit of dog trouble in the background but that is fine now. No, I do not agree with that. The number of high-net-worth families in the Island, taken in context of the whole population, is relatively low; approximately 200 families that fall into that bracket. There is a minimum amount set on property prices, so the property transactions tend to be in the much higher echelon of our property market, whereas the supply and demand issues we are experiencing are sort of at a much lower level in first-time buyer and a more modest family home. The amount of construction work on a domestic basis taken on by them I think is very useful for the construction industry but, again, there is no evidence that this is causing an overheating of the market. I think there are far greater pressures on construction due to the number of large-scale projects we have and simply the demand for thousands of new homes, as I said, at the lower end of the market. I personally think that the high-net-worth scheme and the high-net-worth community bring significant benefits to the Island and I do not think there is any evidence to support the Constable's concerns.

4.12.3 Deputy M. Tadier:

I suppose that is the problem, there is not any evidence either way and my question is: has there ever been a cost-benefit analysis, not just to the economic cost and benefits but of the social and perhaps more abstract cultural negatives and positives, that are thought to be brought or pertain to the high-net-worth policy framework and the numbers that are brought over?

Senator L.J. Farnham:

That is a good question. We have had probably no fewer than 8 or 9 studies since 2010, the last key one being in 2016. There is no plan to do another study at this stage but I suspect there will be calls for one in the not-too-distant future. I am not sure there is time to get one completed in this term of office. It is something we have on our ministerial agenda for discussion at some time in the near future. But there are no current plans to carry out a study during this Government.

4.12.4 Deputy M. Tadier:

Could the Minister clarify what those studies were, who they were commissioned by and what the outcomes were? I have not heard of these but, if they are in the public domain, could he direct us to them and if they are not could he perhaps make sure they are put in the public domain, if appropriate?

Senator L.J. Farnham:

We had a history of the 1(1)(k) regime in 2010; the author of that was the late Colin Powell. There was the review of the 1(1)(k) regime for the States of Jersey by Withers LLP, also in 2010. We had a report on Jersey's regime for high-net-worth individuals by the Treasury and Resources Tax Department and Policy Unit in July 2011; tax regime for the high-net-worth individuals review in 2013, so again by the Treasury and Resources Department; tax data relating to high-value residents report, March 2015. We had a survey of international relocation for high-net-worth in business by Island ARK; that was also in 2015. We had the comparative analysis of high value residency regimes carried out by KPMG in 2016. Since then the information has been produced, an annual report and infographic by Locate Jersey, just highlighting the key headline figures. I am not sure whether all of those are still in the public domain but if any Member is interested I would be happy to provide further details.

4.12.5 Deputy R.J. Ward:

In previous questions regarding this it is clear that tax regimes are not the same for all; what I will refer to as high-net-worth individuals. Can the Minister confirm that all current individuals are on the same tax arrangements with no special deals? Does he believe that all high-net-worth individuals, even historically, should now be brought on to those similar tax arrangements for fairness, well at least within that sector of the community?

Senator L.J. Farnham:

It is possibly more a question for the Minister for Treasury and Resources. All of the high-net-worth residents will not be on the same tax rate or tax package because all the changes, and when the rules are updated, are not retrospective, so they only apply to incoming high-net-worth residents from that date. There will be a number of different tiers. I am not sure everybody needs to be on the same tax package. I think it would just be too difficult, like I say, with the retrospective nature of the changes to introduce that and I could not support that. Again, I think that is probably best directed at the Minister for Treasury and Resources.

4.12.6 Deputy M. Tadier:

Would the Minister agree that these individuals should not be called high-net-worth because, as the pandemic has found, those are the people like nurses, doctors and front line workers who have a huge worth to our society? Perhaps they should be renamed high individual wealth individuals who come to this Island.

Senator L.J. Farnham:

I could subscribe to that terminology, and it is not taking anything away from the huge contribution given to our society by most members of the community during the pandemic.

4.12.7 Senator S.Y. Mézec:

Does the Minister have any concerns about the quality and the detail provided in the information to members of the Housing and Work Advisory Group when they receive these applications to adjudicate on?

Senator L.J. Farnham:

As the Senator will know, we worked together on the Housing and Work Advisory Group for a period of time and we often were asking for further information, not necessarily on high-net-worth but a number of other applications and appeals and cases.

[16:45]

We have changed the format recently to include much more detailed information, especially in relation to the net worth of the individual and to ensure that their intention is to make Jersey their home and to seek an undertaking that they will make a positive contribution to our community. I think we have improved the information that is coming through but I do not think you can ever have too much information on important applications such as this, and we will make sure we continue to stay alive to that fact.

4.12.8 Senator S.Y. Mézec:

Does the Minister share my concern about the scheme being used inappropriately by individuals who, rather than coming to the Island on 2(1)(e) status and getting the very nice, I am sure, tax benefits that that entails, rather than come in as an employee on a licence like everybody else would have to do, is happening? Would he agree that that is inappropriate and those applicants should instead be steered to coming here on a licence, rather than a mechanism which, let us be honest, is just to avoid paying the full rate of tax?

Senator L.J. Farnham:

Yes, I completely agree with that and I would emphasise and reiterate this is not a salary-avoidance scheme, this is aimed at high-net-worth individuals, completely financially independent people that want to make Jersey their home and want to make a positive contribution to our future. We have already set guidelines in place that place sort of minimum levels of net wealth required to avoid this becoming a salary-avoidance scheme. For this scheme we are not looking for people with low-net-worth and very high salaries with the view to becoming high-net-worth in the years ahead. We have already steered more than one application back towards the J category option, so I completely agree.

4.12.9 Deputy M.R. Higgins:

I hope the Minister will speak with some of his colleagues because one of the reasons for overheating in the housing market is not only foreign direct investment into the Jersey economy but may well also be very high-net-worth individuals also dabbling in the property market. If they are building new homes and apartments this would be very beneficial to the Island. On the other hand, if they are buying up existing properties and taking them from people who would like to have a home of their own and they wish to get a mortgage or wish to rent a flat that is not so good. Will the Minister please press the Minister for Housing and Communities and others to get on with the register of commercial and retail properties, so we find out who owns what and the impact it has on the housing market?

Senator L.J. Farnham:

Yes, of course I will work closely with the Minister for Housing and Communities wherever possible to ensure we have all of the rules absolutely right to ensure that we get the right sort of investment and the right sort of housing that I alluded to earlier in the Constable of Grouville's question. We

need to focus practically all of our effort on the lower end of the market where first-buy family homes are urgently required. High-net-worth cannot come in and just dabble in the property market; they are limited to their own property and perhaps another property - we have mentioned that might be perhaps in their domestic curtilage - but they certainly cannot dabble freely in the property market. But I do know that a lot of our high-net-worth residents do invest primarily in local business and provide many, many jobs for locals.

Deputy M.R. Higgins:

I have to look at that because it is not necessarily correct.

4.12.10 The Connétable of Grouville:

The Minister has admitted that he has exceeded his target of 15 for the last 3 years. It looks like this year we have already let in 17, so the target is going to be way over this year. Would it not be better to have fewer such individuals coming here and charge them more? We could then generate the same income and then it would have less impact.

Senator L.J. Farnham:

We always say sometimes less is more and that is why we have recently increased the bar, as it were, in terms of levels of high-net-worth. We have increased the policy on the minimum property pricing. The idea is to sort of slow down slightly the influx and aim for the higher-net-worth individuals, rather than the higher-paid employers who would rather put into the J category section. I do not think 17 or 20. It does fluctuate, yes. We have had below 18 and below 15 and we have had, I think, well into the high 20s. But I think in the context of the total population, the numbers are very small but I take on board the Constable's points and continue to assure him and other Members that the scheme was aimed to deliver few high-quality residents that will enhance the economy and well-being of the whole Island.

4.13 Deputy C.S. Alves of St. Helier of the Minister for Health and Social Services regarding first vaccination appointments: (OQ.177/2021)

Will the Minister clarify the situation around booking first-time vaccination appointments, given they are currently only available up to 22nd July 2021, despite the booking form indicating that it should be possible to select a date up to 14 days from today and will he state whether there is a plan to stop or reduce first-dose appointments and, if so, until when people will be able to book their appointment?

The Deputy of St. Ouen (The Minister for Health and Social Services):

We receive a supply of vaccine each week from the U.K. Department of Health and Social Care. We are also sent details of predicted volumes for future supplies but this is a highly changeable estimate. The vaccination programme makes flexible operational plans based upon the estimates, although the programme only open booking slots once there is a guaranteed vaccine supply on the Island. The programme also needs to allocate and manage first and second doses between the limited supply that we receive; to achieve this we open appointment slots each week and review these daily. If necessary, the proportion of first and second-dose appointment slots is adjusted to maximise the opportunity for vaccination and to minimise any chance of wastage. There are still appointments available. We would encourage everyone to come forward and we have no plans to stop first-dose appointments at the current time.

4.13.1 Deputy C.S. Alves:

I thank the Minister for that answer. Can the Minister give us an indication of how much longer the facility up at Fort Regent will be used for vaccinations? I have obviously spoken to the Minister about this before, there are some people that are maybe waiting, holding back, I suppose, to have their first vaccination and are, therefore, worried that when they do decide to have it that that facility might not be there. Is there a plan for it to be available via G.P.s, for example?

The Deputy of St. Ouen:

I think the Deputy is thinking some time ahead. There are no immediate plans to close Fort Regent and indeed we are still considering what may be required in terms of a booster vaccination programme and it is possible that that might still be conducted at Fort Regent, although we do not yet know the criteria around the booster programme, so that is not certain as yet. We anticipate that even while a booster programme is being rolled out we will still make first doses and then subsequent second doses available for those who, for whatever reason, have not received it during the current vaccination programme. But I would encourage those people that the Deputy knows to book their appointment now because we have seen what good protection it offers. It offers 95 per cent protection against hospitalisation and 98 per cent protection against mortality. Even if people were to contract COVID, despite being vaccinated, it is a far less severe disease than not being vaccinated. I do not know the circumstances of the people mentioned but I would encourage them to book their appointments.

4.13.2 Deputy R.J. Ward:

Does the Minister have any concerns about vaccine supply over the coming immediate weeks and months, given the importance that it is for the strategy of the Government in dealing with the current significant rise in cases?

The Deputy of St. Ouen:

I have not been alerted to any concerns that suddenly the vaccine supply will dry up or be much reduced. It does change, depending on production of vaccine. But we are still confident that we will be able to vaccinate 80 per cent of all Islanders, to be fully vaccinated, by mid-August.

4.13.3 Deputy M. Tadier:

It is just to clarify on his previous answer. When the Minister said that the vaccine provides, I think he said 99 per cent or something like that, protection against hospitalisation, is that 99 per cent on top of what you would have if you were not vaccinated at all or is it 99 per cent generally?

The Deputy of St. Ouen:

I believe I used the figure 95 per cent protection against hospitalisation; if I did not I apologise. The figure is 95 per cent. The risk is reduced by 95 per cent, which I think has led to Dr. Muscat's quote in his press release recently that people who are unvaccinated have a 25 per cent greater ... sorry, maths was never my strong point. If you are unvaccinated you are 1 in 25 times more likely to be brought into hospital with COVID than if you are vaccinated, and that just shows the effectiveness of the programme.

4.13.4 Deputy M. Tadier:

I hope this is not too far from the original question, as it does arise from something the Minister has said. Can I ask when the risk of hospitalisation became the normal way to speak for a vaccine, when a vaccine is supposed to protect you from a virus or an illness in the first place and to talk about reducing your chances of hospitalisation seems to miss the point?

The Deputy Bailiff:

I think that is too far from the original question, Deputy Tadier. Final supplementary, Deputy Alves?

Deputy C.S. Alves:

No, that is fine. Thank you, Sir.

4.14 Connétable K. Shenton-Stone of St. Martin of the Minister for the Environment regarding the development of sites for cannabis production: (OQ.179/2021)

What concerns, if any, have been expressed to the Minister regarding the development of sites for cannabis production and possible non-compliance with planning legislation and what investigation,

if any, will he undertake to confirm that the legislation is being adhered to and will he commit to serving stop notices on any such development or planning application in the event that non-compliance is identified?

Deputy J.H. Young (The Minister for the Environment):

I can confirm that we have received a lot of emails from some members of the public who have also contacted the team at I.H.E., the development control, expressing their concerns following their interpretation of non-compliance to the planning law and raising questions of planning policies in respect of cannabis-related developments. These include, but they are not limited to, issues about whether a change of use has taken place, issues of law relating to whether the use is agricultural or whether the cannabis use has become industrialised activity, issues to do with physical development in the countryside, which is fences, concrete bases and those sort of operations and then use of glasshouses themselves.

[17:00]

Of course, what action has been taken? Those sites, I think there are 5 we know about currently in the Island, where there are complaints being made and people raise a lot of anxieties in and around site visits. Site visits have been made and reports are being produced as to whether or not there are any breaches. At the present time I am not aware of any which do not comply with the law but if those are identified then there is a power of a stop notice that can be considered. But of course that is a decision that does not rest with the Minister's power. Most of the powers in the planning law are now with the chief officer, and of course at the moment we do not really have a chief officer under the law and that relates to my previous answer to Senator Vallois, something I want to sort out. There are issues which we are doing our best to try and deal with.

4.14.1 The Connétable of St. Martin:

The Minister is saying that the Planning Department does not have a chief officer at the moment and the chief officer, if they did have one, holds far greater power than the elected Minister. What would he do to change this?

Deputy J.H. Young:

I am very unhappy about it. I think the situation is, is that in years gone by the Planning Committee or then the Minister had most of the powers under their responsibilities. Now the Minister's power is very limited to calling in applications, deciding on and issuing planning guidance; that is it and proposing Island Plans, I suppose. But what I am doing is certainly I am having the options looked at because I think we do have to find a solution to having the right safeguards because, of course, you can get rid of the Minister but I am afraid with a civil servant who has got very, very strong authority, I am afraid I do not think there are enough safeguards in place and I propose to try and do something about that during the remainder of my tenure as Minister.

The Connétable of St. Martin:

I think that would be very useful for the whole Island because if anyone was at the Planning Committee meeting on Thursday morning ...

The Deputy Bailiff:

I do not think there is facility for commenting on the answers, Constable.

The Connétable of St. Martin:

Okay. Could I just say then, does the Minister believe that ...

The Deputy Bailiff:

No, you have had your supplementary.

The Connétable of St. Martin:

Okay, thank you.

4.15 Deputy L.B.E. Ash of St. Clement of the Minister for Economic Development, Tourism, Sport and Culture regarding the use of the Jersey Reds facilities: (OQ.159/2021)

Will the Minister explain why Jersey Reds' facilities were not permitted to be used as a fan zone for the Euro 2021 final?

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

Sideways pass to Deputy Raymond to answer this one, please.

Deputy H.C. Raymond of Trinity (Assistant Minister for Economic Development, Tourism, Sport and Culture - rapporteur):

As some of you may well know, the public entertainment in Jersey is permitted by the Bailiff and the common law powers. This means if you want to hold a public event you must apply to the Bailiff's Entertainment Panel to do so. Venues such as Jersey Reds' ground that offer regular entertainment apply for an annual entertainment permit, which is P.49, which enables them to host events. But I would further add that I had been in discussions with the Bailiff's panel that week and because of previous experiences of using screens for the big events, it was felt that a town centre site was more appropriate. I left it with the Bailiff's panel to discuss further with those organising the event in St. Helier or trying to organise the event in St. Helier. However, following discussions concerning COVID implications and policing, the decision was made that the event would not go ahead in St. Helier, and this decision was not made until late on that Friday of that week. To arrange another site elsewhere was not a viable proposition, plus the fact that the screen, as you will all know, at the rugby club can only be used on certain occasions. For us to have used it on this occasion would have meant applying for planning permission for a change in use. While I appreciate that some would have been upset on not seeing the game on the big screen, I feel the decision made by all was the right decision, especially concerning the implications of COVID and the welfare of those attending. Can I finally say that no representation or submission was made to the Minister or the department from Jersey Reds regarding the use of their facilities to host a fan zone of the Euro 2021 final?

4.15.1 Deputy L.B.E. Ash:

I thank the Minister for his answer. Bearing in mind that the Stade Santander has an existing screen, it has toilet facilities, it has catering facilities, it also has a stadium that could charge a nominal fee of, say, £5 to get in and that could be monitored and given to charities, would he support in future the Stade Santander being looked at as a venue for such occasions?

The Deputy of Trinity:

Yes, I would concur with that. I would certainly look at it. But we must know well in advance and I think, unfortunately, with the COVID situation, the welfare of people in this particular case, the timing was a bit late and, unfortunately, we could not use the stadium. But in future events that require a bigger arena, then we would certainly look at the Stade Santander at St. Peter.

Please note that the Minister for Health and Social Services subsequently provided the response below to the oral question from Deputy L.M.C. Doublet of St. Saviour which was not asked due to time constraints.

Question

Will the Minister advise what plans are currently in place to protect clinically vulnerable Islanders from the continuing effects of Covid-19, including pregnant women and their babies? (OQ.164/2021)

Answer

The best protection for all Islanders can be achieved through vaccination. The COVID-19 vaccines available in Jersey have been shown to be effective and to have a good safety profile. Those in higher risk categories are strongly encouraged to take up the offer of a COVID-19 vaccination and to

encourage family and friends they spend time with to be vaccinated also. The Joint Committee on Vaccination and Immunisation (JCVI) has advised all pregnant women to get vaccinated when eligible. COVID-19 vaccines offer pregnant women the best protection against COVID-19 disease which can be serious in later pregnancy for some women.

Vaccination will reduce the risk and severity of infection and long COVID (reducing the risk of fatigue when needing to look after a new baby). Severe disease is more likely in the third trimester partly because of the pressure of the growing baby on the lungs. Taking precautions pending vaccination especially in the third trimester is important. I would remind everyone of the importance of allowing fresh air in to homes and workplaces, frequently washing and sanitising hands, and trying to keep a distance from anyone they do not live with as part of new guidance and extended measures to keep Islanders safe this summer.

Please note that the Minister for Infrastructure subsequently provided the response below to the oral question from the Connétable of St. Helier which was not asked due to time constraints.

Question

Following the recent announcement that a Town ‘hopper’ bus service trial is to start this year, will the Minister provide further details of this proposal? (OQ.174/2021)

Answer

I can confirm that, following discussion and agreement with the Chief Minister and Treasury, a funding source for the proposed town bus service has been identified and is expected to be finalised shortly.

The service is proposed to operate six days per week, every day except Sunday and Bank Holidays. A timetable has been drafted to provide a frequency of every 15 minutes throughout the day, with a round trip journey time being 35 minutes in average traffic conditions. Ten minutes “recovery time” per round trip is allowed so that the bus can operate its next departure from the bus station punctually. The earliest journey would depart from the bus station at 9 o clock in the morning with the last one at 6 o clock in the evening.

Please note that the Minister for Infrastructure subsequently provided the response below to the oral question from Deputy R.J. Ward of St. Helier which was not asked due to time constraints.

Question

Further to the response to Written Question 336/2021, will the Minister explain why additional funding was agreed for LibertyBus, given it made a return to its parent company of £2,092,933 in 2019; and, in light of the fact that accounts for 2020 are not yet available, what assurance can he give members that funding provided in 2020 and 2021 was not used to make such returns to the parent company? (OQ.172/2021)

Response

Unfortunately, the Deputy is mistaken. LibertyBus did not made a return to its parent company of over £2.09 million in 2019. This figure relates to retained funds over six operational years. The operating surplus for the period was £428,917 or 4% of total income.

During 2020, additional support funding was made available to cover the shortfall in fare income as a direct consequence of the Covid-19 outbreak. This ensured that an appropriate level of service could continue to be operated throughout the period when Government emergency restrictions were in place, and is subject to a “cap and collar” arrangement to ensure that any profit made or loss incurred is contained within a modest range.

Please note that the Minister for Children and Education is to provide a response below to the oral question from Senator T.A. Vallois which was not asked due to time constraints.

Question

Will the Minister advise whether the Hope House facility is being considered as an alternative to Greenfields and, if not, will he state what the barriers are that currently prevent this from happening? (OQ.163/2021)

Answer (to be provided)

Please note that the Minister for Health and Social Services subsequently provided the response below to the oral question from Deputy C.S. Alves of St. Helier which was not asked due to time constraints.

Question

Will the Minister advise what consideration, if any, has been given to issuing copies of the pathology P.C.R. test results in the form of certificates via e-mail to inbound travellers and to those undergoing workforce testing? (OQ.178/2021)

Answer

Jersey, like most jurisdictions developing a Covid Status Certificate scheme, is initially providing residents with secure evidence of their vaccination status. This has already been successfully delivered in paper format and work is underway to deliver it in a digital format.

The next stage for Covid Status Certification will be to provide secure evidence of a negative PCR test in the last 72 hours. Timelines for this work are still under development.

The final stage will be to consider whether to incorporate evidence of previous infection (either a previous positive PCR test or antibodies) and how best to do so.

Please note that the Minister for Children and Education is to provide a response below to the oral question from Deputy G.P. Southern of St. Helier which was not asked due to time constraints.

Question

Further to his focus on children's dental health when standing for election as Minister, will the Minister state the timescale and cost of the educational and screening programmes to which he referred, including whether any Covid funding will be required; and advise what impact, if any, this work will have on contractual agreements with dentists and on the Jersey Dental Fitness Scheme? (OQ.170/2021)

Answer (to be provided)

Please note that the Minister for Children and Education is to provide a response below to the oral question from Deputy I. Gardiner of St. Helier which was not asked due to time constraints.

Question

Following the announcement in October 2020 that work would be undertaken with the Children's Commissioner on launching a new board to improve transparency in Children's Services, will the Minister advise what progress has been made to date on this matter? (OQ.167/2021)

Answer (to be provided)

Please note that the Minister for the Environment subsequently provided the response below to the oral question from Deputy M.R. Higgins of St. Helier which was not asked due to time constraints.

Question

Will the Minister advise why the referral to the Law Officers' Department in December 2019 of a proposed enforcement action against an individual regarding numerous breaches of the Planning Law was subsequently withdrawn by his department in January 2020, despite reference having been made to the alleged offences by a planning inspector; and will he advise the titles of the officers responsible for this withdrawal of action? (OQ.158/2021)

Answer

It is difficult to answer a question related to a specific case without being able to identify it. Regardless, it would be inappropriate to go into such detail in the Chamber, and I must be cognisant that I avoid any breaches of Data Protection or confirmation that we have received legal advice or not etc.

In terms of officer titles, the organisational structure and associated titles have changed as part of the Target Operating Model. The TOM will be finalised and effective as of 1st August 2021 and the information available.

Please note that the Minister for Health and Social Services subsequently provided the response below to the oral question from Deputy L.M. C. Doublet of St. Saviour which was not asked due to time constraints.

Question

At what point was the decision taken to allow a "trickle of infection through children", as indicated to members at a recent briefing, in order to build natural immunity to Covid-19 in that part of the population, and what medical or scientific evidence was considered in the course of making this decision? (OQ.165/2021)

Answer

Individuals who have not had the opportunity to be vaccinated are at greater risk of contracting COVID infection. This currently includes children as the Joint Committee on Vaccination and Immunisation (JCVI) has not recommended routine immunisation of children at present. Mitigation needs to be balanced with the burden of COVID disease. The easing of restrictions in the face of the milder infections consequent upon vaccination invariably saw an increase in transmission, but this was in balance with the less significant restrictions.

The Deputy Medical Officer for Health explained to Ministers that if such mild infections were going to be seen it would be better for these to occur during the summer months in the absence of co-circulating respiratory viruses such as flu and RSV. It is anticipated that there will be a significant increase in winter viruses this coming season as normal winter viral activity was not seen last season. The medical advice received by Ministers from the Deputy Medical Officer for Health was that a 'trickle of infection' through the population during the summer months would have an overall winter benefit.

Please note that the Minister for Treasury and Resources subsequently provided the response below to the oral question from the Connétable of St. Martin which was not asked due to time constraints.

Question

Given that the Fiscal Stimulus Fund holds over £20 million of unallocated funds, will the Minister explain what plans she has to ensure that the funding is used; and advise what consideration, if any, has been given to identifying areas that would stimulate the economy, or to encouraging thorough and well-costed submissions that would see the funding allocated? (OQ.175/2021)

Answer

I would like to make a point of clarification if I may, the Fiscal Stimulus Fund does not hold £20 million of unallocated Funds. The Assembly approved borrowing to finance an allocation of up to £50 million for the Fiscal Stimulus Fund however Treasury has only borrowed the sums that have been approved for distribution as and when they are at the right point of the process to be drawn down.

As of yet I have not made a decision as to whether any more of the approved funding should be utilised. The criteria of the Fiscal Stimulus Fund were quite rightly strict and the need to allocate that funding in a timely manner means I may need to vary the criteria already agreed before any more could be distributed.

In addition, the majority of requests I am still getting are largely construction in nature. It is well known that that market is already under extreme demand, not only by Government and its Arms Length Organisations but also the private sector. The existing and draft Government Plans include ambitious construction programmes and I would not support adding to that position.

5. Questions to Ministers without notice - The Minister for Health and Social Services

The Deputy Bailiff:

That concludes the 2 hours and 20 minutes allotted for this section of questions. We now move on to questions to Ministers without notice. The first question period of 15 minutes is questions for the Minister for Health and Social Services and the first question is from Deputy Tadier, I think, or Deputy Doublet. Deputy Tadier, were you asking questions of the Minister for Health and Social Services or ...

Deputy M. Tadier:

Yes, sorry, Sir, I was just out of time for me to ask. Sorry, Sir.

The Deputy Bailiff:

Deputy Doublet, please can you put your question to the Minister? Sorry, someone is not muted, perhaps Deputy Lewis. Deputy Doublet, your question for the Minister, please.

5.1 Deputy L.M.C. Doublet:

At what point was the decision taken to allow a trickle of infection through children in order to build natural immunity to COVID-19? What medical or scientific evidence was considered in the course of making this decision?

The Deputy of St. Ouen (The Minister for Health and Social Services):

Individuals who have not had the opportunity to be vaccinated are at greater risk of contracting COVID infection. This currently includes children, as the Joint Committee on Vaccination and Immunisation has not recommended routine immunisation of children at present. Mitigation needs to be balanced with the burden of COVID disease. The easing of restrictions in the face of the milder

infections consequent upon vaccination invariably saw an increase in transmission but this was in balance with the less significant restrictions. The deputy medical officer of health explained to Ministers that if such mild infections were going to be seen it would be better for these to occur during the summer months in the absence of co-circulating respiratory viruses such as flu and R.S.V. (respiratory syncytial virus). It is anticipated there will be a significant increase in winter viruses this coming season, as normal winter viral activity was not seen last season. The medical advice received by Ministers from the deputy medical officer of health was that a trickle of infection through the population during the summer months would have an overall winter benefit.

5.1.1 Deputy L.M.C. Doublet:

Is the Minister of the opinion that the current rates are a trickle or indeed are the current rates higher than were predicted? Also, was S.T.A.C. unanimous in this approach to allow this trickle of infection or was there any dissent from this approach?

The Deputy of St. Ouen:

A number of questions there. No, I would not describe the present rate of infection as a trickle. It is higher than what we had hoped for, of course. But I shall also make the point that this is a comment by the deputy medical officer of health, it is not a strategy, it is not a decision. It is a view that perhaps if we are going to have a difficult winter with many other viruses affecting us, we should not be overly worried, if this has to come, that it is coming now in the summer. I can understand that from a deputy medical officer of health's point of view, better to let the period be spread out, rather than have a concentrated effect in the winter; that will be more difficult to deal with infection.

5.2 Senator S.Y. Mézec:

We have just seen the news that from Wednesday wearing a mask will be compulsory in certain places. Could I ask the Minister if this is something of a recommendation from S.T.A.C. and, if so, how long have S.T.A.C. been calling for it?

The Deputy of St. Ouen:

Yes, S.T.A.C. have considered the matter 7 days ago at their last Monday meeting and asked Ministers to consider it. We met following that S.T.A.C. meeting and strongly advised the wearing of masks. I and other Ministers wished to seek advice on the proportionality of making mask-wearing mandatory, bearing in mind that we are imposing criminal sanctions on people who may walk into a shop, for example, and that is not something that anyone should likely do. We wished, first, to seek advice, as required by law, because these measures can only be imposed if it is necessary and proportionate to do so. The advice I have received is that it is proportionate, it is a proportionate measure and in view of the growing surge of illness in our community and the fact that mask-wearing is an effective measure or one of effective measures, I have been able to agree and competent authorities Ministers have agreed that I should sign an order making mask-wearing once again mandatory in indoor public spaces.

5.2.1 Senator S.Y. Mézec:

Given the exponential rise that has been in positive COVID cases on the Island which made this decision, let us face it, an inevitability, does the Minister regret that it has taken as long as it has?

The Deputy of St. Ouen:

We are not simply concentrating on the rise in case numbers. We are having regard to the severity of disease we are seeing. Clearly, the severity now during this third wave is far, far less than we were seeing during the second wave. We are having regard to hospitalisations, which, again, are much reduced from the second wave and of course we very much regret and I send my sincere condolences on the death that has occurred recently. But there is no doubt that the vaccine programme has offered good protection to Islanders, which is why that is our principal mitigation. We want to ensure that everyone has the opportunity to become fully vaccinated by the middle of August. We are constantly

trying to balance those harms because imposing mask-wearing requirements and criminalising those actions is something that we must weigh in the balance against the threats that we are trying to deal with.

5.3 Senator K.L. Moore:

What advice would the Minister give to people who are wishing to travel to France this week and is that advice likely to change?

The Deputy of St. Ouen:

I think the Senator may be alluding to the U.K. decision to impose specific requirements around travellers returning from France. We have not discussed that as C.A.M. Jersey is in the position where it does not have to follow the U.K. The rate of infection in France, my understanding is in most areas of France that it is in fact lower than Jersey's at the moment. It would not necessarily be a significant risk of people travelling to France and returning to Jersey. There are no immediate plans to make life difficult for travellers. But of course everyone must assess their own risk appetite for travelling at this time.

[17:15]

5.3.1 Senator K.L. Moore:

The Minister is correct, of course, that Jersey last week had the highest rate of transmission in Europe, therefore, our transmission rate is higher than France. However, France, as he will have read and I am sure he will be aware, is experiencing the passing through of the Beta strain of the virus and, as we have seen with the current situation here, an impact by the Delta variation, it would be interesting to understand whether Ministers are giving any thought to preventing that strain from circulating in the Island. Also, the question does come about not because I was planning to travel to France this week, and I probably will not, but because I have been contacted by a number of members of the community who are receiving conflicting advice. They are looking for it on the gov.je website, they have called Jersey Tourism, they have asked the Maison de la Normandie and received conflicting opinions from each of those places.

The Deputy of St. Ouen:

This is an evolving situation and Jersey has aligned with the U.K. red list in order to keep out variants of concern, of which the Beta variant is one. My understanding from news reports is that there are still attempts to clarify exactly why the U.K. has required this isolation measure in relation to mainland France, where it seems the Beta variant is not prevalent and does not have a great spread. But if that is not the case and there is spread of the Beta variant in France, then I know this matter is being considered and will need to be considered here in Jersey as to what measures will need to be taken, if any, to protect the Island's population. We have not changed our advice at the moment. It is possible to travel to France. The borders are open. Vaccinated persons may return without isolating, unvaccinated will then need to isolate until the results of their first test. There are no plans to change that at the moment. As the Senator knows, this is a fast-moving situation, so, unfortunately, we cannot guarantee into the future.

5.4 Senator S.W. Pallett:

In regards to those that have tested positive and are currently at home, some of them are symptomatic, what are the clinical tests or risk assessments used to ascertain the severity and clinical need of an individual who is at home and tested positive for COVID and is not improving?

The Deputy of St. Ouen:

The test and trace team maintain contact with cases that are in isolation and will offer help and advice. The Connect Me team is able to give practical help and we have nurses on our helpline who are able

to give any medical advice that may be necessary at any time and, of course, should people feel that they need G.P. assistance, then they can call their G.P. practitioner.

5.4.1 Senator S.W. Pallett:

The Minister mentioned G.P.s becoming involved and, potentially, visiting a patient but in terms of doctors and paramedics, at what point and who would make the decision that a doctor or a paramedic would visit a patient? Would it be the patient or would it be the G.P.?

The Deputy of St. Ouen:

I believe that would be the G.P. who would assess the situation with the patient and if a visit is deemed necessary, of course all protective measures would be taken.

5.5 The Connétable of St. John:

Can I thank the Minister for his correspondence this morning about the consultation on the proposed new health law? Article 34 of the new proposed law appears to be very draconian. Is the Minister suggesting that someone could enter a property and administer a vaccine against an individual's will?

The Deputy of St. Ouen:

No, I most certainly am not. The consultation is in very general terms, I do not believe the question is put in that way. We will need to find a balance because our public health legislation is hugely outdated, was prepared for at a time following a cholera outbreak and just does not meet modern requirements, which is why the States Assembly has been put into the position of having to make law on the hoof rather without adequate scrutiny in many cases, though Scrutiny have often stepped up to the plate and done sterling work. It has disturbed me that we have had to bring regulations to the States Assembly at such short notice, which would normally be a matter of thought-through law that has gone through proper scrutiny in the first place. We need to think about how we might operate in the public health field, including should we ever face another pandemic. This is the purpose of this initial consultation but I fully would want to ensure that there is that right balance between preserving individual liberties and the health needs of a population in an emergency.

5.5.1 The Connétable of St. John:

What is meant then where voluntary co-operation is not forthcoming, enables action to be taken?

The Deputy of St. Ouen:

That is in the context of a societal measure; mask-wearing is an example. We have encouraged the use of masks, strongly recommended it but there comes a time when it may be necessary and it has become necessary just now to mandate the wearing of masks. But it will always be on the basis of a legal power, subject to all necessary scrutiny by elected representatives.

5.6 Deputy G.J. Truscott:

Currently Jersey has the highest COVID-19 rate per 100,000 in Europe. Can the Minister explain the rationale behind the decision to lift or relax our COVID-19 safety restrictions at the beginning of June, knowing full well that the highly-infectious Delta variant was present on the Island and also known that we would not achieve full vaccination of our population until the middle of August?

The Deputy of St. Ouen:

The Island has significant connections with the U.K. but also the continent, particularly France, Portugal and Madeira. It was very clear that we were not going to be able to maintain severe restrictions at the borders because Islanders wished to reconnect and we had to balance those harms. States Members, as well as members of the public, were contacting Ministers to speak about the excessive severity of restrictions at a time when case rates in the Island were low and people were wanting to reconnect with family, to reconnect internally, to open up their businesses, to open up leisure venues. We must come to a position where we are learning to live with COVID. It would

not have been possible, as perhaps the question indicated, that we kept everything shut down until the whole Island population was vaccinated. We know that the severity of the disease is much less and we are seeing in the main now milder disease passing through the younger members of the population. It is always the case of balancing the harms around.

6. Questions to Ministers without notice - The Minister for Home Affairs

The Deputy Bailiff:

That completes the first question period. The second question period is for the Minister for Home Affairs. Are there any Members with questions for the Minister for Home Affairs?

6.1 Deputy G.J. Truscott:

I am disappointed to see that some motorists still insist on using their mobile phones while driving. Could the Minister advise if there is any more that can be done to dissuade persistent offenders?

Deputy G.C. Guida (The Minister for Home Affairs):

I think we have a reasonably good dissuasive system, which the Honorary Police and the States of Jersey Police stand by the side of the road and then stop everybody they see with a mobile phone. When I was a Centenier in St. Lawrence after such action we would see probably 10, 15 people come in asking for a fine. The Attorney General at the time reordered the fining system to make it a scale, where the first time you were caught you get a £20 fine at the Parish Hall but the second time you were going in front of the magistrate, so it became quite onerous quite quickly. There are probably still some people abusing their phones while they drive but they will get caught very, very quickly and they will get out of the habit.

6.1.1 Deputy G.J. Truscott:

Does the Minister consider the existing fine structure to be adequate and, if not, would he consider reviewing it at some early stage?

Deputy G.C. Guida:

I do consider it to be adequate at this stage; that I knew what we were doing and it seemed to certainly work with the people we were catching.

6.2 Deputy L.M.C. Doublet:

Could the Minister advise whether those in civil partnerships get the same benefits as those in marriages or are entitled to be treated the same as those in marriages when moving to Jersey under the settlement scheme and in terms of entitlement to work, please?

Deputy G.C. Guida:

Sorry, is the Deputy talking about civil partnerships in other countries?

Deputy L.M.C. Doublet:

Yes, so a couple who came from another country who are married versus a couple who comes from another country who are in a civil partnership. Is there any difference in the way those 2 couples would be treated?

Deputy G.C. Guida:

As far as I understand it, it depends on the country. We do not necessarily recognise all civil partnerships because we call them civil partnerships but they may have different names in other countries and they may have very, very different levels. We do not systematically recognise them in Jersey.

6.2.1 Deputy L.M.C. Doublet:

Could the Minister please send me information of the different countries and what requirements we have for civil partnerships from different countries, please?

Deputy G.C. Guida:

I would not mind doing that but there are quite a lot of countries in the world, some of which we are not even aware of the legislation. If the question was a bit more precise or regarded a few countries where we could do that research it would help a lot.

6.3 Deputy S.M. Ahier:

Will the Minister explain why there was no annual report of the Jersey Prison Service published for 2018 and 2019 but then a single report for 3 years published in May of this year?

Deputy G.C. Guida:

The deputy governor was in charge of writing that report and wanted to do a very good job of it and took his time. It was just a delay in reporting, that is all.

6.3.1 Deputy S.M. Ahier:

Is it not laid down in law that the report should be presented each year?

Deputy G.C. Guida:

Yes, it is and, again, it was just a technical delay. The governor reports to the Minister quarterly and we do get the information absolutely regularly, so there was no lack in information coming from the prison but, yes, the official report was late.

6.4 Deputy M.R. Higgins:

Could the Minister perhaps update the States on the people trafficking and the fact that Jersey has now become a target for people traffickers from France where they are charging 2,000 euros for passage? Can he give us an indication of consultation with the French authorities?

Deputy G.C. Guida:

I am sorry I cannot help the Deputy. I have certainly no information about people trafficking taking place in Jersey. I do know that we keep a very, very careful watch on the possibility of it happening but I do not think it has happened yet.

[17:30]

6.4.1 Deputy M.R. Higgins:

Does the Minister have any lessons or has he heard anything about the recent attempt to get to the Island which was stopped when the people concerned, their boat broke down south of the Minkies and they were taken to St. Malo?

Deputy G.C. Guida:

Yes, I am aware of the incident; that was quite important. There is no guarantee that this boat had Jersey as a target, that they were coming to Jersey. It is more likely that they were lost because they ran out of fuel and were drifting when they started calling the authorities. The other thing is that we do not expect that any of the travellers on the boat were being trafficked, they were just trying to reach the U.K.

6.5 Deputy M. Tadier:

I was wondering if the Minister has had time to give consideration to review how the policy of removing white lines from the middle of certain roads, and I am not talking about narrow roads but main roads which are perfectly wide enough to have a white line down the middle have had them removed, and how that is working out in practice?

Deputy G.C. Guida:

Sorry, Sir, I have a feeling this is a question for Infrastructure.

Deputy M. Tadier:

I can clarify. I am asking it from a Home Affairs point of view, from a policing point of view. Of course, if there is an accident, for example, in St. Aubin Village, where there used to be white lines down the middle of the road, from a policing point of view, how does one determine which side of the road one is supposed to be on? Is it a policy which has consequences for the Police Department and for the Home Affairs Department?

Deputy G.C. Guida:

I do hope that our police are quite used to dealing with accidents on roads that do not have centre lines, considering the tens or hundreds of miles of lanes in Jersey that are barely wide enough to contain 2 cars and, of course, do not have a centre line. I am pretty sure they can deal with those issues.

6.5.1 Deputy M. Tadier:

Could the Minister seek to provide any information subsequently that he may hold in his department as to whether accidents have increased on those areas which used to formerly have dividing white lines down the middle of the road and inform us if that information is relevant?

Deputy G.C. Guida:

Absolutely. That is a very relevant question. I will try to provide you with this information.

6.6 Deputy K.F. Morel:

It was recently reported that 47 late applications for settlement status have been received. That number may have grown since then. In the reporting it said that these will be assessed against reasonable grounds for late applications. I was wondering if the Minister could outline to the Assembly what reasonable grounds are for accepting a late application for settlement status.

Deputy G.C. Guida:

The principle here is that if you were in Jersey before 31st December 2020 you can have the settled status. So we would rather everybody registered and got their papers all right as soon as possible, but it would be very difficult for us to refuse anybody who was physically in Jersey before the deadline. Again, I hope that everybody will get their papers in order or it might give them a lot of trouble if they tried to travel, for example. However, we will not refuse anything to anybody who was here before 31st December.

6.7 The Deputy of St. Martin:

It has come to my attention that there are an increasing number of French vessels entering Les Écréhous reef. While that is not illegal, from a COVID-19 perspective, landing of French nationals is and that number is also increasing. What can the Minister do to help in this situation?

Deputy G.C. Guida:

We are aware of the problem, but it is, of course, quite difficult to police. The one thing that we could do is helped by the fact that we are now being able to receive notifications on the internet. When you arrive in Jersey on a private vessel or a private aircraft theoretically you must submit a general declaration that includes, in particular, the details of any passengers that you have that are not British or not from the Common Travel Area. Before that that paper form was supposed to be handed in instantly on arrival. Of course, French people going to Les Écréhous would not go through St. Helier. Now that you can do it via the internet, I hope that at least we can keep track of the French vessels going to Les Écréhous, because it is compulsory to submit this general declaration.

6.8 The Connétable of St. Brelade:

Given the Minister for External Relations indicated earlier that much of the blockage regarding the T.E.C.A. agreement lay in Paris, could the Minister confirm his continued presence as Assistance Minister for the Environment and indeed with whichever hat he is able to use to contribute to achieving a satisfactory solution between Jersey and the E.U. in the fisheries dispute?

Deputy G.C. Guida:

Our negotiations with France have been reasonably quiet in the last few weeks, but we are keeping a very, very close watch on what is happening, because we do not want there to be a delay for a delay's sake. We want things to happen. It is probably the major reason I stuck with the post of Assistant Minister for the Environment. First of all, of course, so that I could help the Minister with his tasks, but also because this was a particular interest of mine, so again we are keeping a very, very close watch on what is happening.

The Connétable of St. Brelade:

I thank the Minister, Sir.

The Deputy Bailiff:

There is time for one more question. If there are no more questions for this Minister then that concludes the questions for the Minister for Home Affairs. In view of the time, I am obliged to ask Members if they wish to adjourn or continue. If there is no suggestion of adjourning in the chat then I will simply continue with the next section of questions. Thank you.

7. Questions to Ministers without notice - The Chief Minister

7.1 Deputy R.J. Ward:

Given that we now know that we have 2,813 active cases, an increase of 839 cases, is there any worry or evidence that infections are leading to delays in vaccination appointments, which a linchpin of the Chief Minister's approach to dealing with COVID-19?

Senator J.A.N. Le Fondré (Chief Minister):

There are 2 things there. One, as the Deputy and all Members are aware, because they have it in their inbox, is that we have the latest updates that have come through and have been emailed through in the last few minutes. Equally, at the top of that email he will see very good figures on the vaccination rates. Vaccination does continue. It continues at pace. Approximately the numbers are around 4 out of 5 over 30 year-olds are now double vaccinated. However, it is true that if someone has been infected with COVID-19 there will be a delay in their next appointment. I cannot remember the exact period, but it is a matter of a few weeks to take that second jab. That does cause a slowdown in the process, but not forgetting, as I have said, we do have excellent coverage and that coverage is continuing to improve day by day.

7.1.1 Deputy R.J. Ward:

This was a question specifically about the delays. It does seem a lot of answers you get are not answering the questions, but there you go. Could I ask the Chief Minister, how many does he see being delayed in their vaccination because of their current infection with COVID-19?

Senator J.A.N. Le Fondré:

I do not have that specific detail with me. What we will be doing is making sure there is an update for Members, probably towards the end of this week of the States sitting. I will make sure that we cover that in that briefing, because it is a matter of understanding how many people have been infected with first dose and then waiting for that second jab and what the delay is there, as we know. I will get that to Members in due course.

7.2 Deputy S.M. Ahier:

The Nightingale hospital is being deconstructed without having been used. Does the Chief Minister believe that this decision was rather hasty?

Senator J.A.N. Le Fondré:

I presume he refers to the decision to take the Nightingale down. We, competent authorities Ministers, absolutely quizzed and challenged the professionals when the advice came through to take it down, which from memory was March of this year, if not fractionally earlier. The advice was very, very clear that they could not envisage a set of circumstances, that was even taking into account of Delta, where they could see the Nightingale being required, given the learning that they had, the data which subsequently emerged and the learning that had taken place over our previous 2 surges. We have acted on the advice that we received in that instance and that to date remains the case. We very much do continue to monitor the capacity of the hospital and that is obviously one of the considerations in the strategy we follow and our approach to the rise in acceleration in numbers.

7.2.1 Deputy S.M. Ahier:

How much is the decommissioning of the Nightingale cost, aside from the £14 million already allocated?

Senator J.A.N. Le Fondré:

I do not have the specifics of that to hand. All I can tell you is that there was a decommissioning cost retained in the budget, in the original figures that were publicised last year. I am very happy to take that away and do an email to Members in due course.

7.3 Senator S.Y. Mézec:

Under this Chief Minister, at Council of Ministers meetings when discussing forthcoming States business, when a proposition was being discussed which was brought to the Assembly by a Member of a political party, a Minister sat round the table, who was a Member of the same party, was required to leave the room when it was being discussed. Could I ask the Chief Minister if, in light of recent developments, that will continue to be the case at Council of Ministers meetings or will he be reviewing that rule given that there would, of course, now be a very real risk that Council of Ministers would become inquorate?

Senator J.A.N. Le Fondré:

I suppose this is a question for the Chief Minister as it is around the process involving the Council of Ministers. The developments he is referring to, Members have made it clear that we were elected as independents. We will continue to act as independents in the run-up to the election. After that it is a matter, obviously, for the Members of that framework.

Senator S.Y. Mézec:

I would love to come up with that supplementary, but I am staggered by that answer, so I will have to leave it for now.

7.4 Deputy I. Gardiner:

Jersey has the highest rate of COVID-19 infection per capita in Europe. Taking into account the latest figures that were published, is the Chief Minister still considering that we are in a good place?

Senator J.A.N. Le Fondré:

Let us be clear, we also have one of the highest rates of vaccination in Europe. This is why it becomes more complicated in dealing with the response to COVID-19 compared to where we were previously. It is also clear that we are also in a less good place than we were a number of weeks ago. We have fully accepted that these numbers are accelerating and are accelerating quicker than we anticipated. That is why, for example, competent authorities did discuss matters in a workshop on Friday and will be meeting more formally this evening. Members will have also seen the announcement that we

were doing in relation to making masks mandatory. We are responding. As we said, and as we have been saying for a number of weeks, we are moving, in terms of the response, towards the attitude of living with COVID-19, of not just focusing on the number of positive cases. As has been said, in general, particularly if you are at the lower-age range, the impacts are less, particularly if you are vaccinated, the impacts are less.

[17:45]

That is part of the deliberations we have to make. We also have to recognise that because one is vaccinated does not mean that one is not going to get the virus. What we are seeing at the moment, as with a lot of other jurisdictions, the virus is coming through, but in our case it is being mitigated significantly by the impact of vaccination or the fact that if they are not vaccinated in general they are at the younger age group. It is something we are taking seriously. We are not panicking. We are looking at it calmly and we will continue to do so. We will update Members after the meetings of tonight and the next few days.

7.4.1 Deputy I. Gardiner:

It is interesting that panicking was mentioned, as back in April personally I mentioned in my speech about possible increased numbers of the Delta variant. However, will there ever be a level of infection that the Chief Minister will be able to describe as unacceptable or this number is unachievable?

Senator J.A.N. Le Fondré:

I am sure the Deputy would be disappointed if I gave her a precise number, because we have been very clear all the way through that there is not a specific threshold above which or below which certain actions get taken. It is a mixture of factors that we take into account. For example, in November and December one of the factors we took into account was the sheer volume of testing that we were doing. Obviously this time round it is a similar factor, except that the volume of testing we are doing is even higher than we were doing in November and December. But a further factor which we did not have in November or December was the very high level of vaccination rates. There are a variety of factors. The overall strategy is that balance of harms between the impact of COVID-19 on health, the measures we put in place generally on overall well-being and the wider societal and economic impacts on the Island as a result of measures we either do put in place or measures that we do not put in place. The whole point is we look at a range of factors and then we make the decision and that is what we continue to do.

7.5 Senator T.A. Vallois:

The Chief Minister recently referred, in a P.A.C. hearing, to culture and behaviour with regards to States Members and officers. Notwithstanding the States adoption of Deputy Pamplin's proposition for S.T.A.C. minutes to be published, does the Minister not believe that competent authorities Ministers meetings is actually more important and apparent for decision-making and consideration by the wider public around elected representatives making decisions with regard to the COVID-19 pandemic than that of what is decided by S.T.A.C.?

Deputy J.A.N. Le Fondré:

The nub of that question is that therefore the C.A.M. minutes should be published, I do not agree that competent authorities Ministers minutes should be published. That is consistent, as I have said on a number of occasions, with firstly Ministers needing a safe space to have those frank discussions and make those decisions. Otherwise what will happen is we will end up with an anodyne set of bullet points that say this is what has been done and there will be no background as to what the deliberations were. Secondly, that is consistent with other jurisdictions. My understanding, for example, is that in the U.K. C.O.B.R. (Cabinet Office Briefing Room) minutes are not published and note it is for the same reasons.

7.5.1 Senator T.A. Vallois:

Could the Chief Minister confirm that competent authorities Ministers is not equivalent to C.O.B.R. and also the fact that professionals and senior staff officers of the States should have a safe space, whereas elective representatives, as elected by the public, should be open, honest and transparent about their decision-making?

Senator J.A.N. Le Fondré:

The decision to publish S.T.A.C. minutes was a decision of the Assembly, because otherwise I would be in complete agreement with the Senator. Insofar as we can be, we are as transparent and honest as we can be; particularly honest. I make the point that Ministers do need a safe space, otherwise you will have the not helpful behaviour that I referred to previously, i.e. you will have some meaningless minutes that are produced. We do ensure that Members are briefed on a regular basis and that where appropriate Council of Ministers are also briefed.

7.6 Deputy K.F. Morel:

Obviously we have seen a recent rise in the number of COVID-19 cases in the Island and the number of hospitalisations and an extremely sad death that we have learned about as well. This rise has resulted in new recommendations that people work from home and, as we have seen from today, masks being brought in as mandatory. Would the Chief Minister give his assessment of how this latest rise and its resultant restrictions and recommendations are affecting the Island's economy?

Senator J.A.N. Le Fondré:

I cannot give an update assessment at this stage, because obviously the rise has been very, very rapid. Fairly obviously the measures that we have consistently not released, which again is different, for example, from the United Kingdom, around the release on household gatherings, the release on nightclubs and the release on standing up drinking, despite calls from various quarters to do so, will have had an impact directly on those sectors of the economy. In terms of the wider context, and bearing in mind it is advised that if somebody can work from home they should do, the evidence from last year, it would appear that that in itself did not have an impact on the sector of the economy that those people were working in, but it may have had an impact depending, for example, on the economy in terms of people out casual shopping. At this stage it is too early to tell. What I will say, and I hope the Deputy is fully in agreement with myself and his Minister, that if we do need to put further economic support in as a result of these measures, we obviously will do so. That has an absolute commitment from us as Ministers.

7.6.1 Deputy K.F. Morel:

Thank you, it is good to hear about further financial support. Can I ask whether the Minister accepts that staff being unable to get to work, particularly in those shops, restaurants, et cetera, where people have to be present, is creating an enormous burden on restaurants and shops and making it difficult for some of them to open?

Senator J.A.N. Le Fondré:

Firstly, I really do thank the Deputy for his question, because he is right. I absolutely recognise the difficulties and frustrations that certain parts of the economy, particularly in hospitality, will be facing. The problem we have is, as I alluded to earlier, the very successful vaccination programme fairly obviously does not mean that individuals will not be infected with the virus. It is about mitigating the impact of that. Therefore, whether somebody who is going to be infected now or whether somebody is going to be infected in 3 months' time that absence will still be felt. There is no good time for this to be happening. I would not want that to be interpreted as saying that this is a good time, but it is a difficulty that we are facing that at some point people are likely to become infected with the virus and in certain instances to become ill. The principle of the vaccination is to make sure that those symptoms are mitigated as far as possible and as wider part of the community

as possible. I absolutely fully recognise the impact that this is having on certain businesses. As I said, we will make sure, if it is needed, the support will be there.

The Deputy Bailiff:

That concludes the time for questions for the Chief Minister. Members can adjourn now. I did approve an urgent oral question from Deputy Ward earlier on on a certain basis, whether or not certain figures have been circulated, Deputy Ward do you wish to proceed with that or is it inappropriate for you to do so?

Deputy R.J. Ward:

We do have the data now, but I think it is pertinent to ask the question to see if anyone has a follow up question regards the numbers today.

The Deputy Bailiff:

Yes. The question was of the Chief Minister or the Minister for Health and Social Services?

Deputy R.J. Ward:

It was of the Minister for Health and Social Services. Do you want me to just ask it?

The Deputy Bailiff:

Well, the adjournment has been proposed in the chat by Deputy Southern.

Deputy R.J. Ward:

In that case I will leave it. We have the up-to-date figures, but we have no facility to ask questions around them. I will leave the question. It has been answered and it is in the public realm now.

The Deputy Bailiff:

Is the proposal to adjourn seconded? **[Seconded]**. Does any Member wish to speak against adjourning?

Deputy R. Labey of St. Helier:

I was going to ask, but I obviously did not get in quick enough, that I could propose to the Assembly the relevant Standing Orders suspended to allow P.71 to be taken at this sitting. If you prefer to do that in the morning that is fine.

The Deputy Bailiff:

The adjournment has been proposed now, so we can deal with that tomorrow morning. The States stands adjourned until 9.30 a.m. tomorrow.

ADJOURNMENT

[17:56]