

# STATES OF JERSEY

## OFFICIAL REPORT

WEDNESDAY, 15th DECEMBER 2021

<b>COMMUNICATIONS BY THE PRESIDING OFFICER.....</b>	<b>4</b>
<b>1.1 Urgent Oral Question.....</b>	<b>4</b>
<b>PUBLIC BUSINESS - resumption .....</b>	<b>4</b>
<b>2. Proposed Government Plan 2022-2025 (P.90/2021): third amendment (P.90/2021 Amd.(3)) - resumption.....</b>	<b>4</b>
2.1 Deputy G.P. Southern of St. Helier: .....	4
2.1.1 Deputy J.A. Martin of St. Helier:.....	8
2.1.2 Deputy R.J. Ward of St. Helier:.....	10
2.1.3 Deputy M. Tadier of St. Brelade: .....	11
2.1.4 Deputy J.H. Young of St. Brelade: .....	13
2.1.5 Deputy R.E. Huelin of St. Peter:.....	15
2.1.6 Deputy R.J. Renouf of St. Ouen: .....	15
2.1.7 Deputy K.G. Pamplin of St. Saviour: .....	17
2.1.8 Deputy I. Gardiner of St. Helier: .....	18
2.1.9 Deputy M.R. Higgins of St. Helier: .....	19
2.1.10 Senator S.Y. Mézec:.....	20
2.1.11 Deputy L.B.E. Ash of St. Clement:.....	22
2.1.12 Deputy G.P. Southern: .....	23
<b>2.2 Proposed Government Plan 2022-2025 (P.90/2021): twenty-first amendment (P.90/2021 Amd.(21)) - as amended .....</b>	<b>28</b>
2.2.1 Senator K.L. Moore (Chair, Corporate Services Scrutiny Panel):.....	29
2.2.2 Senator J.A.N. Le Fondré: .....	31
2.2.3 The Deputy of St. Peter: .....	35
2.2.4 Senator T.A. Vallois: .....	36
2.2.5 Deputy S.J. Pinel of St. Clement: .....	37
2.2.6 Deputy I. Gardiner: .....	37
2.2.7 Connétable A. Jehan of St. John: .....	38
2.2.8 Deputy K.F. Morel:.....	38
<b>LUNCHEON ADJOURNMENT PROPOSED .....</b>	<b>39</b>
<b>LUNCHEON ADJOURNMENT.....</b>	<b>39</b>
<b>STATEMENT ON A MATTER OF OFFICIAL RESPONSIBILITY.....</b>	<b>39</b>
<b>3. The Chief Minister will make a statement regarding Omicron variant of COVID-1939</b>	
3.1 Senator J.A.N. Le Fondré (The Chief Minister): .....	39
3.1.1 Deputy K.G. Pamplin: .....	41
3.1.2 Deputy K.G. Pamplin: .....	41

3.1.3	The Connétable of St. John:	42
3.1.4	The Connétable of St. John:	42
3.1.5	Deputy S.G. Luce St. Martin:	42
3.1.6	Connétable M.K. Jackson of St. Brelade:	43
3.1.7	The Connétable of St. Brelade:	43
3.1.8	Deputy R.J. Ward:	44
3.1.9	Deputy R.J. Ward:	44
3.1.10	Deputy M. Tadier:	45
3.1.11	Deputy M. Tadier:	45
3.1.12	Deputy K.F. Morel:	45
3.1.13	Deputy K.F. Morel:	46
3.1.14	Deputy M.R. Higgins:	46
3.1.15	Deputy R.J. Ward:	46
3.1.16	Deputy R.J. Ward:	47
3.1.17	Deputy M. Tadier:	47
<b>PUBLIC BUSINESS - resumption</b>		<b>48</b>
<b>4.</b>	<b>Proposed Government Plan 2022-2025 (P.90/2021): twenty-first amendment (P.90/2021 Amd.(21)) - resumption</b>	<b>48</b>
4.1	Deputy M.R. Higgins:	48
4.1.1	The Connétable of St. Ouen:	48
4.1.2	Deputy R.J. Ward:	49
4.1.3	Deputy K.G. Pamplin:	50
4.1.4	Deputy S.M. Wickenden of St. Helier:	50
4.1.5	Senator L.J. Farnham:	51
4.1.6	Senator S.C. Ferguson:	53
4.1.7	Senator K.L. Moore:	53
<b>4.2</b>	<b>Proposed Government Plan 2022-2025 (P.90/2021): second amendment (P.90/2021 Amd.2)) - as amended</b>	<b>57</b>
4.2.1	The Connétable of St. Brelade:	58
<b>4.3</b>	<b>Proposed Government Plan 2022-2025 (P.90/2021): second amendment (P.90/2021 Amd.2)) - second amendment (P.90/2021 Amd.(2) Amd.(2))</b>	<b>59</b>
4.3.1	Senator J.A.N. Le Fondré (The Chief Minister):	59
4.3.2	Senator T.A. Vallois:	61
4.3.3	The Connétable of St. Brelade:	61
4.3.4	Deputy J.A. Martin:	62
4.3.5	Deputy C.S. Alves of St. Helier:	63
4.3.6	Deputy L.B.E. Ash:	63
4.3.7	Deputy S.M. Wickenden:	64
4.3.8	Deputy K.F. Morel:	65
4.3.9	Senator I.J. Gorst:	67
4.3.10	Deputy G.P. Southern:	68
4.3.11	The Deputy of St. Ouen:	69
4.3.12	Deputy J.H. Young:	72
4.3.13	The Connétable of St. John:	73
4.3.14	Deputy I. Gardiner:	75
<b>ADJOURNMENT</b>		<b>75</b>



[9:31]

**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 Urgent Oral Question**

Members will have seen that there was a Supplementary Order Paper circulated yesterday evening with an urgent oral question from Deputy Pamplin in relation to COVID-19. Deputy Pamplin's asked that the question be taken after lunch, as the first item of business after the lunch adjournment, and the Bailiff has agreed to that. So that question will be dealt with at 2.15 p.m. today.

## **PUBLIC BUSINESS - resumption**

### **2. Proposed Government Plan 2022-2025 (P.90/2021): third amendment (P.90/2021 Amd.(3)) - resumption**

**The Greffier of the States (in the Chair):**

We will continue the debate on the Government Plan and at the adjournment last night the 3rd amendment from Deputy Southern had just been read, so Deputy Southern.

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

I thank Members of the Assembly who voted for the adjournment last night. I always wonder where to start so I am going to start on this one, since it is a while since we heard what the content is, with the words and the reaction of the Council of Ministers. We talk about section 1: "except that the proposed transfers from the Health Insurance Fund to the Consolidated Fund shall be reduced to £0 in 2022 in each case, and that the proposed transfer from the Consolidated Fund to the Technology Fund shall be reduced to £7 million in 2022." The Council of Ministers react to that by saying they oppose part 1 of the amendment. Part 1 is actually just tidying up, is it not? If you transfer funds to spend then you must make a matching saving elsewhere. I do not have too much problem dealing with that. In the second part we talk about: "except that, on page 169 of Appendix 3, after the words 'worth of expenditure.' there shall be inserted the words "Eligibility for the Health Access Scheme shall be expanded to include all those ordinarily resident in the Island by 2023, with a proposed funding mechanism to be included in the 2023 Government Plan.", in addition to any further changes to Appendix 3 identified as required by the Council of Ministers." Here is the meat of the proposition. What I am proposing is to expand the health access scheme to encompass all of our population. I believe that is the way we have inevitably, sooner or later, to go, in order that we make healthcare in this Island affordable to all. My proposal is that we match what is currently in place since 2021 and expand it further, and make sure that a proper funding mechanism is put in place. Any proposition I bring I try and put a date in there so we know what we are talking about. We are talking about making healthcare affordable, accessible and as soon as possible. Here we are. Another example of Ministers trying to kick the can down the road. I am saying no, by 2023 I want you to have this up and running. Not 2024, 2025 or 2027 or some time in the distance, but 2023. We could do it. It is a political decision so that we have affordable healthcare in the Island. The Ministers strongly oppose part 2 of the amendment so what is the difference between opposes and strongly opposes? I have not had one of those for a while. The reaction is various. At the top of the scale, final notch, is a proposition of mine is dangerous. Then we get strongly opposes and opposes or, in this case, talking about the third part of the amendment, and here I have some joy. "The Council of Ministers confirms that the role of the Health Insurance Fund in providing medical benefits and pharmaceutical benefits and contracts provided for under the Health Insurance Law will continue during the Health and Social Services Minister's review of health costs and additional health access schemes." So at least we should be able to get part 3, which he recognises that the Health Insurance Fund needs to be supported. Not

opposed by the Ministers. I am thinking what is the strong opposition about. It is about a new funding mechanism, because it will cost something, and I have the figures in there. I think the overall cost initially will be some £10 million extra on the bill we currently have for primary healthcare brought forward in 2023 whereas the Ministers say the Minister for Health and Social Services will undertake a wider health economic review during 2022, to inform funding options for increased healthcare costs or any potential new health access schemes to be brought forward in 2023 for the Government Plan of 2024-2027. So already they are talking about 2027, I am talking about 2023. Let us get on with this. We can afford it. They further say: "It would be irresponsible of the States Assembly to agree to the extension of the existing health access scheme to the entire population with very little understanding of the impact of providing a universal scheme and the associated cost." I have done the associated costs, we do not have to be too wary about that. The central issue is the Ministers appear to wish to shrink the Health Insurance Fund, run it down to zero or next to zero over the next few months, and this is part of the reaction to COVID, which put us in very deep financial waters. The Ministers have looked around for funds they can raid in order to keep things going and have come up with 2 propositions, which we are dealing with here. On page 171 of the Government Plan, it says about the Social Security (Reserve) Fund: "The Social Security (Reserve) Fund holds the balances built up in the Social Security Fund and is a key way in which we are managing the impact of an ageing population on future pension costs.

[9:45]

Some of the assets in the Reserve Fund are proposed to be utilised to help the Government to manage the extreme financial pressures it is currently facing. A transfer of £55 million was approved by the Social Security Minister during 2020 and further transfers from the Reserve Fund, estimated at up to £263 million, will be required during 2021 to 2023 to support the ongoing payment of pensions and benefits." This is a big scale raid of the funds. £263 million total taken out of the fund. If one looks at that but one sees that the Social Security (Reserve) Fund has something like £2.1 billion in it. One can look at that raid and say, on balance, probably effective and probably justifiable and the fund can take it. That does not close the Social Security (Reserve) Fund, that puts a little dent in it but that is all. To apply the same argument to the Health Insurance Fund is absolutely absurd. Let us have a look at how H.I.F. (Health Insurance Fund) works. The Health Insurance Fund receives 2 per cent of social security contributions collected under the Social Security (Jersey) Law 1974. A panel examining the Health Insurance Law advised that it very strictly prescribes how the H.I.F. fund is to be used. The most significant expenditure from the fund is the pharmaceutical benefit, which pays for drugs and the prescription of them and the medical benefit, which pays a subsidy of £20.28 to reduce the cost of G.P. (general practitioner) consultations in primary care. Here is the start of the rub. £20.28 paid to G.P.s per consultation. That sum has not been changed for a decade. It has stayed static; no increase at all. Not even in line with inflation. We just ignored it. £20.28; that is the only subsidy G.P.s are getting by in large. How do you think it makes our G.P.s, who are quite proud of the service they administer and deliver, feel? That they have been ignored for the past decade. It makes them feel absolutely awful and disrespected. The first question the Ministers have to ask is: what have you been doing that you have frozen medical benefits 10 years back and not increased it? How can you expect that to continue? Not only that, Members will note that the provision of the Health Insurance Law tightly controls the way in which the H.I.F. can be used. Thus ensuring it is ring-fenced for primary care. It is not to throw at a fund such as digital, which is classically where funds disappear - computing, A.I. (artificial intelligence), digital - this is an area where, I would argue, dangerous to start throwing money at that but not to primary care. Despite over 50 years of success in delivering first-class health services in primary care the Minister has decided that the Health Insurance Fund is to be phased out in a relatively short timescale. Members will note that these proposals ignore the requirement to ensure that the fund is ring-fenced for primary care. This is the end, it seems to me, of the way we have been doing things for a while and Ministers have made up their mind we are going to change it radically without having examined what the future

might look like. As I put in my report: “The Minister has been convinced that the ring-fence can be ripped down to allow the H.I.F. to be used for changes in all aspects of the health model, including the introduction of digital systems, a notorious sink for runaway budget over-spends. In 2022 a full review of future health costs across all areas will be completed and this will support future plans for sustainable model for health funding.” Here is a big error. Ministers saying we can do without a major change on this: “By the way, I have not done the research, I have not done the report, I have not done the investigation as to how we should best do that.” I suggest that we can only do this if we deliberately allow the H.I.F. to be run down to just £48 million or one-year’s income is reckless, I believe. The Minister’s words describe a full review of all areas but the reality is that the proposals to remove a total of £44.3 million from the H.I.F. between 2021 and 2025 will effectively close down the fund, leaving it with barely one year’s reserve. The Minister then says on page 177 of the proposed Government Plan: “A key barrier to long-term progress is the split funding and responsibility between the Health Insurance Fund and the Health and Community Services departmental budget. This split funding will also be addressed in the wider health cost and funding model review.” The next question the Minister then has to ask, surely is: can you tell us what the problem is there? What is the problem with running 2 funds? Why can you not cope with that? It is not explained. If the Minister could come up with a reason that made sense perhaps Members might feel that it was safe to proceed with running down the H.I.F., otherwise I would argue not. We are back to the big problem that we have tried to deal with but have failed to deal with, which is that simply the cost of healthcare on this Island, such as a consultation with a G.P., for the majority of people who do not have the health access scheme, is of the order of £45 and creeping upwards as we deliberate today. I am hearing £47, £48, depending on the practice. That means that the healthcare model that we are so proud of developing cannot deliver. The evidence is still there. The evidence of approximately 30,000 visits to the Emergency Department in 2018 not classified as emergencies requiring hospital care. People cannot afford to go to their G.P., they pile into the hospital, it is still happening. Until we can bring down costs we will not succeed in reducing the inequality and improving healthcare for all. We have done the health access scheme for some, which is a compromise position brought by the Minister in 2021. It means that those who are receiving income support or pension plus are able to receive the care they need at reduced rates with children, and this is particularly important, in income support households receiving surgery appointments for free. This new scheme is a great advantage but it only targets a few people. It targets them relatively efficiently because the income support means test is clearly laid down and easy to administer. Ditto with those available who access pension plus. There is a clear barrier there. However, that means that it gets to something like somewhere between 11,000 and 12,000 individuals including children. There are many other groups. That group is financially vulnerable. There are also groups who are clinically vulnerable with multiple problems and socially vulnerable. They are not touched. That includes children in general. The demand on the H.I.F. and the demand for medical care will continue to grow. The elderly, for example, many of whom will have an increased need for medical treatment as they age, that includes me and you, and many of the people in this room. Those with chronic or multiple health conditions, children who have the right to access under the United Nations Convention, and there will be significant numbers, there always is with a means test, of people, families just about managing who are just below the threshold. For those families often enough £45 for a hospital visit is something that puts them in hardship; absolutely clear. Could we expand the scheme to include all of these people? I believe we should. The key to delivering something for all is that there is not necessarily a means test. A means test is difficult and bureaucratic to administer. The way forward I believe - and that is what I propose in my proposition - is that we do away with a means test and make this a universal benefit. This would be, I believe, the single most effective way of improving people’s standard of living and their income equality that we could possibly do. I would hope that this Assembly could do that. I would like to finish by referring to a set of notes which cover a conversation I had with a G.P. recently who says the following: “When I met with our chief executive our proposal was the H.I.F. should be topped up to provide a notional extra £5 million per

annum for primary care service. This is based on the fact that the H.I.F. is in fact a hypothecated fund put in place for this purpose and prior to recent raids on it was already forecast to be exhausted by something like 2035. The principles outlined [this G.P. says] were completely in line with that of the Jersey Care Model, education, care pathways, better access for diagnostics, governance, I.T. (information technology) investment and out-of-hours support, but notably included funding for patients, funding for recruitment and retention and for multidisciplinary care and associated infrastructure. Our G.P.s want to co-operate in a new scheme, however they are not prepared to keep on accepting that a mere benefit of £20.28 is sufficient for them to rein in their costs, and what it will produce is an inferior system whereby people are paying, as I say, the best part of £50 to see their doctor.”

[10:00]

Now, here is a major criticism that many G.P.s will make, the J.C.M. (Jersey Care Model) has as yet failed to identify how the widely-publicised funding of care in the community will occur; notably, how funding will follow patients from an outpatient setting to the community and how their care will be both provided and financed. So for the moment there is no clear way forward on the Jersey Care Model and there could be. We need to be talking to G.P.s. It is not happening. It gets worse; currently general practice as it is currently configured, this doctor says, is only just about coping due to retention and recruitment problems. Three practices have had to close their lists representing approximately 30 per cent of the available G.P. workforce. We are now at approximately 65 whole time equivalent G.P.s per 100,000 people, which is below that of Scotland and only just above England, both of which have ratios that are much lower than those in the majority of western Europe. In these latter 2 jurisdictions - multidisciplinary care and associated infrastructure - were both incentivised and there were many more additional healthcare personnel than in Jersey. So other people have got it right. We are still waiting on what is the way forward. Despite our population growing, the number of consultations in general practice has remained fairly constant at or around 350,000 per year and so we estimate that although patients want value for money and cover in a number of issues when they present to us, there is also an unmet need. Our 3.5 consultations per head of population per year compares unfavourably with that in the U.K. (United Kingdom) of approximately 8 per year with G.P.s or related healthcare professionals. Consistent with my proposal today, we need money to help fund patients who are having to pay increasing amounts to support a modernised primary care structure which, unlike the Government, we have already put in place without increasing fees above R.P.I. (retail price index). However, we cannot afford to allow this to reduce the money flowing to practices further as diminishing investment will simply add to the recruitment and provision and service problems. We can barely meet patient need and with 14 or 15 retirements planned for the next 3 years few are queueing up to practice in Jersey. The aspirations of the J.C.M. and the basis on which the smaller than originally planned hospital is predicated are surely doomed to failure. So, no longer - as I often used to say - is this Island too expensive for teachers, too expensive for nurses, it is actually too expensive for G.P.s. Our entire structure is at risk unless we act now, I believe. The final paragraph, the G.P. says: “We are in a global market with a general shortage of healthcare personnel and we have to make Jersey attractive to live. At present G.P. salaries are very similar to those in the U.K. but do not include £1.4 million in the pension pot. The cost of housing for even a 3-bedroom family-sized house is also exorbitant when one compares with our nearest competitor in the U.K. If we are not able to compete financially then we shall see an excellent standard of G.P. services that has been provided to date ebb away in short order and with it the protection against overuse of more expensive hospital services it has to provide.” The picture is dire. We put our health service and our primary care especially at peril. This proposition says that we shall maintain what we have now while we have this wide scale review of our health provision, and it says we should do that as soon as possible. I urge Members to support this proposition.

**The Bailiff:**

Is the third amendment seconded? [**Seconded**]

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

I would obviously like to give Deputy Southern some good news, and he is absolutely correct, we are supporting part 3 of his amendment because he seems to be implying something that we are not going to do, but it does not say do not do it so we are literally happy to support that. Part 1 seems to be suggesting to hold back £13 million this year to pay for the cost of the first year and take it from the Technology Fund, but what it does not do is explain how we are going to pay for it in future years because what we have learnt ... I stepped in to do the health access scheme as Minister for Social Security for a year because we had promised the Assembly, and we had some great discussions, some really good, tough negotiations with G.P.s, and we got to the point where you pay £12 for a visit and that includes everything. You are not surprised if you need a blood test, you need a referral, whatever you need, that is included, and if you are under 17 you pay the £12 as well. It only started practically a year ago this week and we are now analysing if it did do what everyone thought it would do, and that is hopefully make more people go to the G.P. because we want people to go to the G.P. not only when they are ill but for preventative reasons. So it has started. It is a means-tested scheme that we run in Jersey along income support, and these people are already means-tested. But what Deputy Southern wants to do now, he wants to expand the scheme to the whole 108,000 people in Jersey, rich, middle income, et cetera, because he has not quite worked out who he really wants to help. He says on page 5 of his own report that there are about 22,000 people that might need extra help. I am not denying that, we are going to do this review and we should do this review and we should target it correctly. We should target the money correctly. The Deputy seems to say the new Council of Ministers must run very quickly, magic up a new tax and a new funding stream - identifying no funding streams - said this round C.O.M. (Council of Ministers) it cannot be done, we cannot stretch the purse anymore, we need to identify a new tax, it needs to be passed in this Assembly, it needs to be started to be collected late next year to be paid out in 2023 if he gets part 1 because then we will need to cover it from 2024 onward. A new tax. So who are you really helping? You can pay £12 for your doctor but we are going to tax you more. I am not sure if that is real help. But the fundamentals of this is it throws out every qualifying rule. It is even better than the health scheme. You have to be on the Island 6 months, you get a small, which is the £20.28, goes to your doctor so it brings your costs of the G.P. down. Well what the Deputy is now saying is everybody on the Island should be invested in this very expensive benefit. We refute the £10 million; it is between £12 million and £15 million it will be to start. G.P.s visits have been depressed over the past year or 2 because of COVID. There were 4 months taken out where we paid for different things because they worked for the Minister for Health and Social Services; absolutely right, did an absolutely fantastic job. But I am the Minister for income support; I am the Minister who either has means-tested benefits or benefits that are paid in. Now, which one is this, because income support came in from the Parish welfare scheme because the public out there have always accepted 5 years is the sort of rule of thumb. Now, if this is not going to carry on ... there were other questions this week about the Children's Commissioner report on the legislature gaps, and I am not paraphrasing, the Minister for Children and Education thinks that every child on the Island should receive benefits and housing rights so their parents can live in a good house and have enough money to look after them. I am not saying that is wrong, I am just saying I inherited the scheme we have and everyone accepts you come to the Island, you find out the rules and you do not get anything until you have paid in for 5 years. Let me put it in comparison; housing benefits cost us £30 million a year approximately. Now, most of those people have been here 5 years or 10 because you have got to have the housing qualification, but we do help with unqualified rental and that costs us £30 million. This scheme will cost us between £12 million and £15 million to help every person on the Island, even those people that Reform did not like

yesterday, those big, bad landlords, those 2(1)(e)s, those very rich people because they are just too lazy. Here we go. Here we go. Here we go. They cannot keep quiet. It is an outrage. Sometimes you wish that when people give it out they could take it, but no. I was going to go and sit somewhere else but here we go. Can you tell them not to keep talking when I am trying to talk?

**The Bailiff:**

I think you have made your feeling that you would like to be uninterrupted entirely clear, Deputy, and you are entitled to speak without interruption of course, but let us move on from this and carry on with the speech and I am sure people will not make observations.

**Deputy J.A. Martin:**

Well I hope you are sure, Sir. Thank you for your intervention, Sir. This is a complete move away from our system. We have not got the money, it is a new tax; Deputy Southern did not like to say ... he did admit in his opening speech that revenue will have to be raised. Reform have known what they wanted to do for the last 2 years, they have always come about something, a funding stream for doctors, and this. Where is it? What does it look like? They did not like the last one because it was unfairly targeted at the poor, or was it middle Jersey; it was one of the 2. But then, come up with something better. But the scheme that the Minister for Health and Social Services ... and the funding review was going to take all this into account. But, again, if you say tomorrow you are going to all have £12 doctors ... and, I mean, nobody has consulted the doctors. Deputy Southern has had a coffee with a doctor. They are not biting the hand off of this scheme. They do it for the low income and that was, as I say, because we did a very, very tough negotiation, we got the deal for the people, with children we could have done half and I said: "No, do children free." So if you bring the scheme in all children in Jersey have got to be free. Another argument. Again it will have to be funded. This really is not the end of the H.I.F. The H.I.F. needs to be reviewed. There is a pot of money over here doing something, we will have the new Jersey Care Model, we want G.P.s to do more, we want to work better with G.P.s, we want them to do lots more in their surgeries with practice nurses, et cetera, et cetera. They know what we want, we know what they want and it will cost money. But why would you have a little stream over here saying: "That can only do this and this can only do that"? So be very, very clear what Deputy Southern is proposing. You heard him mention the U.N.C. (United Nations Convention) on the Rights of the Child, and told you where the Children's Commissioner wants to go; she wants everyone to basically scrap our local rules. That was mentioned by Senator Mézec and Senator Moore to the Chief Minister in question time. When are you going to implement those legislative gaps? That is what they are. But I think the people of Jersey need a real consultation on this. If you want to start giving an ordinary resident - and that is someone who comes off the plane today or the boat and says: "I am living here now", that is an ordinary resident, and then you are going to say to the rest of the population, or some because tax is what it is: "And you are going to pay for that but you will get a cheaper doctor as well."

[10:15]

Many will say: "Well I like going to my doctor, I like my doctor, I see him when I like and I can afford to pay that." I am not saying those just above managing ... and if COVID had not come in we were there, we were looking at that next tranche and we could not work it out last year so the Minister for Health and Social Services came to me and said: "What can we do?" I said: "We could do this scheme, we could do it for income support and we could do this" and took it over and we got there I think with a week to spare. I think Deputy Southern had asked the Assembly to implement by the end of last year. It is not cheap but it is targeted. We know these people ... means testing is not that hard, we do it; Deputy Southern seems to say we should not means test now so there should be big benefits for everybody. But this is the start of the slippery slope. It is a very lazy proposition; Deputy Southern has done 2 sides of A4 and it says that 22,000 probably need more help ... or I think it is

22,000 in total with the people we are already helping, and then went: "Let us give it to everybody." I cannot work it out and I have got to probably lodge this and I have got to get it in, and I will make the argument in my speech. He has no idea where the money is coming from, but somebody will pay. The hard-working people of Jersey that do not know today that they might be just saying to everybody: "You have come to Jersey and you are going to get a free doctor but it is going to cost somebody on the Island £15 million." I urge, and it is urge, urge, urge people not to support Deputy Southern because it is ill-thought through, it will cost a lot of money, somebody has got to pay, and you are not targeting the right people because you have just said "everybody" and everybody definitely does not need it.

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

I am pleased to follow the Minister and nice to see a Minister in the Assembly; a rare breed, but there we go. Let us look at this proposition. This is about expanding access to G.P.s at an affordable price for everybody on this Island. Yes, that is exactly what it is about, so let us look at the impact of that. There is a reality to this. First of all there are families that do not fall into the income support bracket because that is such a low bracket but actually they are working incredibly hard, they are just about making ends meet, they are just that middle Jersey that is coping and that is getting by, that is paying high rent, that is paying high prices for everything. When they go to the G.P. it can have a significant effect on their income that week. Lo and behold if they get something and they have to repeatedly go back to the G.P. those costs mount up hugely and very quickly. So that is not just those at the lowest income bracket, those people who are demonised by the Alliance Party for being in that low-income bracket and told they ... well anyway, let us not go back to those horrendous comments that were made previously in this Assembly. Those are people, real people in Jersey who this amendment will impact positively, and as an Assembly we are here to improve the lives of exactly those people. Let us look at the impact of that; let us look at a more subtle impact, and I challenge people in the Assembly on this and I make a confession myself, it certainly fits me. I do not go to the doctor very often because I do not want to because it is expensive, because I am tight effectively, and my wife says to me: "Stop complaining and go to the doctor" and I say: "Oh, I am okay, I am okay" and eventually she will say: "If you do not stop complaining and go to the doctor I will take you myself like a child" and I will say: "Okay, I will go to the doctor." The last time I went I had to have a blood test and it cost me £64, and not only that but the bad news that I have got to improve my lifestyle was sent to me by text. That really hurt. I have got to go back and have another test and prove that I have improved my lifestyle and that is going to cost me another £64 and that hurts. That really hurts. But that is the reality of the way our G.P. system works. Now, I am really pleased with my G.P., they are fantastic, and you are right, you can get an appointment and you pay, but the reality of a successful primary care system - which is what the Care Model is going to be based on - if it is going to work ... and I have no problem with that Care Model. Let us get people help early so they do not get worse. Their lives will improve, they will be more successful in their lives and they will not suffer through illness because we can deal with it. Then people like me who suddenly have a wake-up call and say: "Stop eating rubbish and get some exercise, man" will actually do it earlier. It is a really good thing to do. But that requires access to G.P.s and what Deputy Southern has done ... and I have got to say, I object to this phrase "lazy" about somebody who has spent virtually their entire career in this Assembly trying to improve the lot for people in terms of access to G.P.s and elevating standards, and forget about this personality assassination that goes on at times in this Assembly. We are not interested in that type of politics; we are interested in policy and what we can do to help the people of Jersey. That is why we are here and I am proud of that and I think other people are starting to see it, and I think other people are starting to follow suit which is a huge move on for this Assembly. But what we need to do is we need to look at the real lives of people here. This is saying do not wait until 2027, I believe it is, before anything really happens. That is 3 years of many people not going to the doctor, not accessing the doctor, and getting worse. This is really difficult to calculate but let us think about that. By the time some of those people get worse and need more healthcare, which is

more expensive, we are not only throwing money down the drain in terms of the amount of healthcare that is needed to be provided, but people's lives are getting worse. They are getting sicker; they are getting worse. So what we need is a system here where we can access G.P.s. Let me point out a massive contradiction in what was just said and what comes through from some Members of this Assembly: "But this is not targeted. What about those with loads of money? They can pay for it. They do not have to have a £12 access." But at one and the same time: "Oh, we are going to have a new tax, are we? We cannot change the tax system to make it more equitable, we cannot lift the cap on social security contributions which are a more decent way to do things than just talking about equity for those who can pay." Certainly if I was in that bracket I would think: "That is fair enough, that is my deal with our society. I can contribute more." But: "Oh, no, we will not do that but we will use that as an argument against making access to G.P. fees equitable." The reason we need to do that for every member of our society is we need all of them, encourage people to go to the G.P. because illnesses do not look at your bank account. They happen. Admittedly illnesses happen more with poor housing but obviously the Alliance Party are the party of the landlord and exploitation; that is fine by me, that is their choice but it is certainly not my choice. We have failed to address housing conditions, we have failed to address income inequality and we have failed to address some of the issues that are affecting children in schools. What we get is an attack on people coming to the Island which from the "population policy" that we have got will be temporary people coming to the Island because we desperately need them for our industries, but we do not want them to access healthcare while we are here because that is just taking it away from those good Jersey people and all of us that are paying our taxes. Well, they are paying tax too. This amalgamation of poor ideas and vitriol does not address the issue in this amendment. This amendment is about ... you have a choice: do we want to make access to G.P. care accessible for everybody on this Island so that we encourage people to go to the G.P., we encourage them to get primary healthcare, we encourage them to deal with things early on so there is less expense later on, or do we stay where we are, another review, another look at data, let us put it off for a few years, let us do it a bit later on when we know whenever? I do not even know what this data is that we are going to produce to be quite frank. We have got so much data and no data. It did not help with the population policy, did it, because we got absolutely nothing there. Or perhaps a system might be let us give everyone a £100 gift card again, they can spend that on the doctors, they could spend their £100 gift card on the doctors because there is money for that. This is targeted; it is targeted at the people of Jersey and it cares about their health. It is simple. I urge Members to accept this and look at this amendment very sensibly and look at the positive outcome for your constituents above anything else. I double urge Members to support this amendment.

**The Bailiff:**

I overheard a phone going off towards this side of the Assembly. I am not sure if it has been left in a bag by somebody else but if the bag could be taken out and completely destroyed that would be of enormous assistance to the function of the Assembly.

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

Last time I checked we still lived in I think a broadly Christian society and that does not mean that everybody is a believer in the traditional sense of the word, but what it means is that the values of charity that would shape certainly our traditional ways of thinking over centuries are still valid. They are not unique to the Christian tradition, they are ones which are shared commonly with all the great religions and indeed even those with no faith. Listening to our Minister for Social Security speaking I am struck that at this time of year with what I perceive as the lack of compassion and generosity in not just her words but also in her delivery. It is with some trepidation that I would try and quote the gospel because I have been thrown out by invoking the deity on the Assembly in the past, but given that I am at a safe distance and that I am not in the Assembly today I do not think I can be ejected.

**The Bailiff:**

Well, we can switch you off so just be warned as you proceed.

**Deputy M. Tadier:**

As indeed on that occasion there was no reason for throwing me out, there will not be today either, although my screen just did flash and I was a bit worried there for a moment. I am reminded of the parable of the Good Samaritan and it goes something like this. There was a certain man going down from Jerusalem to Jericho and he fell among robbers, who both stripped him and beat him and departed leaving him half dead. By chance a priest was going down that way and when he saw him he passed on the other side, in the same way that Levi also saw him, he came to the place and saw him and passed by on the other side but a certain Samaritan as he travelled came to where he was. He saw him and he was moved with compassion and he came to him, bound up his wounds, pouring oil and wine and putting him on his own animal he took him to an inn and then the next day he basically took him to a doctor and paid for the care himself. But of course you have got the gospel according to Saint Judy Martin, which would probably go something like this. There is a certain man who is coming down from The Parade to Minden Place and he injured himself and he needed some real help. He was lying on the floor and several people were walking past and then the Minister for Social Security came over to him and said: "You look in a bad state. Can I see your social security card, please? Oh, sorry, you have not been here for 5 years. I would like to help you but I cannot, but do not worry, mate, there is a boat in the morning." I am not sure which particular ethos Members would like to espouse when it comes to our healthcare system, but I think I know which one fits the bill when it comes to our own Minister for Social Security. It is a real shame, because we know that COVID has taught us many lessons and, indeed, because of COVID, it was necessary to extend the availability of affordable G.P. care and G.P. visits for those who needed to, because of COVID but let us not kid ourselves that the motivation of this Government was that they wanted to look after people. It was purely or primarily to protect the economy. You could not have all of that foreign labour, which we rely on so heavily, and have relied on, on top of our own local workforce, if you want to call it that, because the economy would have been severely affected. Now, as we go into more ordinary times, perhaps, we could not possibly want to pay for people who are not from Jersey who are, nonetheless, paying tax, paying social security contributions and paying G.S.T. (Goods and Services Tax) to allow them not free doctors' visits but affordable doctors' visits.

[10:30]

I find those comments particularly distasteful when the Minister talks about people just coming off the boat. They are, in my opinion, borderline racist and I would disassociate myself from those comments. But let us not get fixated on just that one perhaps narrow band of people living in the Island who might need access to healthcare. I would ask the question, how many people do we know - honestly ask ourselves this question - do we know of anybody among our friends and constituents, our relatives, who have perhaps died prematurely because they have not accessed primary healthcare and early intervention at the right time? I can say that I probably know several and the reasons for them not doing that might also be various, but in many cases it is because, and I have said these things before when we have discussed it, of cost in some cases, it is because there is a reluctance to go to the doctor among a certain generation. They can be pretty stoic and put things off and it is only if they are really bad, and they do not want to trouble the doctor. When we have a disincentive, which is a very high cost relatively among civilised countries, on top of the psychological disincentives of the need or the want to see a doctor you have the additional barrier of saying: "Well, it is going to cost quite a lot." Then you immediately get this mindset that it is not a normal thing to do; you only go to see a doctor if it is absolutely necessary or if you have got private healthcare, which I know perhaps 40 per cent of the Island do. We already have this 2-tier system where some people routinely have a good relationship with their G.P. and it is important, I suspect, to go to see your G.P. not just when you are feeling bad but routinely to have those checks so that you can get anything flagged up. I have lost members of my family who I know have not had conditions picked up and it is strange,

because even when they have been seeing doctors regularly often paying, and I can speak personally for my mother, she would regularly have doctors' visits, coming to see her, being charged £100 a time, but often just for routine prescriptions. If she got a chest infection they would come up, prescribe antibiotics, £100, yet for some reason they did not pick up a longstanding underlying cancer that has clearly been attacking the body for I am sure months or years. They do not pick up the fact that you have got a withered kidney that has presumably been there for months, years, or perhaps even from childhood. How is it that living in Jersey and having these serious underlying health issues, even when you do go to see a doctor, are not being picked up? I heard about somebody just this morning who dropped dead at the age of 50, who was a salt of the earth guy who used to work with me in one of the tourism industries in Jersey and very healthy, did not smoke or drink and he has dropped dead. What is the reason for that? Would it have been a different story if he had been able to go to see a doctor or he had the habit of seeing the doctor? I know that the boss that he worked for is well into his 90s and seems to be doing well, and good luck to him, but we do have a divided society and we do have many people in this Island who cannot see a doctor. Rather than listening to the divisive rhetoric of the Minister for Social Security who says: "Well, how on earth are we going to pay for this?" it should not be beyond the wit of man. First of all there is money in the H.I.F. that should be used for this purpose. There are ways, which we all know about, to make our social security contribution system much fairer. Why should the rich be excluded from being able to see a doctor affordably? Arguably they are the ones who have paid into the system anyway through tax and through their contribution, so I would like to live in a kind of Island and community and society where it does not matter who you are, that if you need to see your G.P. you can do so affordably, whether you are top, middle or bottom in our Island. I think health is the great leveller and of course death and taxes are inescapable, but while you can escape tax you cannot cheat death, I am afraid. We all want people to live long, happy and fulfilled lives and I think this is a hallmark of civilised society. I leave the comments there. I hope I have not caused anyone undue offence, but I think sometimes it is important to speak plainly and passionately about something that I think we should all be singing from the same hymn sheet on.

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

I was not going to speak early, but I do recognise and, as I said yesterday, I think this is a really important debate. What I would like to do is to take some of the divisive politics out of the debate, which I think gets in the way of trying to rationally look at what the Island's face is, in terms of our community and healthcare. I think this is a head and a heart choice. I have absolutely no doubt that Deputy Southern and Deputy Martin are sincere in what they say, but I think we need to think rationally here, but recognise the scale of what we face. Members will know this is not my subject area in terms of the area that I have chosen to specialise or become involved in, but in the 1980s Members may not know that I was director of finance and clinical information for the health service and I worked with the Health Committee of the day and when the late Jack Roche headed that group of wonderful people with the healthcare reforms I was privileged to be part of a tremendous team of both clinicians and non-clinicians. What I find astonishing is that the problems we experienced then are still prevalent in the 2020s. The reason is that we know that the demand for healthcare is pretty well exponential. Science and the practice of medicine has transformed at a pace that nobody thought possible, treatments that people could only dream about are now available, but of course all this has a massive cost. What do we do as a society to do that? Jersey's structure of its health service, I think it is only since the 1960s that Government effectively took over the running of our hospital, I think that is probably true and brought what we now know as our secondary health system into Government. Of course, the primary care service, which is the key subject of the support of this debate, has evolved before that time, based on the model of private sector healthcare. Of course, the financial systems that were put in place under the then Social Security Committee, who were well ahead of their time in the various funds they set up, set up a whole series of ring-fenced funds, funds for pensions, funds for healthcare and the like. Of course, we would not be having a debate where

we are talking about, as Deputy Southern told us, £2 billion in one of those funds if we had not had such an arrangement in place. Of course, what has happened is that those funding arrangements worked well in the post-war days of the 1960s and 1970s but increasingly with the changes in our community and the changes in nature of the Island I think they have become increasingly overdue for change. There is no question the big debate of healthcare is who pays. While we have not got a solution for that, what happens? Deputy Southern is right; there are a very large number of people - I do not know what the numbers are - that are inhibited from seeking G.P. care. I think one can take a view on that, children certainly, older people and others. I do not know what that area is but there is no doubt about it, there is a very large number. Of course, what do our healthcare experts tell us? Our healthcare experts tell us that in Jersey, and I do not think it has changed, there is a huge record of late diagnosis, late diagnosis where if conditions were identified earlier then people would be less clinically unwell and conditions would be treated. Sadly, at some point those situations tragically end up where people have left it too late. I think that is something that we need to recognise, that we do need to review the system. The debate for me, and Deputy Southern has parcelled up this principle in what appears to be at first sight just a set of mechanical propositions on numbers, let us not take a chunk of money out of one of those accumulated funds, £7 million. That is the solution. The second part is the introduction of a universal primary healthcare service, which I would love to be able to sign up to. It is the decision that the Labour Government of the 1940s, that visionary Government, signed up to, in Britain 1946 and set up the thing that everybody is so proud of in the U.K., the National Health Service. It is almost now deified, and absolutely rightly. Of course the symptoms that occurred in the U.K. when speaking to my grandparents, relatives of theirs died in the days before there was the N.H.S. (National Health Service) because of illness, where they could not afford the doctor. This goes to the heart of things. So what is the solution then for us? There is no question that we need to find a system of funding our primary healthcare system that reduces the pressure on our secondary healthcare system to make our society more healthy, and it will save money in secondary care. We need to build the system around general practitioners. It really pains me when I go to my own G.P. and my G.P. tells me how very unhappy they are, that something has gone wrong here in developing and finding that journey through. I so wish that we could solve those issues. I have got every confidence in the papers that I have seen, because they list from Deputy Martin about what we are seeking to do with the primary healthcare model, and that those subjects are right, but there are enormous challenges. I think we have to stick with that rational process and find a way where we can devise a healthcare funding system that works for our society in the modern day. Will it be universal or will it be based on means to pay, or means-tested? Well, I think if we had a system of health tax or a health charge that was ring-fenced then I think we could possibly do that, and rely on the taxation system and the charging system to do so. We are not alone. I was listening to Deputy Southern and I tracked around on the website him saying that the problem is that we have not adjusted our support for G.P. consultations beyond the £20. It is wonderful that we have the start of this, and I cannot remember what the short-term access scheme is called, but it is really good that in the most severe case we have that in place, but it is equally true that £20 for everybody else is, when the G.P.s face such very high cost, my own G.P. says to me: "We work for 2 days out of every week paying for our interest costs and our rents." That is a huge cost and we all know what property costs are like in the Island. I always think one of our solutions might well be to provide some infrastructure and buildings and lease them to G.P.s rent free, to reduce that, which would reduce some of those imposed costs on our G.P.s to enable those charges to come down. That would be one possibility.

[10:45]

The other one, ultimately, I believe we might employ some G.P.s ourselves, in order to be able to create a more competitive situation. These are all opportunities. It is a big task to find that solution and the choice we get to here is do we convince ourselves that there is a short-term proposition that will help us get there quicker and better, or do we reluctantly say we must find a way of getting it right? I would like to achieve both. I want the short-term help to prevent the most disadvantaged

groups getting that care. I want that funding arrangement in place and I want it extended as far as possible, but do I think we can have a universal healthcare service without in place this full model with the tax and charges system to make it work properly for the long-term. I am not convinced. I will wait to hear the other speeches, but I am not convinced of that. Sadly, I wish I could. My heart says support it, but my head says not.

#### **2.1.5 Deputy R.E. Huelin of St. Peter:**

I think it is well-known that when I returned to Jersey my interest in politics was piqued by the hospital whatever iteration it was before. My passion for building a hospital is well-known, however a hospital without a fully motivated workforce of consultants, nurses, et cetera and extending to G.P.s is like having hardware without software. It is useless; they must work together. So during the course of that journey I have developed relationships with many G.P.s and, let me tell you something, I will just check my inbox in case I have missed anything, but I have not had one G.P. contacting me and asking me to support this because they know that the issues are far more fundamental than that. Subsidies are not the solution. What they are looking for is a total review of the whole funding model and the relationship with H.C.S. (Health and Community Services). Their issues are not the simple transaction of the subsidies. They need help with recruitment, training, investment in their practices, investment in equipment in their practices to deliver the local services, the services in the community they want. That is what they crave, and my urgency now, my effort now, is reluctantly not to support this but it is to continue pushing behind the scenes to make the relationship better between H.C.S. and the G.P.s and accelerate the way that model works, so the G.P.s are better prepared to deliver the care in the community for the Island that we deserve and what we want. That is where my focus is going and unfortunately this proposition or the amendment to the proposition does not solve that problem. A final comment, I am drawn to Deputy Southern's comments on technology. I do not know what has been going on in the world, or his view of what has been going on in the world, but technology is taking over and, yes, okay, if he chooses to take some money from one fund to another, do not take it from technology. This Island needs to catch up and invest everything it can in technology in order to take on the world at large as we progress going forward. I cannot support raiding the Technology Fund for that. In fact, we should be putting more into it, to meet the target and focus work. I cannot support, even though I reach out to all the G.P.s that I work with and say that I will continue to do what I can to support them, but this is not the way forward.

#### **2.1.6 Deputy R.J. Renouf of St. Ouen:**

I would like to speak about the major review the Government have committed themselves to do, working with G.P.s and all partners in care and the Minister for Social Security has mentioned this. It is a firm commitment of the Government, and I would refer Members to page 177 of the Government Plan. It is a major review as to how we fund all the future costs of all the health services that we will need in the future. While that review is carried out the hospital will still be open, the Minister for Social Security will still be supporting the cost of G.P. visits through the Health Insurance Fund, but the commitment is to provide the next Government with the results of the review and by early 2023 the next Assembly will be able to examine the plan for those services and the costs and how they will be paid for, not 2027 as has been suggested, but early 2023 the next Assembly could consider this with a possibility of new funding coming in that year or in 2024. The sort of things that we have got to consider are we have an ageing population and that demographic are the primary users of primary care services. As medical treatments advance there are more options available for care and we know that demand for healthcare will increase in the future and we have seen especially an increasing demand for mental healthcare, which has to be front and centre of this review also. We have come through a pandemic and we know the impacts of COVID. I say we have come through, but we are still in a pandemic. We know the impacts of COVID will be felt for years to come and we must ensure that our healthcare services are fit for pandemic conditions and address the needs of our population during such. We have learned so much as a result of COVID but we

have got to embed that and take it forward. We need a stronger public health function in Jersey. We have lacked that in the past. We are building on it, but we need to ensure that we address preventative care to keep people well, as previous speakers have spoken of, and address the conditions that can build up in somebody before they become ill. This review cannot be done this side of the election. It needs to be done thoroughly, though work is starting. We have committed to begin work on all of that in 2022 with our partners, but it is going to be a thorough review to the next Government, so that the next Government can take the actions needed to maintain our health systems for the future. This is about sustainable funding. It is going to cost tens of millions of pounds, and it will include the consideration of replenishing the Health Insurance Fund so it is by no means the case that the Health Insurance Fund is going to be exhausted. That would have been a given to be included in any review, but the Health and Social Security Scrutiny Panel in an amendment to this plan has asked that that be expressly stated and Government have agreed as an agreed amendment. The review will include specifically the consideration of replenishing the Health Insurance Fund, so that it can become the means of providing sustainable funding. The Deputy's amendment is simply: "Just carry on and extend what we have got." It drives a coach and horses through the concept of collecting evidence in a change situation and putting forward a reasoned argument for better care. He provides no justification for the expansion of what has been a well-targeted health access scheme to an expensive universal scheme, which is going to require huge funding with no funding route in place. I believe that G.P.s would be unlikely to support the Deputy's proposals. They want us to progress with a comprehensive review of funding; they want us to identify and create a more sustainable funding stream for their services, in order that they can plan their services for the future. At present G.P.s must rely on income, which relies on uncertain numbers of people turning up at their surgeries from day to day, because they only get paid when people turn up. That makes their services vulnerable in times of pandemic or epidemic. It just makes planning so much more difficult, and it does not meet their objective, Government's objective, to provide preventative services. It relies on people turning up and, as Deputy Ward so graphically illustrated to us, and I am much the same, we are only likely to turn up when we feel ill, when we are badgered into doing something, when eventually we get round to thinking: "This ache, this pain, is not going away. I better do something about it." I was moved by Deputy Tadier's speech when he spoke of the people he knows who needed access to, essentially, well-being checks, preventative care, to pick up on conditions before they start impacting on people's health. That is the position we want to move to, but if we have a system that only pays for people when they choose to turn up, that is so much more difficult to achieve and Deputy Southern's proposal is to maintain that poor system, which relies on people turning up when they feel unwell and need a doctor. We can do better than that. The better option is to take the broader, longer-term view and keep our population in good health. That is certainly what G.P.s want also. The review that we are planning can ensure that we will put before the Assembly a scheme that meets that objective and can begin from 2024 feasibly. We are working with G.P.s to that end. Just 6 days ago a news release came out issued jointly by the Government and the primary care body. That was the first time that had happened, and I was very pleased it happened, but because it was good news it received very little publicity in the local media. What it was about is to confirm that Jersey G.P.s have been working with Health and Community Services throughout this year and were continuing to do so to start changing the ways in which care for Islanders will be delivered. The news release was about an investment of £1 million in the primary care services of G.P.s to allow the G.P.s to give significant time and resource that is required for joining us and everyone in healthcare in the Island in planning sustainable funding mechanisms. The comment made by the G.P. of the primary care body in the press release is as follows: "We are pleased that the future work we will do and the significant contribution which G.P.s make has been acknowledged in this way as well as the part they are playing and will continue to play in the Jersey Care Model, which is based around community care being accessible to all Islanders. Primary care is central to the Jersey Care Model and G.P.s want to continue developing even stronger primary care." I am really pleased, and I thank the primary care body for joining with us as they have done throughout the year. We maintain a good

conversation between the department and G.P.s, but there is this additional commitment we have been able to make to each other to work together on this to create that sustainable funding scheme that can come before this Assembly as soon as possible, so Members can see work has started, work will be developed, particularly during next year, and will come forward. This can be done; it is difficult, and it is going to involve expenditure but we need to plan that carefully and we need to be able to sustain it. Deputy Southern's uncosted, unfunded scheme does not create a sustainable funding and it just does not work for the reasons I have stated. Therefore, I urge him, as the Minister for Social Security strongly urges, and I urge Members that there is a better way of doing this and therefore to reject the Deputy's proposals.

[11:00]

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

I speak to this debate understanding fully the angst and thrust of Deputy Southern's proposition. The key component of the Jersey Care Model was the sustainable funding mechanism, but we, as the Health and Social Security Panel, have presented all the way through the process is that this was missing from day one, but with the promise that it would be worked on, presented and in place by 2025, in 3 years' time. Deputy Southern is right to highlight the commitments made in the propositions and speeches a year ago to win support and votes for the proposition for the Care Model and the first tranche funding amendment to the Health Insurance Fund that we did also after the Government Plan debate last year and the subsequent yearly funding of the development in the form of the tranche payment paid from the H.I.F. These have also been the foundation of our concerns and why we brought our amendments to the Government Plans, which the Minister for Health and Social Services just mentioned, and we were pleased as a panel they were accepted. Work has been done this year on tranche 1 of the preparation for the Jersey Care Model. We have scrutinised the work and progress to the best of our ability and progress has been made. As we said then and now, the future of care delivery must be evolved to be more clinical, economical and sustainable but unique and must not lose its uniqueness of Jersey's delivery of its care system and should not be a replication or a fudge of any other jurisdiction's healthcare system like the U.K. N.H.S., for example. It has to be right for Jersey's needs. We will speak more about this in the debate following the Government Plan debate on the Minister for Social Security's amendment to the H.I.F. law for the tranche 2 funding proposal. Back to this amendment. The H.I.F. has taken on a mythical life of its own sometimes in the truth of what it has and is used for, and I hope the following information will assist Members in this debate. The fund is currently estimated at £105 million. It is financed by social security contributions, roughly 2 per cent of earnings, up to the standard earnings limit. Because of the pandemic things have changed and in terms of a drop in contributions, highlighted recently by a written question by Deputy Morel to the Minister for Social Security, we can see those slight changes and also, as we voted for last year, some funding to support COVID-19 pandemic preparations as well. But the reality is the use of the H.I.F. has been used for other purposes over the last few years, briefly some examples: 2015 the States of Jersey introduced the Jersey quality improvement framework under which payments were made to G.P. practices under a standard contract, the aims of encouraging high quality outcomes for their patients. G.P. surgeries, mostly, participated in the framework, which distributed payments according to which of the practices meet around 35 clinical and organisational measures. The amounts paid were about £1.6 million each in the years 2015, 2016 and 2017. Other payments have happened with similar amounts, roughly £2 million per year and increasing each year. Since 2017 various other payments have been made by the Health Insurance Fund under contracts to G.P. practices and pharmacies for activities such as undertaking vaccinations against the flu. This amounted to, for example, around £350,000 in 2017. Primary care activity related to cervical smears was expected to reduce the number of G.P. visits leading to a medical payment by the Health Insurance Fund of around £3,000 a year and is ongoing. There are previous transfers from the Health Insurance Fund for primary care funding, around £2 million in 2013, and £6 million each in 2014 and 2015. The H.I.F. also covers payment for gluten-free vouchers.

However, interestingly if you look at the review, the last one done, it does highlight that primary care activities are the lowest part of the expenditure of the Health Insurance Fund. The next highest is medical benefits, but many millions of pounds more for prescriptions. Again, a reminder the Health Insurance Fund bears the full cost of any drugs prescribed by a G.P., provided those drugs are included on a list drawn up by the Minister for Health and Social Services. However, as highlighted recently by our panel, many Islanders with long-term health needs, like asthma for one example, must pay now a repeat prescription fee of around £7 each time, every 3 months. This would suggest, which needs to be part of the actuarial review next year, that needs to be done looking at what is happening right now in real terms, and the financial pressures of those covering the needs and costs of the Island's health needs. The Deputy is also right in highlighting the concerns of the I.T. budget side of things for the Jersey Care Model, again one of our major concerns as a panel and highlighted in one of our accepted amendments to this Government Plan. Again, we will be highlighting this in future speeches. I think, in conclusion, that the Health Insurance Fund co-medical payment is long overdue a raise. Equally, as I have just mentioned, there are other concerns about the ongoing and outgoing cost of drugs and prescriptions and how that is being used. This urgently needs to be part of the actuarial review next year and the ongoing measures to maintain the Health Insurance Fund for the next few years as the other issues that Deputy Southern raises. However, the payments to the Jersey Care Model tranche funding, even though risk of this funding process is in the hand of the Government's creation, stopping the good work that has been made to improve our healthcare systems to make the patient journey and pathway in my opinion would be wrong. Equally, we are disappointed that the independent board to review tranche 1 and the ongoing work of the Care Model was not put in place, again a subject matter we will be referring to later on. I would have preferred that to be in place. I think that assurance is needed when we talk about this Health Insurance Fund. This is something that I have raised publicly in hearings, at quarterly hearings, in this Assembly and privately to both Ministers and this puts a risk on the Care Model tranche 2 funding and the delivery of the Care Model going forward, and that concerns me. Should this have been the way support is funded? Maybe not, but we cannot risk going back to square one, wasting millions of pounds and end up not having a Care Model that goes all the way back to the original P.82 back in 2008. The Deputy's amendment I fully understand. Because of the way it has been over the last few years it is inevitable. The reality is that our unique Island set-up works and we want to keep the core of that and not go down the road of a fully-funded N.H.S. that is the detriment to care delivery, but equally we do not want to go to the other extreme and follow an American insurance-paid premium. We need to get this right as soon as possible. Everyone in care, primary and secondary, needs to continue getting round the table to work this out. There are challenges to all funding, primary and secondary. It is not perfect in this modern world against the backdrop of the Island's high cost of living and the strain of finding the constant stream of health workers and doctors to care assistants. As the Deputy also rightly mentions, the continued rising cost of drugs and prescriptions should concern us all each year. In conclusion, for my speech, if he is taking his proposition in parts I may be able to support some of it, but stress again that next year's actuarial review and the ongoing work on the sustainable funding, which must be presented by 2025, cannot be brought forward at the last moment. It needs to be injected with the same level of urgency seen in the set-up and running of the current vaccination rollout. This must not fail.

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

I would like to echo the words from the previous speaker, Deputy Pamplin, that we need to get this right as soon as possible, and I wrote points through this debate and apologies if my speech will not be completely round. When I listened to the debate and I reflect upon my own behaviour, it is the first and best reference I have to examine the general public reaction to the cost of visiting a G.P. As Deputy Ward said, I also cannot put myself in the category of people who struggle to pay, because I have the ability to pay for my doctor. Even so, I still hesitate. I try to ensure that I get a few things done at the same time so that I do not have to come back again any time soon. My G.P. charges

£49.50 for a visit now, not £45 as Deputy Southern mentioned, it is 10 per cent more, and I do have a good G.P. I am really pleased with my G.P.'s service. I am sure that anyone who is less fortunate might postpone this important visit for even longer and collect even more pain and symptoms to be dealt with at some stage in the future. It is well-known that many conditions including diabetes, high blood pressure, stomach pain, kidney pain, the list of reasons to visit your G.P. is long and I do not want to waste the Assembly's time by listing all symptoms, but they are the symptoms of chronic and acute conditions that are best discovered and treated early. I know dozens of people who self-medicate with over-the-counter antibiotics brought in from other countries, chemists and bought over the counter, or medications brought back by family and friends from other countries, despite the prescriptions being free in Jersey, as it is cheaper and they can use it when they need it. Self-diagnosis and self-medication just compounds this problem. As Deputy Young mentioned, we have records about late diagnosis, and I am echoing also Deputy Young because for me it is also between heart and head. At the same time I understand that postponing the visit and leaving the symptoms for longer leads to physical damage to our population, which leads to lost days, weeks and years of work and ultimately costs lives. This is essentially the physical maintenance of our workforce, our children, our wider population, and I agree with the Minister for Health and Social Services; I think that we are also on the same page with the Minister for Health and Social Services in his speech where we need to make sure that our population is healthy and we need to ensure that our preventative care is there. It is general terms about the G.P. and it is general vision about the G.P. visits. If I am going through the parts of the proposition, I am not entirely sure about part (a) as it is a different debate for me about the Technology Fund and I understand why Deputy Southern brought it in, as anyone who brought an amendment to the Government, we try to find where we can find the money and the Technology Fund was one of those that was probably easier to raid, so I am not sure about part (a). Part (b), this is where I am reflecting and thinking. Deputy Southern's timeline that he gives us, it was a year to find a funding solution and, as we know, everyone, including Back Bench, including Ministers, the new Council of Ministers that will bring forward the funding solution that would make it work, if it will be through the Government review or it will be through other things. I am pleased to hear that we will work closely with the G.P.s and other options were mentioned, if it is a health tax or means-tested with different income levels, probably higher income levels than we have on the income support. Another point which is not necessarily to this proposition but I will address here because it was mentioned by the Minister for Social Security in her speech, we spend £30 million on rent support interestingly enough for the people who are also 5 years resident on the Island. These people can work anywhere but only can rent and qualify for accommodation which is much more expensive and a huge cost to the States of Jersey. If we want to make a saving maybe we can allow people who can work anywhere to live anywhere and stop unqualified accommodation and get some savings from this £30 million towards G.P. visits. It is another option. This is coming back to my point that we have a year to examine it. For me I think, as I am speaking, it is more about the principle of expanding access to G.P.s, primary care at universally affordable prices, ensuring every family and every family member can afford to see a G.P. before it is too late. I also looked back at my votes, as Deputy Southern brought several propositions, several attempts and some the Assembly accepted. Some I supported the Minister for Social Security because we needed time for the consultation and for the solution. We had several debates last year and I think that today I feel on part (b) I cannot support the Government, because it is a long time. We do have a year and we have time to review on the study and it is good that we are working with G.P.s and we can bring something maybe different. To reduce the cost of primary care, to reduce the pressure of secondary care, we must act quicker before 2025. We have to put it right, as Deputy Pamplin said. We must make sure that it is funded and for me I think part (b) will be more a vote in principle with my heart.

[11:15]

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

I am going to be very brief. The last speaker said we have got a year. We do not have a year. There is an election in June. We will be in purdah before that and the Government say: "Oh, we are going to do this work and then the next Government will look at it." The truth of the matter is, look at how many things that have been promised will be done before the end of this year that have not been done. What is the likelihood of what the Government are proposing being done before the election so that States Members in this Assembly can speak on it? I think highly unlikely. What I will also say is it also comes down to confidence. Do I have confidence in the Minister for Social Security? Do I have confidence in the Minister for Health and Social Services? To be quite frank, I have confidence in neither. With repeated Government promises I would rather go with the proposition at hand and I shall support Deputy Southern.

#### **2.1.10 Senator S.Y. Mézec:**

Since this is the last States sitting before Christmas, I was pleased to hear from Deputy Tadier earlier his rendition of the parable of the Good Samaritan. I confess, I have not quite got into the Christmas spirit yet this month. I have been too emotionally focused on the new Spider-Man film, but I am promising once I have seen that I will start getting into the Christmas spirit. When Deputy Tadier spoke about the Good Samaritan it reminded me of all the other lessons and parables I was taught as a child at this time of the year in those closing weeks of school before Christmas. Of course the very foundational principle not just for those with religious views but more broadly in society, the principle of love your neighbour as you would love yourself and how in public life at least I know there are many people who would try to find a way of applying that basic principle to their politics, to their actions and to how they treat other people. I am reminded of the great work that was done in the 19th and 20th centuries by some of the great Christian activists in Britain, who tried to expand the welfare state precisely because they were inspired by that principle of love your neighbour, and who tried to crystallise it to specifics when it comes to different public services. They crystallised it from to each according to their ability, to each according to their need, and the great Aneurin Bevan, who founded the health service in the U.K. said that: "Illness is neither an indulgence for which people have to pay nor an offence for which they should be penalised, but a misfortune the cost of which should be shared by the community." I, for one, make no apologies whatsoever in believing in that wholeheartedly. That is why I will vote with Deputy Southern, and frankly any proposal that tries to take that fundamental principle that we share the cost of people's misfortunate of ill health, and that is our application of the principle of loving your neighbour as you would love yourself. I think that is the way our society should be going, and so for his philosophical consistency and for the values which he is clearly trying to put into practice I think Deputy Southern deserves nothing but our commendation for the work that he has done in his time in this Assembly to try to make healthcare more accessible for people in the Island who need it, and the fundamental way that you do that in the context of our current system is to make it cheaper. When there is a cost associated with it you will put people off seeking healthcare treatment when they need it. I listened to Deputy Ward before when he spoke of a recent occasion where he had to pay £60 to then be told that he needs to improve his lifestyle. I have got an even worse example than that, which is I recently paid £60 to be told there was nothing wrong. I will be thinking twice about doing that again in the future. You cannot win. When you have to pay such an amount you will be put off one way or another, put off because you paid it to get bad news or put off because you felt like it was a waste of time at the end of it. A much better system would be one that said to people that we will be proactive in trying to ensure that they have good health. We will be proactive in trying to ensure that we catch potential health problems early on so that they can be resolved quicker and ultimately cheaper. I would say to Deputy Martin, and I will not stoop to the levels that she frequently stoops to in this Assembly, there is nothing wrong with the principle of universalism here. This idea that everything must be means-tested is not one that we agree with. It is not one that is in line with our philosophy of each giving according to their ability and receiving according to their need. It is about saying to people that their needs and the way we cater to their needs are separate to their financial worth as a person, separating those 2 issues, and

we can create better systems by taking means-testing out of it and supporting universalism. We do not have means-testing when it comes to providing places in our schools for children. Every child on the Island, no matter how wealthy their family are, have a space for them in a state school, fully funded, if they want that option. I do not see why that should not be the case within our health system. If people want to go private, fine, that is a matter for them. If they want to pay the premium they can do so, but to have a fully-funded health system which is free at the point of need would be one that would improve health outcomes on the Island, and that is the direction of travel that I think we need to go in and I make no apologies for that, however uncomfortable it may make some feel, who it seems to me have no principles on which to fall back on when deciding how to pursue their political objectives. So, how do we get there? Well, there is a consensus at least in our society that we do not fund healthcare adequately and that this needs to be looked at in one form or another. This has been going on for a long time. We had P.82 looking at a healthcare model several years ago now. We have had the Jersey Care Model now being pursued and the ongoing review there is into the long-term funding of our healthcare system, clarity on which we were meant to be getting around about now, but with which we have none. There have been some Scrutiny hearings recently where we have tried to dig down on this subject and try to get more clarity and in the last Health and Social Security Scrutiny Panel public hearing with the Minister for Health and Social Services he made 2 comments in response to questions that I asked him that I found were interesting. The first was that he said that in the Jersey Care Model all of the services which are currently provided for free will continue to be provided for free, and I am repeating that simply so that it is on the record in more places than just one, so that it can be relied upon in future to make sure that we do not go down any road that sees greater costs at the point of need in our health system. The second line of questioning I attempted to pursue with him was about the funding for healthcare, and I drew his attention to the debate which took place at the end of the last term of office on the introduction of what the Government called a health charge, but which any thinking person would describe as a health tax, for that is what it was, which Deputy Young referred to in his speech. In fact, he did not refer to that iteration of the health tax; he referred to a potential future iteration of a health tax. That health tax was rejected by the previous Assembly, perhaps for multiple reasons but certainly on my part was rejected because it was a regressive tax that proportionately asked the lowest earners to pay the most and the highest earners to pay the least, including that regressive and financially and morally unjustifiable cap. That was rejected I believe on a tied vote by this Assembly, so it was close to going ahead. I asked the Minister in that hearing if he would be prepared to rule out a funding mechanism for the future that penalised low and middle earners while letting the highest earners maintain their tax privileges. He was not quite prepared to do that and said that everything had to be on the table. Here we are, towards the end of this term, without any clarity: "Oh, it is just going to be the next Assembly that is going to have to deal with this." I wonder how many election candidates in June next year are going to be clear about that, who are going to have taken into account these comments that we have heard from time to time, that the next Government will have to consider tax rises to pay for all of this. Who is going to stand before their voters next year and say: "Yes, in support of funding our health system I will support increasing your taxes and exempting the super wealthy in Jersey from paying the rates that I am asking you, the ordinary voter, to pay"? I suspect there will not be many Members that will have the courage to do that, but we may find ourselves in the position that we were in last term, where it comes before this Assembly anyway. What I think is a better way forward is to say that the situation we are in right now is not good enough. We have not had the clarity on the long-term funding of healthcare in the Island that we should have had by this point. We know that people today are being put off seeking the healthcare that they need, not just those who are the poorest in our society but those people who are just on the level above that, who do not quite qualify for the health access scheme that Deputy Southern fought tooth and nail for, and is at least making a difference for those people who are eligible for it now and who he now wants to make a difference for those who are not eligible for it so they can benefit from it too. In supporting this amendment we will be making a difference for those people. We will do something at least in the meantime which we can logically

presume will improve health outcomes in the Island and, ultimately, make the delivery of the Jersey Care Model or a Jersey Care Model, whatever gets done to it by the next Assembly, cheaper because we will have improved those health outcomes in the meantime by getting people to go and sit in front of their G.P. and talk about their health concerns and receive the advice or medication, or whatever it is they need, to get better or referrals on then to the next step. I ask Members who may still be on the fence on this to think, with all the reviews that are going on, if you want to put your lot in with those reviews and say: "I am not going to support change now because of this review that is going on that may lead to change at some point in the future", ask yourself what change you do want it to lead to? Do you think that it would be a good situation for the Island for these reviews to conclude that charging people an arm and a leg to go see a doctor is a good thing which ought to be maintained in our society, or do you think that it is inevitable that some sort of proposal in the future is going to come forward that says it is right to reduce the cost of primary healthcare in the Island? If you think it is inevitable in the future, why wait for it? Why not just get on with it now? Accept Deputy Southern's proposition, as we accepted his previous proposition to introduce the health access scheme. If we cannot accept this proposal today because of the ongoing reviews, well why did we accept his previous proposal on this? We accepted it because it was the right thing to do and it was inevitably the direction of travel we ought to be going in anyway. Let us save us some time and, ultimately, some money and adopt this amendment today to decrease the cost of going to see the G.P. for people in our Island and neighbours. I would say our neighbour is not just the person who lives right next door to us and it is not dependent on whether they have resident status in Jersey. Our collective health as a community means we look out for everybody. I would ask Members to support this amendment on that basis and I do so knowing that I am acting entirely in line with the philosophy that drives me forward in everything I do in politics, and one which I am proud to stand alongside people like Deputy Southern, who has also been entirely consistent on this.

[11:30]

### **2.1.11 Deputy L.B.E. Ash of St. Clement:**

It is always a pleasure to follow the leader of this reform-led Assembly. Sorry, I could not resist that. We have seen some great speeches today, particularly from members of the Reform Party; they always speak with a passion. They have great belief. They are of course correct that the health of Islanders is paramount. It must be put before financial interests, in my opinion. If you remember my speech, I doubt if you do, but when we spoke on the borrowing for the hospital I said it is the Government's pretty much number one responsibility to look after the health of the population. You may also remember the speeches from the members of the Reform Party saying pretty much the same, that we needed a new hospital so that we could look after everybody's health, we could diagnose people early and borrowed money was really no object. If you can remember that you have a considerably better memory than I do because it is playing tricks with you. They did not speak for borrowing for a new hospital, they felt we should not be borrowing for a new hospital. At that stage money was an object and we should not be doing it. Selective politics, if you like. Why? I do not know, your guess is probably better than mine but I will give it a go. Borrowing £800 million is not a great vote-winner. Stating that we can all see doctors for financially considerably less is, particularly if you do not then cost how much that will cost the Island. Deputy Young spoke very well, I agree 100 per cent with what he said; we do need to look at a whole G.P. offering. We did have a big look at it, of course, during COVID and things changed substantially then and it worked to some extent. But I agree with Deputy Young, if it is going to be a free-for-all at the point of entry let us fully cost it, and if we are going to do that let us be honest. If we do the G.P.s would have to be brought into the system or they would have to opt out and go 100 per cent private. If we went down that route we are, effectively, looking at an N.H.S. solution. I am not saying whether that is right or wrong but it is something that could or maybe even should be looked at but it should, when it is looked at, be properly costed. Perhaps I would use an expression I dislike but an opportunity to use it, we are where we are at the moment. I can see that there is a problem with people being able

to afford to go to the doctor. Some people can afford it, maybe others cannot. Let me put this to the Assembly: if we had a problem where, say, we were not going to have buses anymore and we felt everybody on the Island should have a car because everybody has a right to get around. We are not going to have buses, we are going to advise people to have a car, which is, solution one, will we find those who do not have a car and we would provide them with a car? That would seem a fairly reasonable solution or will we go with the Reform Party politics which would be to buy every Islander a car? That does not make sense, does it, but that is what they are suggesting here? In order to help a section of our society that cannot or struggles to afford to go to the doctor they feel we should provide across the board cover without even costing it. It is alarming, is it not? Then eventually, the same as all these solutions, people come back later and go: "It costs this, where are we going to find it?" We have got to adopt sensible solutions here. As Deputy Young quite correctly said, we probably need a root and branch review of our whole G.P. system but this is not the way to do it. I would urge the Assembly to reject this.

**The Bailiff:**

Thank you, Deputy. Does any other Member wish to speak on this amendment? If no other Member wishes to speak, then I close the debate and call upon Deputy Southern to respond.

**2.1.12 Deputy G.P. Southern:**

Before I respond to individual contributors, may I just ask whether parts 1 and 2 have to be together? If we pass part 2, do we automatically, according to the rules, have to have part 1?

**The Bailiff:**

I think the position is you can take them all separately but I will just read that. I think they can be taken separately, yes.

**Deputy G.P. Southern:**

Okay, good. Then in that case I will propose all 3 parts separately. Thank you, Sir. Thanks to everyone who contributed. I think it was a debate worth having. I think it is the debate that is worth having now because of the possible timing of any changes. I think whether you accept my version of the way forward or the Minister for Health and Social Services' version, there will be an expense. We are going to have to spend more on our health service; that is almost inevitable really. I would ask people to bear that in mind when they vote. If I can respond to Deputy Martin, just to the phrase she uses that in some way I am lazy. Can I just point out that we can do things quickly and we can do things that are worth doing? For example, the scheme we have for subsidised visits to G.P.s came after I brought P.125/2019, affordable access to primary care and then followed up, when nothing was happening, with G.P. fees and income support, it is P.81/2020, so 2 propositions there which ended up by very early 2021 being in place, effectively. I believe that we do need to go further with that. In terms of the numbers, I have taken the view that because means-testing is bureaucratically difficult and always cuts some people out of the system; that we should go with a wider scheme. But if we could look at, for example, another group of people, those in relative low income, there are some 22,000 of them, as far as we know, at least there were back in 2014 and 2015, which was the last time we did an income distribution survey. I have asked people to bear in mind that we do not have an up-to-date analysis of our economy and how much households are earning. It has been long overdue and it is due to be produced, I think, by the end of 2022. If the calculations that the Minister for Health and Social Services wants to do on 2022, if he is not careful he is going to miss the vital element of how much do people earn. How many people are in relative low income? The requirement to bear that in mind before we put forward any new scheme; it is not straightforward. Deputy Ward always amuses with his reaction to a £63 bill or a £120-plus bill if he has got to go back. As I say that, I think but imagine what that is like for someone on the minimum wage and that £120-plus is very, very significant; that is somebody's week's wage. That should not be happening,

the principle that people have to think twice, 3 times, and put off and delay going to the G.P. and investigating their health should not be happening. There should not be a cost to being ill. Deputy Young made an interesting contribution where he talked about head and heart. I appeal to him to go with his heart and vote for this proposition, especially because he highlighted one particular aspect that we do badly in, which is late diagnosis. The fact is that we need to do something about that and that comes back to the fundamental problem that I am trying to deal with in bringing forward health propositions that it costs too much to go and see a G.P.; that is the reality. Unless we can do something about that we are not going anywhere in terms of our fundamental standard of living on the Island. When I say that that is fundamental I am really referring to Deputy Tadier's remarks where he talked about the lack of charity in some of the debate. But I do not think it is a lack of charity, it is a fundamental need for a decent wage, for affordable decent housing and, the key element, affordable and accessible medical care. When the Minister for Health and Social Services was addressing the issue he quoted a G.P. who was in debate with him and they had agreed a statement, what I would say is the agreed statement about accessible healthcare; that should be accessible and affordable healthcare because that is the essential element that we need to get up to speed on. Finally, I think it is appropriate to talk of the number one responsibility of any Government to ensure the health of their population and to remind ourselves at this time of year that what we are trying to do is look after our neighbours.

**The Bailiff:**

Thank you very much, Deputy. I ask the Greffier to put a voting link into the chat, open the voting and ask Members to vote.

**Deputy M. Tadier:**

Are they going to be separate votes?

**The Bailiff:**

Yes, I beg your pardon, that is in separate sections, Deputy Southern, is it not? The vote is on paragraph 1 of the amendment.

**Deputy G.P. Southern:**

It is happening again, Sir, can I register my vote?

**The Bailiff:**

You would like to vote for part 1, Deputy?

**Deputy G.P. Southern:**

Yes, Sir.

**Deputy M. Tadier:**

Sir, I notice that there is an extra box in the vote.

**The Bailiff:**

Yes, I think you just ignore that one and do not vote other, it is either pour ...

**The Deputy Greffier of the States:**

I am not sure where that came from, sorry.

**The Bailiff:**

Yes, that is a mystery to us but either vote pour or contre or abstain on the link and if people have difficulty then vote in the chat. But that was your point of order, presumably, Deputy Tadier.

**Deputy M. Tadier:**

Yes, thank you, Sir.

**The Bailiff:**

If Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. We are only going to count Deputy Guida's vote once. The amendment has been defeated.

<b>POUR: 11</b>		<b>CONTRE: 35</b>		<b>ABSTAIN: 0</b>
Senator T.A. Vallois		Senator I.J. Gorst		
Senator S.Y. Mézec		Senator L.J. Farnham		
Connétable of St. Saviour		Senator S.C. Ferguson		
Connétable of St. Mary		Senator J.A.N. Le Fondré		
Deputy G.P. Southern (H)		Senator K.L. Moore		
Deputy M. Tadier (B)		Senator S.W. Pallett		
Deputy M.R. Higgins (H)		Connétable of St. Helier		
Deputy J.H. Young (B)		Connétable of St. Lawrence		
Deputy of St. John		Connétable of St. Brelade		
Deputy R.J. Ward (H)		Connétable of Grouville		
Deputy C.S. Alves (H)		Connétable of Trinity		
		Connétable of St. Ouen		
		Connétable of St. Martin		
		Connétable of St. John		
		Connétable of St. Clement		
		Deputy J.A. Martin (H)		
		Deputy of Grouville		
		Deputy K.C. Lewis (S)		
		Deputy J.M. Maçon (S)		
		Deputy S.J. Pinel (C)		
		Deputy of St. Martin		
		Deputy of St. Ouen		
		Deputy R. Labey (H)		
		Deputy S.M. Wickenden (H)		
		Deputy of St. Mary		
		Deputy G.J. Truscott (B)		
		Deputy L.B.E. Ash (C)		
		Deputy K.F. Morel (L)		
		Deputy G.C.U. Guida (L)		
		Deputy of St. Peter		
		Deputy of Trinity		
		Deputy M.R. Le Hegarat (H)		
		Deputy S.M. Ahier (H)		
		Deputy K.G. Pamplin (S)		
		Deputy I. Gardiner (H)		

[11:45]

## The Bailiff:

We come on now to part 2 of the amendment. The part that we are voting on now is the amendment at page 3, paragraph (1): After the words “to the Report” insert the words – “, except that, on page 169 of Appendix 3, after the words “worth of expenditure.” there shall be inserted the words “Eligibility for the Health Access Scheme shall be expanded to include all those ordinarily resident in the Island by 2023, with a proposed funding mechanism to be included in the 2023 Government Plan.”, in addition to any further changes to Appendix 3 identified as required by the Council of Ministers”. That is the part that we are voting on. I would ask the Greffier to place a voting link into the chat and I open the voting. As I say, the vote is on paragraph 2 of the amendment. Any luck with your vote, Deputy Southern? I am assuming that that unparliamentary expression was an expression of success that you voted. Yes. If Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. Paragraph 2 has been defeated.

<b>POUR: 14</b>	<b>CONTRE: 31</b>	<b>ABSTAIN: 0</b>
Senator T.A. Vallois	Senator I.J. Gorst	
Senator K.L. Moore	Senator L.J. Farnham	
Senator S.Y. Mézec	Senator S.C. Ferguson	
Connétable of St. Saviour	Senator J.A.N. Le Fondré	
Connétable of St. Mary	Senator S.W. Pallett	
Connétable of St. Martin	Connétable of St. Helier	
Deputy G.P. Southern (H)	Connétable of St. Brelade	
Deputy M. Tadier (B)	Connétable of Grouville	
Deputy M.R. Higgins (H)	Connétable of Trinity	
Deputy of St. John	Connétable of St. Ouen	
Deputy R.J. Ward (H)	Connétable of St. John	
Deputy C.S. Alves (H)	Connétable of St. Clement	
Deputy K.G. Pamplin (S)	Deputy J.A. Martin (H)	
Deputy I. Gardiner (H)	Deputy of Grouville	
	Deputy K.C. Lewis (S)	
	Deputy J.M. Maçon (S)	
	Deputy S.J. Pinel (C)	
	Deputy of St. Martin	
	Deputy of St. Ouen	
	Deputy R. Labey (H)	
	Deputy S.M. Wickenden (H)	
	Deputy of St. Mary	
	Deputy G.J. Truscott (B)	
	Deputy J.H. Young (B)	
	Deputy L.B.E. Ash (C)	
	Deputy K.F. Morel (L)	
	Deputy G.C.U. Guida (L)	
	Deputy of St. Peter	
	Deputy of Trinity	
	Deputy M.R. Le Hegarat (H)	
	Deputy S.M. Ahier (H)	

**The Deputy Greffier of the States:**

Those voting pour from the link: Deputy Ward, Deputy Pamplin, Deputy Higgins, the Connétable of St. Mary, Senator Vallois, Deputy Tadier, the Connétable of St. Martin, Senator Moore, Senator Mézec, Deputy Southern, Deputy Gardiner and Deputy Alves.

**The Bailiff:**

We come now to the third paragraph of the amendment, that is the one that says: After the words “to the Report” insert the words – “except that, on page 169 of Appendix 3, after the words “sustainable model for health funding” there shall be inserted the words “, but the role of the Health Insurance Fund in meeting the requirement to subsidise the cost of G.P. consultations and the cost of prescriptions and other primary care services shall be maintained during the review”, in addition to any further changes to Appendix 3 identified as required by the Council of Ministers”. Therefore, I ask the Greffier to place a link, I open the voting and ask Members to vote in the usual way.

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

Sir, may I ask a question?

**The Bailiff:**

Only if it relates to the voting.

**The Connétable of St. Saviour:**

Yes, okay, thank you.

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

My computer has just decided to go blank, so may I register pour on this one, please?

**The Bailiff:**

You would like to register a pour vote, Deputy Morel, yes. If Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. Paragraph 3 has been adopted.

<b>POUR: 43</b>		<b>CONTRE: 2</b>		<b>ABSTAIN: 0</b>
Senator I.J. Gorst		Connétable of Grouville		
Senator L.J. Farnham		Connétable of St. Clement		
Senator S.C. Ferguson				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				

Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

After voting closed, Deputy Tadier, you have indicated a contre vote but I cannot count that I am afraid because it is far too late.

**Senator S.Y. Mézec:**

Sir, I believe he is asking for the contre to be read out, not that he was voting contre.

**The Bailiff:**

All right. I think we are reaching the point of shorthand in the chat that has not been terribly illuminating, although I appreciate the speed that people have to ask. I would have been surprised if there had been a contre vote indicated in fact. Very well.

**The Deputy Greffier of the States:**

Voting contre: the Connétable of St. Clement and the Connétable of Grouville.

**2.2 Proposed Government Plan 2022-2025 (P.90/2021): twenty-first amendment (P.90/2021 Amd.(21)) - as amended**

**The Bailiff:**

We move on to the next amendment, which is the 21st amendment lodged by the Corporate Services Scrutiny Panel. Before I ask the Greffier to read the amendment there is an amendment lodged by the Chief Minister. Is that amendment accepted or not, Senator? In other words, can we read it as amended or take it separately?

**Senator K.L. Moore:**

Sorry, Sir, I am struggling to recall, was this just they wanted to take it separately?

**The Bailiff:**

The Chief Minister proposes that: After the words “except that” insert the term “ -- (i)” and after the words “to £0” delete the word “and” and insert the words “; and (ii)”. It is quite sort of Delphic if you just read the amendment out but if one looks at the amendment itself and bear with me a moment. I do not know if you have that in front of you.

**Senator K.L. Moore:**

I do apologise, Sir. No, I think the panel had agreed not to accept the amendment.

**The Bailiff:**

Right, very well. Then I will ask the Greffier to read the proposition as ... yes, Chief Minister, just on this particular point.

**Senator J.A.N. Le Fondré:**

Apologies. Sir, if it helps, the sole intention of the amendment was to split the original amendment in order to allow a separate vote on both parts. I had understood the panel had accepted the amendment, obviously they have changed their mind. That is fine, Sir, but that was just a paragraph position.

**The Bailiff:**

Thank you very much. Are you able to confirm whether that is accepted?

**Senator K.L. Moore:**

That part we did accept to have, yes, Sir.

**The Bailiff:**

Greffier, I will ask you to read the proposition as amended, please.

**The Deputy Greffier of the States:**

The States are asked to decide whether they are of opinion (c) to approve the transfers from one States fund to another for 2022 of up to and including the amount set in Appendix 2 - Summary Table 2 to the Report, noting that the transfer from the Consolidated Fund to the Technology Fund is subject to the Assembly’s approval of a proposition to create such a Fund in 2022, in line with Article 9(2)(b) of the Law, except that - (i) the transfer to the Technology Fund shall be reduced to £0 and (ii) the proposition to create such a fund shall explicitly seek the Assembly’s approval of the purpose and terms of that fund.

**2.2.1 Senator K.L. Moore (Chair, Corporate Services Scrutiny Panel):**

Apologies for the slight confusion there. I seem to be having a few technical glitches. But £40 million is a considerable amount of money, as Assembly Members are very aware, and I think that has only been borne out by the previous and important debate about the provision of healthcare, which certainly puts things into perspective. The various sums that are under debate this week are both small and large. They make up the whole expected revenue expenditure of £1.05 billion. That is almost £250 million more than the total net revenue expenditure that was set out in 2018. It is

worth noting at this point that the total net revenue expenditure for next year is now projected to be £100 million more than it was predicted back in 2018. The use of £20 million is very significant for the Island, if used wisely, but there is concern that no further information has been provided by the Government in either its amendment to the amendment or to the Government Plan itself regarding the specific terms of the fund or its purpose. The panel lacks the necessary background information and the context needed to substantiate the purposes of this hypothetical fund. The Assembly has not been advised of any terms in relation to governance, risk assessments, selection procedures and any manpower or financial arrangements for the fund to be reassured of its delivery, nor is there a sign of a clear working group to oversee the programme and guarantee accountability or that there are sufficient staff in the Government to manage this additional fund, even at its very early stages. Just last night I attended a discussion with small business owners, it became very apparent that there is concern about the growth of government, yet there is still only a very small number of people working in the area that supports businesses and the local economy. It would be apparent from that discussion that the administration of this fund and its purposes would place additional pressure upon the people in that department or it would lead to further increase of the size of government to achieve it. The Government Plan does not outline, as the Assembly would expect under Article 6 of the Public Finances Law, the specificity of the fund's exact purpose, its terms and the circumstances in which it may be wound up. The Assembly is still in the dark regarding the planned lodging or debate date for the legislation to establish the Technology Fund in 2022. The proposed Government Plan indicates that the funding will be spent in 2022 but without the detail. It is impossible for the Assembly to ascertain the delivery timetable. Politically there are questions of course to raise about the appropriateness of Government trying to select which technology entrepreneurs will be most suitable to receive these funds if the Assembly were not to agree this amendment. There is an argument that Government would be better placed to focus on providing appropriate legislation and regulation to enable a growing sector to flourish. Equally, Members should ask themselves how else these funds could and should be used. We are all well aware that great debate, that many areas of Island life that need additional investment, and the previous debate identified some of that. Therefore, there is no guarantee that the next Council of Ministers would agree to create this new fund if the proposition is not forthcoming by April of next year.

[12:00]

It is, therefore, a risk that it becomes an inefficient use of public sector time and resource. In contrast, the Fiscal Stimulus Fund was established through proposition P.128 of last year. It was lodged and agreed by the Assembly prior to debating the last Government Plan. That provided Members the opportunity to scrutinise and understand the fund before adopting it. It is still unclear why this approach was not taken for this fund. The panel has consistently held the Minister to account for the outcomes of the Fiscal Stimulus Fund against its original aims back in 2021. The panel further notes the difficulties that the current and previous Governments have had with the purpose, terms and winding up of funds. Given the deficiencies found in operating the Jersey Innovation Fund and the comments the panel lodged last month on the concerns it has around the proposed changes to the administration of the Ann Alice Rayner Fund, Members will recall that that proposition has been referred back to the Minister for Treasury and Resources to answer questions in relation to the governance and structuring of the fund. In conclusion, the Government of Jersey should be leading by example and ensuring best practice for establishing funds, particularly because it is the same Government responsible for the adoption of the Public Finances Law 2019.

**The Bailiff:**

Thank you very much. Is the amendment seconded? **[Seconded]** Senator, can I just assume before we start the debate. so Members will be aware, are you proposing to permit a vote on each part independently?

**Senator K.L. Moore:**

That is correct, Sir, yes.

**The Bailiff:**

Does any Member wish to speak on this amendment? If no Member wishes to speak on the amendment ... could we indicate in the chat, please, if Members wish to, thank you very much?

**2.2.2 Senator J.A.N. Le Fondré:**

I think there is obviously a delay in the chat to it getting to you. Let me, firstly, begin by thanking the Corporate Services Scrutiny Panel for accepting our amendment and I hope it assists Members during the debate. Obviously all the amendment has done has simply split the panel's amendment into 2 elements and, as we said in the comments, we do not accept the first part of the panel's amendment, for reasons which I will elaborate on, whereby it reduces the proposed monies to the fund to zero. But expecting to bring a proposition at a future date to establish a fund has always been our intention. I think it might be helpful, if I can attempt to do the technicalities briefly. In the actual proposition, which is part (c) of the proposition around the Government Plan, it specifically states noting that we are being asked to approve, as Members, the various transfers that are laid down. Article 9 of the Public Finances Law states that the Government Plan must set out the proposed amount of any transfer of money from one States fund to another in the next financial year, which is why the proposition makes reference to the £20 million in the context that we are dealing with. But it specifically states: "The transfer from the Consolidated Fund to the Technology Fund [and I am looking at page 2 of P.90] is subject to the Assembly's approval of a proposition to create such a fund in 2022." The point being the Senator has already referred to Article 6 of the Public Finances Law and that Article states the States Member's proposition to establish a fund and establish a fund under this Article: "The States must specify the purpose of the fund, the fund's terms and the circumstances in which the fund may be wound up." There are obviously **other various elements** to that. The point was this was trying to be transparent and, if you like, giving a heads up headlining the fact that we wanted to create a Technology Fund but also very much making the point that very clearly this has to come back to the Assembly with all the areas that the Senator has rightly raised to be approved by this Assembly. That is why we have absolutely no problem in accepting the second part of the amendment, which is that is right and proper. I think what we are trying to say is that the thrust of the Government Plan as a whole is it focuses on addressing not only the various legacy issues that we have been addressing, which is obviously as a result of various underinvestment at various times over many years, but it also centres on the opportunities emerging from forward-looking economies. Our vision for Jersey's future economy, which will be outlined in the Island's first economic framework, is one of the best and thriving sectors which provide extra jobs for Islanders, and that has got to include our digital sector. I am slightly scared that I have the Deputy of St. Peter's face on the screen when I am talking but anyway, hopefully, that is not what is in the public domain, otherwise members of the public will get very, very confused.

**The Bailiff:**

No, we have your picture on our system, Chief Minister.

**Senator J.A.N. Le Fondré:**

For that I apologise, Sir. As Members will no doubt appreciate, it is only right to capitalise on fresh opportunities as we look to put Jersey's best foot forward. Work is underway to prepare our future digital connectivity requirements and an introduction of the next generational digital networks, as we put a great deal of emphasis into this area. I did state this in the Scrutiny hearing on Friday, it is very much as a result of the actions of our predecessors, we have a very strong foundation in terms of the digital area to build on. We do currently enjoy the fastest broadband speeds in the world and the point being, as we have said a number of times, we have a bit of expertise in this area and, as a self-governing and English-speaking jurisdiction, it does make an ideal sandbox for new digital

technologies. When I go away, when the Minister for External Relations and Financial Services goes away, when the Minister for Economic Development, Tourism, Sport and Culture goes away, when other Ministers travel, one of the things that certainly I use many times is this type of information. Yes, we are a small jurisdiction but we are the fastest digital speed globally. The latest information I had is that the number 2 jurisdiction - and I am not too sure who it is - is about 30 per cent slower than us. We are pretty well basically 100 per cent connected. I believe that the U.K. is something like number 41 or 43 on that list. That is a really compelling story that we can tell to our global partners, it makes them sit up and take notice and I have seen that across the table. The point about that is that that competitive advantage, that unique selling point, we have probably got about a 6-year head start on other jurisdictions and that then is about providing ... to be investing in another leg to this economy, it is a very significant leg to this economy. It is demonstrating our commitment to that economy and it is giving youngsters an alternative career choice. Yes, we know skills, skills, skills and all that sort of thing coming through but there is other investment that we need to do. What was interesting, I have come across 2 articles, which I will refer to, literally in the last 24 hours, which I think are part of the issues that we are kind of facing. Interestingly enough in the national media today, and I have got back to the original report but I have not had much chance to read it, it makes reference to our nearest neighbours, to France, and to the *Cour des Comptes* that just issued a report, and sent me the quote from the national media article I was reading, is saying: "The auditors predicted that about tax cuts and massive investment in research and the green and digital economy, France, along with the European Union, face technological retreat compared with the other major world powers of America and Asia." Fairly obviously I am not comparing ourselves with this much from other countries, except the fact that we have a 6-year advantage over everyone else in the world and that is what the purpose of this fund is. Part of the purpose of this fund is, is to do that investment, to maintain and support that aspect of our economy. But do not forget it is not just simply the tech sector but this will have to come back to Assembly Members, let us be very, very clear here. But the principles and the thinking at this stage is about using that money to solve some of the challenges we have here, whether that is working towards carbon neutrality, digital skills or transforming traditional industries. It is about investing in technology, which will put our Island on the map and, ultimately, bring home further revenues. It is not just a fund for the tech sector, it is to support the new digital economy for everybody, and whether that is from this sector or, as you said, other aspects, the potential there is huge. That is why it is incredibly important that from my perspective this Assembly does see that proposition to create the fund and has that input into setting that foundation. As we have said, it is about embracing that sector, it is funded initially through the dividend received from the recent sale of J.T. (Jersey Telecom) Internet of Things. That is why I do hope when that proposition eventually comes to this Assembly that Members will approve that allocation into the fund. We know there are gaps in our innovation ecosystem and, from my perspective, and from the Government's perspective we, alongside other States-owned enterprises, arm's length organisations, should be sharing a duty and certainly should be sharing ambition to support and nurture this vital part of our economy, closing the gaps and creating new digital careers for Islanders. As I said, I have talked about workforce, I have talked about carbon neutral and I have talked about addressing a special talent such as digital skills. Workforce productivity is going to be critical in how we deal with, for example, the population and Islanders. Sustainable transport, digital health, prison tech, reg tech, you name it; there are huge numbers of very exciting areas of development with the potential to dramatically improve our communication and activity, transport and even health outcomes. Interestingly enough, there are partnerships that we have had with leading working groups off-Island who are doing a lot of investment and research into things like green travel and things like that. This could create additional jobs, it could act as a revenue stream for businesses, but the prospects are endless. I very much would encourage Members to embrace this idea. As I keep emphasising, proposals will be set out in a forthcoming proposition to the Assembly. It has to, that is the legal requirement. That is why we are asking Members to reject part 1, which is to reduce the parts of those to zero but we absolutely endorse part 2. Nothing can happen until a separate proposition

comes to this Assembly with the terms of reference, et cetera, laid down, as required under Article 6 of the Public Finances Law. No money can be spent, nothing can be done. There is an absolute safety and certainty for this Assembly that the Government will not spend £1 of that £20 million until that fund is set up by the specific structure we stick with. The point being the excellent connectivity available in Jersey provides very much the idea of an environment that protects innovation and entrepreneurship. It is about new product development and defends where testing can be undertaken. We should be continuing to back our digital industries, supporting the development of sandbox environments. That, as I have said, is a flag that we can fly, and we do fly when nurturing relations within our global markets, within the other jurisdictions that we seek to engage with. That is why for me we should be confident in pledging our support to the digital sector, not only as a means to diversify our economy and provide jobs for Islanders but also to help put our Island on the map when it comes to digital development. In short, reducing the transfer to zero would send a clear message to those watching that we do not support the technology and digital industries, which are very, very vital for our current and future prosperity and also to what in the future we will be able to provide to Islanders in terms of services and improving the future for our Island and those who live on it. That is why I very much do urge Members to reject the first part of the amendment but we do absolutely support the second part of the amendment of the Corporate Services Scrutiny Panel.

**The Bailiff:**

Do you give way for a point of clarification from Deputy Gardiner, Chief Minister?

**Senator J.A.N. Le Fondré:**

I do, Sir.

**The Bailiff:**

I am afraid that it is gone. I did not hear what your answer was, Chief Minister.

[12:15]

**Senator J.A.N. Le Fondré:**

Yes, Sir.

**The Bailiff:**

Yes. Deputy Gardiner, what is your point of clarification?

**Deputy I. Gardiner:**

Thank you to the Chief Minister for his speech, it was helpful, it clarified the first half of my question, so it will be quicker. I am really reassured that the proposition will be brought back to the States and none of the funds would be spent before the proposition will be adopted by the States. Would the Chief Minister please clarify why the proposition cannot include £20 million, why we have to vote for this £20 million now? Why is he objecting to the first part of the proposition to try and reduce it to zero at this stage?

**The Bailiff:**

I think his reason was the content of his speech. I am not sure it is a point of clarification of something that he said.

**Deputy I. Gardiner:**

Okay, I will ask a different way. I did not understand from the speech why £20 million cannot be brought together with the proposition.

**Senator J.A.N. Le Fondré:**

I think the reason we have done it this way round is we tried to be open to Members, that is why the transfers are identified in the Government Plan. Obviously the work on the plan, broadly speaking, did track up between sort of June and July, which, from memory, was roughly about the same time as the dividend was eventually identified from Jersey Telecom. That is my recollection to making it but it might not be entirely precise. I think the fundamental one there is we have tried to be absolutely transparent around the proposal and the source of the money and the best place to do that is in the Government Plan, as opposed to, in essence, it becomes a debate on the money as well as the purpose of the fund, if that makes sense. We do quite strongly think that by reducing it to zero the message that will then be sent out to, if you like, the digital sector will be, well, the Assembly has rejected the principles of the Technology Fund and that is not a good message to then be able to take out both either internally or even externally. But ...

**The Bailiff:**

I think that has gone quite broadly as a point of clarification, Chief Minister. I think you have clarified the position.

**Deputy R.J. Ward:**

Sorry, Sir, before I did put in the chat, there is a delay in the chat, about a point of clarification around the same area because ...

**The Bailiff:**

Chief Minister, do you agree to a point of clarification from Deputy Ward?

**Senator J.A.N. Le Fondré:**

Yes, Sir. I am sorry, just thought about it becoming a secondary debate on the fund.

**Deputy R.J. Ward:**

It is okay, Chief Minister, you do not have to worry. It was genuinely meant to be constructive. With the amendment it says the transfer technically the fund should be reduced to zero. If that was voted against and there was no change to the Technology Fund, what would the proposition that would come to the Assembly? Because something the Chief Minister just said was that it would come back to the Assembly regards the amount of the fund as well. I did not quite get that. I heard part of the speech, I do apologise. I sat here listening intently. What proposition would come back? Because I think that is quite important. What would happen is that there would be an agreement for a quantity of money and then it would come back to say, well, let us see how we are going to use that; that is very different from saying so what that quantity of money is and how we use that. Can we just have some clarity on what that proposition would be? I think it is quite important to have a timescale, just so that we know what we are voting for, given splitting those 2 parts of the amendment. I hope the Chief Minister understands why I am asking that question.

**Senator J.A.N. Le Fondré:**

Yes, I just need 30 seconds to make sure I have got the right page to answer the Deputy's question as well.

**Deputy R.J. Ward:**

If it helps it is just the highlighted part in the amendment, yes.

**Senator J.A.N. Le Fondré:**

Okay. Essentially, part of this Government Plan has laid out tranches from the Consolidated Fund. The £20 million on the transfer in relation to the Technology Fund is subject to, effectively, a separate approval for a proposition by the Assembly, so it cannot move and otherwise it will sit on the

Consolidated Fund balance and that is it; it will not be used. Article 6 of the law requires when establishing a fund, and that is what we are saying, is that the proposition to establish the fund will come back to this Assembly because it has to. It says: “The States must specify the purpose of the fund, the fund’s terms and the circumstances in which the fund may be wound up.” That is why part 2 of the amendment, which was very helpful, basically it says: “The proposition to create such a fund shall explicitly seek the Assembly’s approval of the purpose and terms of that fund.” That is why we are very happy to support the second part. The reason we are saying on the first part, the reduction to zero, is it fundamentally just sends a message that we do not support creating the fund. For all the reasons we have been saying around our leading place globally in the technology and digital sector, which I have been to in my speech, we think that sends completely the wrong message. Is that sufficient, Sir?

**The Bailiff:**

Thank you very much. There is also a point of clarification sought by Deputy Young. Chief Minister, if you will give way for that.

**Deputy J.H. Young:**

Yes, I am grateful for the Chief Minister. The key point I would ask and invite him please to just clarify for my benefit, I may have missed it, he mentioned a source of the funds and I think I heard him say that the £20 million transfer to the new fund is going to be sought from the Internet of Things dividend, expected £40 million in the comments paper. Could he just confirm that there is no intention here that that transfer to the Technology Fund that we are debating now would include any elements of the technology element of the matter we just discussed transfers from the H.I.F.? Will it be just exclusively sought from the Internet of Things?

**The Bailiff:**

I should probably comment on that, the word of the amendment, if passed, is entirely clear. The transfer is from the Consolidated Fund. The Consolidated Fund is not separated in bits, it is just a transfer from the Consolidated Fund, which is a breach of statute. But, Chief Minister, do you have anything you wish to add to that?

**Senator J.A.N. Le Fondré:**

All I can say is the point is that the dividend on the Internet of Things was paid into the Consolidated Fund and, therefore, it was a total of £40 million, this is around £20 million of that fund being transferred, subject to a second proposition, to a Technology Fund. That will be, if you like, the substance of the origin of funds will be part of the dividend that we receive from Jersey Telecom in respect of a technology receipt, if you like, from one of our arm’s length organisations.

**The Bailiff:**

Did that assist you, Deputy Young?

**Deputy J.H. Young:**

Sir, I think my question is off beat, probably not. You have dealt with it as best you can. Thank you, Sir.

**The Bailiff:**

Thank you very much indeed.

**2.2.3 The Deputy of St. Peter:**

It has been a long wait. I really struggled with this amendment. I do not really understand what is behind it. During my work on the population policy I have ascertained quite clearly that there has

been, I think, like an obviously chronic, grievous underinvestment in technology within the Government of Jersey. I have also seen sort of poor investment in the commercial world. I think it is quite fair to say that the culture of this Island is not technology-led; we are there. I cannot continue without acknowledging because I have met some tech entrepreneurs over here who are doing a fantastic job and they really are being innovative and coming up with some wonderful ideas. I think we also have to acknowledge the work that Digital Jersey are doing because if I do not certainly Mr. Moretta will be on the phone in about 5 minutes. However, they are swimming against the tide; we do not have this culture. I will share this with you, it is important, PwC (PricewaterhouseCoopers), which uses the concept for digital density, and I think I can clarify digital density by saying it is the sort of percentages of tasks that could be automated that have been automated. We run at 10 per cent, Jersey runs at 10 per cent, the fastest internet in the world, as we keep on hearing and telling ourselves, but we still have a very small percentage of our technology that we use on a day-to-day basis, our services and the way that we work is digitised, it is 10 per cent. London, put in perspective, a slightly bigger place, bigger challenges and apparently 41st fastest internet in the world has got 16 per cent. We are lagging far behind the likes of Estonia and Taiwan, who are digital economies, as we know, and they are up in the 30 per cent. We have to acknowledge we are behind and any idea to reduce any investment going forward is just purely ludicrous in 2021. I cannot go on without making reference to the Innovation Fund. Anybody who looked at that on the outside and I did because it was launched just after I moved back to Jersey will know it was absolutely flawed from the outset. I do not know how it got through this Assembly. Hopefully, part 2 of this will be adopted because we have to review these investments quite clearly, the principle of the investments, not where the money is being spent obviously. Why is it fundamentally flawed? Quite simple, it was based on debt and not equity. The way any usual investors work, which is, effectively, what we are with the Innovation Fund, is you, let us say for argument, you invest in 10 companies you expect 3 or 4 to fail, 3 or 4 to wash their face and ideally one or 2 will absolutely fly where the returns are skewed multiples which means the overall fund becomes highly lucrative. That is how they work. We did not do that and that is why it failed. I could go on with my passion about this for a long time. How we could even consider not withdrawing money from an innovation fund to support entrepreneurs in this Island to go to all the markets that the Chief Minister mentioned in health and our green technologies is purely ludicrous. I urge everybody do not support this but very happy to bring the fund or whatever it is back to the Assembly in the future.

#### **2.2.4 Senator T.A. Vallois:**

I am speaking as a member of the Corporate Services Scrutiny Panel that brought this amendment, maybe I can help clarify and help particularly the Deputy of St. Peter to understand why we brought this amendment. It is not whether we do or do not want a Technology Fund, it is about accountability and governance. That is extremely important because this States Assembly approved the Public Finances (Jersey) Law in 2019. The 2019 Public Finances (Jersey) Law provides a certain amount of flexibility in the amount that is able to move during a year. I will give this as an example. In the Government Plan last year there was reference made within the Government Plan for a need to move funds from one department to another department in order to make sure that the funding for M. and D. (Modernisation and Digital), for technology, for health and education could be moved over but they did not quite know how much money would be needed at that point in time. There was a mention in the Government Plan and what Article 18 of the Public Finances (Jersey) Law does is enable the Minister for Treasury and Resources to manoeuvre that funding from one place to another. If that is an issue and a problem, there is an ability for the Council of Ministers to bring forward an amendment to the Government Plan, if need be. On the point of sending out the right messages and sending out the right signals to industry, I am a big believer in diversifying our industries and I am a big believer in diversifying, particularly in technology and the use that technology can have. That is without argument. I am not going to make those arguments whether there are pros and cons against this. What I am going to make the argument about is whether we know whether that £20 million is enough

or not enough. We will only know that if and when the proposition that establishes the fund identifies the terms of reference, the requirements, the needs. We have seen historically some of the risks that have been multiplied because of the way previous funds may or may not have been managed.

[12:30]

What we are purely saying here is we are sending the message in that this funding, this £20 million, will not be available to everybody from 1st January 2022. The funding will only be available to industry once that proposition establishing the fund is brought to the Assembly. If we wanted to send the appropriate message to industry, that fund should have been brought as a proposition alongside of the Government Plan establishing it, identifying the appropriate accountability and the appropriate governance. The argument of the Corporate Services Scrutiny Panel on this basis is not if, when or how or what that Technology Fund may or may not look like, what we are asking is that the States Assembly back up their agreement to what we have in terms of governance and accountability, we make sure we know what we are voting for and that we hear many, many times - and I am sure you are going to hear it in other amendments - we need evidence, we need proof, we need data, we need information. We cannot just be signing off £20 million at the flick of a tick without having the appropriate information. That is why the Corporate Services Scrutiny Panel brought the amendment that they have. It is not because we do not support industry, it is not because we do not believe it is the appropriate way to do things, but we do believe in making sure that when we have these funds in place the accountability and governance that sits around it accords with the appropriate risk management and the appropriate expectations of public funds expenditure. That £20 million will sit in the Consolidated Fund and there is flexibility and there is mobility under the Public Finances (Jersey) Law to make that move once the fund is established. I hope that by me explaining this as clearly as I possibly can around the rules and roles of the Public Finances (Jersey) Law and the roles of accountability and governance that we expect from the States Assembly, that people better understand why this amendment was brought and hopefully will support us in that endeavour. We look forward - we absolutely look forward - to seeing the fund proposition establishing the Technology Fund and applying the requisite expectations of that fund, so that everybody knows where they stand and when they can access those monies.

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

Just very briefly, if I can, to address the questions of the previous speaker, Senator Vallois, and of course her representation of the Panel. As the Chief Minister has already said, the £20 million proposed to be ring-fenced for the Technology Fund has come from the £40 million one-off dividend paid by J.T. to its shareholder as the result of the sale of its international I.o.T. (Internet of Things) business. To try to answer some of the Senator's questions on a timeline, we will be publishing a discussion paper before the end of January for 4 weeks' input from all stakeholders, which will include obviously businesses as mentioned. We will then review the input and develop the proposition for lodging in mid-March for this proposition to come before the Assembly. Then providing Ministers agree and a date time can be secured we will want to debate the proposition in late April before the start of the pre-election period. I hope this answers some of the Senator's questions.

#### **2.2.6 Deputy I. Gardiner:**

Briefly, following my point of clarification, if I have it correct, it is an option to bring a proposition which would include an amount of £20 million, which we discussed today, later in April. I am grateful to Senator Vallois because it is about accountability and governance, not against establishing a Technology Fund. For me the struggle was because I do believe we need a Technology Fund, I do believe we need to invest to develop this industry as hopefully an expert industry on the Island but at the same time we do not have a great record with governance, accountability and management of the funds. For me not knowing what will be governance, the risk assessment, selection of the procedures,

manpower, financial arrangements of the fund to deliver ... there are important questions that need to be answered. I would like to debate this matter today as a standalone proposition, as the Senator suggested, £20 million for the Consolidated Fund alongside the governance arrangements. I hope I have it right and it is an option to bring the proposition back to the Assembly, which will include the £20 million and have justification of how they are going to spend it going forward.

### **2.2.7 Connétable A. Jehan of St. John:**

I would like to thank Senator Vallois for reminding us why we are looking at this proposition. It is about governance. We own 100 per cent of J.T. and we received £40 million as a special dividend. That means that J.T. retains significant funds to invest in technology. Technology for their infrastructure and also to invest in the next I.o.T. of things or whatever that may be. A significant amount of money has been retained for technology. £40 million was the dividend we received from J.T., £20 million of that has been identified to invest in Government I.T. programmes. While I agree with the Deputy of St. Peter that we need to do much better with technology within the Government, I would also remind him that we appear to be spending money like water without seeing results in technology. We are on an Island, we call ourselves Digital Jersey and there are many, many basic things we cannot do that we should be able to do. We heard about angel investments, the Innovation Fund, well let us see the detail. I am disappointed the Council of Ministers have not accepted this proposal because it seems to me we all want to get behind the digital technology, we all want get behind the future, so why not accept this proposal and come back, as the Minister for Treasury and Resources said, in April with a proposal giving us, the Members, details on how we can spend the money wisely.

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

I have to agree with the Connétable of St. John here, unfortunately the Government is not good at technology. That is something that has been proven over many years. I am not speaking politically about this Government, I am speaking about Jersey's Government as a whole over the last 15 to 20 years has proven itself to be not good at technology. The truth is we need technology in this Island. We need technology to help us move to net zero. We need technology to help us minimise growth in the size of Government. We need technology to help us improve healthcare. We need technology at the end of the day to help us keep taxes down because otherwise we are just going to have to keep hiring more and more people. Technology is our only real option to avoid that. If Government cannot be trusted to deliver technology that helps us transform this Island, we need the private sector to do that for us. I think we have one superb example of a private sector company that has taken a massive risk, brought in technology to help us address our transport issues, in this case I am talking about E.V. (electrical vehicles) with its bike and cars is challenging the idea of private vehicle ownership. It is doing that through technology and it has done it off its own back. That is the sort of company that I would like to see brought into the fold, so to speak, to help us transform the Island. For me, therefore, a Technology Fund is going to be incredibly important in delivering that. I think it is right that the Government identifies here and now that £10 million will be put into that Technology Fund from this Government Plan. I think it is right that this Government Plan does identify that. Even more important, though, is that we do have an actual debate on the terms of reference of that fund, on the size of that fund, the types of objectives of that fund, because for me that fund should be not about trying to find companies that could become very wealthy companies by exporting a technology to the rest of world, the fund should be focused on supporting companies or helping provide funding to companies that are going to help us transform this Island. That, to me, should be the clear terms of reference of that fund. All the technology that it would invest in is to be useful in this Island to help us address the challenges with its population, its transport, its net zero, its healthcare, that is what it will do. So I cannot support the first part of this proposition because I do believe we need the Technology Fund. Everything that has been said about governance is absolutely correct because we have seen in the past how funds have been set up and the governance

has not been correct. But that should not be linked to the idea that those funds were failures. It is very important to note that with the Innovation Fund, which is oft quoted, it actually was an overall success in terms of the businesses it supported, but it had some notable failures and those failures, one of them at least, was due to very poor governance. That cannot be allowed. So when this does come back to us in the next couple of months, I will be looking for it to be a fund that is focused very much on solving the Island's problems through the use of the technology and that it has a robust governance structure, which enables it to provide funding to the requisite businesses that we need but in a way that is responsible. It should not be slowed down. It is always a balance. Another thing is you cannot bog something down in such bureaucracy that it never pays out any money to any businesses on the other side of it. I will not be supporting the first part of this proposition but I will be supporting the second because it is a very important second part of the proposition. I thank the panel for bringing that. To be honest, I encourage all States Members to take that route. Reject the first part of the proposition because we do need a Technology Fund but accept the second part of the proposition because it does need to be debated and spoken about.

## **LUNCHEON ADJOURNMENT PROPOSED**

### **The Bailiff:**

The adjournment is proposed. Very well, the Assembly will stand adjourned until 2.15 p.m.

[12:42]

## **LUNCHEON ADJOURNMENT**

[14:15]

### **The Bailiff:**

Before we resume debate on the 21st amendment, the Chief Minister has asked to make a statement in the Assembly and I have agreed that it can be taken at this point. There is the usual 15 minutes of questions that will follow on from that.

## **STATEMENT ON A MATTER OF OFFICIAL RESPONSIBILITY**

### **3. The Chief Minister will make a statement regarding Omicron variant of COVID-19**

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

Last night the competent authority Ministers met to discuss the potential emerging risks posed to the Island from the Omicron variant of COVID-19. No case of Omicron has yet been found in Jersey but health officials believe it is likely that the variant is present in the Island and we are continuing with our P.C.R. (polymerase chain reaction) test sequencing and surveillance to ensure it can be identified rapidly. We need to act proportionately to protect our community in the face of rapidly changing scientific knowledge about the level of risk that Omicron poses to our Island. What is clear is that Omicron is more transmissible than other strains and cases are currently doubling every 2 to 3 days in the U.K. If this rate were to be replicated in Jersey, we would reach an infection peak that could be much higher than that experienced last winter. We want to ensure that all Islanders can enjoy the Christmas period safely and we must safeguard the resilience of our healthcare services as there are already other winter pressures on staffing in the General Hospital and other care settings. We are asking Islanders to continue taking sensible precautionary steps to protect themselves and each other over the coming festive period. The most effective measures Islanders can take to reduce the risk of catching Omicron is it to get their third vaccination. From today all Islanders aged 18 and over will be able to book their COVID-19 booster dose and we aim to achieve an 80 per cent booster vaccination uptake by mid-January 2022. We know that vaccine immunity wanes over time and the latest evidence shows that you must have a booster dose to be protected against Omicron. The current estimates are that the booster increases vaccine efficacy against Omicron infection to between 70 and 75 per cent. Vaccination is our best defence against the virus and we need to get as many people

vaccinated as possible. I urge any Islander aged 18 and over to come forward as soon as possible to help keep themselves and their loved ones safe. From today Islanders are able to access their COVID status certification Q.R. (quick response) codes to show evidence of a booster dose. Islanders who are already vaccinated with a booster will have started to receive paper certificates demonstrating evidence of their third dose and from later today Q.R. codes will be available for booster doses by calling the coronavirus helpline. Officers are working on the relaunch of the digital COVID status certification portal and an update will be provided soon. From Tuesday, 4th January, the definition of fully vaccinated under Jersey's safer travel policy will also be updated. From this date, passengers will be required to receive the full schedule of doses available to them to meet the definition of fully vaccinated. This means passengers aged 18 and over will need to have received 2 initial doses plus a third booster dose 2 weeks before they travel. Passengers aged 12 to 18 will need to receive 2 doses of the vaccine 2 weeks before they travel. From the same date passengers will no longer be able to use evidence of previous COVID infection to afford the requirement to be tested on arrival in Jersey. Passengers who do not meet the fully-vaccinated status will need to take a free P.C.R. test on arrival and will have to isolate until they receive a negative test result. The turnaround time of P.C.R. test results is currently around 8 hours. Passengers who have travelled outside the Common Travel Area in the 10 days before arriving in Jersey will need to be tested on arrival and then isolate until a negative result or they can provide evidence of a negative pre-departure test regardless of vaccination status. We continue to strongly encourage Islanders to use masks or other protective face coverings when in indoor places, especially in shops or when attending events over the Christmas period. From Tuesday, 4th January 2022, masks will be mandatory in indoor public spaces. We recognise there will be activities where masks cannot be worn, including exercising, eating, drinking, singing and acts of worship. We will provide detailed guidance for that date. We also recommend that Islanders and businesses utilise the option to work from home as part of keeping staff safe from Tuesday, 4th January. We recognise that there are circumstances where work in offices or other workplaces can continue safely and where that can be achieved we encourage physical distancing, testing, masks and good ventilation to be used wherever practical. These are temporary measures which aim to reduce the spread of transmission allowing for people to stay well, to maximise booster uptake. The measures will remain under continual review ahead of and during implementation and will be fully reassessed by mid-January. We are also asking the hospitality sector to continue with strict monitoring of their customers, collecting their contact details and enabling easy contact tracing for the authorities. We do not want to stop people from enjoying themselves but this is a sensible precaution that will help us to control any spread of Omicron when it does reach our shores. So we must ask the sector to apply a renewed effort, particularly over the festive period, as it is better to act now to reduce the impact later. Additional business support measures for industries most severely affected by these measures are being developed and the Deputy Chief Minister, Senator Lyndon Farnham, will make an announcement on these as soon as possible. Islanders should also continue to take advantage of lateral flow testing. More than 3,500 new registrations have been received across the home, school and workplace L.F.T. (lateral flow testing) programmes in the last week, which is fantastic. In total approximately 50,000 registrations have been received for these programmes. Please can I directly ask Islanders to use these tests before leaving home when attending a public event or a Christmas party. Our healthcare services remain in a resilient position and we are able to treat those who are present in hospital with or because of COVID. We are acutely aware of the pressures being placed on care and nursing homes as well as homecare services and C.A.M. (Competent Authorities Ministers) have instructed officers to work closely with the sector to ensure that they have the resources and processes to support residents who are returning to their care after a stay in hospital. By ensuring they can return home safely we will maintain the important capacity in hospital for new admissions. We will also work with this sector to explore all options for expanding their capacity in order to support those patients leaving hospital and applying additional care for the first time. I would like to repeat my thanks to all Islanders for their continued diligence and co-operation. By taking these steps we can continue to minimise the spread of COVID-19 in

Jersey while allowing Islanders the freedom to celebrate without disproportionate restrictions on their lives. As I have said, we will keep all of these measures under constant review to ensure that they are proportionate to the potential risk we face as a community and we will step them up or step them down as appropriate. If I can address Islanders directly, please continue to act responsibly and with kindness to ensure that your family, your friends and colleagues will all enjoy this Christmas safely. That concludes the statement.

**The Bailiff:**

Thank you very much, Chief Minister. There is now a period of 15 minutes for questions.

**3.1.1 Deputy K.G. Pamplin:**

Thank you for your help in these last 24 hours and the Chief Minister for his statement today, and echo every word. In the light of the good position that Jersey finds itself in terms of its vaccination status and the things he did mention, is it not more essential to take advantage of our position to ensure these things could be introduced a lot sooner to ensure that as we safely vaccinate those vulnerable people as quickly as possible that those mandatory things could be brought in sooner?

**Senator J.A.N. Le Fondré:**

It is a very simple question but it is a very complicated answer unfortunately. We are in a good position and certainly as of yesterday - I have not yet seen the results for today - our numbers were falling. That is why there is always on these quite difficult decisions this issue around balance of risks of assessing the health concerns arising from COVID, the wider health concerns from the impact of the measures we have put in place and the damage to livelihoods as well, because that in itself can lead to, for example, mental health concerns and issues like that. We are taking what we consider to be, at this stage as of today, a proportionate approach. We believe it is signalling the direction of travel and strengthening the messaging that we have been putting out. We started putting in measures last week to increase the capacity of the ability to give vaccinations to Islanders. That was about increasing capacity to do so. Now, what we are doing is facilitating more Islanders to use that capacity and to bring that forward. That is the most urgent point. We have always taken a layered set of defences in relation to how we defend the Island and how we look after Islanders so therefore there are levels of defence. The very successful lateral flow testing that has been referenced already in my statement is a considerable level of support, provided Islanders, before they go out and mix, do do lateral flows; that is a very effective level of protection. That is why, taking all of those into the round, bearing in mind it is a long answer, we do feel at this stage it is proportionate. We are in a different place to the United Kingdom and to date the advice is that the challenges we will face are likely to be in January and February and that is why we are giving advance warning of what we want to do. There are logistics, as some Members who are on the briefing at lunch time know, practical logistics that if we can overcome them we will bring certain measures forward if we can.

**3.1.2 Deputy K.G. Pamplin:**

I again thank the Chief Minister for his statement. When is he looking to provide a public statement in the form of a conference with Dr. Muscat so more Islanders can hear the evidence, science and his reassuring words about the whole situation?

**Senator J.A.N. Le Fondré:**

In terms of today I have just recorded a video statement, a shortened version, to put out to Islanders. I believe there has also been some messaging that I am doing a statement to the Assembly now. Then we will, obviously, be doing the relevant media engagement as we go through. When we schedule a press conference will be having to work around the fact that we are all in the Assembly doing the Government Plan this week but we will try and incorporate something within the next few days. It might be Monday or Tuesday of next week but, as I say, there is messaging going out. If things

change, bearing in mind these are precautionary steps then obviously that answer will change and we will bring things forward sooner.

### **3.1.3 The Connétable of St. John:**

The Chief Minister spoke about levels of defence and the success of L.F.T.s, which I would support. What consideration has been given to introducing lateral flow tests for arriving passengers who have not had a booster? If they have not been considered, is that something he would consider introducing as a precautionary measure sooner than 4th January?

### **Senator J.A.N. Le Fondré:**

Again this is about voluntary. At the moment if somebody comes into the Island the default position is they have to isolate for either 10 or 14 days. By taking part in the testing programme they then have a simplified way of coming into the Island and, depending on the circumstances, either do not need to take a test or do need to take a test and wait until the results come through. Therefore what we are asking them to do is effectively what we are already asking Islanders to do, which is to use the lateral flow testing on a voluntary basis.

[14:30]

In practical terms I have no issue with it. What I was going to say is I am not entirely sure the level of difference it will make, however, let us be really clear, no later than 4th January, and if we can bring it in sooner that is purely down to operational issues and logistics, but no later than 4th January people travelling to Jersey who are not fully vaccinated - and this applies for adults, that is the 2 initial vaccines plus the booster - will have to have a test according to the rules that we have laid down.

### **3.1.4 The Connétable of St. John:**

I will ask the same question I asked on Monday in terms of satellite boosters being available in the community and the use of Parish Halls if required?

### **Senator J.A.N. Le Fondré:**

I relayed that question to the C.A.M. meeting that we had yesterday evening. The team will take it away. What I will say is that at the moment it is very much a case of using the resources one has to vaccinate the maximum number of people, so that is about efficiency. At present the most effective method is to get the volume of people through the Fort over the next few weeks. Once that volume starts to change I suspect the answer will be to then go to the Parish Halls but we have asked the team to look at it and see what the benefits are in terms of access because I fully agree.

### **3.1.5 Deputy S.G. Luce St. Martin:**

More than ever with Omicron we have a good idea of what is coming down the line at us. We know we probably have it on Island, we know it takes 2 or 3 days to double, we know we are currently on a 100-plus cases a day but, by the estimates I have done, by the end of the first or second week of January we could have 1,000 cases a day of Omicron. The Chief Minister says he is acting now but apart from introducing voluntary vaccinations and making them available to all adults he is not really acting now. Why does he not act now and make masks mandatory because that alone could buy us the time to get more adults vaccinated by the time Omicron really takes hold?

### **Senator J.A.N. Le Fondré:**

In relation to masks I will be as clear as I can be, I absolutely have no problem on the issue around masks and even the mandation of masks. What I do accept is that there is a legal test which has to be passed for it to be acceptable to bring in mandation under law. Ironically, we have been having a

debate just before the Assembly finished around governance. On the one side there was very much concern - we hope we have addressed that - around governance of a proposal on the Technology Fund which certain Members were very focused on and on the other side there have been suggestions that we almost tell everybody it is mandatory before the law is there to enforce it, which is quite a contradictory stance. There is a legal process. We have had the risk of challenges in the past when the directions or instructions have been given without the legal backing. One could do it once or twice at the very beginning of this pandemic but you will see that there will always be a sector of the population who will not agree with what one is trying to do and therefore that legal bar, that legal test, has to be met and has to be met in an appropriate way. Therefore, again, it is about getting the legal order drafted and obviously giving people the relevant notice to put the systems in place. From a proportionality point of view, as of today, 4th January is acceptable and the public health teams who have advised us are not seeing that increase that the Deputy is suggesting, we are seeing potentially a challenge in January and February.

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

I am going to emphasise a point made by the last speaker. Does the Chief Minister consider a delay in implementation of the proposed regulations is wise in the light of previous experiences? I wonder if we have operational difficulties in implementing the proposals put forward.

### **Senator J.A.N. Le Fondré:**

In terms of the travel side, I have been as clear as I can with Members, including my answer today, I would like to see those brought in as soon as we can. That is purely a logistical exercise on 2 sides, one is ramping up the teams to make sure that testing is done appropriately in the airport, making sure the systems do work and making sure that the technology can be updated. As I say, I am expecting an update on that. We have been very clear with the operational teams, we need an update as to can they do it sooner, which I would expect to get in the next 24 hours. If they say they can do it, for the sake of argument, in a week's time I would very much want to see it done in a week's time. But I will accept there are practical issues around that. In terms of masks, as I said, we have been putting advice out for people to wear masks, particularly for example in shops, for a number of weeks. It is quite interesting to note the number of particularly large retailers who do not have a sign on the door saying: "Please wear a mask when you come in." So that tends to reinforce this point about the necessity to achieve that legal bar to then justify the mandation side. Again, we keep it under review. If we felt as of today or as of tomorrow that this needs to be accelerated I am sure that the competent authority Ministers would be supportive of that. As of today, proportionately we do not think this is necessary as of now. What I do say, bearing in mind that we talk about the balance of harms and lives and livelihoods, is we have to remember that by sometimes reacting too quickly that can generate a pressure on a different cohort of Islanders and we need to take that into account. Also, as we have said, it has always been a balance with lives and with livelihoods. There are consequences, for example, of making working from home strongly advised from today in the run-up to the beginning of the Christmas period. Taking all those into the round, that is why I think it is proportionate to do, as of today, 4th January.

### **The Bailiff:**

Do you wish a supplemental? The questions and answers are taking significant time.

### **3.1.7 The Connétable of St. Brelade:**

Just very quickly. The Chief Minister will probably anticipate this question but would he say that the experience of the last 2 years has helped informed the decisions of today?

### **Senator J.A.N. Le Fondré:**

The short answer is yes. I do not know if it is helpful, I do not know if there is scope to extend the question time or not.

**The Bailiff:**

That is a matter for the Assembly. I am assuming there is a substantial number of questions to come and so therefore I am assuming no one is against extending the question period and it will be going for an extra 15 minutes in that case.

**3.1.8 Deputy R.J. Ward:**

Is the Chief Minister confident - and I think this is the key - that what we have in place now is strongly advised mask wearing given what we are seeing elsewhere with Omicron and the borders we have now are good enough to stop significant increases in infection on the Island? Or are we simply waiting for that happen and hoping it is not at Christmas time? I am not playing any party games here, it is a genuine because people want to know: are you confident that what we have in place is enough?

**The Bailiff:**

Could questions please be addressed through the Chair.

**Senator J.A.N. Le Fondré:**

With the information we have to hand, yes. I make the point that information changes very, very frequently and, in fact, if one remembers it was only on 26th November it became a variant of concern. It was 3 days before a Member said in the Assembly: "We are not in an emergency currently, it is about business as usual." I actually challenged that and said every time people think we have relaxed and we are back into business as usual something new comes around the corner. I think something new came round the corner that Friday. The point I am making is with the information we have, bearing in mind these are obviously very initial responses, we have been pushing the 3-pronged statement of vaccination, lateral flow and masks for a number of weeks. The fact that we are at 50,000 lateral flow registrations is fantastic and that is a strong defence. That is roughly 50 per cent of the Island. I doubt there are many jurisdictions that have that level of testing provided individuals are using those tests, which we believe they are.

**3.1.9 Deputy R.J. Ward:**

Would the Chief Minister commit to making another statement like this, even though we may be busy this week I do not think anyone would object to having statements over this week because we are all going to be here? May I ask the Chief Minister to answer the question that we are inevitably going to get from people that effectively we are waiting until 4th January because we want to keep people out shopping for Christmas? Because we are going to get those questions.

**Senator J.A.N. Le Fondré:**

It is not an unreasonable question. Let us go back to last year - and apologies this is going to be a slightly longer answer again - at Christmastime, if you will recall, we basically had no vaccination, we had ... numbers were just starting to fall at Christmas Eve or 2 days before and at that point we put in measures where you could only meet for Christmas Day and Boxing Day and there was some pressure from various parts of the Island saying for whatever reasons we should be able to meet on Christmas Eve or other iterations around that. The point is, all the actions we have which may be absolutely logical and sensible to an individual in the Assembly or a proportion of the Assembly, there will be a proportion of the community out there who fundamentally do not agree with it. It is taking those balance of risks together. It is always the balance of risks. Christmas is a special time. It will be the second Christmas of living with COVID and therefore it is about families coming together in as easy and unpressurised way as possible. It is ultimately about the well-being of the community, and I talked about mental health and things like that in general terms. Therefore the least I think complexity we have around that is important. If we closed St. Helier down today there would be an economic impact and that in itself then adds to stress to people in employment, who own small

businesses in town and things like that. I will just finish by saying to bear in mind the stages we are going through, the schools will be breaking up on Friday and the numbers have been coming down in the schools, it is likely then there is going to be less mixing other than in the party type of territory starting from next week and that is where we keep urging people to use lateral flow tests. So over the Christmas period there is an expectation that things, other than the celebratory side, should dampen down in terms of mixing. That is why I still think at this stage 4th January is proportionate. We will keep monitoring this very, very closely.

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

I think it is only fair as a Member of the Government that I should step aside and allow others to ask questions.

**3.1.10 Deputy M. Tadier:**

Does the Minister think that people being tested and coming back with a positive result have the right to know what strain of COVID they have and why are they not being told this by the helpline?

**Senator J.A.N. Le Fondré:**

I think the answer on that one is I will go away and find out if there are practical difficulties to that. My understanding from the testing regime, so lateral flow shows you are positive. We give a P.C.R. to verify that you are positive. That P.C.R. test, as I have understood, is then taken away and checked for the type of variant that one has. I believe that testing is done in the United Kingdom and therefore there is a time lag between that test being sent away and coming back to identify the variant. There is obviously no time lag other than the 8 hours that we talk about of determining whether one is positive with COVID or not. So just putting those 2 things together, I cannot see any reason myself, as a layman and as a non-medical practitioner, why a person could not be told what variant it is. However, I very much caveat that by wanting to hear the detail from the technical team. It is certainly something that at the next States Members' briefing, if not before, if the Deputy wanted to ask that of the relevant team, I am sure they would be delighted to give him an answer. Hopefully we can get a direct answer to the Deputy and Members before then.

**3.1.11 Deputy M. Tadier:**

I have experience of somebody who has tested positive and they were followed up by contact tracing and when they asked: "Can you tell me what strain I had?" they said: "No, we cannot tell you that." But when they were pushed on why they could not be told, the person consulted with the manager and said: "It is because we do not keep a note of it and the test is destroyed."

[14:45]

It seems to me that we need to know the numbers of the different strains presumably and it seems to be salient data that any patient should know exactly what kind of strain they have for, I think, just common-sense justice. Does the Minister agree with that point and if it is not being done, will he make sure that people are told?

**Senator J.A.N. Le Fondré:**

All I can say is, from a logistics point of view, I just want to find out the rationale behind it. I am sure there is a rationale.

**3.1.12 Deputy K.F. Morel:**

I am very pleased to hear that the business support schemes will be dusted off and brought back in, that is good news, but I am concerned about staff shortages. With the mask mandate not coming in until 4th January, I am concerned, with my retail hat on, about customers possibly infecting workers in shops. Is there any advice the Chief Minister could give to those shops and would they be within their rights to require people to enter their shops with masks? I know the Chief Minister has spoken

about posters outside but are those shops or restaurants, et cetera, able to require masks of customers to help protect their staff?

**Senator J.A.N. Le Fondré:**

That is dragging up some memories when we have been through this a number of times previously on the mandate side. I believe there is absolutely nothing that stops shops these days, right now, requesting customers to wear a mask. I cannot remember the legal position if a customer decides they do not want to. Obviously, we have given the guidance for a number of weeks through the relevant organisations, so Chamber of Commerce, I.o.D. (Institute of Directors) and others in Jersey business advising about wearing masks anyway. My understanding is that the shops would very much prefer us to be mandating it because it then gives them a stronger push to any customers who do not want to wear masks obviously, and it is varied. Mainly because of the hours we do, I do not tend to get to too many different shops but on the very few I have gone into, some have got screens up or have put screens back up. Most of the staff, not all, have been wearing masks so there is protection there, but I agree entirely, again, it is that matter of being responsible, of also respecting the safety of your neighbour and, in this instance, of the shop assistant, if members of the public will wear a mask as we have been advising when going into shops.

**3.1.13 Deputy K.F. Morel:**

Sticking with retail and hospitality, obviously the Christmas season is an incredibly important season for both retail and hospitality and they often do not get to make up any losses over this period until Easter at the earliest, if not the summer. With that in mind, is the Government considering how long those support schemes may be required because they may well be required as late as Easter next year if they miss out on this season?

**Senator J.A.N. Le Fondré:**

We have already done some announcements which schemes carry on to which dates but, as we have already said, and I am sure the Deputy, wearing his official hat, will be having some discussions with the Minister as Senator Farnham will be making those announcements in due course. We do recognise absolutely the consequences of the announcements we are making today.

**3.1.14 Deputy M.R. Higgins:**

In one of the private briefings we had with Dr. Muscat I was told that only a sample of P.C.R. swabs are tested in the U.K. because we do not have the genomic testing equipment in the Island. Some time ago I asked that we should acquire this because probably Omicron will not be the final variant that is going to drift through before we see the end of this pandemic. What he said was: "You need a specialist to operate it." Now Guernsey has this; would the Chief Minister please look into genomic testing, about having the facility in the Island so we can provide real time rather than delayed action responses?

**Senator J.A.N. Le Fondré:**

Absolutely no problem, I am very happy to take that away and feed it back into the team.

**3.1.15 Deputy R.J. Ward:**

Is there a point of the number of infections or is it the number of hospitalisations that have been focused on this time with this difference at which mandatory mask wearing and more mitigations will come in urgently, and they could happen very urgently, perhaps even through the Christmas break? How quick is the mechanism for making that decision?

**Senator J.A.N. Le Fondré:**

There are about 3 aspects to that question. In terms of the point about, for want of a better expression, the "metrics", and I am a bit hesitant using that word, we have moved away from focusing just on

numbers and very much looking at the impact upon the hospital and general health services and making sure that they do not get overwhelmed. I emphasise absolutely that every message - and in fact the Deputy of St. Ouen, the Minister for Health and Social Services, confirmed that today I think - we receive from the hospital and the health team is that they are in generally a good position. We are not seeing the concerns that, for example, you are seeing in the United Kingdom. However, one of the concerns is that as the number of positive cases increases, there is a potential factor of an increase in projected hospitalisations with a time lag. There are 2 things that we kind of interpose and consider along with a variety of other effectively more subjective measures and information that comes in through the health teams. As I said, we are meeting weekly to assess those. In terms of the speed to implement masks, if a decision was taken that we felt we had reached that legal bar and that legal test and we did need to do it earlier, it is always very much the Minister for Health and Social Services who has to sign the order. It is within, I think, in practical terms to do it quicker, but at the moment, as we have said, proportionately we think it is appropriate to give Islanders advance warning that it is scheduled for 4th January. My view, it would be interesting to see over the next few days, is that by messaging the fact that masks will be mandatory from 4th January that we will start seeing a behavioural change again over the next few days.

**3.1.16 Deputy R.J. Ward:**

I hope that the Chief Minister is right in his last comment there about the mask wearing. I ask the Chief Minister, is it still mandatory to isolate for 10 days with infection if you are an active case? There are currently 1,064 people on this Island isolating. As what point do the number of people isolating become a variable in the metric, i.e., the impact on people's lives?

**Senator J.A.N. Le Fondré:**

One will recall that in June/July of this year we went up to around or just above 3,000 cases and we have to take into account it is also around the information we get around severity. If people are isolating, I do know instances where effectively, particularly in younger individuals, they have felt a bit unwell for a couple of days and then frankly have then got on with the next 8 days, if that makes sense, and then other people have felt quite unwell for almost the entire period. One of the things I would say which we have changed, that the Deputy will be aware, and is again worth re-emphasising is that do not forget, for well-being purposes, we do allow everybody out for 2 hours a day, even if they are positive, obviously not to go to mix, but to at least go out and get some fresh air.

**Deputy M. Tadier:**

Did you try and call me before, by the way, my internet dropped out?

**The Bailiff:**

No, I think my tone of voice was slightly off, Deputy, but you are entitled to your second question now. There is about 2 minutes to go.

**3.1.17 Deputy M. Tadier:**

Does the Chief Minister agree that the public have been, by and large, very compliant? They have had 2, 3 vaccines where necessary, we are often doing lateral-flow tests several times a week before we go out anywhere. To mandate people who are healthy and who, to the best of their knowledge, certainly do not have COVID to wear a mask has a downside ...

**The Bailiff:**

Deputy Tadier, you are using up the last minute of questions with your question, did you have a question?

**Deputy M. Tadier:**

Yes. Does the Chief Minister agree that it is important we give people a break who are trying to do the right thing and that there is a human downside to compulsion when it comes to wearing masks?

**The Bailiff:**

I am sorry, the time limit in which you can answer that question has now expired, Chief Minister. I am afraid Standing Orders are entirely strict, it can be 15 minutes plus 15 minutes, but there is no room to extend it any further, I am afraid.

**Senator J.A.N. Le Fondré:**

I am waiting for you to do your: “You have started...” so I can finish.

**PUBLIC BUSINESS - resumption**

**4. Proposed Government Plan 2022-2025 (P.90/2021): twenty-first amendment (P.90/2021 Amd.(21)) - resumption**

**The Bailiff:**

No, I am afraid it is not that kind of competition. We therefore now resume the debate on the amendment number 21 and the next person to speak is Deputy Higgins.

**4.1 Deputy M.R. Higgins:**

It will be very brief. I was thinking as the debate was progressing, Corporate Services have achieved their aim. Part (b) has been accepted by the Government and the Government will be coming back with all the data that is required and rightly, so I commend Corporate Services for bringing forward their amendment. Part 1 though is slightly different. Basically, the Chief Minister has said that the money will be allocated but in the Consolidated Fund, will not be drawn down upon and will not be spent until a proposition has been brought before the States. I think we have got to the stage now where it is almost like Shakespeare, it is much ado about nothing. The principles have been established, the States will have all the facts, we will make decisions when those facts come, when the proposition comes to the States in the same way the Government will have money in the fund, which again signals to the outside world that we are not just shutting down and saying no technology. From my own personal point of view, I think Members should take it that it would be sensible to agree to part (a) and part (b). In other words, let the Government have the allocation of the money so they can broadcast that we are open to technology business and they are interested in pursuing technology and at the same time we can all rest assured that we have the safeguards that we require. I shall be voting for parts (a) and (b).

**4.1.1 The Connétable of St. Ouen:**

I am pleased to follow Deputy Higgins, as always. I am sure he reads my mind because many of his thoughts echo mine. I think it is entirely right that Scrutiny have done what they have done to bring this to our attention and, as Senator Vallois very eloquently laid out, scrutiny on this is absolutely vital, as is the governance of this fund to make sure that they spend it appropriately and we can justify it to taxpayers. That is where my agreement with this ceases. I think, as Deputy Higgins said, we now know that if money is allocated to this fund it will be scrutinised properly but I think we need to be careful about reducing it to zero. In this Assembly we do not exist in a bubble. The world looks at us and looks at what we do and reads through it our intentions. I think it is important that we signify to the rest of the world that we are serious about technology. I am not proposing to spend a long time setting out the reasons why we should be serious about technology because I think most people realise how important it is, not just to us as individuals, but also to, at the very least, our principal industry, which is the finance industry. Having come from the finance industry, I can tell you that technology is an absolutely vital component of that industry and to its success. There is no doubt that since Jersey has improved its internet capability that has proved to be an initial attraction to finance firms looking to look at Jersey because they realise that we are serious about technology

and that we will support them if they come to the Island in that respect. I think if we were to reduce that to nil it would send the wrong message to those of us who look at us from outside the Island and judge us on what we do and what we say in this House. I, for one, will be voting against the first part and be supporting the second part.

[15:00]

I think it would be a mistake, from a perspective point of view, to reduce this to nil and it would not say the right thing about how serious we are as an international business place to people who look at us and judge us against our competitors. I think that when Members vote they need to bear that in mind, in my view.

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

There are just a couple of things that trouble me about this. First, I do not think the amendment should have been accepted because I think what is happening now is we are getting a very convoluted and intellectualised way of nullifying this amendment by saying: "We will just transfer the money and then we will come back and look at it later on, we promise." But the Minister for Treasury and Resources said there will be a proposition regards that in April. If that is scrutinised in any way, then it will not come back before the next election because there will not be time. There is not time. From somebody who chairs a Scrutiny Panel to other chairs of Scrutiny Panels and members of Scrutiny Panels, look at your work programme at the moment because there are so many pieces of work that we are being told: "Well we are not entirely sure if they are coming through on the date because we do not really have the time to get them put together properly, we do not have the drafter's time, we do not have the ability to do that." I can see that happening and then the money will be transferred. To be quite frank, it is like another one of those government slush funds where money, when they want to, significant amounts of money, can be put aside and just placed, ready for whatever they want to do, whereas in other areas, we are told in this Assembly - it happened earlier today - we are going to have specific data. It is going to take 3 or 4 years to work out before we put any money aside. We cannot be doing that. There is no business plan for this. This is a programme with no business plan and I am stunned by so many in this Assembly who purport to say: "Well, I am a business person, I know about business, I am really business orientated as opposed to some of you who ..." those of us who want to do that correctly will look at this and say: "Where is the plan for this significant amount of money?" "Oh, there is not one and it will come back to us at some time." "Oh, but when will that come back?" "Well, April; sometime around April." "Will that be scrutinised?" "Well if it is, it will be in the next election." Then the next Assembly will have a pot of money called "technology" which could mean just about everything because for some people it is the internet, some people it is A.I. and it is one of those words, is it not, technology. There is absolutely nothing in this that says to me: "Transfer this money now and we will know what it is used for." The Innovation Fund had some successes, yes, but again it was set up so poorly that it also had some real failures and money was wasted, money that we are so often told - so often told - is so short that we cannot do things. We cannot give £200,000 to this or that because: "Oh, that money just is not there." We cannot do these things which are socially going to change people's lives because the money just is not there: "You people, you just want to give away free money." But in this case, we will put a little pot of money together because there is a non-specified success at the end of it, which we do not really know what it is and we do not really know what we are defining around it. This is a contradiction in the Assembly which I simply cannot accept and I am stunned that people are. It is not often I am particularly speechless but in this case it is. I will be voting for both parts of this, it should be reduced to zero, and there should be a proposition so we know explicitly - and that is the key word - seek the Assembly's approval, the primacy of this Assembly again, not a Council of Ministers above this Assembly, but a Council of Ministers that brings things that have to be agreed by this Assembly so that we know what we are agreeing and we know where the money is going and we know where taxpayers' money is going, to approve the purpose and terms of that fund. We do not have that.

These promises of: “That is okay, it will be all right tomorrow” and the messages it sends out. If you are going to talk about messages, let us think about some of the interactions that have gone on in the last few days in this Assembly, messages for people who use food banks, messages for people who cannot afford the G.P.s, let us look at those messages first, shall we? I think that this is wrong and I urge Members to vote for both parts of this. This should have been brought together, in my opinion. It is not a criticism, just to say.

#### **4.1.3 Deputy K.G. Pamplin:**

Similarly to the previous speaker but coming at it from a different point of view, I simply do not think £20 million for technology is enough. Technology is here, it is evolving at a rapid speed and my personal belief is technology should not suppress or replace people but it should enhance society at a greater need. If it is too much in the hands of the privileged and big fintech companies, then we are not winning. But luckily here in Jersey, we are seeing small fintech companies having great successes, and I think that is the best approach to large technical advances. The other obvious point is what we are going through now in the pandemic and what we have been through in the last 18 months. If it was not for technology and the ability to work remotely, what would this Assembly have done when we needed to meet urgently? There are a lot of small companies building communities on this Island with the purpose of helping. I am thinking predominantly about medication, I am thinking predominantly about Medicare, medical records, and that needs to be done correctly and it needs to be done urgently because that is where we are heading as a generation, technology needs that support. However, I would like £20 million to be injected into the mental health services as of yesterday, so I also share those concerns of what Deputy Ward is saying. But equally at the same point I think I agree in this case that if we reduce to zero it does send out the wrong message. But, as Deputy Morel said, and Deputy Ward has said, if we do not learn our lessons from the past and the many, many reports from the C. and A. G. (Comptroller and Auditor General) about governance, we will be shooting ourselves in our own foot for generations to come.

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

It is quite an interesting debate this one which everyone agrees that there should be a Technology Fund that this Assembly agrees the terms of reference, how it is, learning from lessons of the past. I agree absolutely with Deputy Morel, there were some good successes in the Innovation Fund, the governance was bad. We had a few failures but that was accepted when it was set up in the Assembly, when the Innovation Fund was set up, it was on the basis that there would be some failures and some successes. But in hindsight, at the end of the day, the governance was not right and even when it was brought up to the people in charge it was not listened to and the governance failed and was not robust enough. But we all agree that something should happen. The law states that the terms of reference for setting up a fund such as this has to come to the Assembly. The Council of Ministers has never turned around and said: “It is not going to come to the Assembly, it is going to get worked up.” The money at least has got a source where the income comes from. We have identified, and there is some synergy in the identification of the fund’s money and where it comes from, which is due to the success of work with J.T. setting up the Internet of Things part of their business and selling that off, bringing some of that money - just some of it - and putting it into something aspirational that will make a difference if we get it right, if we get the terms of reference right, and we set it up. I know from the work that was done with Digital Jersey in some of the coding courses that were done, once the funding aspects of the courses they had run through the COVID money was removed, they could have filled up the course 4 times over more than they already did and they had some great success within that area. I went and gave out the certificates to the graduates of the digital course and I was very proud to do that as well. We all know that there should be a fund and there are lots of good things we can do, removing some barriers to skills and life-long learning and people that want to re-skill. It could be used for some of that, it could be used for some good ideas of setting up businesses in the Island with the right governance and the right protection. There is lots that can be done. The proposal here

will always come back to the States because that is what the law requires. So part 2 of this proposition, everyone can accept because it was going to happen anyway. Part 1 about zeroing the fund, at least this fund is coming from a source of income that has been identified and had a synergy about what it is for, unlike the previous speaker, Deputy Ward, who talks about hypocrisy. By mentioning that hypocrisy, he talks of his own hypocrisy in the way that he has laid out some amendments in this Government Plan that does not have any allocation of where the funds will come from for what was required with no detail. So there is a double-hypocrisy within the words of Deputy Ward within his speech here. I was a little disappointed at some of the speeches earlier today, saying very negative things about government technology. We are here, we were the first Parliament in the world to have a fully digitised Parliament. That is because of the successes of works within the Government digital team, the technology team. We have lots of nice apps like paying for your parking over your mobile phone rather than having to go and get scratch cards and put them in your window. We have got online tax forms, we have got the online planning application, not having to go down to one of our buildings to go and get massive printouts of paper and do everything there. We have had some absolutely fantastic successes in delivering some really fundamentally good I.T. programmes. When this pandemic started, the I.T. Department managed to get the whole of the civil service up and running on Teams and Office 365 in absolutely record time, allowing our staff to continue working and to collaborate while not being able to be in the same building at the same time. So I am a bit disappointed that people are pointing out there have been some failures. There have been some challenges, I accept, but to label an entire department that worked for us to keep our systems going as a failure is not a fair comparison and it should not be attested from this Chamber to the hard-working members of the technology team in Government. This proposition and this amendment is a confusing one for me. Why not send out a good signal about the progress that we want to go in this Island, about how forward thinking we want to be for the young people who are growing up that do not understand what digital is not. When we have been into schools to talk to children and ask them a simple question: “What is digital?” they look at you confused because they do not remember a world where digital was not. We need to be moving forward in this area, we need to be making sure that we can support some of the young people, but also some of the people that want to re-skill that are older, into the digital world and businesses or skilling opportunities. This is exactly what this fund could be for, so I do not understand. Let us send a strong message as we always have; we have the fastest internet in the world and we are most digitally connected. Let us not say: “We are just going to spend all that money and get us to this amazing place and have a success in building what could be one of the biggest Internet of Things companies in the world” and then this Parliament turn around and say: “We are not interested in sending any more messages out.” Let us put it aside, let us not send out a positive message, let us send one out of caution and distrust. I urge Members, do not vote for zeroing this out and send the wrong message out to the world and to the business community and to the young people of this Island that could be looking for how they could re-skill or use this fund when we set it up. Let us put the £20 million in, send the right message out. Part 2, it is going to happen anyway; there is no reason to vote against it at all because the Public Finances Law, the law states that if we set up the fund that the terms of reference have to go in the right way. I will leave it at that.

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

I am surprised at the pushback on this particular part of the Government Plan. I think it is one of the most important innovations in the plan when it comes to investing in our future. I just want to touch briefly on the proposed funding of this because I noted that one or 2 speakers referred to the retention of monies by J.T. and that they were retaining considerable - considerable - sums of money.

[15:15]

But I would also just like to remind Members that a very large part of what they are retaining is an absolute necessity to the future of their operations insofar as they need to maintain their investments

at the very highest level to support their infrastructure and the security of that infrastructure moving forward. I just wanted to make sure Members understood that was a big part of the rationale behind J.T. retaining a good proportion of the sale proceeds, the very successful sale that was concluded recently. Moving on to how this fund might develop and if the States were to agree. This is an in-principle debate on this, as we have with many, many other things, for example, the assisted dying debate. Lots of debates we bring in principle before we go off and then bring back the detail. Of course, the policy objectives for the fund will be set by Ministers for States approval ultimately and will include challenges and opportunities, digital skills, for example, improved productivity, carbon neutral, sustainable transport, Smart Island, digital health, fintechs, so all of the things that are really important issues for all of us, all Members of all political persuasions. But all of those very good aspirations and ambitions of this Assembly will of course rely upon us having the right digital and technical infrastructure. The digital transformation of our other industries is also key to improving our productivity, limiting immigration and developing workforce skills for future, even as our dominant industry and existing industries begin to adopt automation. Technology is also going to be on the front line of solving some of the social challenges we face here on the Island, including housing, transport, education, health, the big investment we are making in our new hospital will facilitate important investments in health technology. We know technology is developing so fast across many industries, not least the health sector, and of course this fund can be used to utilise initiatives in all of those areas. It is a fact that the digital sector is substantially below financial support that we give to either finance and other sectors currently and therefore a Technology Fund is a way of accelerating the future investment in that area. I would also like to remind Members, some of us attended the really exciting Digital Jersey's 5-year plan event, something Senator Moore attended enthusiastically and wholeheartedly supported, when we look to the future. Also, I meant to say, just going back in relation to J.T. but I am sure Members are aware that the J.T. I.o.T. Division sale provided not only the windfall financial benefit that Islanders can enjoy but also a percentage shareholding in the business which, in all likelihood, will at least double in value over the next 2 to 3 years based on current exponential growth the business is seeing and the exponential growth of that sector and a strong market position for that business. So over and above the cash funds we are talking about, the taxpayer will see significant increase in the value of the retained shareholding in that particular business. It is also critical that Jersey develops further strength in at least 2 or 3 areas of the future digital economy, such as the Internet of Things and their status stewardship which is a new emerging part of the sector which offers huge potential for us, cyber-security and of course artificial intelligence. Establishing this Technology Fund under a robust and professional stewardship which it has to be, and we can all learn from our past attempts, will support existing sector development and inward investment initiatives. This will provide a platform for investments to be made in locally-incubated businesses and those that might relocate to the Island, having initially proven their idea or concept elsewhere. We have missed opportunities like that in the past because we have not had the infrastructure or the funding to be able to see some of those ideas through. The structuring of the fund remains uncertain and that is I think at the heart of the amendment, although any final structure will be brought to the States Assembly as a proposition, whether it is this one or the next one, the States Assembly will have the final say if we agree the principle, not just the principle of the fund, but the amount. I think the amount is important to agree. Now £20 million is a significant sum. It shows that this Assembly is serious about investing in this hugely-important economic and social driver, the digital sector, technology, which is pretty much now at the heart of everything we do but will be totally part of everything we do in every sector of our lives moving forward. It also provides a unique opportunity to consider marshalling private capital alongside a Government of Jersey equity commitment. £20 million could easily leverage 3, 4 or 5 times that amount should we want to partner with the private sector on the fund and that has been done very successfully in other jurisdictions. So if we use that £20 million to leverage a much larger sum, ultimately that will be a decision for the Assembly to take, then we are opening up significant opportunities with a large and perhaps more appropriate fund for the task ahead of us. Last, but of course not least, our commitment now to a

Technology Fund with the £20 million I think will provide a really good incentive for Islanders, young and old, to encourage them to develop new skills. Those thinking about returning to the Island, I think this signal by the Assembly will provide a great incentive and give them confidence that we are thinking about a modern future. I would urge Members to reject the amendment and support a £20 million as a starter for this really important project.

#### **4.1.6 Senator S.C. Ferguson:**

Sorry, I do not want to be a Cassandra but I would just like to add a note of caution to some of the somewhat high-flying comments that have been made, particularly some of the ones by Senator Farnham, about productivity. Computerisation and the digital revolution will not improve productivity unless the underlying systems are efficient. Too often people have considered that computerisation will improve productivity. I can assure Members from experience that this is not correct. Do not let us repeat the mistakes of the Innovation Fund and let us be clear that our underlying systems are efficient before we start spending too much money on computerisation.

#### **The Bailiff:**

Does any other Member wish to speak on the amendment? If no other Member wishes to speak, then I close the debate, and call upon Senator Moore to respond.

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

Thank you to all Members who participated in this interesting and important debate. I agree with Deputy Higgins, he is quite right, accountability, oversight and transparency are vital and Government today are proposing to do this the wrong way around. As Scrutiny, we are simply trying to do our job and hold them to account by pointing this out and suggesting a better way that would use governance as it should be. I also agree with Deputy Ward in perhaps we should not have been generous to the Council of Ministers and allowed them to split this amendment. This amendment should be voted in both parts pour and I hope that I will be able to explain to Members why that is. There is a clear message here that we have not learnt from the past. The Deputy Chief Minister suggested this is an in-principle debate. In fact, it is not, and the Government Plan clearly states there will be a transfer if Members vote against this amendment and that would not be the appropriate thing, given the lack of supporting evidence and a plan that we have pointed out in our report and in earlier speeches. Supporting this amendment would not be an action of betrayal to the digital sector and it would not either send out the wrong message. In fact, it would send out the right message that we take governance and accountability seriously. If Government wanted to send the right signal, the proposition establishing the fund should have come alongside the Government Plan. It has taken this debate for a timescale even to be shared with us: no funds will be spent until the fund is established and therefore creating the wrong expectations that funds will be available from 1st June. There is an ability to move funding from the Consolidated Fund and there may be more or might be less, depending on the terms that are set for the fund. We have seen already this year several transfers, budget transfers, from the Treasury moving the Consolidated Fund around and so that shows how it can be done properly if the proper rules are followed. Many have spoken in the debate about what they would like to see for that fund but we do not know and therefore we cannot tell why £20 million even is the correct amount of money to attribute to this fund because no aims and objectives have as yet been shared with us. The Government is right to be proud of our connectivity. That is something that previous Governments have achieved for the Island and particularly in the past 2 years, all Islanders have been grateful for our status in the world as the most connected place. Our Island is a perfect digital sandbox but there are still things that need to be done and can be done to enable businesses to thrive here that the Government, if they genuinely have a will, would be able to put into action today. Let us take, for example, regulations. They are currently almost impossible for small businesses and start-ups to open bank accounts. What is Government doing to assist those small businesses with that minor but incredibly important problem? Appropriate regulations could

be in place for small start-ups rather than treating them as medium and large finance companies or larger companies. That is something that they could have in their gift to do right away. We could also get on and deliver the proper digitisation of public services and restore the proposed governance around the Modernisation and Digital budget which is, it has to be said, spiralling out of control. It is now 3 times what it was originally budgeted to be. At the moment, that project is still focused on back-office functions rather than delivery of digitised services for the public.

[15:30]

A stronger message would be to send out to the wider world and all of our industries that this Government takes accountability and governance seriously. As I said in my opening speech, the terms in relation to governance, risk assessments, selection procedures and any manpower or financial arrangement fund have not been provided. It is concerning that the Minister for Treasury and Resources suggested in her speech that another inappropriate consultation process, a shorter than the rules allow consultation process, should be the way forward and the next step for her and her team. That is absolutely not what is needed, Minister. Time and time again, the Corporate Services Panel have had to remind the Minister of the need to conduct a proposed process in a proper way following the rules that are clearly set out for her and they should be understood, particularly now that we have pointed this out on at least 2 occasions, if not more. In fact, the Minister spoke in favour of this amendment in its entirety, I believe, as she identified that there is so much more work to do. If I may, let us highlight now the importance of a diverse board when the time comes to be making the decisions around the fund and its proposed uses. However, let us not forget that these funds are the result of the development of an arm's-length organisation that took the opportunities that it has at its availability. It is unlikely that if J.T. had still been operating within the public sector, it would have achieved what it did with the Internet of Things, so they are showing the very power of that different structure. Equally, J.T. have retained a significant amount of the sale of the Internet of Things. As I think Senator Farnham mentioned, they do have uses for that, mostly around their own infrastructure, but also part of that amount of money has been set aside for them to focus on continuing innovation. Our existing arm's-length organisation could achieve probably much more than a Government with its broken-down governance scheme could in effect achieve. This debate has been a perfect example of why we should continue to allow our strong arm's-length organisations to focus on doing what they do so well and beware of a Government that is unaccountable and only interested in signalling the right intentions rather than delivering a better future. I ask all Members to support both parts of this amendment and I call for the *appel*.

**The Bailiff:**

Would you give way for a point of clarification from Deputy Pinel?

**Senator K.L. Moore:**

Yes, Sir.

**Deputy S.J. Pinel:**

Thank you to the Senator for allowing my point of clarification. The Senator did say just now that I had agreed in my speech to accept the amendment. I never did any such thing; all I was doing in my very, very short speech was giving a timeline in answer to Senator Vallois' questions. I never said I would be accepting the amendment.

**Senator K.L. Moore:**

I think perhaps the Minister misheard or perhaps I was not clear enough in my speech. I was simply saying that the Minister, in her speech, argued for the amendment in its entirety because she outlined in her speech the need for more information and further work to be done.

**The Bailiff:**

Very well, we now come to the vote. You have agreed to take the vote, I think, in 2 parts, Senator?

**Senator K.L. Moore:**

Well if we can take it as one but I think we have agreed to adopt the amendment from the Government, so we shall take it in 2 votes.

**The Bailiff:**

I think that was indicated at the beginning of the debate and the debate may have been different if Members have thought otherwise. So the first vote then is on (c)(i), so that would be the governing paragraph, and then (i) the transfer to the Technology Fund shall be reduced to £0. So the vote is whether or not the Assembly thinks the transfer should be reduced to £0. I ask the Greffier to put a vote in the ... could Members please not vote until I have opened the voting? There is a vote in the box. I open the voting then and would ask Members to vote.

**Senator J.A.N. Le Fondré:**

Just to clarify, apologies, I had just voted before you opened in the chat only because the link was there. Does that vote count or do you need us to revote?

**The Bailiff:**

Yes, these I think can be counted; we are able to look at these. If Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. Part (c)(i) has been defeated.

<b>POUR: 18</b>		<b>CONTRE: 25</b>		<b>ABSTAIN: 0</b>
Senator S.C. Ferguson		Senator I.J. Gorst		
Senator T.A. Vallois		Senator L.J. Farnham		
Senator K.L. Moore		Senator J.A.N. Le Fondré		
Senator S.W. Pallett		Connétable of St. Helier		
Senator S.Y. Mézec		Connétable of Trinity		
Connétable of St. Lawrence		Connétable of St. Mary		
Connétable of St. Saviour		Connétable of St. Ouen		
Connétable of St. Brelade		Connétable of St. Clement		
Connétable of Grouville		Deputy J.A. Martin (H)		
Connétable of St. Martin		Deputy of Grouville		
Connétable of St. John		Deputy K.C. Lewis (S)		
Deputy G.P. Southern (H)		Deputy J.M. Maçon (S)		
Deputy of St. Martin		Deputy S.J. Pinel (C)		
Deputy of St. John		Deputy of St. Ouen		
Deputy M.R. Le Hegarat (H)		Deputy R. Labey (H)		
Deputy S.M. Ahier (H)		Deputy S.M. Wickenden (H)		
Deputy R.J. Ward (H)		Deputy of St. Mary		
Deputy C.S. Alves (H)		Deputy G.J. Truscott (B)		
		Deputy J.H. Young (B)		
		Deputy L.B.E. Ash (C)		
		Deputy K.F. Morel (L)		
		Deputy G.C.U. Guida (L)		
		Deputy of St. Peter		
		Deputy of Trinity		

**The Bailiff:**

We come on now to vote on the second part and I ask the Greffier to put a link into the chat. I open the voting and ask Members to vote. If Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. The second part has been adopted.

<b>POUR: 42</b>	<b>CONTRE: 1</b>	<b>ABSTAIN: 0</b>
Senator I.J. Gorst	Senator S.C. Ferguson	
Senator L.J. Farnham		
Senator J.A.N. Le Fondré		
Senator T.A. Vallois		
Senator K.L. Moore		
Senator S.W. Pallett		
Senator S.Y. Mézec		
Connétable of St. Helier		
Connétable of St. Lawrence		
Connétable of St. Saviour		
Connétable of St. Brelade		
Connétable of Grouville		
Connétable of Trinity		
Connétable of St. Mary		
Connétable of St. Ouen		
Connétable of St. Martin		
Connétable of St. John		
Connétable of St. Clement		
Deputy J.A. Martin (H)		
Deputy G.P. Southern (H)		
Deputy of Grouville		
Deputy K.C. Lewis (S)		
Deputy J.M. Maçon (S)		
Deputy S.J. Pinel (C)		
Deputy of St. Martin		
Deputy of St. Ouen		
Deputy R. Labey (H)		
Deputy S.M. Wickenden (H)		
Deputy of St. Mary		
Deputy G.J. Truscott (B)		
Deputy J.H. Young (B)		
Deputy L.B.E. Ash (C)		
Deputy K.F. Morel (L)		
Deputy G.C.U. Guida (L)		
Deputy of St. Peter		
Deputy of Trinity		

Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				

You have, is it a point of order, Connétable of St. Saviour, or something other than that?

**The Connétable of St. Saviour:**

I am not able to go on the chat to vote and I keep voting on the link. When the Greffier is reading the names out, my name does not seem to come up like I am voting. I know it will be registered but it does not seem to come up when I do the link ones. I see Sarah's name was not mentioned either. Are we still being included?

**The Bailiff:**

Firstly, you mean Senator Ferguson, not the first name.

**The Connétable of St. Saviour:**

Yes, I beg your pardon.

**The Bailiff:**

Secondly, if you look in the chat, perhaps you are in the wrong chat, I do not know, Connétable, but I have your vote and I have Senator Ferguson's vote in the chat on the last occasion.

**The Connétable of St. Saviour:**

That is all fine, as long as it is registered; thank you very much, Sir.

**4.2 Proposed Government Plan 2022-2025 (P.90/2021): second amendment (P.90/2021 Amd.2)) - as amended**

**The Bailiff:**

The next amendment is amendment number 2, lodged by the Connétable of St. Brelade. Connétable, there is an amendment that you brought yourself. Do you wish to read that as amended by your amendment?

**The Connétable of St. Brelade:**

Yes, if I may.

**The Bailiff:**

There is also an amendment brought by the Chief Minister. Do you wish to read as amended? Do you accept that amendment?

**The Connétable of St. Brelade:**

No, I do not.

**The Bailiff:**

Do any Members disagree that the proposition can be read as amended by the Connétable's own amendment? I will ask the Greffier to read the proposition, as amended, by the Connétable's own amendment.

**The Deputy Greffier of the States:**

After the words “Appendix 2 - Summary Tables 5(i) and (ii) of the Report” insert the words “, except that in Summary Table 5(i), £500,000 should be transferred from the General Reserve Head of Expenditure to fund the undertaking of an independent review of the Island’s response to the COVID-19 pandemic, deliverable by 30th April 2022, the Council of Ministers being requested, in conjunction with the Privileges and Procedures Committee, to take such steps as are necessary to initiate a review that will deliver an objective and independent analysis of the actions undertaken in response to the COVID-19 pandemic and provide recommendations and guidelines for the management of any future pandemic or similarly disruptive event”.

#### **4.2.1 The Connétable of St. Brelade:**

By the time this proposed report hits our desk, we will have lived under the curse of the COVID-19 pandemic for over 2 years. Since lodging this amendment on 16th November, the logic and rationale for a rapid lessons learned inquiry has significantly increased. We have heard a statement earlier from the Chief Minister as a result of an answer to an urgent oral question from Deputy Pamplin asking what steps our Government are planning to take to prepare for and deal with the surge of Omicron infection including the rollout of booster vaccinations. We see the breaking news today: “New COVID-19 measures as Jersey braces for large Omicron wave.” Just as Sir Jeremy Farrar, Director of the Wellcome Trust, former member of U.K.’s S.A.G.E. (Scientific Advisory Group for Emergencies) Committee, a top global expert, had warned it would, the dangerous new variant, Omicron, has emerged from an undeveloped part of the world with serious global impact. This month, Professor Dame Sarah Gilbert of AstraZeneca fame warned that we must prepare for (a) more contagious and (b) more lethal viruses, and quite possibly both. The COVID-19 pandemic has been the greatest disaster to strike Jersey since 1945. It is perhaps unsurprising, therefore, that we have now reached the point where the case for an independent, rigorous, lessons-learned in order to be better prepared inquiry here in Jersey is widely accepted. The contention we are addressing today is one of scope and timing. My amendment mirrors Sir Jeremy Farrar’s call for a very rapid lessons-learned inquiry to best safeguard against imminent new dangers. It says we should adopt commercial and military best practice and start the inquiry within weeks, and a report produced by April next year.

[15:45]

I envisage the review will be chaired by a person who will be appointed in short order by P.P.C. (Privileges and Procedures Committee) in conjunction with the Council of Ministers, should this amendment be approved by Members. The chair will thereupon lead on the appointment of up to 4 other diverse panellists consisting of individuals with medical, machinery of government and digital or I.T. and legal experience. Support will be given by the Government or the Greffier, depending on resource capacity. I have proposed the review be delivered by 30th April 2022 in the knowledge that after 9th May we will be *au repos*, as we are calling it now, with restrictions that will impose. This will in turn lead to the general election on 22nd June with subsequent Ministerial appointments that will take us into July, after the election and with a new Government in place. I earnestly believe that this short and sharp review needs to be delivered before the election to be of value and deliver an objective and independent analysis of the actions undertaken in response to the COVID-19 pandemic and provide recommendations and guidelines for the management of any future pandemic, or indeed, any similarly disruptive event. I point out that there is no intention that this should be any sort of political witch hunt. It is aimed purely and simply towards the continued well-being of the people of Jersey, many of whom have suffered in so many different ways over the last 2 years. I appreciate what our Government has managed to achieve during this period. It has been a steep learning curve for our decision-makers and while I may not have agreed with all the actions taken, I have to admire the Chief Minister for holding the line and adhering to the policies decided by the Council of Ministers and their officers. We as States Members have all had a part to play in decisions put before us in the States Assembly. For my part, I feel constructive criticism is helpful and contributes to future decision-making. We have watched the policy decisions in other jurisdictions, in other Crown

Dependencies, in the U.K. and have seen different approaches. Which was the best and effective approach? That is what we need to know. Yes, we have Christmas and holidays coming up with people being on leave, but the identification and appointment of a high calibre individual can be made rapidly to enable terms of reference to be agreed and panel appointments to be made in early January. Let us face it, one thing we have all learned in the past 2 years is that Teams meetings can be undertaken easily and rapidly. The list of very credible potential panellists can be made available to P.P.C. and the Council of Ministers within hours of the States Assembly approval to proceed. There is every confidence that given the political will to proceed at pace, a very effective inquiry panel can be set up and be running by mid-January and complete its investigations to the standard and level envisaged by Sir Jeremy Farrar by the end of March 2022, with a report published by the end of April. I shall speak further to the Chief Minister's amendment to delay the delivery of the report until July and outline my proposed timeline. At this point, I propose the amendment.

**The Bailiff:**

Is the amendment seconded? **[Seconded]**.

**4.3 Proposed Government Plan 2022-2025 (P.90/2021): second amendment (P.90/2021 Amd.2)) - second amendment (P.90/2021 Amd.(2) Amd.(2))**

**The Bailiff:**

There is an amendment proposed by the Chief Minister and I ask the Greffier to read that amendment.

**The Deputy Greffier of the States:**

Page 2, part 1 - Substitute the words "deliverable by 30th April 2022" for the words "deliverable by 29th July 2022".

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

I would like to hope this would be a simple debate but I suspect it is going to be a longish one. To say at the outset that I and all the Council of Ministers do support a full and independent inquiry or review into our Island's response to COVID-19. Responding to the COVID-19 pandemic has required over the last 2 years a significant amount of the Government's focus and its resources and ultimately taxpayer money. It is entirely right that we have a fair and transparent review of our response so we can learn for future emergencies and inform future government planning. I absolutely agree with the Connétable that constructive criticism is beneficial and I also agree that the review should be as expeditious as possible. We cannot escape the fact that we are still in this pandemic and we do not want to detract resources or attention from our response, and I think that has been highlighted today. I think it was on 23rd November a number of the Assembly referred to it as being business as usual. I would definitely retract from that position and on that Friday was when Omicron really started coming to the fore. We have very good but small teams and, for me, their focus particularly in these next few weeks needs to be on protecting Islanders, not just contributing to a review and a review will take time out, no question. I am extremely grateful it is not a public inquiry. That is a completely different kettle of fish, but time for a review does need to be allowed. I will make one point of correction that I have just determined. The Connétable referred to the appointment process being carried out by the P.P.C. in co-ordination with the Council of Ministers. I know it is a nuance but it is the other way round is the wording of the proposition. The appointment process is carried out by the Council of Ministers but working with P.P.C. It is a subtlety but just to clarify it for Members. The purpose of this amendment is not to delay this review for delay's sake, rather we are proposing a more appropriate and more realistic timeframe, given the scale of this pandemic. It is a sizeable and complex set of issues that will have to be looked at. By allocating a further 3 months, this will make it more possible to ensure higher quality outcomes. We want the report with independent advice which will help future Governments make well-informed changes and decisions in the best interests of Islanders. There is no question in terms of the purpose. We are in vehement

agreement with the Connétable and I do thank him for lodging the amendment. But it is perfectly right we need to note the reasonably substantial sum of money that has been allocated to this review. £500,000 is considerable. We have just had a debate about governance. It is of the utmost importance that the money is used properly to produce a review that is not superficial and not a waste of money and time. That is why 29th July is a more realistic delivery date for the report. This will be one week after the election of the new Council of Ministers, which will prevent it coinciding with the election period and running the risk of the politicisation of the outcomes. It will allow the new Government and the new Assembly to have on its table a constructive lessons-learned report that will help to guide their action about how improvements can be made in terms of preparedness and reaction to future pandemics or other disruptive events. I will not tempt fate, but I rather hope we are out of the present situation by then. Crucially, extending the deadline will give the review itself more time to properly consider evidence, submissions and deliver its conclusions. That will allow for full and comprehensive review to be thoughtfully delivered rather than something that is short and rushed. Because this will be a matter of interest, it is absolutely right that members of the public have the ability so they have concerns covered and expressed properly. It will avoid any politicisation of the inquiry itself. A reporting date, i.e. when the report ends up, I believe, with me as Chief Minister, will be just over a week before nominations are opened for the 2022 general election. The Government, P.P.C. and Scrutiny are all trying to set guidance for this pre-election period of sensitivity that may limit the ability of existing Members within and without Government to comment on the findings of the report, despite the likely media interest. Critically, it is also important that any review be independent and a slightly later date of 29th July will prevent undue politicisation of the review and allow recommendations to be considered soberly and objectively. I am aware there have been previous offers of assistance in the past by members of the public currently living on the Island. It is worth putting on record, during the early days of the pandemic we had huge offers of help. Many of them were very welcome and, where we could, we utilised them as quickly as we could. There have been sometimes public commentators who in the past have offered their services but I was later informed that came at a cost, and I believe some I was originally told was around £30,000 and indeed then was very recently told that was £30,000 per member of each team. The point I am making is it is critically important that while those offers of help are always appreciated, we have to make sure this review, in particular, must be explicitly independent. It must also follow the rules of procurement to ensure that independence. Therefore, I would expect the chair of the review to be from outside the Island for this very reason. Much of the work that needs to be undertaken is to establish terms of reference for the review, appoint panel members and select a chair, will take some time and that is an additional reason why there should be a delay in beginning any review. It is a preference that we contact the references or not. I know we have discussed this considerably in relation to the time of recruitment, appointment, terms of reference, et cetera, with members of the Greffier. The conclusion we came to is 30th April is incredibly tight and risks resulting in a superficial outcome. For £500,000 that is what we do not want and it would not serve the Island well. We are still in the pandemic. There will be twists and turns on that path and while emphasis will be given to a review as expressed by the public, our priorities currently are right beyond managing the pandemic to ensure we remain in the fortunate position we are presently in, particularly as there remains uncertainty, as we have heard today, around future variants of concern and right now with the current Omicron variant. The relatively simple but I suspect contentious amendment we have made is to extend the date of delivery of the report to 29th July. That makes it completely clear of the period of *au repos* and then hopefully significantly lessens the risk of having what could end up being a superficial report if it had to be delivered by 30th April. I do not think there is anything more I can say at this stage. If we genuinely thought we could deliver the objectives by 30th April with an independent chair without putting pressure on the teams we have, we would do so. There is no question. But the advice we have taken, the consideration we have given, I suggest a date of 29th July that takes us clear of the elections, has it ready for the new Council of Ministers, all Ministers in office, is the most appropriate date at that

point. On that basis I make the amendment and ask Members to give their consideration and understanding, and ideally support it.

**The Bailiff:**

Is the amendment seconded? [**Seconded**]. Does any Member wish to speak on the amendment?

**4.3.2 Senator T.A. Vallois:**

I will play devil's advocate with regard to this. The reason why is because when we had the Chief Minister at caucus ask us on Friday for a quarterly hearing we did question on the difference between a public inquiry and the fact that there is a delay in the public inquiry still coming forward. He clearly explained that and we completely understand the reasonings behind it. I would like to understand why £500,000 and the elongating of the review would be necessary when we have a number of reviews that are being done by the Comptroller and Auditor General at present in various different aspects of what has been done during COVID-19, providing some very good recommendations and very good support in terms of governance and accountability in the way things have worked or have not worked.

[16:00]

How does the Chief Minister expect that to be joined together and deemed as a review of whoever is made up out of that selection process for this independent review, and from the recommendations from the Comptroller and Auditor General who is completely independent, has a budget not shy of £500,000 for a whole year of various different reviews, to carry out looking into various aspects of governance and accountability and the way decisions are made? I would like to understand the rationale from the Council of Ministers in terms of an amendment for having another review and what they expect the outcomes to be rather than that public inquiry that may be slightly differently nuanced to what the public will see in terms of outcomes. That will be a very useful understanding not just for myself but for the rest of the Island if we are to spend £500,000 on this.

**4.3.3 The Connétable of St. Brelade:**

I am grateful that the Council of Ministers welcomes my proposed initiative. This amendment calls for the report to be submitted by the end of July and argues the work cannot be done quickly and it should not report until after the election on 22nd June and proposed 29th July for its submission. States Members must make a call on whether it is acceptable to hold over the report, directly addressing imminent, very serious risks and required preparations until after the election. First, the Council of Ministers' amendment, while perfectly credible, has been dictated by standard operating procedures or perceived logistics and is missing that point that we must give this urgent attention in this volatile global situation we find ourselves in. I ask the Chief Minister to explain why he rejects Professor Sir Jeremy Farrar and Dame Sarah Gilbert's core recommendations to move quickly to prepare. Does he know something we do not? Can he justify why the report date should be delayed until 10 months after he first told us he agreed in principle for an independent inquiry? I respectfully ask States Members to make the choice between more dithering delay or whether they wish Jersey to move at a pace in time of need and at 21st century speed as envisaged in my proposition. It is a clear choice. There is one other very important point I put to Members. In rejecting the whole notion of a rapid lessons-learned inquiry in my proposed timescale, the Council of Ministers will turn away most of the high calibre experts who would be prepared to devote a maximum of 3 months but no more to being members of the panel. The sort of people we need as panellists will be busy experts motivated primarily by a call to civic duty of the highest order. Longer-term panels require different experts and will be considerably more expensive. Finally, let me answer the "cannot be done in time" claim. Make the process and culture work to achieve the task in time, just as business and the military do. Fast track decision-making appropriate to this public safety emergency. Dame Kate Bingham's vaccine taskforce outstanding success flowed from Sir Patrick Vallance insisting it could be set up

in time outside the usual government process and controls. Within hours of the States Assembly authorising this inquiry, the chair and vice-chair of P.P.C. and the Greffier could hold an initial meeting with a potential chair to establish availability and any thoughts on how a rapid lessons-learned inquiry they may chair would work. Within 48 hours, hold a second meeting in person, if possible, to agree modalities, support required and other details required. Within days, the candidate chair briefs the P.P.C. on their proposed terms of reference, outline panel, modalities and timelines for a same-day decision as to whether to proceed. It looks as if Omicron will hit us hard and it will put further strain on our health system and risks reimposed restrictions on our freedoms. We must not let the quagmire of conventional process dictate timelines. I have submitted a proposed timeline to the chair of P.P.C. for the committee's consideration. The response was "cannot do", and disappointing to say the least, and implied a complete lack of understanding of the gravity of the situation we find ourselves facing. A wonderful team with the Greffe are usually wizards at processing matters such as this with great alacrity, so I was quite surprised. With the greatest of respect, the chair of P.P.C. is thinking normal process and not understanding this is an emergency we need to move at the pace of the pandemic, not at the pace of normal business. It is a rapid, lessons-learned inquiry Jersey needs with a report in a few months, not next July. The chair of P.P.C. together with the Council of Ministers or the other way round, as the Chief Minister suggested, need to put public safety at the forefront of their minds. Dame Kate Bingham's appointment to the U.K. vaccine taskforce is the example to follow, outside of all the usual process, and I would urge Members to listen to the University of Oxford inspiring Romanes Lecture if they can find time. The Chief Minister and the P.P.C. chair can consider 3 candidates for chair in the timescale proposed if they shift into global pandemic emergency and public safety mode. It is not normally in my nature to be so blunt but this is not the time to pull punches. We must make this work and with a positive attitude I believe we can. I thank Members for their attention and ask they vote against this Council of Ministers amendment and support my Government Plan second amendment as presented so we can proceed without delay.

#### **4.3.4 Deputy J.A. Martin:**

For the record, I was the one dragged kicking and screaming to support even the amendment to the amendment and the amendment. It is £500,000 and I will try to answer Senator Vallois here as well. A potential chair is in the wings, it is dirty and it will be rapid and we will have lessons learnt. What is it? A paper desk exercise the Constable wants and he must have it by this certain day. Again, we are going like that with our numbers. Will it take into consideration when we were going like this last year with our numbers? We had a vote of no confidence. Everything this Council proposed we had a Back-Bencher shove something in on a Friday night. Let us go for elimination. Let us not open the border. Anything we tried to do went to the Assembly. Everything we all did should be done into a report. Not this: "I have someone sitting in the wings. I have someone who can do it quickly." The Constable does know the very hard-working officers have been working all the way through, all the medical staff who need to get these papers, need to answer the questions, all over now the Christmas period apparently. But no, do not worry about them. They can carry on while we go off and have our nice little Christmas dinners with our families, but we must have it by this date. The Constable insists it will be independent, it is not a witch hunt, we do not want it before the election because prorogue will come, we must have it before the prorogue so we can all point. What if it is a fantastic report? What are we going to do then? We are all going to get it and go: "Did we not do well?" I despair. £500,000 to get someone elected to even mid-January, to get the papers together, to do a desktop, et cetera, to interview people who make decisions. Again, many decisions were taken in the Council's name. Everything rightly does in Jersey. Back-Benchers can bring an amendment and we had all right things going on, nothing political, of course. I am despairing. If this does not go through, I cannot justify to the public £500,000 on something to do what? Lessons have been learnt worldwide. Everyone was told about New Zealand and Australia. Did they not do well? They shut down their borders, they kept it out. Yes, they did keep it out. Now everyone is

going mad. The borders are slightly open and the new variants are going: “We have a new population here, let us get going.” A lot of their population thought: “We have not got it so let us not even get vaccinated.” There are no lessons learned. We are still dealing, and if there is a rapid let us know and a go-to sheet, could not we have done with that on 10th March 2020 when we had our first case? I cannot justify, can just about, and even now, even today, because I told the Council that I was very dubious. The Chief Minister persuaded me, along with Deputy Young. He said: “This will be good for us. People want to know.” What do they want to know? All the decisions made came through the Council, briefing press conferences. People still said we did not do the right thing. Guernsey was held up to us so many times and then suddenly Alpha came last year and Guernsey got a second wave. It looks a good bet. I do not know. £500,000, it sounds like somebody sitting in the wings. It does not sound too independent to me and, as Senator Vallois said, we have a case. I am very sorry. I think I need persuading even before the Council amendment now. If this does not go through, it cannot physically be done, a proper, lessons-learned, not finger-pointing, not including every single person in the States Assembly who had roles to play in delay, had roles to play in decisions that were not allowed to be done, has to be done because that is the way the Assembly works. I am changing my mind as I speak and I really cannot ... I will wait and see but I really think I am going to hear some speeches that are going to come up and say: “Come on, we have to have it by the end of March, written up by the end of April and then you have 2 weeks before prorogue.” For what? Lessons learned. Then it is getting worse as we speak. We want the same people to do something. Do not do what you did last year. Do not look over your shoulder when the train is coming towards you right now and say we need lessons learned.

#### **4.3.5 Deputy C.S. Alves of St. Helier:**

I hope Members can bear with me because I am losing my voice but I felt I had to answer the Constable of St. Brelade’s attacks on P.P.C. as P.P.C. chair. I understand the urgency of this review. That has never been a question. However, the Constable has suggested throwing governance out the window and a method that would suggest leaving us open to claims of bias, which is something that as an Assembly we cannot risk doing. Any kind of review that we do has to be robust. This sort of speed is just not appropriate, especially when we are still in the midst of the pandemic. We are not comfortable with how this could be established in such a swift timescale, to ensure that appointments are independent and impartial, let alone ensure that the review is undertaken in a thorough and meaningful way to such a strict deadline. This is the reason why P.P.C. cannot support this. It is not that we are against this. It is not that we do not want this to happen, because I have not heard otherwise from the committee members. I absolutely want this to happen and it is absolutely paramount that it does. However, we do have to make sure that it is an open and transparent process; that is really crucial. I will end there. Thank you.

[16:15]

#### **4.3.6 Deputy L.B.E. Ash:**

Probably to the regret of several Members, I have not lost my voice. What concerns me on this is this is a massive subject. It really is. It is a big subject for the Island to really have a good look at what we did. As far as I am concerned, £500,000, and I do not want to use the expression: “It is neither here nor there”, because it obviously is a sizeable sum, but it is vital we spend money on having a proper report into this and the lessons learned. We obviously have many right at the beginning as to how prepared we were, how quickly we reacted, et cetera. My problem is, and this is whether the Chief Minister’s amendment comes in, is that we had a debate in the last Assembly, you may recall it, on the particulars who are responsible for the jurat, on the Ann Alice Rayner Fund. We were told by the Assembly there the jurats had said: “Could the Treasury take that fund over?” Pretty easy. Pretty cut and dried. No, we were told we needed much more information on that: “Let us take it back. Let us have another look at it. Let us go back.” So we will eventually probably have to bring that in the next available Assembly, which will be in January. That is 2 months for what is

a cut-and-dry issue. Some things we can take all the time in the world on, but when we have this massive issue, and it is a massive issue: “Let us rush this one through as quickly as we can. Let us get it through by April.” If someone wanted me to do it for £100,000, I will do a quick report. You can have a look at it. I can even tell you one or 2 things that would be in that report. Let us have a look at what I have just jotted down in the last 5 minutes that would need to be looked at. By and large the Government has done a good job. That is one of the things that would come out of it. Then they will look into the rest of it. The Nightingale hospital, you can look at that 2 ways. One, it was there as an insurance policy. Two, it was never going to be used. Was it the right thing to put it up? I do not know. That is something a proper inquiry would have to look at. Vaccines rolled out well. The N.H.S. did not let us down. Could we have been quicker? Could we not have been quicker? These are all things that would have to be looked at. The £100 scheme, could it have been more targeted? Yes, in my opinion. Could supermarkets have been excluded? Yes, I think they probably could. Was it a success? Yes, it was. Was the Government helped by having to divert resources to fight a vote of no confidence in the middle of a pandemic? Of course it was. Was it fatal? Possibly not. That is all for an inquiry to look at. Care homes, should they themselves have had more P.P.E. (personal protective equipment) at the beginning of this, knowing it was on its way? Were the Government slow in providing that P.P.E. when they looked for it? These are just things I have written down in the last 5 minutes, sitting here. Yet, we are now being told that an independent inquiry should be able to come in and look way, way, way wider than I have just given you and be able to funnel that all through by April. I just do not believe it. I would really, really ask that whoever we get to do this is given time to do it properly and comprehensively, so that lessons can really be learned, if there are lessons to be learned, and I am sure there are, and praise can be given out if there is praise to be given out. I will leave it there.

#### **4.3.7 Deputy S.M. Wickenden:**

I am glad to follow the previous speaker. I very much look forward to the review one day that we will have that will look back at the decisions that were made by the Government on dealing with a pandemic. I have full faith that it will say, as Deputy Ash said, that in general we did all the right things. Who is the report for? With this rush, who is the report for? I would say that reports such as this need to be there for the new Council of Ministers, so they have a fundamental report that can show the lessons learned of a previous Council of Ministers from the beginning of the pandemic to the point that we take with some clear recommendations about what was good and what could be followed if it is continued and what could be learned from and not stunning. The timescale, why is it so short? Why does it have to be before the elections? Why can it not be in time for a new Council of Ministers? We know the timescale is going to set it up so it is before we go into *au repos* or *purdah* or whatever you want to call it, where the Ministers are no longer able to make decisions because it is unfair, so we have to stop as Ministers. If we get this report before the period of *purdah*, who is it teaching? Who is making those decisions? It is not the Council of Ministers any more. It seems bizarre to write a report and get it in time for the people who can make the decisions based on the recommendations of the report to not be able to make those decisions on the recommendations of the report. To turn round to anyone and say: “Right, we are going to go out and we have to go out properly to go and find an independent chair” and then say to them: “You have to now go and get terms of reference put together. You need to get a team put together. You need to go through 2 years of minutes, of decisions and look at a lot of the things that were done. Was the co-funded payroll scheme done correctly to the right areas of the economy? What information was known at what time?” Early on, I recall, when the pandemic first started, the amount of information about how COVID-19 affected and who it affected and how it was going around the planet was changing daily. The decisions that we were making were changing daily. You have to say go through 2 years’ worth of minutes of Council of Ministers and minutes of the competent authority. Some of the things that happened in the Assembly: was it wrong to not support some of the propositions which were brought in at the time? You have to go through was mandatory masks effective? When we stopped them,

did that cause a problem? There is so much where the lessons learned need to be looked into. Whoever is looking into it will need to look at what was the information available at the time. What globally, did we know about this? Did we act soon enough? Did we not act soon enough? Did we put the right things in place? Did we support the economy rightfully? Was keeping hospitality going the right decision? You can turn around and say anyone could be an independent member and we could say: "You have a couple of months to go through this and come up with a meaningful report with clear recommendations on what was right and what was wrong." They would run for the hills or they would take the half million pounds that we have in this and run for the hills. I do not understand why and who this is for. Is it for an election, so the information is there so people can use it while they are standing up and grandstanding through an election? Or is it there so that the next Council of Ministers who are set up have got some clear information and lessons learned from what happened in the previous Government and the decisions they made? This amendment by the Council of Ministers is showing that it is about lessons learned, that we are not scared of, because we are all very happy with the decisions that we made. The Island has done us proud, following some of the tough decisions that have been made. To rush it through and say it has to be done before purdah, it has to be done before elections, seems more political than it does practical. I, like Deputy Martin, am asking: is this right to spend £500,000 right now when we are in the middle of a pandemic and we do not know what other variants are coming across? The interviewing of people that need to go in from the policy, from the health teams, and the like, to go and get involved in this quickly in the timescale and drop what they are doing to go and get this done, as well as reading through everything. Is it even feasible to get something in that timeline done? Every Member is going to ask: "Do you think somebody could do all that work in the timescale that is set out by the Constable?" I seriously do not think it will. If it is, it will not be meaningful. It will not have the right lessons learned. I will be supporting the Council of Ministers amendment to undo the timescales. I am not sure if I will be supporting the whole thing yet. I am not sure whether it is the right time.

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

The last speaker asked a really important question: who would this report be for? He seemed to think that it would be for the Council of Ministers. Of course, any report, you would expect would be used by the Council of Ministers. Surely, in the biggest crisis to have faced this Island since the Occupation, this report should be there for the electorate. So they can help make their decisions based on the people and the responses that they saw, positively or negatively, through that pandemic, which is the biggest crisis the Island has seen since the Second World War. What is wrong with that idea, that the electorate should have information to hand to help themselves make a decision; a fundamentally important decision? It is really strange. I cannot help but notice, when thinking about the electorate there, that aside from the chair of P.P.C., who understandably spoke to, in her mind, defend her committee, which is absolutely understandable. Every other person who has spoken has been part of the Alliance Party. The Alliance Party, which is the party whose interest is in maintaining their power. Their interest is likely to be in ensuring that it is probably, rather than gambling and hoping that a report would be wholly positive: "Let us push that out beyond the election, because that way it will not affect the election." Of course, there seems to be interest from Members of the Alliance, the power protecting Alliance Party, to ensure that any inquiry did not report before the election. In my mind, the electorate need information. I cannot help but notice as well that people have talked, understandably, about the more recent elements of the pandemic response. People talk about the vaccinations. They talk about business support. Things which have been very good, there is no question at all. My interest is not in the latter stages of our response, as we got to understand things. My interest is really in the months leading up to March 2020 and the initial 2 or 3 months after March 2020. Those are the times when I think it is really important to see where Jersey was at that moment. If I ask you to cast your minds back, in November Jersey undertook a pandemic flu response exercise with Guernsey. Guernsey published its report, Jersey never did. If you remember our medical officer of health, at the beginning of the pandemic, was away on sick

leave. The medical officer of health, there had not been initially someone appointed in their place. In the end, Dr. Muscat has become, obviously, in so many ways, the very positive face of the response to the pandemic. All Islanders are extremely grateful to the incredibly hard work that he and his colleagues have done. He initially was not in a position to act as medical officer of health. That happened because a decision was made by executives somewhere that the medical officer of health is on sick leave, chances of us needing a medical officer of health in the next 6 weeks, 8 weeks, 2 months are small. Lo and behold, a pandemic hit. What did we need? The one person we did need as an Island was a medical officer of health. So suddenly there had to be a promotion to that role. We can also see, and many of us would likely think that in those early days we were relying on the U.K. and their analysis of the situation. We now know that the U.K.'s early response and analysis of the situation was unbelievably wrong. The U.K. was, and has been shown through inquiries in the U.K., following a herd immunity response. It was only at the last minute that that was avoided. Things that were being uttered at that time was effectively that Jersey was following a very similar response to the U.K. and the U.K.'s response was a failure at that point.

[16:30]

I do not have the dates, but I remember Members of this Assembly, Deputy Gardiner and Deputy Pamplin particularly, asking questions in February or March of last year about the Government's response to the pandemic. The Government at that time were responding: "Do not worry, there is no pandemic at the moment, it is all in hand, we will be fine." Lo and behold within a couple of weeks we were locked down because there was a pandemic and the Government had not really identified it properly. These are just a few of the questions which are incredibly important. My hunch is that Jersey was not prepared for a pandemic at that time. Low levels of P.P.E. on Island proved that as well. We did not have a co-ordination in the executive from the perspective of the medical officer of health. That post had effectively been gutted. In my mind, anecdotally, I say the medical officer of health position had been reduced to telling people not to smoke at New Year and telling people not to drink too much in December. Over the years before then that is pretty much where most Islanders saw the medical officer of health. However, what we saw with the pandemic was the vital role that the medical officer of health plays when faced with a crisis in this Island. That is a massively important lesson to learn. Are these things that the electorate should know about before they choose to cast their votes? In my mind, yes, they probably should. I do understand that the timeline is very, very tight. I do look at that and I do question the reality of how quickly that can be done. It would be better, in my mind, to have an inquiry into those first 6 months of the response, perhaps from November through to March or April of 2019/2020, those first few months, rather than trying to go through the whole lot. That is where the lessons need to be learned. We put things right as time went by and that is really good. There is no question that the Council of Ministers, the competent authorities, civil servants across the board, public employees, care home workers, people stepped up and they made things right. However, we started off from a really bad position of preparedness; a shockingly bad position of preparedness. I think that needs to be known about. Would the report be for the Council of Ministers? I would expect them to read it. However, should the report be there for the electorate, so they can understand and help guide their decision-making when they come to have their say? It is only once every 4 years remember and yet we are asking to deny them that information for their once in a 4-year decision. It is that principle which I am finding at the moment is outweighing the practicality argument. I want us to learn and I am really, really worried that this Island, as time goes by, and now Omicron is the new pandemic, yes, but we are dealing with it better, because we are in a better place now. We are moving much more closely towards business as usual, even within a pandemic. I have to ask myself: why would people not want the electorate to have that information? It is those early months, where Jersey was not in a good place, where we have the most lessons to learn for the future. I worry that as more and more time ticks by without an inquiry that we will forget that it was those first few months, really from November 2019 through to April/May 2020. Those first few months were where Jersey was caught short and in many different places. At

the moment, I am likely to vote against the Council of Ministers' amendment, because of that principle that we need to learn. I do appreciate the practical difficulties.

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

Like Senator Vallois has just said in the chat, I am not a member of the Alliance Party. In fact, perhaps it would be better if I was, because I was the subject of an Alliance Reform coalition yesterday, which meant that I lost my amendment to the Government Plan, but I am and will continue to be strongly independent. Let us put that to one side for one moment. The last speaker that we just heard was really speaking in favour of a public inquiry rather than a lesson learned inquiry that the Connétable is proposing in his amendment to the Government Plan. It is really important that we do not somehow during the course of this debate give the impression to the public that they are the same thing. They are not the same thing. They are really quite different things. A lessons-learned quick approach that the Constable is suggesting is much akin to something that the forces might do. We know that various senior forces people have proposed that. I have nothing against it. I think it can bring value, but it is not the same thing as a public inquiry that will spend days and weeks and years looking at every single decision and taking great detailed evidence that I think some are suggesting it might be. I do want to just pick up some points from the immediate last speaker, because I do not think that there is any western Government, when one reads how western Governments responded to the pandemic, and I am not sure there is any Government across the globe that was prepared for a global pandemic. Did they all have it at the top of their risk registers? Yes, they probably did. Had they, as the Deputy just reminded us, done pandemic responses and table top exercises with gold and silver command working together with forces? Yes, of course, they had. Was any Government prepared and had in place processes and decision-making structures to deal with the global pandemic as we know it was? No, they did not. We cannot kid ourselves and there is no shame in saying that nor did we here in Jersey, as a small island community with a small Government. What a short sharp review, lessons learned, is going to tell us is really going to be about that decision-making structure and how when you come to deal with a pandemic you need to put in place a structure that somehow adheres to governance, but is wholly different from the daily governance arrangements that you would expect from a Government. This is why Senator Vallois asked the really pertinent questions. The Comptroller and Auditor General has done some interesting work in regard to various elements of the Government response to the pandemic. That is right that she should do that and that the P.A.C. (Public Accounts Committee) should pick them up and go with them and follow them up appropriately. We remind ourselves, as the last speaker did, of the chaotic nature of Governments around the globe as the pandemic was racing and raging across Europe. The science was very uncertain. The evidence was uncertain. The way that the virus would perform and impact health was uncertain. There is no point in us looking back now and believing there was all this great certainty, because there was not. Were Government decision-making structures appropriate to deal with all that great uncertainty? Of course they were not. Government decision-making processes are bureaucratic. They are about making sure everybody has crossed the t's and dotted the i's. They are about being respectful of democratic legitimacy. In the face of a pandemic we find that those structures are not always appropriate. We, like everywhere else across Europe, found ourselves with a shortage in the early stages of P.P.E. and worrying about where we were going to get a supply of P.P.E. Interestingly, some of those calling for this short sharp investigation, which I support, were equally at that point calling for us to use their expertise to help with the supply of P.P.E. around the globe. There was that element where we had to work within governance structures which were not necessarily the ones we would normally follow in order to secure P.P.E. contracts. I am quite happy and prepared, and I have said it publicly, that I supported those decisions and signed off those decisions, and I am perfectly prepared for my name to be associated with those decisions, because that was what was required at those times. Equally, if we look back, did we have what in the trade is known as a red review team that was able to review recommendations and evidence and things that were coming forward? We did not. This short sharp review would certainly be making suggestions

about how one would stand up such a red review team to work alongside civil servants and Ministers during those early days of a pandemic. There absolutely are lessons that can be learned. They will not be public inquiry-like lessons. That information would not go into the public domain. For this amount of money, it is going to be quite high level looking at decision-making structures and how decisions were made, as much as it is trying to opine on whether it was right to have a Nightingale hospital or not, trying to opine on whether the hospital was ready, trying to opine upon the vaccination programme and all of those other things, like business support, et cetera. The question before the Assembly - of course, not quite yet, because this is about timing - is whether that is the sort of review that they want or whether they want the Comptroller and Auditor General to keep doing her work or whether they do want a much more formalised public inquiry, which rightly would not be able to complete its work, because the overall impact of the pandemic has to be weighed up against other ailments, other societal harms, if you are to do it fairly and rightly in a public inquiry. Can this short sharp review be done in the timeline that the Constable is asking for? I really wish it could, because all of the things that I have just spoken about should be in the public domain so that voters at the next election can judge me on whether I made those calls right, just like every other Minister. I am not afraid of that. I do not want to hide away from that, which is why I am speaking in the terms that I am. Can it be done? It cannot. P.P.C. have recognised that. The Council of Ministers have recognised that. It is money worth spending, as far as I am concerned, but we have to be realistic about when it will be completed and when it will be available and simply because of the way we have set our election timing, it will not be possible to do it.

[16:45]

Of course, I wanted an earlier election, perhaps now I should have voted for a later election so it could have been done. I understand the Constable's passion. I understand his desire to get it done prior to the election, but practically speaking it just cannot be done. The same people that would have to support that piece of work are the very people that are working on the ongoing pandemic as we sit here, and as we heard the Chief Minister say in his statement earlier today. We are kidding ourselves if we think it can be done or if we think it is more important that those officials spend their time serving this review rather than serving Islanders in the way that they have done through the pandemic. As much as I would like to support the Constable's timing I cannot, I would be being disingenuous if I did. I will continue to put Islander's health first by supporting this amendment.

#### **4.3.10 Deputy G.P. Southern:**

As I start, can I say what a complete joy it is to listen to Deputy Morel from time to time, not always, but sometimes? When he gets his logical, rational head on, he is really excellent value for money and very clear and focused. He can focus. I share a lot of his sentiments of what he said about the early months of the pandemic. There were lessons to be learned early on about P.P.E. and other things and how we responded or did not respond. There are useful lessons to be learned from that. We have had a range of opinions already. If we carry on this debate as to what the content should be or what the nature of an inquiry should be we will get 49 opinions and 49 lists of subjects that should be looked at. However, this is a decision in principle. What we need is to concentrate on that sharp focus. Does the electorate wish to know how we performed in that period? They do. Before they undergo the next election, they should know something about what happened and how well various Ministers coped or otherwise with that situation. There is another body that needs to know those sorts of things, because not only will we be having an election with the public on 22nd June, but that will be followed sharply by this body electing its Ministers. Again, that judgment that says: how well did they do, some of them being ex-Ministers? Certain the decision of who can I support and who do I think has shown themselves to be capable and rational around major incidents. That is a piece of information that we need before we go ahead and appoint and accept a new team or Ministers, some of whom will have been through this process anyway. That is my addition, if you like to what Deputy Morel had to say. I intend to vote for an inquiry. I do not think that this postponement of

the questions being answers that is proposed in this part of the amendment is ... I hesitate to say it, but the public certainly will view that in a very bad light. This is Ministers hiding behind secrecy, I am afraid. Whether those Ministers have performed well or they think they may come out having performed badly, the electorate and ourselves deserve to know what has been going on.

#### **4.3.11 The Deputy of St. Ouen:**

I would like to give my support and welcome a rapid independent review, because I recognise it as an opportunity to learn about our response to the pandemic. It is important that we learn and inform future Government responses, not just to pandemics, but to any unexpected disruptive events. Absolutely, we want the review to be rapid. I would love to share the Connétable of St. Brelade's enthusiasm for getting this done so quickly, for cutting through the bureaucracy, but really let us understand that we have to be realistic here. We know, do we not, given the size of what needs to be looked at, even if the issues need to be narrowed, you need to start by looking at such a sizeable and complex set of issues. I was surprised at the Connétable's suggestion that the P.P.C. and the Greffier of the States could sit down with a potential chair by the end of this week and that before Christmas, it seems, the review could be substantially on its way. No, no, no, it is hugely important, I suggest ... we must all surely agree that the chair should be seen as wholly independent. The task of finding an independent chair must not be compromised. It has to be open to everybody who might wish to express an interest; it has to be open to those persons to understand what it is they are being asked to do to assimilate the task; then to put in their interest; and then there must be a proper consideration of the candidates who are expressing interest. Deputy Alves was absolutely right about this; we better start on the right foot and follow those procedures to ensure independence and impartiality. Yes, if it all could be done by April what a wonderful thing. Frankly, I have been keeping copies of my briefing papers that I have received throughout the pandemic in paper form, because I am of an age where that suits me. So far I am up to 8 lever arch files. Just of my briefing papers; not minutes, not the S.T.A.C. (Scientific and Technical Advisory Cell) minutes, not the C.A.M. minutes, not the C.O.M. minutes. Any panel appointed would need to look at all that sort of paperwork, even just to decide what they might not be looking at and what they might choose to look at. Then, of course, there is all the operational detail and data around how things were delivered, which I do not necessarily have at that operational level. We have been speaking in this debate about Government's response, but what do we want? If it is about lessons learned, what did this community learn? What do we need to know about how Islanders were affected by our decisions? Sometimes as Government we do not know that. We do not have a direct line of understanding of the mental health implications for Islanders, the stress and the worry that this has caused, and the economic impacts. Do we want to go beyond the Government response? Do we want to understand from Islanders how the pandemic has affected them and what are the lessons learned from that, how should Government be organised to better support Islanders, what steps and what measures should be in place? Do we need to hear from external parties to Government? For example, Brighter Futures have been magnificent in supporting families throughout the pandemic. They have increased their work. There is a great need among families and they are not able to reach everybody, but they know the need. I would love them to come along and speak about that and learn their lessons. Their lessons would be incorporated and would become part of this review. It is not just Brighter Futures, there are so many organisations in the voluntary sector who have contributed to safeguarding Islanders over the pandemic. I would want them to have their part too, and the review to find time for them to contribute. What about care homes and other private businesses involved? G.P.s, critical players over the last 2 years, surely they must be permitted to give their response? What about our workforce, whether it is government-employed or not? I would want the Nurses Union and all other sectors of our workforce to contribute, to understand what happened to them and how their working practices might be better organised to meet any crisis in the future. There is so much to do. Yes, I appreciate from Senator Gorst that it is not a full public inquiry. It is a lessons-learned exercise. Let us not limit it just to Government response if it is to be valuable. A review panel will need to decide what issues are key that it might

look at, decide and invite representations, submissions from so many parts of our Island. I do not think asking them to finish by 31st March and write up their review by 30th April would give us something that is useful. It would give us something, but it might be less than helpful. It would be rushed. I would not want anyone contributing to feel that they have been pushed, they have been rushed, that the process would look to be something rushed, just because it has a deadline, which some people want before an election period. The thing about the 30th April date is that when it lands on our desks there is nothing we can do about it. Our term has come to an end. So we receive this and we cannot act on it. We cannot ask questions about it. We cannot start taking decisions around it. We cannot start planning around it. Why are we thinking it has to be 30th April? Some say it is because there is an election. I wonder if those panel members would be concerned about that. Would they be concerned that they have to complete a report because some might want to turn it into political ammunition to use in an election campaign? That is not what we are asking them to do. We are asking them to provide lessons learned for future planning. Yes, they would be most concerned if it was seen, and it might well be seen, and it is likely to be seen if it lands just before the election, that this is something to be thrown into the melting pot to be bandied around in the election. Then perhaps goodness knows what afterwards. It is something that can usefully be received by the new Government, by the new Assembly and by the Island as it settles down after an election and the planning starts to ensure that we are in a better position when the next pandemic, the next unexpected crisis comes along.

[17:00]

I suggest we let the review continue through the election period. Perhaps they could take evidence up to the start of the election, then let the members of the panel mull over that evidence and draft out their review findings and finalise it ready for a new States Assembly. There is no need to rush this. We are at risk if we rush this. We are at risk of something that may be an outcome that is less than helpful. Let us do this well. I support it. I would want to give evidence to it. I would want to learn lessons, because there are plenty to be learned, but let us make sure that we can do that in a comprehensive valuable way. Therefore, I would urge Members to support the Council of Ministers' amendment and agree a slightly later date.

**The Bailiff:**

Thank you very much. You have a point of order, Deputy Ward?

**Deputy R.J. Ward:**

It is not really with the speaker. I just wanted to raise the point that we have 4 or 5 speakers left here. I would like to speak on this. Before we get to 5.30 p.m. and then somebody says: "Let us extend it for half an hour" and we do not know what we are doing, whether we could have some sort of discussion and decision on that and tomorrow and Friday, and how we are going to finish. We have a post-Assembly that is very important tonight. Other people have lots of things going on in the evenings. There is something tomorrow evening. It does infuriate me, to be honest, when we do that right at the end of a sitting. People have families and so on and so forth. I wonder whether we can do that and just make a decision that we will finish at 5.30 p.m. regardless tonight. It may be inappropriate. If so, that is fine by me. Thank you.

**The Bailiff:**

I am not sure it is inappropriate. The Assembly is entitled to determine how it proceeds and how it operates. The normal time in which Standing Orders require that I ask Members if they wish to continue or otherwise is 5.30 p.m. That is what it says within Standing Orders. However, if someone wants to propose that we are clearly finishing at 5.30 p.m. no matter what, of course the Assembly can change its mind at 5.30 p.m., because the Assembly cannot tie its hands for the future, but there

is no reason why the Assembly cannot give an indication now. It would need to be a proposition put before the Assembly.

**Senator L.J. Farnham:**

I wonder if I might propose we adjourn at 5.30 p.m. then, please.

**The Bailiff:**

Very well. You would second that, Deputy Ward, presumably? **[Seconded]** Does any Member wish to be heard on whether or not we should adjourn at 5.30 p.m.? I would suggest in order to make best use of time only if people want to argue against that proposition and suggest that we carry on past 5.30 p.m. would they wish to speak. Could people indicate if they want to speak against that proposition?

**Deputy K.G. Pamplin:**

I only speak because I do not know if it is more helpful to have an understanding of the state of play left of public business. That would also help the determining of the next couple of nights as well. It might put us in better stead in terms of where we are with the rest of the amendment. Also after the Government Plan there will be speeches there and then there is some business after the Government Plan. If I am thinking ahead already to next week, I am sure other Members are. I only raise that now, because I think some steerage from the Greffier would be most helpful. Thank you.

**The Bailiff:**

There are 4 Members who have indicated a desire to speak at the moment in connection with this amendment. Then there will be a response. There are 8 further amendments still to deal with. Then, of course, there is the debate on the main plan itself. There is, after that, the draft Act declaring that the Finance (2021 Budget) (Jersey) Law 202- has immediate effect, Social Security (Amendment of Law) Regulations and Health Insurance (Miscellaneous Provisions) (Jersey) Law to be dealt with by way of Public Business before we move on. Members will not forget, of course, that this is also the time for Christmas greetings. As the last sitting of the Assembly, I was going to suggest that we deal with those at close tomorrow, because Friday may well be an uncertainty one way or another and I certainly cannot be in the chair for Friday in any event and someone else will be. That is very much an aside. We have heard from you, Deputy Pamplin. Does anyone else wish to speak, not on this amendment, but on whether or not we should finish firmly at 5.30 p.m. today, to argue against it? Very well, as no one appears to wish to argue against that, then I will take as a standing vote, the proposition being adopted that we will finish at 5.30 p.m. sharp today, irrespective of the state of play with regard to this particular amendment. Could I ask perhaps that the chair of P.P.C. give consideration and consult with Members as to the conduct of future business and whether we need to extend time over the next day or so, even giving consideration to what might be required of us next week in order to conclude the business of the Assembly prior to Christmas?

**Deputy C.S. Alves:**

Sir, can I suggest that we sit late tomorrow? Can we make that decision now?

**The Bailiff:**

Can I suggest, Deputy Alves, that people are given a chance to reflect overnight and to work out whether they can alter their various arrangements and things of that nature and that they might give you feedback overnight. If you wish to make that as the first proposition tomorrow morning then could I suggest that would be the time? If you wish to make it now then I cannot stop you from making it, but it might be more helpful if people have a chance to reflect and to discuss the matter with you, so you will be aware of what the considerations would be? Would you favour that, Deputy?

**Deputy C.S. Alves:**

Yes, Sir. Thank you.

**The Bailiff:**

Thank you very much indeed. Very well, we continue now until 5.30 p.m. at which time we will adjourn until 9.30 p.m. tomorrow morning. Next to speak, Deputy Young.

**4.3.12 Deputy J.H. Young:**

Deputy Martin, in her speech, advised everybody correctly that I have been an independent voice in the Council of Ministers on this matter. Nonetheless, it does not mean to say that I have not shared some of the early decisions that were made. They were very stark decisions and in the comments made by Deputy Morel and supported by others there is no question that, in my view, should be one of the main focuses of the review which is done: is to see what we can learn from the ways in those early days we can do as an Island to improve our preparedness for the next public health emergency. Make no mistake, I do not know if this has been said but I am going to say it, along with other Ministers, I was party around the table when the prospect or the news of the COVID infection, which was devastating in China and in Italy had reached our shores. The advice we had to consider was from our Island's medical team, who in their modelling projected that the impact of the COVID-19 emergency could result, if the assumptions proved founded, in the deaths of a huge ... I cannot remember the exact number of days, or very, very large number of fatalities. We were told that that would mean our hospital could not cope and doctors would be in a position where they would have to choose who were treated and who were not and who survived and who did not. They were seeking, because of their Hippocratic oath and their professional responsibilities to the dying they need to have that political backing. Reluctantly, I hated that, we had to do that. Of course, what we did was to put in place measures within the resources we had available to avoid that appalling situation. So talk about why did we have the Nightingale and this sort of thing, well they could see why those things were done, but a very, very bad situation. Now, thankfully, we are in a different place. We know the pandemic is not over. We are now likely to face, we now believe on the latest news, a new wave of infection over early months of next year potentially as a result of these new variants that arise that can have potential to bypass our vaccination measures and so on. I have always wanted to see that lessons-learned inquiry into that early period. The words I would have used would be a short or strategic diagnostic review. Just to put one's finger on what the key points are. The sort of things I would have wanted to find out about are what was, for example, our Emergency Council structure? Was that right? Did we have the right scientific resources in place? Did we have the right information to get the right systems? What could we do to beef that up? What was our contingency planning? Those are the sort of things I would like to know. I would have liked to see that inquiry in place a long time ago, ideally I wanted to see this in place in the summer. The current situation we have got ourselves into, where we have ended up with a proposal which is far from ideal, to have an inquiry as the Government runs out of office before the election and we are doing this on the back of a Government Plan, which is really about funding. Therefore we have an amendment that we have to deal with. The first thing is, if we are to have this inquiry, it cannot be a public inquiry. With another hat on, as a civil servant, I had to put together public inquiry processes before. Terms of reference are vital. Also the people who you put in charge have to have credibility and you have to have political acceptability that those are the people. You have to arrive at that otherwise it is worthless. They do need resources. Myself, for my own part, if it were me still doing that role now years later, I would focus it and try and avoid running up very high costs, because the costs need not be no more than you need to spend in order to be able to answer these strategic questions. What can we do to improve in the future? Not, in any way - absolutely not - a post-mortem, who did what, a blow-by-blow account looking at minutes and all that sort of thing; no, absolutely not. If there is to be an inquiry, there needs to be that focus. It is not a public inquiry. It is not a committee of inquiry. Those things are for when something has gone wrong. We are not dealing with that. Those things tend to be a search for the guilty. There is no case whatsoever for that. That has to be clear. Having

the inquiry now, I am torn frankly. I am supportive of the inquiry, but I rather think it is too late; too late now for all the reasons said. I can see why April is, frankly, questionable in the extreme, if not impossible. We could have done that if it had kicked off 4 or 5 months ago. Maybe the point is do we have an inquiry at all. The date they have chosen is probably doable. I have no interest whatsoever in the politics of this. I will not be seeking to be a Member of this Assembly. I can view this as a member of the public. For me, what is the point of it? It is about what information the Government and Members of the States have about what improvements need to go in place for the future. What raw changes, government structure organisation, resources and so on, all those type of things. That then would be an agenda to take things forward. I am struggling on this now. We have ourselves a difficult choice. In principle we should not lose sight of having some inquiry. I would like to see it along the lines that I have spoken of, which would mean that we would not have to spend £500,000 on.

[17:15]

I would like to think that is a budget allocation. It can be done for a sum of money well within that amount and some can be returned. I have spoken to people in our community who have supported this and I have told them I am supportive of the idea. However, I have to accept that the timing, if we are to do this, has to be possible. Deputy Morel spoke about this, and I do not like this whole point being made about politicisation. Politicisation is if you are asking for an inquiry into the performance of individuals. No, that is not what we should be doing. This is about how well as a Government our structures, processes and our resources as an organisation equips us for the next pandemic. As Deputy Guida said today, variants are going to come along. We are going to have viruses. Today it is this one. Dreadfully the scientists tell us the next one could be much worse. We do not know how bad Omicron is. There we are. On balance, I will be voting with my Ministerial colleagues, which will be a surprise to them, because I had quite a strong exchange with them at the Council of Ministers about this, made my views known that we should have done this inquiry earlier. However, I do have to accept the practicalities of the timing here. I do not think we should give up on the idea of an inquiry. If the amendment goes through I shall be supporting the substantive amendment to the Government Plan.

#### **4.3.13 The Connétable of St. John:**

While agreeing with a lot of what the previous speaker said, I have to disagree with his conclusion. The reasons which have been provided by the Council of Ministers in support of this amendment are superficial and vague. In my view, Members should not support this amendment. We are told that once logistics have been taken into account the amount of time proposed by the Connétable of St. Brelade would not allow for a meaningful review to take place and a report to be produced. We are given no indication as to what these logistics are, but we are instructed that an additional 3 months in the review timetable would improve significantly the deliberation, analysis and outcomes. I have said before and I will say again, I understand logistics, logistics in all shapes and forms. In my experience, you can achieve almost anything if you put your mind to it. Why is it that large nations can review their work, but a small island cannot? The Council notes in their amendment that the more appropriate and realistic delivery date for the report should be 29th July 2022, being one week after the election of the Council of Ministers. It is disappointing, albeit not surprising, that the Council of Ministers have failed to produce a timetable or other document in support of this amendment. Instead, Members are being asked to simply rely on the barest assertion of the Council of Ministers that the realistic delivery date for the report should be 29th July. Ordinarily, it may be appropriate to give the benefit of the doubt to the Council of Ministers, if, as they say, the outcome shall be a more thorough process. There are elements of this amendment which cause me great difficulty and, in my view, betray the real reason for the amendment. We are told that the report should be delivered on 29th July, being one week after the election of the Council of Ministers and at the end of *au repos*. We are further told that such timing will prevent undue politicisation of the

outcomes. All of a sudden it is not ensuring that sufficient time is granted for the review that is essential it is ensuring that its publication date is politically expedient for those involved who may stand for re-election. Let me be clear, this is not a matter which concerns the *au repos* period. The *au repos* period governs how our civil service is to conduct itself during the election period. It is not intended to prevent the publication of reports which have been produced by independent and impartial assessors. We are told that Ministers are advised that the publication of any such report should not coincide with *au repos*, but the Council of Ministers have not had the courtesy to provide the advice to this House or even a summary of it. We know not who provided this advice nor what it said, but we are expected to rely upon it blindly. This is simply not good enough. Given the state of flux surrounding this advice and the Government's new interpretation of what can and cannot be done during the *au repos* period, it is assumed the Council of Ministers and officers acting in their name shall act consistently and not take any decisions in respect of the new hospital from 10th May onwards. I wait with baited breath. There should be and will be, I am sure, detailed minutes. There should be decision logs. It really should not take too much time of Ministers and senior executives. Indeed, as we have heard, the C. and A.G. have already done some work in this area and P.A.C. are due to report on its findings early in the new year. Only last week, we had a briefing on this Government Plan. I counted 16 State Members and 30 officers; yes, 30 officers. If we have that much resource available to us, we should not have any problem in doing this review in a timely manner. I should say, I do not subscribe to Deputy Southern's view of go out and get more staff. I should also place on record my thanks to all those officers for their hard work and especially their hard work during the pandemic. Deputy Young just reminded us of some of the tough decisions that had to be taken. This review should all be about lessons learned. I fully agree with Deputy Young that an earlier review would have made this week, for example, easier as we would have had a learning log to go along with. I disagree with my friend Deputy Morel and Deputy Southern, it should not be an election issue. It should be how we respond in the future. How can we use those lessons we learn from this event in other events, which are not a pandemic, but may have similar challenges? Deputy Martin may be surprised by any findings. I agree with Deputy Ash, by and large, Government did a good job. We heard yesterday in the Chief Minister's opening statement, quite rightly that the Chief Minister was proud of the collective effort of Islanders. We heard that again today. We also heard, for example, how the Island had been more successful than anywhere else in the British Isles in keeping schools open. We should be celebrating that success ... doing a lesson to see how we have learned and how we can help other jurisdictions not only our own. Terms of reference will be key, just as they are with any kind of review. We heard earlier today about the volume of offers of help. How do we process that? More importantly, how would we process that in the future? Did we ever have enough staff to staff a Nightingale as well as the General Hospital? As I said earlier, I thank officers for their hard work, but did we do enough to ensure their welfare needs were met? Did we look after them? Could we have done better? Did we do enough to look after the Members' health and well-being, especially those Members involved with making decisions? How could we make their lives easier in similar circumstances? As Senator Gorst said, there are absolutely lessons that can be learned. A positive approach is needed. Instead of thinking it cannot be done let us work out how we can get it done. This is not and should not be about individuals. This is about how the Island responded and what could be done differently. While I do not envy those who have had to make the decisions, and for the first 13 or 14 months I was looking in from outside, I do not envy my colleagues who had to make some of those decisions. However, I do strongly disagree with the sentiment of the Chief Minister when he stated repeatedly, when asked, that he would not do anything different. We should have an open mind. We should always learn from outcomes. There is nothing wrong with making a decision based on the information at the time, but we should be open-minded about how things could be improved. I am sure many people watched the Grand Prix at the weekend. Those teams review every second, every move they make, every part so that they can improve. We should be no different. We should be reviewing what we have done in as quick a way as we possibly can, so that we can put those learnings into action.

**The Bailiff:**

Thank you very much. Next to speak is Deputy Gardiner. Deputy Gardiner, are you able to speak within the next 5 minutes, do you think?

**Deputy I. Gardiner:**

Yes, Sir. I have a hospital appointment tomorrow morning, so I would prefer to speak today. I will do it within 3 or 4 minutes.

**The Bailiff:**

Thank you very much.

**4.3.14 Deputy I. Gardiner:**

I am pleased to follow the Constable of St. John, because he made several points that I put in my speech which will now make it shorter. For me, this is it should be a sharp, focused review of how we handled the pandemic to establish safeguards needed in the future. The more we can prepare for 21st century speed, we know that we can be agile. We can act quickly and sharply and it does not involve a blame-game exercise. For me, it is recommendations on how to react to an emergency situation, what we need to have in place for the timely reaction and the best possible arrangements for future emergencies. Interestingly enough the time of this debate comes as the Omicron variant appears. The data on Omicron suggests that even though we are less at risk individually, we are at greater risk as a population, as a nation, because of the numbers. We, again, have to delay some measures because of the logistic and operational challenges given that you try to bring it as quickly forward as possible. There will be discussion about it. It is bringing me back to the place where almost 2 years from in the pandemic we need to do quick lessons learned and to have the structure in place for the emergency response. We need to have a system in place; contingency, management framework. The lessons learned can help our decisions going forward. The usual process cannot dictate the timeline, because today we have Omicron and another 6 months and maybe in July when it should be published, according to the Council of Ministers, we will have another barrier and another emergency response will be required; which I hope, no. But the pandemic or not the pandemic can come in and we can see how it is going away during the last 2 years. For me, the decision-making challenge has been compressed in the 21st century. The speed of challenge is going to be greater and we have to be smarter and we can make time to review our response, our emergency arrangements and to put something that will protect our Island in the future for any emergencies coming. It is not about being personal. It is not about being political. It is about having the right structures in place as quickly as possible.

**The Bailiff:**

Thank you very much.

**Deputy I. Gardiner:**

I made good time.

**The Bailiff:**

Congratulations, Deputy. We have now reached the point where it is impossible to call upon another speaker. The adjournment is proposed. The Assembly stands adjourned until 9.30 a.m. tomorrow.

**ADJOURNMENT**

[17:30]