

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 12th SEPTEMBER 2023

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[9.30]

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

COMMUNICATIONS BY THE PRESIDING OFFICER

The Bailiff:

1.1 Welcome to His Excellency the Lieutenant Governor

On behalf of Members, in the usual way, I would like to welcome His Excellency the Lieutenant Governor to the Chamber this morning. **[Approbation]**. That concludes matters under A.

APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

2. Resignation of Deputy M.B. Andrews of St. Helier North from the Public Accounts Committee

The Bailiff:

We come now to Appointment of Ministers, Committees and Panels. The first thing is to announce that in accordance with Standing Order 137(2)(b) Deputy Andrews has given written notice to me of his intention to resign as a member of the Public Accounts Committee.

3. Nomination of the Connétable of St. Clement to the Children, Education and Home Affairs Scrutiny Panel

The Bailiff:

The next is a nomination with regard to the Children, Education and Home Affairs Scrutiny Panel, a nomination for the Connétable of St. Clement to join that panel. I am assuming it is going to be proposed by somebody. Who is chair of the panel?

3.1 Deputy C.D. Curtis of St. Helier Central (Chair, Children, Education and Home Affairs Scrutiny Panel):

Yes, I would like to increase the panel size to 4, and I nominate the Connétable Marcus Troy.

The Bailiff:

Is the nomination seconded? **[Nomination]** Are there any other nominations? Very well, I declare that the Connétable of St. Clement has been appointed as a member of the Children, Education and Home Affairs Scrutiny Panel. **[Approbation]**

QUESTIONS

4. Written Questions

4.1 Deputy M.B. Andrews of St. Helier North of the Minister for Treasury and Resources regarding additional revenue from the application of G.S.T. to Amazon orders (WQ.317/2023)

Question

“Will the Minister state the amount of additional revenue it is estimated will be generated by the application of GST on all orders from Amazon, regardless of cost?”

Answer

Revenue Jersey is unable to provide trader-specific information due to the constraints of taxpayer confidentiality. The expected revenue from extending the obligation to register for GST to all large offshore retailers has previously been conservatively estimated at £1.1 million annually.

Now that larger offshore retailers have registered for GST and will be filing GST returns from November 2023, Revenue Jersey will have better information on the first full year's results later in 2025.

4.2 Deputy R.S. Kovacs of St. saviour of the Chair of the Comité of Connétables regarding electoral registrations (WQ.318/2023)

Question

“Will the Chair state, in respect of electoral registrations during the last two electoral periods –

- (a) how much each Parish spent on posting electoral registration forms;
- (b) how much each Parish spent on the administration of the Electoral Roll, including sorting paperwork, distributing it, and collating the returns;
- (c) what number and percentage of households returned their electoral registration forms within the period allowed;
- (d) what number and percentage of households did not return their electoral registration forms within the period allowed;
- (e) what follow up procedure, if any, was used when households did not return their electoral registration form within the period allowed;
- (f) what sanctions may be used in respect of those who fail to make the required returns; and
- (g) when any such sanctions were last used?”

Answer

The electoral registration procedures are set out in Part 3 of the Elections (Jersey) Law 2002 (“the 2002 Law”).

Article 7 deals with the “Addition and keeping of name on electoral register” and provides for

- i) the sending (not later than 1 November each year) and return (by 1 December in the same year) to every unit of dwelling accommodation of the Annual Statements, and
- ii) the duty to apply for registration at any other time.

Article 8 deals with the “Exclusion or removal of name from electoral register”.

- (a) The cost of posting the Annual Statements in the autumn of 2021 and 2022 is set out below (* indicates the Parish uses a mailing house so the cost includes printing and postage).

Parish	2021 cost (54p per letter)	2022 cost (56p per letter)
St Brelade *	£4,112.27	£5,350.55
St Clement *	£2,345.79	£2,436.93
Grouville	£1,913.13	£2,065.22
St Helier *	£16,461.38	£17,831.80
St John	£655.86	£707.30
St Lawrence	£1,250.52	£1,306.45
St Martin	£957.42	£955.12
St Mary	£400.14	£414.96
St Ouen	£944.46	£987.84
St Peter	£1,435.77	£1,441.60

St Saviour *	£4,747.56	£5,184.19
Trinity	£776.24	£859.22
TOTAL	£35,999.98	
	£39,540.99	

(b) Parishes do not maintain a detailed cost analysis that would enable all the administration costs to be calculated. Administration of the Electoral Register (Electoral Roll) is undertaken on a daily/weekly/annual basis and includes –

- a. Updating changes to names and addresses of electors
- b. Entering data from ‘Applications to register as an elector’ (both online and paper applications)
- c. Generating, processing, printing and posting of the Annual Statements and collating/entering data from returns and
- d. Responding to general queries and to subject access requests from members of the public.

The Electoral Register is a rolling register and updates are specifically required prior to compiling the Register each time it is used, such as for -

- e. Parish/Ecclesiastical Assemblies (the Register being the list of members entitled to vote at such meetings)
- f. Parish elections (elections under the 2002 Law of Procureurs du Bien Public and Centeniers in June 2022 and March 2023)
- g. Public elections (elections of Connétables and Deputies in June 2022) and sending the Notice of Registered Voters in accordance with Article 7A of the 2002 Law (in March 2022)
- h. Providing a copy of the Register as at 1 September each year to the Jersey Library and to the Judicial Greffe in accordance with Article 11 of the 2002 Law.

(c) Whilst the Annual Statement should be returned by 1 December, a number of persons choose instead to make a digital return using the Parishes online ‘Register as an elector’ service. Digital returns relate to an individual whereas the Annual Statement relates to a unit of dwelling accommodation and may include more than one person who is eligible as an elector. The way in which returns have been recorded does not enable the Parishes to provide the number and percentage of households that returned the Annual Statement within the period allowed. However, in the two months to 1 December 2022, 38,876 elector records (64% of registered electors) were updated.

(d) The way in which returns have been recorded does not enable the Parishes to provide the number and percentage of households that did not return the Annual Statement within the period allowed. In the two months to 1 December 2022 the records of 21,540 electors (36% of registered electors) were not updated.

(e) The 2002 Law does not require further action (follow up) to be taken when households do not return the Annual Statement within the period allowed. There is, however, the process in Article 8(4) – see (f) below – where there has been no return for 3 consecutive years.

(f) There are no sanctions in respect of those who fail to make the required returns (of the Annual Statement). Article 7(6) of the 2002 Law provides that no civil or criminal liability attaches to a failure to discharge a duty under this Article. This includes the duty under Article 7(3) of each person ordinarily resident in a unit of dwelling accommodation to which a statement is sent to ensure that it is returned, with any necessary corrections, to the electoral administrator for the parish by 1 December in the same year. However, Article 8(4) does provide that -

“If a person whose name is included on an electoral register has not, for a period of 3 consecutive years, been included in and signed a statement returned under Article 7(3), the electoral administrator shall serve notice on that person stating that the electoral administrator shall remove the person’s name from the register unless the person delivers to the electoral administrator, within the period of 28 days following service of the notice, confirmation, in such form as the States may prescribe by Regulations or, if none is prescribed, in such form as the electoral administrator requires, that the person is still entitled to have his or her name on the register.”

A repeated failure to make a return (which includes through the online service – see (c) above) will therefore result in the person receiving a notice under Article 8 and, should they fail to confirm their eligibility as an elector within 28 days, to removal from the register.

(g) Notices under Article 8(4) were last served by the electoral administrators on the dates shown below. To minimise the risk of a person being removed from the Electoral Register prior to the elections for States members, notices were issued before the Annual Statements were sent to every unit of dwelling accommodation in 2021 (2019 for one Parish), so any person whose name was removed (because they failed to respond to the Notice) had the opportunity to reregister when the Annual Statement was received.

Parish Last time Notices were sent under Article 8(4)

St Brelade	June 2021
St Clement	June 2021
Grouville	June 2021
St Helier	May 2021
St John	August 2021
St Lawrence	August 2019
St Martin	May 2021
St Mary	June 2021
St Ouen	June 2021
St Peter	June 2021
St Saviour	May 2021
Trinity	August 2021

4.3 Deputy M.R. Scott of St. Brelade of the Minister for Social Security regarding the impact of minimum wage to living wage increases (WQ.319/2023)

Question

“Will the Minister advise whether she has –

- (a) referred, or is giving consideration to referring, to the Employment Forum, the issue surrounding the impact on, and cost to, major supermarkets of an increase in the minimum wage to the living wage and the likely impact on food prices in the Island; and
- (b) sought, or is considering seeking, the Employment Forum’s opinion on the appropriateness or desirability for different, sector-specific minimum wage rates to be introduced?”

Answer

(a) The Employment Forum will be consulted very soon as part of the exercise to consider the feasibility of introducing a statutory living wage. I do not intend to direct the Forum to consult specific sectors of the economy in Jersey in this regard. Nor will that consultation consider the impact on food prices of any increase

to either the minimum wage or any future living wage. The implications of increases in the minimum wage will be addressed in other ways.

(b) The Chief Minister made it clear in her answer to WQ306/2023 that she did not support sector specific minimum wages. I share this view and am not planning any action to alter our current laws which prohibit the setting of sector-specific minimum wage rates. The reasons for that are set out clearly in the Chief Minister's answer. I have no plans to refer this issue to the Employment Forum.

4.4 Deputy R.J. ward of St. Helier Central of the Minister for Children and Education regarding the Jersey Designated Officer (WQ.320/2023)

Question

“Will the Minister advise what objective criteria or guidance the Jersey Designated Officer works to when determining that an allegation substantiated at the end of a disciplinary process is serious enough to refer onto the Disclosure and Barring Service (in light of the Service's ability to bar an individual from working in any capacity, paid or voluntary, with young people or in other professions with vulnerable adults)?”

Answer

All allegations relating to a person who works with children, where there is risk of harm to a child / children or where they may have behaved in a way that indicates that they may not be suitable to work with children, need to be referred to the Jersey Designated Officer. Details for the referral are explained in the guidance (below), as set out in the ‘Managing Allegations Framework : Multi-agency arrangements for managing allegations against people who work with children or those who are in a position of trust’:

If an allegation is substantiated and the person is no longer working in their position (either through dismissal or resignation or some other means), the Designated Officer should discuss with the employer whether a referral should be made to the DBS.

The duty to make a referral to the DBS may not be triggered by temporary suspension, it depends on if there is sufficient information to meet the referral duty criteria. Following investigation, if the person is returned to a position working in regulated activity with children or vulnerable adults then there may not be a legal duty to make a referral. But, if a decision is made to dismiss the person or remove them from working in regulated activity, a referral needs to be made.

You must make a referral when both of the following conditions have been met:

Condition 1

You withdraw permission for a person to engage in regulated activity with children and/or vulnerable adults. Or you move the person to another area of work that isn't regulated activity.

This includes situations when you would have taken the above action, but the person was re-deployed, resigned, retired, or left. For example, a teacher resigns when an allegation of harm to a student is first made.

Condition 2

You think the person has carried out one of the following:

- Engaged in relevant conduct in relation to children and/or adults.

- An action or inaction has harmed a child or vulnerable adult or put them at risk or harm; or
- Satisfied the harm test in relation to children and / or vulnerable adults, e.g., there has been no relevant conduct but a risk of harm to a child or vulnerable still exists; or
- Been cautioned or convicted of a relevant (automatic barring either with or without the right to make representations) offence

Relevant conduct for children is:

- endangers a child or is likely to endanger a child
- if repeated against or in relation to a child would endanger the child or be likely to endanger the child
- involves sexual material relating to children (including possession of such material)
- involves sexually explicit images depicting violence against human beings (including possession of such images)
- is of a sexual nature involving a child.

A person's conduct endangers a child if they:

- harm a child
- cause a child to be harmed
- put a child at risk of harm
- attempt to harm a child
- incite another to harm a child

4.5 Deputy B.B. de S.V.M. Porée of St. Helier Central regarding discussions with the Stroke Association regarding the support available to stroke victim (WQ.321/2023)

Question

“Will the Minister advise what discussions, if any, she has had with the Stroke Association – Jersey regarding the support available to stroke victims and the resources required to improve that support; and, further to any such discussions, what plans, if any, does the Minister have to improve the resourcing in this area?”

Answer

I can confirm that one of my first stakeholder introductions as Minister was with the Stroke Association, whom I continue to work directly with, as well as Jersey Stroke Support.

The appointment of a locum stroke consultant in June 2022 identified areas of improvement across the entire Stroke pathway, mainly targeting alignment with best practices. I have been assured that, as a result of these developments, more patients are able to access tertiary stroke services in the UK, such as thrombectomy procedures. I have also engaged in discussions with several consultants on this matter to understand the support currently available to patients in our clinical settings.

The locum consultant left in July and the associate specialist for the service is acting up. We continue to develop the service and will plan for a substantive consultant and support to be in place in the near future, pending security of long-term funding. I can confirm that there will be no disruption to service provision in the interim.

Moving forward, a key area of focus is providing more comprehensive post-stroke support, such as discharge plans and community outreach, which is being reviewed on a six-month basis with feedback from across the third sector.

As always, I welcome further collaboration with the Stroke Association and other charities to improve the offer of stroke support to islanders and encourage all organisations or individuals to contact me if they have feedback and suggestions for improvement in our service delivery.

5. Oral Questions

Deputy L.V. Feltham of St. Helier Central:

Sir, I understood the chair of P.P.C. (Privileges and Procedures Committee) would be going to take the other business first.

The Bailiff:

I do not think there is any application to take any business first, is there?

Connétable K. Shenton-Stone of St. Martin

No, I have been advised that we will not be taking that business first. We will be doing that as within the Order Paper.

The Bailiff:

Set out in the Order Paper?

The Connétable of St. Martin:

Yes, thank you.

5.1 Deputy L.V. Feltham of the Chair of the States Employment Board regarding social media posts and the teaching strikes (OQ.175/2023)

Will the chair advise who authorised and approved the social media post issued by the Government on Tuesday, 5th September, relating to the teaching strikes, and provide her assurance that the information contained within the communication was accurate?

Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter (Chair, States Employment Board):

I would like to start by saying how disappointed I am this morning that schools are closed, children are missing out on their education and family life is disrupted, which of course has an impact on productivity and our economy. Having said that, I regret that the social media post, which the Deputy refers to, was not specifically authorised or approved by a Minister when it was published on Facebook. The information included in the post had been used earlier that day in a note to editors with a statement sent to the Island's media outlets, and was approved for those purposes alone. We therefore consider that the information was accurate but it should not have been used on social media at the time or in the way it was. On occasions we all get things wrong but, when we do, it is important to be clear, honest and open. I apologise for this, particularly at a time when the S.E.B. (States Employment Board) was involved in direct and constructive conversations with the union. I accept that this resulted in an unnecessary escalation of tensions. The Council of Ministers had been updated to say that there would be no comment and I have to say that myself and my vice-chair were deeply disappointed by this social media post.

Deputy L.V. Feltham:

I do not think that the Chief Minister answered my question. I asked the question who authorised and approved the social media post, and I did not get an answer to that question.

The Bailiff:

Are you able to be more specific? I had understood you to say, Chief Minister, that it was not authorised at Ministerial level. Is that correct?

Deputy K.L. Moore:

That is correct, that is what I said. I can imagine that the Deputy would not want a witch hunt, neither would I. But it was authorised internally but not at a Ministerial level.

Deputy L.V. Feltham:

Perhaps the Chief Minister could let the Assembly know which area or which department authorised the issuing of the social media post, and that would be a better answer, perhaps.

The Bailiff:

Is this your supplemental question, Deputy Feltham?

Deputy L.V. Feltham:

No, I do not believe that I have had an answer.

The Bailiff:

I have to say, how the Chief Minister chooses to answer is a matter for the Chief Minister. You may not wish it to be answered in that way, but if that is how the Chief Minister chooses to answer, we cannot go iteratively and chivvy a little bit more of an answer along as we go. That is the answer to the question. If you would like to ask a supplementary, you are at liberty to do so.

[9:45]

5.1.1 Deputy L.V. Feltham:

I will perhaps phrase my question a bit differently. Who is in control of the Government social media posts and who ensures that the social media posts do, in fact, relay the thoughts and opinions and the policies of the Government?

Deputy K.L. Moore:

The Deputy will be aware that we have many responsibilities, particularly in communicating. All I can say on this matter is that the decision to post this on social media was made by a senior official.

5.1.2 Deputy R.J. Ward of St. Helier Central:

I was just about to ask whether you could see in the chat, and I apologise for not being in the Assembly but I tested positive for COVID. May I ask the chair of S.E.B., she mentioned that she believed that the post was accurate, can I ask what average was used to work out the figures? Was it the mode, the median or the mean?

Deputy K.L. Moore:

While I admire the Deputy's scientific knowledge, I am simply given figures and I do not have an answer to his question.

5.1.3 Deputy R.J. Ward:

It is interesting to be seeing this online and seeing Ministers around her smiling. It is a very important question because those 3 figures that were published as accurate have very different meanings. It is disappointing that the chair does not understand. Could I ask the chair to please find the answer to that question and get back to the Assembly during this sitting?

Deputy K.L. Moore:

I do take this extremely seriously and of course I will get the relevant answer, and that is all I can say.

5.1.4 Deputy S.Y. Mézec of St. Helier South:

If the social media posts did not receive political approval, why is it still online?

Deputy K.L. Moore:

We asked that it was taken down the day that it was put up. I have not got access to my social media at the moment but I had been informed that it had been.

5.1.5 Deputy S.Y. Mézec:

I can see it on my computer right in front of me that it is still online. Can I ask the Minister, therefore, given the divisive nature of this post and the role that it clearly plays in trying to foster public opinion against teachers at a time where that is extremely unhelpful, will she ensure that it is taken down as a matter of priority?

Deputy K.L. Moore:

I would hope that officials who will be listening to this will duly do so.

5.1.6 Deputy M. Tadier of St. Brelade:

The social media post has, of course, been attributed as a direct quote from the Constable of St. John, who is the acting chair of the S.E.B or vice-chair, but we know has been acting as chair, in a sense. The Minister also talked about a witch hunt in the same paragraph as talking about accountability to the Assembly. Could we at least, if not have the name of the senior official who authorised this post but which was not authorized by Ministers, have that person's job title?

Deputy K.L. Moore:

I do not think that would be appropriate. We are all aware of responsibility and the way responsibility can be elevated. Therefore, as chair of the panel, I have to take that responsibility despite my earlier explanation and disappointment.

5.1.7 Deputy M. Tadier:

There is a wider context here, which I would invite the Chief Minister to consider. We have a situation where the teachers, some of whom are here today, are being told that they have to exercise restraint in their request for not having a pay cut this year in real terms. We also have a situation where it seems the Comms Department at government seems to be growing and growing with new recruitment happening all the time. We do not necessarily know who those people are, what their job titles are, and they seem to be out of control because they are attributing words to Ministers that Ministers have not said. Is this not a double standard coming from Government, and a Government and its Comms Unit which is completely out of control and in crisis?

Deputy K.L. Moore:

I can clarify by stating that the senior official who gave that notification was not a member of the Comms team, and I would contest that our Communications Unit are an extremely useful part of government. One of our key aims is to restore confidence in government, and that means being able to communicate clearly, and that requires the support of that unit who have many talented people within it. As I said earlier, we deeply regret that this social media post was put out, particularly at the sensitive time that it was.

5.1.8 Deputy G.P. Southern of St. Helier Central:

Would the Minister agree with a constituent of mine who described this act and the words used as "propaganda" rather than information?

Deputy K.L. Moore:

No, I think these are useful facts that were earlier that day shared with as notes to editors attached to a press release, and they state the case. There is a lot of information available. I think it is important that we share that with the public.

5.1.9 Deputy L.V. Feltham:

Given that the Chief Minister has acknowledged that the information on the social media post was damaging and could cause damage to the industrial relations, could she tell us why she then thinks it was appropriate to have exactly the same information in the notes to editors?

Deputy K.L. Moore:

This is background information. Often when press releases go out, the members of the media will come back with relevant questions and therefore these were put alongside that information as helpful additional pieces of information.

5.2 Deputy R.J. Ward of the Chair of the States Employment Board regarding action to prevent teaching strikes (OQ.173/2023)

Will the chair detail what action has been taken in the preceding week, if any, to prevent strike action by teaching unions and the subsequent closure of schools?

Deputy K.L. Moore (Chair, States Employment Board):

Once again, I would simply wish to say how very much I regret that action is being taken again today. The States Employment Board has authorised its officers to continue in discussions for resolution of the pay dispute with teachers and school leaders. Throughout the dispute period, we have offered conciliation talks facilitated by J.A.C.S. (Jersey Advisory & Conciliation Service) and we continue to offer arbitration with an independent third party. That offer was made some time ago. Our representatives met with the N.A.S.U.W.T. (National Association of Schoolmasters Union of Women Teachers) and the N.E.U. (National Education Union) on Friday afternoon, resulting in the N.A.S.U.W.T. withdrawing their strike action; an outcome which I very much welcome. The N.E.U., however, did not agree to the terms of withdrawing from strike action and were offered arbitration. They again said no, referring to the recent case in Guernsey where the dispute was settled by a tribunal. We also met with the N.A.H.T. (National Association of Head Teachers) on Friday and provided a revised offer. This was amended but rejected yesterday afternoon at a meeting that half of their membership attended.

5.2.1 Deputy R.J. Ward:

The chair mentioned authorised officers met with unions. Can I ask the chair whether the chair or any member of the S.E.B. met directly with unions so that they were in a position where they could offer a different offer during those negotiations? Or was it a set offer given to officers, which is therefore not negotiation?

Deputy K.L. Moore:

It would not have been appropriate, and that is not the advice, that we enter into those negotiations directly. But what this States Employment Board has done in the past year is to meet regularly with all unions. We do that on a quarterly basis. We find those conversations to be extremely constructive and helpful, and through meeting and through dialogue we are able to identify areas where we can improve and deal with issues as they arise. We will, of course, continue to do that throughout the term of this Government.

5.2.2 Deputy S.Y. Mézec:

Will the chair of the States Employment Board explain what actions she personally took and not what actions were undertaken by others to avert the strike action, which she says she regrets so much?

Deputy K.L. Moore:

Members of the States Employment Board have been consulted at various points to consider how best to approach the negotiations. We did that over the weekend over emails. We have been following the situation closely and we met, I think, twice yesterday.

5.2.3 Deputy S.Y. Mézec:

Just to be absolutely clear then, what has been offered to the unions, which has resulted in many of them maintaining their strike action, was something that was specifically decided by this Chief Minister and not from officers acting on anyone else's behalf?

Deputy K.L. Moore:

This is a negotiation and we have a financial envelope within which we have to find a way forward. We have to, of course, balance the books for the public purse alongside meeting the requirements and looking after our staff. We greatly respect the work of teachers and, as part of our relentless focus on recruitment and retention, a great deal of work has been done in the past year to improve the support for teachers. We have taken on an additional 113 people into that group, covering teachers, teaching assistants, headteachers and school leaders over the past year. There are currently no teaching vacancies in primary schools as a result of that excellent work. There are a small number of vacancies, 13, in secondary schools at the beginning of term. I think that we have made really good progress. We have also agreed with the unions, through our regular conversations with them, to address their terms and conditions, and we look forward to doing so.

Deputy S.Y. Mézec:

With respect, as nice as that was, it was not even close to a direct answer to a very specific question that I asked, which was: was the Chief Minister, the chair of the States Employment Board, herself, responsible specifically for the decisions that were made in the preceding days that have led to strike action not being averted? Or was that a decision taken by somebody with delegated authority?

Deputy K.L. Moore:

The negotiations take place with guidance from the States Employment Board. It is ultimately my responsibility, yes, but I have to also balance the public purse. We are mindful of the fact that many quarters of our community actually criticised our pay offer to all public service workers this year of 7.9 per cent - average earnings this year are 7.7 per cent - and we have to strike the right balance. As I say, we respect greatly the work of teachers and we are working with them to look at terms and conditions, and that we have relentlessly focused on recruitment and retention to ensure that there is greater level of support for teachers, as they requested, in the classrooms.

5.2.4 Deputy G.P. Southern:

Could the Minister outline for Members what exactly are the actions she has taken in order to improve recruitment and retention in the teaching workforce?

Deputy K.L. Moore:

This piece of work has been led by the Delivery Unit, which was set up at the beginning of our term of office. They have led a piece of work, looking at the recruitment measures within the C.Y.P.E.S. (Children, Young People, Education and Skills) Department and given support and guidance to improve the recruitment measures, to ensure that there is a sustained approach to ensure that we decrease vacancies and bring in permanent recruits to fill the very important roles within our society.

5.2.5 Deputy G.P. Southern:

The question was about specific actions taking place or not and the answer that came was generalised again, if I may.

The Bailiff:

I think, Chief Minister, you were being asked if you took specific actions in connection with this, and that was the nature of the question, was it not?

Deputy G.P. Southern:

With the emphasis on specific actions.

The Bailiff:

Are you able to assist us further?

Deputy K.L. Moore:

One will appreciate that although I work extremely long hours, I cannot be at ... sorry, I cannot physically do every single piece of work. That is why we have a public service on whom we rely. As the leader of this Government, I have worked with officers to ensure that the appropriate focus is put on recruitment and retention, which is one of our 3 areas of relentless focus.

[10:00]

I am really pleased with the results of that work. It has been an excellent piece of work from the Delivery Unit, which has seen an additional 113 members of teaching staff taken on in this government, and I am really pleased with that. That means that the vacancies that were so complained of last year are not there, as children go back to school this year. It helps to support teachers in their role so that they can deliver the very best. That is what they were asking for. I believe that we are delivering just that under this leadership.

The Bailiff:

Do you have a supplemental question, Deputy?

Deputy G.P. Southern:

I am special with another one.

The Bailiff:

Very well, that is fine, if you had considered that a supplemental. We are running a little bit out of time in any event for this question.

5.2.6 Deputy L.V. Feltham:

Given that the Chief Minister and her Deputy Chief Minister both stood in solidarity with their striking teachers during very similar circumstances in 2019, and her criticism of the actions of the previous Chief Minister, what has she done differently in this past week to what the previous Chief Minister did in 2019?

Deputy K.L. Moore:

Since gaining office we have done things very differently. As I have already outlined this morning, we have taken it upon ourselves to meet regularly with all unions. We do this on a quarterly basis as a States Employment Board. The previous Government met more with their Corporate Services ... unions previously met more regularly with the Corporate Services Scrutiny Panel than they did with members of the States Employment Board, and we are dedicated to continuing that dialogue. We find it extremely constructive and helpful, and we will continue it throughout this term of office. In relation to the strike action that we are taking today, what is different is that through our relentless focus on recruitment and retention we have been able to drive down vacancies. We have offered to

look at terms and conditions with teachers so that we can better support them in their roles, as well as looking at their pay as a standalone item. Let me just remind everybody once again that average earnings this year sit at 7.7 per cent, and our pay award to all of the public service is 7.9 per cent.

5.2.7 Deputy L.V. Feltham:

I would like to remind the Chief Minister that it is not just the teaching union that is on strike today. It is also the National Association of Head Teachers. That suggests to me that the headteachers themselves, the school leaders, do not have confidence in the States Employment Board. Would the Chief Minister concede that the strikes today show that teachers and headteachers do not have confidence in the States Employment Board?

Deputy K.L. Moore:

I would certainly hope that that is not the case. As I have said previously today, we greatly respect the work of teachers. We value their work. We have offered to go to arbitration but we have to take a balanced approach in this. Our pay award exceeds average earnings this year, but we also have an inflation issue. It is part of our duty as the Government to take a view on inflation and to drive down inflation so that we can support Islanders through the cost of living with all of the levers that we have available to us, which are of course rather limited. So it would be unwise of us to unleash that part of our responsibilities simply to placate one group of our greatly valued public service. We have to consider how we continue to balance everything so that we move forward, keep everything working as best we can.

5.2.8 Deputy R.J. Ward:

Does the chair accept the concerns of teachers and headteachers over recruitment and retention that seem to be at odds with her statements today? Or does she not accept those and see those as something that does not require her relentless focus?

Deputy K.L. Moore:

A relentless focus is a relentless focus, and it continues to be an area of relentless focus, as it stretches across all areas of the public service. I acknowledge that some of the figures are disputed, but we have looked and looked again at the figures that we are provided by officials, and we are assured that the figures that we have, and I shared with Members of the Assembly here today, are correct and factually accurate.

5.3. Deputy M.R. Scott of St. Brelade of the Minister for Economic Development, Tourism, Sport and Culture regarding aerated concrete in the estate owned and controlled by Ports of Jersey (OQ.168/2023)

Further to the enquiry made of the Minister for Infrastructure by the Environment, Housing and Infrastructure Panel last week regarding aerated concrete, will the Minister advise on the extent to which he has investigated whether any estate owned and controlled by the Ports of Jersey has been surveyed for aerated concrete, whether any aerated concrete has been identified, and any remedial measures being taken?

Deputy K.F. Morel of St. John, St. Lawrence and Trinity (The Minister for Economic Development, Tourism, Sport and Culture):

I respectfully suggest that this question should have been asked of the Minister for Treasury and Resources as shareholder representative for Ports of Jersey because it is not ordinary for the Minister for Economic Development, Tourism, Sport and Culture to be inspecting buildings at Ports of Jersey. But having undertaken enquiries, I can confirm that very few of Ports of Jersey's buildings were constructed during the window that aerated concrete was used, that is between 1950 and 1990, as a roofing and cladding material in construction. Inspections in June and July of the pier and departure terminal buildings have confirmed that aerated concrete is not present and surveyors have confirmed

that it is highly unlikely that the airport arrivals building contains aerated concrete, given its construction predates the use of this material. As part of the ongoing airport masterplan work, further surveys are anticipated across the harbours estate and this will identify any potential issues with the building materials used, including the presence of R.A.A.C. (reinforced autoclaved aerated concrete).

5.3.1 Deputy M.R. Scott:

I would be grateful if the Minister could advise who would be the best Minister to ask when these additional surveys are expected to be taken and whether there could be regarded as some difficulty with respect to the split of the management of policy and finances of arm's length organisations in this regard between 2 Ministers?

The Bailiff:

Are you able to assist with that?

Deputy K.F. Morel:

Which of the 12 questions would you prefer me to answer, Sir?

The Bailiff:

Well, I think it is who ultimately has Ministerial responsibility for investigation of public estate buildings for aerated concrete, was what I understood the synopsis of the questions to have been, is that correct, Deputy Scott?

Deputy M.R. Scott:

Yes, I would like to know who to ask my additional question regarding when these surveys would be carried out.

The Bailiff:

Are you able to assist, Minister?

Deputy K.F. Morel:

The Minister for Economic Development, Tourism, Sport and Culture has responsibility for ports policy. That is the use of ports as ferry and airport, so deciding about their connectivity and matters such as this. Corporate matters, such as the construction of buildings, they sit with the Minister for Treasury and Resources, in his role as the shareholder representative.

5.4 Deputy A. Howell of St. John, St. Lawrence and Trinity of the Minister for Health and Social Services regarding meetings of the Health and Community Services Advisory Board (OQ.167/2023)

Will the Minister advise the date for the first meeting of the Health and Community Services Advisory Board, and the dates of any subsequent scheduled meetings, and confirm that these public meetings will be recorded so that Islanders have the opportunity to view proceedings?

Deputy K. Wilson of St. Clement (The Minister for Health and Social Services):

The date of the first public meeting of the Health and Community Services Board is set for 4th October. The board meetings will be recorded and be available to the public through the Government of Jersey website. Minutes from the board meetings will also be uploaded. The dates for the future board meetings for this year have been identified, and they will take place on 1st November and Wednesday, 6th December. At the December meeting we will announce the meetings of the board for the following year.

5.5 Deputy B.B. de S.DV.M. Porée of St. Helier South of the Minister for Health and Social Services regarding the sale of single-use vapes (OQ.172/2023)

Will the Minister clarify what steps, if any, she has taken to stop the sale of single-use vapes in Jersey and the marketing of single-use vapes aimed at children and young people?

Deputy K. Wilson (The Minister for Health and Social Services):

I thank the Deputy for her question. Further to ongoing work to address the health prevention strategy 2023-27, I can advise the Assembly that the Public Health team are producing a revision of the latest evidence of the consequences of vaping on health, alongside recommendations of initiatives to reduce uptake and use of vapes by children and young people. My fellow Ministers and I certainly share concerns about the impact of vaping on children and young people in the Island, as well as its broader environmental impact, and we eagerly await the recommendation from the public health review to take matters further.

Deputy B.B. de S.DV.M Porée:

Sorry, I did not quite fully hear the full answer. Did the Minister actually say there is a review that is taking place, with herself included? I did not really understand, sorry.

Deputy K. Wilson:

With regards to the policy around public health, it will be looking at the health impact, and I am working with other Ministers on the much broader issue of vaping in general.

5.5.1 Deputy B.B. de S.DV.M Porée:

Would the Minister be able to give us an indication of what timescale she is looking into starting this review and perhaps we could follow it?

Deputy K. Wilson:

Yes, the work is almost coming to a completion and I am yet to be briefed on the output of that review. But once I am in a position to be able to clarify the actual date of that work being completed, I can then advise the Deputy of the timescales we will be working to.

5.5.2 Connétable K.C. Lewis of St. Saviour:

I think we passed the point of reviews and more consultations. What adults do is a matter for adults. But when children have access to flavours of vapes such as bubble gum, vanilla and popcorn, it is no stretch of the imagination these are designed to get children hooked on vapes and maybe carry on to other stronger flavours. Will the Minister use her best endeavours to stamp out this practice?

Deputy K. Wilson:

Yes, I can assure the Constable that this is really an important matter for us to take some urgent action around. As I have said, we are currently working to review the current arrangements and to be advised of the plans that we need to take in order to address the issue.

5.5.3 Deputy A. Howell:

I was just wondering, can the Minister for Health and Social Services confirm that the Minister for the Environment and the Minister for Infrastructure sent us a message to say that they were considering banning these?

Deputy K. Wilson:

Yes, we do have some shared concerns about the matter and any developments would take account of the different responsibilities over this subject. We have already made moves to make it illegal to sell and supply e-cigarettes, vapes and products to under-18s, and we do intend to explore the best available options for regulations as part of a revised tobacco and vaping strategy.

5.5.4 Deputy A. Howell:

I was under the impression that they were banned already.

The Bailiff:

I am not sure that is a question. I think that is a statement about the impression you were under.

Deputy A. Howell:

I was under the impression that we were told that ... is it right that they are already being banned by the other 2 Ministers?

Deputy K. Wilson:

I think the Deputy would need to direct the question to my colleagues on that matter. But the advice that I have received is that we have shared concerns on the matter - I will repeat what I have just said - and we have already moved to making it illegal to sell and supply products to under-18s.

5.5.5 Deputy M. Tadier:

Does the Minister recognise that it would be somewhat inconsistent and perhaps ludicrous if single-use vaping was to be banned, the sale of single-use vapes, but the sale of single-use cigarettes was not also banned, given that there are no doubt much more significant health impacts from single-use cigarettes than there are from single-use vapes?

The Bailiff:

I am minded to ask what a single-use cigarette is as opposed to any other kind of cigarette, Deputy.

[10:15]

Deputy M. Tadier:

The penny dropped, Sir, and it is something I thought of yesterday and shared with my Reform colleagues. That is exactly the point. There are only single use cigarettes and we know that cigarettes for decades cause serious harm both to adults and children. When you throw cigarette butts on the floor, as we know that many people do on a daily basis in Jersey, they often find their way into the sea. Are we talking about an issue with vaping here or an issue with cigarettes more generally?

Deputy K. Wilson:

I think we are talking about a whole host of issues in relation to this habit, if I could call it that. There are clearly health impacts. There are clearly environmental impacts in terms of the plastic composition of these items. There are also health and safety issues. I think, as I have mentioned previously, we need to be working together as a group of Ministers to confirm our position on this and address the issues of concern that people have raised.

5.5.6 Deputy M.R. Scott:

With respect to the use of vapes generally, I just wondered whether ... and their use in people giving up using cigarettes. I might mention I used to, when I did smoke long ago, I would relight them and reuse them, to inform Deputy Tadier. But could you please advise about any advice being given for those who are trying to transition away from smoking cigarettes using vapes and what has generally been published in that respect? I am sorry, and how to get off vapes.

Deputy K. Wilson:

I think in response to that question, there has been a considerable amount of research focusing on the issue of vaping as a gateway to smoking. Colleagues in this space continue to state that the evidence is unclear that there is a strong causal relationship between the 2. Much of the evidence is pretty poor and concludes that vaping is not a gateway to smoking. I think the best I can offer at this time,

again until we have completed the revision, is to assure the Assembly that our public health strategy and the work that we are doing to reduce the tobacco and vaping consumption on a more general basis hopefully will address some of the concerns that the Deputy has in terms of education and support for people who want to give up.

5.5.7 Deputy M.R. Scott:

I thank the Minister for her reply. Just trying to clarify, she mentioned that vapes do not necessarily lead to smoking but, insofar as smoking, people wanting to give up cigarettes use vapes. I was seeking clarity in terms of the advice that has been given to, if you like, complete removing from smoking cigarettes and then vapes and that journey.

The Bailiff:

I just received a note that Deputy Ward wished to ask a question, but I had already called final question from Deputy Scott and final supplementary Deputy Porée. No, thank you. All right.

Deputy M.R. Scott:

Sorry, I did not actually have an answer to my supplemental question.

The Bailiff:

I am sorry, I am afraid I stopped focusing a little bit after you just thanked the Minister for an answer. My fault, I am sure. In which case, an answer then, Minister. I apologise.

Deputy K. Wilson:

I cannot profess to be any expert on this but I think the relationship, as officers have indicated and advised me, between vaping and smoking, if I can put it that way around, demonstrate that there is not a causal link or the evidence suggests that there is no causal link, but also that the evidence is poor in that regard. The Deputy is quite right, is that people use vaping in reverse to help them stop smoking, and I hope that clarifies the position for the Deputy.

5.6 Deputy S.Y. Mézec of the Minister for Children and Education regarding representations to the States Employment Board on the effect of real term pay cuts on recruitment and retention of teachers (OQ.177/2023)

Will the Minister advise what representations, if any, she has made to members of the States Employment Board, regarding the effect that years of real terms pay cuts has had on the ability of schools to recruit and retain teachers?"

Deputy I. Gardiner of St. Helier North (The Minister for Children and Education):

Before I answer the question, I would like to thank the Bailiff to allowing me to remain seated as I am recovering from a foot operation.

The Bailiff:

Yes, that is absolutely fine, you can remain seated.

Deputy I. Gardiner:

Answering the question, I would like to advise that I regularly discuss the ongoing dispute with the chair and the vice-chair of S.E.B, and I really hope that all sides can come to the agreement.

Deputy S.Y. Mézec:

That answer said representations were made but did not say what those representations were, which is what my question was.

Deputy I. Gardiner:

The question was actually if I made representations, if any. So the answer was that I have ongoing discussions with the chair and vice-chair of S.E.B.

The Bailiff:

I think the question is: will the Minister advise what representations, if any. So if there are any representations, what were they?

Deputy I. Gardiner:

I have listened to the teachers and the headteachers. I have raised the various points with the S.E.B., which it is important for me that all sides would come to the agreement soon.

Deputy S.Y. Mézec:

I am sorry, but we are really not close to an answer to my question, which is about what representations she has made regarding the effects of years of real terms pay cuts. She may make representations that say it is a jolly good thing or that it is a terrible thing, but I am none the wiser from the answer she has given so far.

The Bailiff:

I take your point.

Deputy I. Gardiner:

I will continue my answer. I think what is important in this question, the Deputy asked about 2 things that needs to work together. One is about the pay and another is about recruitment and retention. I think it is important to recognise there is a wider range of factors that can affect recruitment and retention, and pay is not a single factor. Recruitment and retention of all employers is a priority laid out in my Ministerial plan. Recruitment of all teachers is more challenging than it was in previous years. At the same time, listening to the headteachers back in September, I have made representations and this is why the Chief Minister, as chair, and vice-chair of S.E.B. work together with us putting together a delivery team that helped with recruitment and retention this year.

The Bailiff:

I think the question is directed, and I do not want to get into too much detail because we do have time constraints, but it is whether you have made any representations to the States Employment Board about the effect of what is described as real term pay cuts on the ability to recruit and retain. It may be you have made representations about that and it may be you have not. But I think that is the thrust of the question. Minister, are you able to provide clarity about?

Deputy I. Gardiner:

I have representations to the States Employment Board about the terms and conditions of the employment of staff that needs to be reviewed. This is what is happening now because the pay is one of the jobs and conditions package that is offered to really valued and important teaching staff.

5.6.1 Deputy S.Y. Mézec:

We are slightly closer, I guess. So I guess I would like to ask the Minister, therefore then, seeing as what is on offer to teachers this year is yet another real terms pay cut, is she making a representation to the States Employment Board that she is personally satisfied and supportive of giving teachers a real terms pay cut? Or does she believe that somehow a package that includes a real terms pay cut is a positive thing for trying to retain and recruit the best teachers possible to teach the children of the Island?

Deputy I. Gardiner:

It is important to have a balance. For me, the package that is offered for the teachers is important, and this is why I have ongoing discussions with the States Employment Board about terms and conditions, including wages. Because the package is not just the numbers, as we have seen, because the numbers are different and they are not always met. Today it was recognised even by the chair of N.A.H.T. in the newspaper, we know that the inflation is above 10 per cent and we are offering 7.9. This is where the times are hard for everyone.

5.6.2 Deputy R.J. Ward:

Does the Minister accept the concerns of teachers and headteachers over recruitment and retention and see the effects of long-term real term pay cuts on that recruitment and retention long term in the profession?

Deputy I. Gardiner:

I absolutely accept the concerns of the headteachers about recruitment and retention, and this is why we are working together. We have more challenges in specific areas but, at the same time, our retention is under 4 per cent. I think it is very difficult to speak with the numbers because, like I said before, the numbers are different. But I emphasise that I understand the feelings and I understand the overwhelming conditions because the teachers, and all of us, have gone through the pandemic. Over the pandemic the teachers were the front line. So the burden that happened there, we need to look and support teachers with the well-being as any other very valued members of the staff. The situation is more complex, I would think, than just about the number.

5.6.3 Deputy R.J. Ward:

Would the Minister accept that when teachers at the top of the pay scale, those that were given as an average by the States Employment Board in their press release, every time there is a real term pay cut, their pay is eroded? Would the Minister accept that they are essential, for example, to be the mentors and teachers within the J.T.T.P. (Jersey Teacher Training Programme), and therefore has a long-term effect on our education and profession on this Island?

Deputy I. Gardiner:

I agree with the Deputy that it is a very complex situation. I cannot deliver my Ministerial plans without headteachers, teachers and teaching assistants. This was the reason that personally I secured an extra £6 million to support staff within the school. This is the reason that this year we recruited 113 extra staff to schools. I recruited 62 teaching assistants extra, on top of the vacancies that we have, to make sure that teachers have other staff recruited, 25 teachers and 6 school leaders. There is investment going in and we can decide how we continue to recruit to make sure that staff are supported and they have more time for their professional development and other things which are important, that the unions told me and also headteachers told me. The money is limited and I will do at most to make sure to balance between the books and support and the teachers.

The Bailiff:

I have Deputy Kovacs, Tadier, Southern, Feltham and then final supplementary. That is going to take us well over the limit normally allocated for individual questions but I have had notice of those wishing before I have called time, so I will call upon them. But if they could be succinct, please.

5.6.4 Deputy R.S. Kovacs of St. Saviour

Regarding recruitment and retention of teachers, the Chief Minister has said earlier in her response that there are no vacancies of teaching roles in primary schools and just a few in secondary schools. From speaking with different teachers in schools, and I could see teachers present in the gallery

nodding in disagreement, no, the reality is not quite there. I am happy to hear the Minister say that recruitment had increased, but does she think it is sufficient for the needs of the schools?

Deputy I. Gardiner:

I thank the Deputy for the question. I am aware that in some schools they can have multiple teachers and assistants all at the same time off. Some of them are on parental leave, some of them on sick, and some resignation, so it is extremely challenging.

[10:30]

The numbers that I have received, I do not have any vacancy at the primary school, and I am talking about the vacancy that when we put the offer and gone through D.B.S. (Disclosure and Barring Service) check, but currently there are no open vacancies at the primary schools. I have 13 vacancies at the secondary schools. We are working to review it, but again it is important ... there is complex between the fillings and the number. I completely recognise that the work of the teachers is extremely difficult. It is very challenging. We have dedicated teachers and headteachers and teaching assistants working with their hearts. I understand and I emphasise that I can completely respect why this has happened, but at the same time, we do have the numbers. I am trying to support as much as I can, from the policy and from the recruitment point of view as Minister.

5.6.5 Deputy R.S. Kovacs:

Can the Minister circulate by email all the vacancies for teaching and teaching assistants in all the schools for this school year?

Deputy I. Gardiner:

Absolutely, I will do it.

5.6.6 Deputy M. Tadier:

Teachers have written to all States Members and explained that their profession runs on goodwill and that a third of the hours they do are unpaid. Does the Minister recognise that we seem to have reached an impasse now between teachers and Government? The Government says they cannot give more in the form of a better package. Surely the only option then is for teachers to give up their goodwill and to give less? Is that a situation she wants to find the Island in?

Deputy I. Gardiner:

No, I do not. I would like really to work with the teachers and with all teaching staff, because it is not just teachers, it is teaching assistants and headteachers. I can see all of them working together and delivering the best education possible for our children. At the same time, even today, we have seen the difference between N.A.S.U.W.T. they would call off the strike and, as local representative, Marina Mauger mentioned in today's *J.E.P.* (*Jersey Evening Post*), they are taking a pragmatic approach and they are sitting with us and it was really ... I have been at least told, very good workshop last week, where representatives from the union and some of the teachers sitting and discussing their terms and conditions. As she mentioned, the terms and conditions package cannot be done quickly. This is why we need to work towards the multi-years still. So there are different approaches. At the same time, I was very clear in the Assembly, without support of all our teaching staff, I will not be able to deliver policies and the best education possible to our children. We do need to work together.

5.6.7 Deputy M. Tadier:

This Government has been in power for one year already. They knew that the pay negotiations were coming up. While there may be systemic changes that need to take place in education that will take longer, surely offering a below inflation pay increase, which is effectively a cut in real terms, only enflames the situation. Will the Minister, if she has not done it already, go back to Government, to S.E.B., and say: "You need to put a better offer to the teachers to resolve this situation, otherwise it

will be a protracted strike, industrial action, possibly resulting in work to rule for the next 12 months and effecting the morale and education of all involved.”

Deputy I. Gardiner:

First of all, the better offer is an ongoing conversation because, as I said before, the offer includes a whole package. It is important that we will get a better offer. I have been updated over the last week and last weekend of conversations and various offers have been paid. I said it previously, during my public hearing and during my interviews on the radio, and the Chief Minister has mentioned it before, if we cannot come to an agreement, if an agreement cannot be reached, it would be helpful to go to independent arbitration. Every party can present. From my perspective, it does not matter what is happening with the arbitration. I will continue to work on what we have started and we are developing the terms and conditions and maybe even evaluation. We are talking about teachers and the headteachers, but I am very personally worried about teaching assistants, which accepted the offer already and they are working today. At the same time, I do believe that we need to do a complete evaluation of the teaching assistant work. What they deliver at school is as important as teachers and headteachers. So we look at the whole staff.

5.6.8 Deputy G.P. Southern:

Can we get down to some specifics? For example, will the Minister assure the members of teaching unions that there will be no return to taking pay rises out of the overall school budgets rather than putting extra money in for teachers?

Deputy I. Gardiner:

Currently, it is not planned but if it needs to go beyond 7.9 and all of us need to balance the books, it will be a conversation with C.Y.P.E.S., with my gross, as we continue to put extra support within the schools. We will not take budget for what was provided from the school, but to get extra additional budget the gross that will be offered for 2024 is for the Assembly to decide if we will put extra roles into the school or we will put extra pay rise.

5.7.9 Deputy L.V. Feltham:

Given the Minister’s answers to previous questions, would she agree that the actions or inactions of the States Employment Board have impeded her ability to deliver on her Ministerial plan?

Deputy I. Gardiner:

I am still on track to deliver my Ministerial plan. I have more ambitions. I am on track to deliver 2023 Ministerial plan and I hope the situation will resolve quickly to make sure that we progress with plans that we discussed last June at the headteachers’ meeting.

5.6.10 Deputy L.V. Feltham:

Within the representations that the Minister discussed earlier, what actions, if any, did she request that the S.E.B. take to support her in delivering her Ministerial plans?

Deputy I. Gardiner:

I thank the Deputy for her question. It is to review terms and condition and evaluations for some of the job to make sure that they are meeting current requirements. We know that requirements for various jobs have changed over the years.

5.6.10 Deputy S.Y. Mézec:

Teachers have faced a decade of real terms pay cuts and their earnings have reduced in real terms by around 11 per cent. That is a trend. Could I ask this Minister if she believes that that trend can continue without exacerbating the situation on recruitment and retention of teachers? Is it her position that in her term of office she is content to see teachers become poorer?

Deputy I. Gardiner:

I thank the Deputy for his question. The numbers that I got from S.E.B., and again I am just quoting the numbers that I got, we do not like the numbers, but at the same time we are going back to the numbers. The last 5 years average earnings in Jersey was 3.3 per cent uplift and since 2019 the uplift was 4.1 per cent. As the Chief Minister mentioned, the uplift on average earnings this year in Jersey was 7.7 per cent and we offer 7.9 per cent. It is just the numbers. There are so many numbers running around that, for me, the easiest way will be that the unions and S.E.B. will go to independent arbitration and present all their numbers, present their case, and an independent professional can iron down the number and what S.E.B. needs to pay.

Deputy S.Y. Mézec:

Sir, again, that was not even anything close to an answer to my question. This is happening constantly throughout this morning. It is very unfair and disrespectful to Members who are trying to hold Ministers to account that they are waffling and not answering questions at all.

The Bailiff:

I understand the point, Deputy. The fact is ultimately other than indicating that it did not answer the question, it is a matter of responsibility for the Minister the nature of the answers that they give. The only consequences for that, ultimately, are likely to be political consequences. In any event, that ends this particular question. May I reflect on the fact that we have been joined in the public gallery by His Excellency the Ambassador for Spain to the United Kingdom [**Approbation**] and his party? I am glad that Members have welcomed him in the customary fashion. You are most welcome here.

5.7 Deputy G.P. Southern of the Chief Minister regarding taxation measures and standards of health provision (OQ.179/2023)

Will the Chief Minister advise what taxation measures, if any, she has under consideration to prevent further deterioration of standards in health provision in the Island?

Deputy K.L. Moore (The Chief Minister):

As the Deputy I am sure is aware, it has previously been announced that the Minister for Health and Social Services is currently undertaking a wide review of the Island's health and care costs, which will inform options for the future funding of our whole health and care system. The review is ongoing and the draft Government Plan for 2024-2027 will set out a refreshed status of the review. It is expected that the ongoing work will provide options for future funding based on projected costs within health and care over the next 20 years. At this stage of the work, it is not possible to identify what, if any, taxation measures may be required to support those funding options. The Health and Social Security Panel have been kept up to date with the progress of the review via informal briefings. I would also like to add that we have made investment in a turnaround team, who are focused on improving standards in both service, delivery and value for money. They are leading the financial recovery programme for Health and Community Services. We have also invested in work in recruitment and retention to ensure that we close vacancies and retain staff in our Health and Community Services. We, of course, continue to work with our colleagues across the water in Guernsey to find ways of working collaboratively together to ensure that both Islands offer the best possible services in terms of health and social care.

5.7.1 Deputy G.P. Southern:

Review this and review that. We are full of reviews. However, we know what answers will be supplied by this particular review. They will make sure that the cost of delivering a decent health service on this Island will be going up. As people live longer and hopefully healthier lives then costs will go up inevitably. What provision has the Minister got in mind in order to fund that improving provision that we need before we get to being third world status?

Deputy K.L. Moore:

I would like to remind the Deputy that I did not simply talk about reviews. I talked about considerable action that is being taken and investment that is being made by this Government in Health and Community Services. We have, if I could remind him, invested in a turnaround team who are leading a financial recovery programme. Before we start talking about adding extra taxes to people's pockets and taking away money from Islanders who need to enjoy the best possible quality of life that they can, we want to be assured and reassure the public that our Health and Community Services are spending money wisely and is focused in the right areas. That is the work that is being done first, to ensure that our budget for that important service is offering value for money for the public and not taken away in taxes when it is unnecessary.

5.7.2 Deputy S.Y. Mézec:

Speaking of taking money away from Islanders; in 2016 this Chief Minister voted in favour of taking money away from Islanders when she voted in favour of introducing the health charge as part of the 2017 Medium Term Financial Plan, but it was defeated by this Assembly. That was a charge which was to see extra taxes placed on Islanders, but excluding the super-wealthy from paying the full rate. Could this Chief Minister rule out consideration of such a tax coming back in this term of office or any equivalent that sees those with the broader shoulders exempted from carrying more of the burden?

Deputy K.L. Moore:

It is not the appropriate time to rule anything out or rule anything in. That is the whole point of a review. What we want to ensure the public first is that we are spending money wisely in health and social care. That is important, particularly as we look forward and are completely aware of the impending dependency ratio. It is vital that we encourage Islanders to look after their own health, to prevent themselves from becoming ill, so that we can better cope with demographic change as and when it occurs. In terms of spreading the cost against those who are better off in our community, we all contribute in our different ways in the structure that we have. Recently we have seen some great philanthropic giving in this area. Without that, particularly charitable provision in this area, we would be greatly worse off.

[10:45]

5.7.3 Deputy S.Y. Mézec:

We are talking about the government funding of the health services. That is not a matter for charity. That is a matter for Government and for taxation. Firstly, I have to ask the question, does the Chief Minister agree with that position or are we going to see a health service that is more reliant on the third sector and the more volatile funding methods that it has or is she prepared to say to the public of Jersey today, whose Government she leads, that she will not impose upon them taxation that sees working class Islanders paying proportionately more than the super-wealthy, even though they are the ones who are most capable of paying, because that is regressive and unfair?

Deputy K.L. Moore:

As a small Island nation, if we cannot treat our sick and teach our kids then we cannot do anything. We would not attract the people and retain our own people in the Island to enjoy the quality of life that we wish to see. When the Deputy talks about fairness, of course, he is speaking to the very Government that has focused on putting more money in people's pockets, the worse off in our community, by increasing tax allowances. We will continue to approach our government spending and our government planning in that very same focused way. When one looks at the percentages of people who contribute in various demographic brackets, according to their wealth, we can see very clearly that it is the top 10 per cent who contribute the most to the functioning of our public services.

5.7.4 Deputy G.P. Southern:

May I remind the Minister, on the back of that last answer, that it is the top 10 per cent that own most of the wealth in the Island? It is the top 10 per cent who own over half of the wealth in the Island. That is the reality. That is the redistribution that somehow needs to take place. Does she not agree?

Deputy K.L. Moore:

That is a very deep political point. That may be the view of the Reform Party, but that will be a matter for members of the public to consider at the election next time. This Government is a Government of balance, it is a Government of fairness and it is a Government that wants to ensure that Islanders lead the best quality life that they can, so that everyone in our community can thrive. The Deputy may be suggesting across the way that that is a decline, but in fact what we want to see and what I hope we will see is an improvement in living standards and an improvement in the satisfaction of Islanders in the life that they lead here in our Island.

5.8 Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter of the Chief Minister regarding the Grindadrap Festival in the Faroe Islands (OQ.165/2023)

Following States approval of P.35/2023, which was the condemnation of the brutal slaughter of dolphins and whales by the Faroe Islands, will the Chief Minister confirm that she has communicated the views of the Assembly to both the United Kingdom Government and the Faroe Islands Government, and will she advise Members whether either Government has responded, and commit to sharing any relevant correspondence with States Members?

Deputy K.L. Moore (The Chief Minister):

I thank the Deputy for the question. I wrote to the Prime Minister of the Faroe Islands Government on 29th June 2023 in line with the request that was made in P.35 and enclosed a copy of the agreed proposition. The letter and the wording of the proposition was shared with the Ministry of Justice and forwarded to the Foreign Commonwealth and Development Office, as is protocol, in order that they were made aware of the views of the States Assembly. Both the Faroe Islands Government and the U.K. (United Kingdom) Government confirmed receipt of that correspondence, and I am told that today we have received a response from the Faroe Islands Government. The Deputy will know it is government policy not to share Government to Government correspondence.

5.8.1 Deputy L.J. Farnham:

Can I thank the Chief Minister for her answer? I understand government policy on sharing intergovernmental correspondence. On this occasion, she was acting upon a request of the Assembly, on Assembly business, so I think perhaps she could consider sharing the correspondence with the Assembly and would ask her to give that consideration, please.

Deputy K.L. Moore:

I have to say, I have not yet myself read the response, but it is not diplomatic protocol to share or publish Government to Government communications, as I have said, but indeed, of course, I will give consideration to the Deputy's request.

5.9 Deputy C.D. Curtis of the Minister for Housing and Communities regarding the criteria for the affordable rented Housing Gateway (OQ.170/2023)

Will the Minister confirm whether there are any plans to alter the criteria for the affordable rented Housing Gateway to permit those who currently have a lease to be added to the waiting list, and if not, why not?

Deputy D. Warr of St. Helier South (The Minister for Housing and Communities):

I thank the Deputy for her question. The Gateway already accepts Islanders who have leases for homes in the private rental market. Anyone unsure about whether or not they qualify can always contact the Gateway.

5.9.1 Deputy C.D. Curtis:

I have been given responses to applications and that is not the case. I can quote some to you. I would ask if the Minister could check up on this, please, because in answer to applications people are told: “We are unable to consider your application, reason being you are bound to a rental lease. In order to be considered for social housing you need to be actively looking for properties.” This would mean that people would have to refuse to leave their properties and be evicted or become homeless to get on the waiting list.

Deputy D. Warr:

My officers certainly do not agree with that. I would also say that if we take a look at band 3 on the Social Housing Gateway, the band reflects applicants whose current accommodation is unaffordable, given their personal circumstances or who are deemed to be adequately housed but meet the eligibility criteria. So band 3 suggests that what the Deputy is suggesting is not the case. However, as I say, if there is a query, I am happy to take that away after the Assembly, if the Deputy would like to put those to me directly outside of here.

5.9.2 Deputy S.Y. Mézec:

Like Deputy Catherine Curtis, I have seen with my own eyes an application turned down because that person was in a lease, which would have meant if they wanted to become eligible they would either have to break that lease or squat in their home and risk facing eviction action before being able to become eligible. Since that clearly is at odds with what the Minister and his team think is the intention behind the eligibility criteria of the Gateway, will he therefore agree as a matter of urgency to go to his team and ask them to reconsider applications that have been turned down on that basis, since it is clearly one he does not agree with?

Deputy D. Warr:

I would say that I am not aware of this scenario, so I absolutely advise that this individual gets in touch with us and I will follow up and let the Assembly know what the outcome is.

5.9.3 Deputy S.Y. Mézec:

It may not be an individual, it may be more systemic if somebody in one of the government offices somewhere seems to think that that is a rule. Will he endeavour to make sure that that message is sent out loudly and clearly that that cannot be grounds for turning someone down from the Gateway?

Deputy D. Warr:

Of course.

5.9.4 Deputy C.D. Curtis:

I would like to say that the wording does seem to be quite standard in the responses that I have seen. I will forward that information to the Minister and would like him to check up on that, thank you.

5.10 Deputy C.S. Alves of St. Helier Central of the Minister for the Environment regarding a vehicle scrappage scheme (OQ.181/2023)

Will the Minister advise whether a vehicle scrappage scheme was considered as part of electric vehicle strategy?

Deputy J. Renouf (The Minister for the Environment):

Deputy Alves has agreed that Deputy Jeune may answer this question.

Deputy H. Jeune of St. John, St. Lawrence and Trinity (Assistant Minister for the Environment - rapporteur):

I would like to thank the Deputy for her question. The E.V. (electric vehicle) incentive was originally designed with a requirement that for every electric vehicle sold using an incentive a petrol or diesel vehicle would have to be deregistered. However, consultation with the motor industry locally provided strong feedback that linking together the scrappage and the incentive scheme would artificially inflate the market price of those old petrol and diesel vehicles, as dealers potentially fought to get hold of them. It would also add significantly to the cost of the purchase of the E.V. to the customer, and this would disproportionately impact on those on lower incomes and those that did not have a vehicle to exchange. It was agreed with the Motor Trades Federation that we would work together to design and introduce a more effective standalone petrol and diesel scrappage scheme.

5.10.1 Deputy C.S. Alves:

What guarantees does the Assistant Minister have that fossil fuel cars replaced will not be sold on or kept in a household?

Deputy H. Jeune:

I thank the Deputy for her question. At the moment, we would be unable to guarantee that. The incentive scheme tries to encourage more electric vehicles to come to Jersey and that is why we have put in that it is new or used electric vehicles that are first registered to the Island. As I said in my last answer, we will be very much working with the Motor Trade Federation to develop a standalone scrappage scheme, because it is imperative that we also do start to look at getting rid of old vehicles that use fossil fuels as soon as possible.

5.10.2 Deputy R.J. Ward:

I note that the policy T.R.2 Vehicle Scrappage was removed from the Carbon Neutral Roadmap. Are we now hearing that there will be a replacement for this scrappage scheme, given that the electric car subsidy scheme gives no guarantee of the removal of fossil fuel vehicles from our roads?

Deputy H. Jeune:

I would like to thank the Deputy for his question. The Minister and I, when we first were discussing the details of this electric vehicle incentive, were very minded to introduce the scrappage scheme as part of this incentive. However, as I said in my first answer, after consultation it was very clear to us that this would be detrimental to the incentive scheme. Therefore, we made the commitment to make a standalone scrappage scheme separately. As the Deputy is aware, we have a very small team and at the moment we are working on this incentive scheme and on the heating incentive scheme and others. So we have not started work yet on the scrappage scheme, but we will do so as soon as possible.

5.10.3 Deputy R.J. Ward:

I will take it that there will be a new standalone vehicle scrappage scheme developed, but we do not know when. Can I ask the Assistant Minister, does she agree that the best way to reduce road transport vehicles is to make public transport the go-to means of transport? That should be the thing that we invest in most in order to change the travelling habits of our population?

Deputy H. Jeune:

I thank the Deputy for his question. It is clearly recognised in the Carbon Neutral Roadmap that 40 per cent of our carbon emissions comes from transport and so the Carbon Neutral Roadmap has many

policies; 11 policies, to look at ways to reduce fossil fuel use of the Island, and active travel and use of public transport is one element of those 11 policies. This Government has been working hard to increase and support public transport use as well as active travel. There is also, of course, our bike incentive scheme and soon we will be launching the cycling and walking infrastructure strategy to look at corridors of cycling infrastructure that can be improved in the coming years. The electric vehicle scheme is one of many that will try to help reduce our emissions in the transport sector.

The Bailiff:

I have the Connétable of St. Helier, then the Connétable of St. Brelade, Deputy Mézec and then a final supplementary. I am afraid we are pushing over the edge of any reasonable time allowed for the question.

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

Would the Assistant Minister agree with me that she is putting the cart before the horse, if you will excuse the pun, by making this very generous gift of £3,500 to relatively well-off people in order for them to buy extremely expensive motor cars when she could have spent that money, I think it is a total of £4.5 million, on improving cycling routes and walking routes, particularly in the town, which will have got more people out of their cars than this technique?

Deputy H. Jeune:

Thank you, Constable, for your question. As I said in my last answer, this specific incentive is one of 11 policies that are looking at how to reduce our emissions in the transport sector in the Island.

[11:00]

It was agreed in the last Assembly through the Carbon Neutral Roadmap and also the Climate Emergency Fund that this specific amount of £4.9 million was given to reducing fossil fuel vehicles on the Island. The bike incentive scheme was taken from this budget line and the rest was agreed in the last States Assembly. I believe the Constable took part in that vote to agree that it is important to also focus on cars. Though it is absolutely this Government's aim to increase and to support Islanders to use other forms of transport, and we have of course the transport hierarchy where you start with walking and cycling and then public transport and then from there go to personal vehicles, that many times you will need to use your personal vehicles. This is why this incentive is specifically designed to help support Islanders to go from using fossil fuel cars to electric vehicles. This incentive specifically focuses on the differences between the cost of an electric vehicle and a fossil fuel vehicle. It is designed to nudge and to encourage Islanders when going to purchase a vehicle, also mopeds and motorcycles are also included in this incentive, to make the choice of an electric vehicle over fossil fuel vehicle and so the incentive is designed for that specifically ...

The Bailiff:

Deputy, could you bring your answer to a close, please.

Deputy H. Jeune:

That is why the incentive is designed like that.

5.10.4 The Connétable of St. Helier:

I should say that when I supported the Carbon Neutral Roadmap I did not know that we were voting to spend £4.5 million as a gift to relatively well-off people to buy another motor car without getting rid of the one they have. Would the Assistant Minister be willing to pause this scheme while further scrutiny of it takes place to see whether this money, taxpayers' money, is being spent in the best way possible to make our Island better for everyone?

Deputy H. Jeune:

I thank the Constable for his question. As I said, 40 per cent of our carbon emissions come from transport and, unfortunately, a larger number of that is from personal cars and vans being used on our roads. The States Assembly recognise that we are in a climate emergency, that we have to do something about reducing our carbon emissions on the Island. This incentive is in trying to encourage Islanders to move away from fossil fuel vehicles. I believe that we need to have a suite of policies to be able to encourage different Islanders to be able to do that. The Climate Emergency Fund is specifically ring-fenced with an objective to reduce our emissions on the Island and there are, therefore, a number of things that we have to do. Unfortunately, in Jersey, even though we are a small island and could really benefit from the use of electric vehicles, our uptake is relatively small compared to other jurisdictions like the U.K. and France. Therefore, this incentive scheme is to encourage those to buy electric vehicles.

The Connétable of St. Helier:

Sorry, I did ask if the Assistant Minister would agree to pause the scheme, could I have a yes or no answer, please?

Deputy H. Jeune:

I do not believe at this stage that we need to be pausing this scheme. We are doing what the scheme was designed to do and was agreed by the States Assembly.

5.10.5 Connétable M.K. Jackson of St. Brelade:

While the incentives proposed by the Assistant Minister, I believe, are laudable, I would point out to her and for further consideration that, shall we say, the older vehicles, hydrocarbon-powered vehicles, are the cheaper vehicles which people can afford. The proposals, as on the table at the moment, are for vehicles which are way out with the affordable capacity of many residents. I ask the Minister, is she prepared to take that into consideration, particularly if a scrappage scheme is put on the table?

Deputy H. Jeune:

I thank the Constable for his question. We looked very closely at the prices of electric vehicles versus petrol and diesel vehicles and that is why we put a cap on this incentive for £40,000, because we believe that covered up to family cars but not going into luxury cars. But I have to insist that this incentive is very much about also used electric vehicles and so there are a number of vehicles on the forecourts that you will see in the Island are comparative to fossil fuel cars because they are also second-hand cars. But also though maybe the cost can be seen as higher on purchasing of an electric vehicle, the running costs and maintenance costs of an electric vehicle is extremely low. Hopefully, Islanders, when looking into whether to buy an electric vehicle or not, will take the whole life cycle of the electric vehicle and their usage into consideration because it is much cheaper to run an electric vehicle and to maintain an electric vehicle than a fossil fuel car.

5.10.6 The Connétable of St. Brelade:

I thank the Minister for her answer but the reality is that a lot of people are nowhere near affording up to £40,000, as was mentioned. They are looking towards more a less than £5,000 angle, which is what you can buy a cheaper, older, hydrocarbon vehicle for. I would urge her to consider the less well-off in our society when making the decisions.

Deputy H. Jeune:

Absolutely when we are discussing these incentives we do absolutely look at the impact these kind of incentives will have on a range of the people in our society. As part of the Carbon Neutral Roadmap, the just transition was very much an important part of the objective, so this is always looked at.

5.10.7 Deputy S.Y. Mézec:

Is the Minister aware of adverts which are being promoted by car dealers to advertise for Islanders to use the E.V. grant to purchase vehicles which are quite clearly not designed to be the primary vehicle of a household and instead only to be used in the best weather, the rest of the time where they will be, presumably, left in a garage while that household continues to use a fossil-fuel powered vehicle? Does she think that kind of thing represents good value for money?

Deputy H. Jeune:

Thank you, Deputy, for your question. I have seen that particular advert that I believe the Deputy is referring to. Of course, it is up to the Islanders to decide how they would like to spend their money. Of course, the incentive is a very small part of overall price of the car. Also, in that regard, and to the question the Deputy has asked, I would say that is pretty much the same for mopeds and motorcycles as well. I think it is really up to the Islanders to decide how they would like to spend their money when it comes to electric vehicles. Using the incentive, of course we have parameters in place to help us to ensure that as many Islanders have access to the incentive as possible.

5.10.8 Deputy S.Y. Mézec:

If the purpose of the scheme is to act as an incentive for Islanders to purchase a vehicle that would change their habits and, therefore, reduce carbon emissions but is on offer for particular kinds of vehicles that are not likely to offer that purchaser much of a chance to reduce their carbon emissions because of the lack of use that the vehicle will get most of the time and the lack of requirement for them to scrap a polluting car instead, is clearly bad value for money. Does the Minister not think that there ought to have been a better targeted approach so that the money that is spent on an incentive scheme like this would have as great an impact as possible in reducing carbon emissions when this clearly does not achieve that aim?

Deputy H. Jeune:

I believe this would be a one-off example. Most cars that are on offer look like regular cars and will be able to be used as all Islanders use their transport. But I will be happy to look into that one particular issue because that is one particular make that I understand what the Deputy is referring to.

Deputy C.S. Alves:

Sir, I have got a final ...

The Bailiff:

I am terribly sorry. I am clearly sort of running faster and faster until I get up to speed, so almost there. Yes, final supplementary, Deputy Alves, I apologise.

5.10.9 Deputy C.S. Alves:

That is okay, thank you, Sir. How will the Assistant Minister measure the impact and what kind of outcome is she hoping to see, for example, the number of cars on the road?

Deputy H. Jeune:

I thank the Deputy for her question. The way to measure this is to see how many electric vehicles newly registered on the Island will be going up in the coming years. We have that data so far up to this year; I think I have until June this year in my notes. From the launch onwards of this incentive we will be monitoring to see how many new electric vehicles will be registered. My hope is that it will increase year on year. It will encourage more Islanders to be able to see that you can have electric vehicles in the Island; that it is not only good for the environment but it is also good for the Island and for people to use as well. Therefore, we start to see much more electric vehicles within our fleets in Jersey. As I said before, we are very behind in a number of jurisdictions. In Norway, for example,

80 per cent of new cars that have been registered in Norway, it is 80 per cent. We would like to of course aim in the future to that kind of amount.

5.11 Deputy L.V. Feltham of the Assistant Chief Minister regarding staffing of the Communications Team across the Government (OQ.176/2023)

Will the Assistant Chief Minister state the total number of people working in the communications teams across the Government, the total staff cost and the average salary of a member of these teams?

Deputy L. Stephenson of St. Mary, St. Ouen and St. Peter (Assistant Chief Minister):

Thank you for the question. There are currently 34 people working in the communications directorate with another 8 working under the leadership of the directorate in other communications roles across the government and emergency and public health services. The total staff cost is £2,468,325, making an average salary, which is the mean salary in this case, of £62,000.

5.11.1 Deputy L.V. Feltham:

Could the Assistant Chief Minister describe for the Assembly the benefits that this cost brings to Islanders?

Deputy L. Stephenson:

Absolutely I can. The Government has a duty to communicate and to communicate in the best possible way that it can and ensure that those communications are accessible to a very diverse range of people and communities that make up our community but also wider beyond that. The people working in the communications directorate do so across a very wide variety of areas. They work at a local, national and international level. They touch basically on every part of government across the piece and there is a huge demand for the resources of the communications directorate. I would also add that the way communications works, not just in government but more widely in our community in general, has changed over the past 2 decades and we are seeing change on a continual basis. People now expect and demand immediate and instant communications, therefore the way government communicates has had to respond to that as well.

Deputy R.J. Ward:

Sorry, I thought there was a supplementary, I might have missed that. Is it my question, Sir? Sorry.

The Bailiff:

This is your question, Deputy, yes.

5.11.2 Deputy R.J. Ward:

Can I ask the Assistant Minister, given that £62,000 happens to coincide with the highest level of the teaching pay scale, even with a 7.9 per cent pay rise, does the Minister feel that in the current situation with the teachers' strike this may be a strange communication to have, given what we have heard about the failure in the Communications Department recently?

Deputy L. Stephenson:

I may have misheard the Deputy but if we are talking about average salaries, and we are talking about the average salary in the communications directorate, obviously there will be people working at lower levels and higher levels and I know that is the same in teaching as well. Yes, it does provide an interesting comparison in this case. What I would add is that communications is a profession and we expect and demand high standards from the people working in those areas, just as we would with other professions as well.

[11:15]

People may scoff in the Assembly at that kind of comment but I think we should be showing respect to those colleagues and demand respect is shown for others as well.

5.11.3 Deputy R.J. Ward:

It is supplementary. I am certainly not scoffing, I am just pointing out the point that given that the average salary is the highest possible salary that a teacher can gain, does the Minister believe that that is good communication at this point, given that the teachers are outside at the moment demonstrating on strike? Would she say that that is another reason why teachers should be supported in the pay rise that they desperately need?

Deputy L. Stephenson:

I am not saying whether it is a good communication or a bad one, it is a matter of fact that I have been asked to provide some numbers to the Assembly, which I have duly done. I do not believe it is particularly helpful to compare the work or the salaries of the 2 in the nature of whether I believe teachers should have a pay rise or not.

The Bailiff:

I have been slightly permissive, I think, in allowing the ambit of questions to move away from the number of people working in communication teams and their salary. It feels to me that is the essential frame in which the question is posed and questions dipping into other salary bands in other professions or things of that nature seem to me to be out with the ambit and not clearly flagged within the question. Therefore, I would ask Members to bear that in mind when we come to the next question. I have got Deputy Farnham, Mézec, Howell and then final supplementary.

5.11.4 Deputy L.J. Farnham:

I just wondered if the Assistant Minister was content with the performance of the communication teams on behalf of the Government.

Deputy L. Stephenson:

I have full confidence in the communications team and the very able members who make up that team. I know a couple of years ago when the new director of communications came in he made it one of his priorities to look at performance across the board. I am confident a review was undertaken there. We continue, as we would expect across all departments, to monitor performance but also the model and those expectations and if they are meeting the demand in a way that is required and is preferable. I have full confidence in the team.

5.11.5 Deputy S.Y. Mézec:

Could the Assistant Minister please explain exactly what her role, as Assistant Minister, is in determining the head count for this particular venture in Government and what her strategy is on head count for communication officers and whether she thinks it ought to be decreased, maintained or increased?

Deputy L. Stephenson:

Head count is an operational matter that I do not get involved in on a day-to-day basis. What I do do is challenge and ask for justification where I see that new roles are being proposed. I do that not just within the communications directorate but I take it upon myself to ask the questions of other departments, should there be further roles that start to move in towards communications as well because I think it is important that I do so. As I say, I have got confidence in the model, as things currently stand, and I will continue to scrutinise and ask those questions going forward. I equally know that other Ministers do the same, often in a very robust way. I am sure other Members of the Assembly will continue to do so as well.

5.11.6 Deputy S.Y. Mézec:

Who is politically responsible for the strategic decision, which has, I presume, been made somewhere along the line, to see the staffing levels in this particular aspect of governance increase quite significantly over recent years?

Deputy L. Stephenson:

The advice that I have received, because some of this does come before my time so I do have to take advice on that, is that the numbers have remained largely static over the past 2 Governments. I suppose it comes down to the models that have been chosen to build the system around previously as well. As I say, I am currently content with the model that is in place and I will continue to scrutinise along the way. I would say that we have previously looked at using external contractors, off-Island resources, and it has been looked at and discounted as not being value for money. That is all I can really offer in response at the moment.

5.11.7 Deputy A. Howell:

While appreciating how important good communication is, does the Assistant Minister consider that staffing in this area is an area where efficiencies could be made?

Deputy L. Stephenson:

I think it speaks to my previous answers that not currently every member of staff within the communications directorate is working incredibly hard on a daily basis. Communications is one of those areas where the individuals working within it often have very transferable skills and are some of the first people to step up when needed at very short notice. We have seen over the past year or so numerous occasions, including the major incidents where this has been required, and the communications officers working with Government have been among some of the first to do so. One such example is the helpline that was set up in the wake of the floods, and there was a clear need to set up a helpline there and then and it was communications staff that stepped in to do that out of the normal hours of their working day until it could be picked up by C.L.S. (Customer and Local Services) colleagues the following day.

5.11.8 Deputy L.V. Feltham:

In previous answers to previous questions we have heard about a value-for-money review for the Health Department. We also now know, due to the answer to this question, that the average salary of somebody working in the communications team is in fact higher than the average salary of a teacher. Given that, would the Assistant Chief Minister give the Assembly her assurance that she considers that this team is providing best value for money to the public of the Island and if she cannot, will she undertake to do a value-for-money review of these services?

Deputy L. Stephenson:

The Council of Ministers has made a commitment to look at value for money across the entire organisation, and the communications directorate will absolutely be a part of that process.

5.12 Deputy L.J. Farnham of the Minister for Health and Social Services regarding an MRI screening programme for prostate cancer (OQ.166/2023)

Given that a new study entitled “We Imagine” led by University College and published in the Medical Journal has indicated that a 10-minute M.R.I. (magnetic resonance imaging) scan can be used to screen men for prostate cancer, which is the most common cancer found in men, and that scans have proved more effective in diagnosing cancer than the blood tests, will the Minister undertake to consider introducing an M.R.I. screening programme for prostate cancer and, potentially, other types of cancer?

Deputy K. Wilson (The Minister for Health and Social Services):

As Members may well be aware, we currently use M.R.I. in a diagnostic pathway when investigating men with potential prostate cancer. There is no screening programme at the moment, the jury is still out on the benefits of that. In many cases the screening programme of this nature may identify and diagnose lots of men with very low-risk prostate issues which will never cause any physical harm. The anxiety associated with this diagnosis may be more harmful, and that statement is based on the clinical advice that I have received from clinicians. It is also a very expensive resource and used as a screening tool would have a huge cost implication for our health service, which Members will already be aware is a concern. But I think Islanders can be assured that when they are in contact with the clinician, the discussion between the patient and the clinician will determine at what point in the pathway the M.R.I. will be used as a diagnostic process.

5.12.1 Deputy L.J. Farnham:

Can I thank the Minister for her answer? I think the message is that she is reluctant, based on advice she has received locally, to introduce a screening programme for the reasons she mentioned. But it seems that the pilot study I referred to in my question was quite conclusive in its findings and demonstrated that lives were saved by more effective screening for cancers and not just for prostate cancer but for other forms of cancer in men and women. I would ask her just to clarify, is she considering a screening programme or is she not at this current moment in time?

Deputy K. Wilson:

At this moment in time there is no wide-based screening programme planned. If I could just say that the study reported in the media, which the Deputy is referring to, was a feasibility study and it was about using M.R.I. as a screening tool, compared to P.S.A. (prostate-specific antigen) blood testing. I do not particularly want to get into the clinical detail of it here but there is a reason as to why these 2 different diagnostic screening tools are used. It has already been established that M.R.I. is much better at detecting cancer. The recommendation from this study in particular was that a larger screen trial was necessary so that all conclusions about screening the entire population cannot be drawn as yet, I think, until we have got a much broader evidence base that will guide our decision-making.

5.12.2 Deputy R.J. Ward:

Can I ask the Minister, she said that the jury is out on screening but does she agree that the jury is out on the effectiveness of P.S.A. screening in terms of blood tests? Some G.P.s (general practitioners) do say that it is not something they would do. Would she agree that this is a different form of screening that could be valuable to this Island?

Deputy K. Wilson:

Yes, I agree, it is useful and I think, as I have already restated, that we do use M.R.I. diagnostics as part of the pathway when we are investigating men with potential prostate cancer.

5.12.3 Deputy R.J. Ward:

Given that this was a feasibility study and we are now looking for a wider study in the U.K. and the demographic of men in Jersey, would the Minister not try to be involved as part of this further study, which will be both beneficial to men on this Island and beneficial to all members of communities across where this could be useful?

Deputy K. Wilson:

Certainly, I will make some enquiries as to whether or not in any trial work on this basis.

Deputy R.J. Ward:

Sorry, Sir, I could not hear that answer at all, apologies. I do not know what happened.

The Bailiff:

I think we have time if you could simply repeat the answer so the Deputy can hear you. It is a little bit difficult because the Deputy is online, of course.

Deputy K. Wilson:

Yes, I can make some enquiries as to whether or not Jersey residents can be included in any trial work around this issue.

5.13 Deputy C.D. Curtis of the Minister for the Environment regarding food allergy legislation (OQ.171/2023)

Will the Minister clarify what work, if any, is currently being undertaken to bring forward food allergy legislation that aims to decrease the risk of anaphylaxis and other allergic reactions to Islanders?

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

I thank the Deputy for that question which tackles an important issue that has been in the media recently. The simple answer is that environmental and consumer protection officers have commenced work on a programme of subordinate legislation under the Food Law that we passed in this Assembly earlier this year in February that is looking at current food information rules. But just to provide some clarification on the current situation, most of the packaged food available in Jersey is imported from the U.K. or European Union. This already provides an elevated level of consumer protection in this area through meeting mandatory E.U. (European Union) labelling requirements. Our domestic law also legislates against the misrepresentation of food, for example, claiming that a product is suitable for an allergic consumer when it is not. But of course we do need to go further and so, subject to consultation, proposed subordinate regulations will address gaps in current information legislation for domestically-produced food, including packaged food, food that is pre-packaged for direct sale, which is kind of the food that comes under Natasha's Law, so-called Natasha's Law in the U.K., and for information provision on menus.

[11:30]

5.13.1 Deputy C.D. Curtis:

Could the Minister explain when he may be publishing codes of practice for practical guidance for retailers; when this might come about?

Deputy J. Renouf:

The Food Law set in train a large quantity of subordinate legislation, which is currently being worked on. I have asked officers to make allergens a priority, the priority in fact in terms of the sequence of bringing forward that. The subordinate legislation will also be brought forward relating to codes of practice, imports and exports of food, food hygiene and so on; there is a whole list of these things. In terms of bringing forward specifically the rules on the regulations regarding allergens, labelling and so on, that is work, as I say, that has already begun. It is programmed to be completed next year.

The Bailiff:

Very well. Sorry, there is no further supplementals after the first supplemental if no other Member has asked a question. Deputy Southern, you are no longer proceeding, I think, with question 14.

Deputy G.P. Southern:

That is correct, yes.

The Bailiff:

Thank you very much indeed.

5.14 Deputy R.J. Ward of the Minister for Housing and Communities regarding recent changes in eligibility criteria for the Affordable Housing Gateway (OQ.174/2023)

Will the Minister clarify the basis and evidence used in deciding the recent changes to the Affordable Housing Gateway eligibility criteria?

Deputy D. Warr (The Minister for Housing and Communities):

I thank the Deputy for his question. I would point out that the reasons behind my decision to change the Gateway criteria are explained in my roadmap. I am hoping the Deputy can see that on the screen, the roadmap for improving access to social housing in Jersey which I published at the end of July this year. I just particularly point the Deputy in the direction of page 5, paragraph 3.5, which should probably help to inform the answer to his question. I want social housing to be accessible to all Islanders who may need help with housing costs, which is especially important as Jersey continues to experience housing and cost-of-living pressures. I am concerned that the Gateway does not provide an accurate picture of need. I want to surface the true demand for social housing. In light of additional housing supply that is becoming available, we can start to widen access to social housing with the confidence that demand is going to be met.

5.14.1 Deputy R.J. Ward:

Thank you for the reference to the document, it was really for something to be said in public but I am sure the public can look that up. Can I ask the Minister, and this is a genuine question with regards widening the Gateway, there is a demographic on the Island, the early 20s, mid-20s, young people who are paying extortionate rents in the private sectors sometimes and they are really struggling to make ends meet, and that is a demographic that may be leaving the Island? Can I ask the Minister whether he will be looking to extend to younger people so that they have a settled home with a longer-term contract with our social housing provider and more security of tenure to help them build their careers on Island?

Deputy D. Warr:

Thank you, Deputy, for your question. Once again I am afraid I have to point you in the direction of the roadmap for improving access to social housing because we have a very definite timeline in which we are going to be dropping the age demographic too for access to social housing. Very quickly and, again, as the Deputy points out, this is a public document, so probably not best that I repeat what is said in this document. But it is our intention to drop the age access down to 25 in approximately 12 months' time.

5.15 Deputy S.Y. Mézec of the Minister for Housing and Communities regarding the abolition of “no-fault” and “revenge” evictions (OQ.178/2023)

Will the Minister advise whether he has given consideration to the abolition of no-fault and revenge evictions in order to empower tenants to challenge unjustifiable rent increases and non-compliance with the minimum health and safety standards for rental properties and will he ensure that these measures are included in any new Residential Tenancy Law he proposes and, if not, why not?

Deputy D. Warr (The Minister for Housing and Communities):

I thank the Deputy for his question. The Deputy is aware that I have given consideration to these issues; they formed part of my public consultation. In fact the Deputy was present at a rather famous St. Helier Parish Hall presentation to the Jersey Landlords Association when we talked about updating the Residential Tenancy Law. I do not intend to offer premature guarantees on which measures will be progressed within the Draft Residential Tenancy Law before the feedback from Islanders has been analysed and the results published later this autumn. I hope the Deputy can respect that.

5.15.1 Deputy S.Y. Mézec:

In reference to the meeting that the Minister referred to, it was absolutely clear of a severe lack of understanding from many of those who were present of what a no-fault eviction is or what a revenge eviction is. Can the Minister assure this Assembly that just because a misunderstanding is commonly held does not mean that it will have a greater weight in any of his considerations because of the volume of that consideration and rather its matching up with the reality and the facts will hold a greater consideration had he not budged on what was in his consultation paper to end the scourge of no-fault and revenge evictions?

Deputy D. Warr:

I thank the Deputy for his question. I appreciate you are endeavouring to force my arm to give an opinion in this scenario; I clearly cannot. With due respect we have a huge response, 310 responses, many of which were very detailed. They are in batches of 10 outstandings, they are sort of divided into approximately 50 batches, I should say for analysis. There are still 10 to be analysed and these will be completed in the next couple of weeks. I really cannot make any commentary on what the outcome of that will be. But in the fullness of time the Deputy will get to hear the outcome of that consultation.

The Bailiff:

Very well. We come to question 17 that Deputy Scott will ask of the Solicitor General. Deputy Scott? Very well, that ends question time.

6. Questions to Ministers without notice - The Minister for Children and Education

The Bailiff:

We move now to questions without notice, the first period of questions without notice is to the Minister for Children and Education. Does anybody have any questions for the Minister for Children and Education?

Deputy R.J. Ward:

Yes, please, Sir.

The Bailiff:

I have got Deputy Mézec, then Deputy Ward.

6.1 Deputy S.Y. Mézec:

I guess we are going to try to dig even deeper from where we were in questions previously where we still, I do not think, got adequate answers from this Minister about her approach to the pay dispute with the teachers who we entrust to educate the children of Jersey. Will this Minister indicate whether she wishes to see the continuation of the decade-long cut in real terms pay for teachers through her term of office or will she be the Minister who stands up and says: "No, we cannot expect to see better recruitment and retention of teachers while asking them to become poorer for that"?

Deputy I. Gardiner (The Minister for Children and Education):

Thank you, Deputy, for trying to get clarification and I think I was there and I will repeat. The recruitment and retention, it is not just about the pay. The second point, because the numbers are not matching and I have presented so many numbers, I would prefer that both parties would go to an independent arbitrator who can listen and to put it all together and present in front of me and saying this is the situation. I currently have mixed messages and I would not like to commit here about a specific number but I would commit about working with teachers' unions to work on their pays and conditions.

6.1.1 Deputy S.Y. Mézec:

I had brilliant maths teachers at the school and that means I do not need to defer to another body to know that if you have inflation above the nominal pay increase, that amounts to a real-terms pay cut, and that is what teachers have faced for the last decade. How is it that the Minister can be in office for a year and to be facing industrial action from her workforce and the disruption that that causes to students, and she does not even appear to know the fact that her workforce are worse off because of those pay offerings? Is it not an abdication of her responsibility to stand up for the Island's children and our education service by getting to grips with those facts a bit quicker, so she can be an advocate for our teachers and our education system by helping them advocate for the pay rise that they deserve?

Deputy I. Gardiner:

I work with teachers daily and communicate, and I completely respect and value their contributions to our children's education. I am Minister for Children and Education because I do believe this is our future. About the numbers, there are different packages with offerings through the decades. What we are seeing this year, yes, this year inflation is higher and we are offering 7.9 per cent. I completely recognise this is the situation. It is hard for everyone. It is hard for everyone and we need to get together to work it. What has happened over the decades with old deals that was being offered, this is why I need ... I am responsible for the policies. If this will come from the arbitration about specific numbers I would work with that. Currently I am working on the pays and conditions and to reduce the headteachers' workload. We added 113 staff this year during my term that the children would receive one-to-one support, that the teachers would have time to prep when the teaching assistants are working with the children and that would continue. I still have funds and plans to deliver support to our workforce at the schools.

6.2 Deputy R.J. Ward:

I have slightly changed my question, given some answers today. Given that we have heard today that the average salary in the Communications Department is slightly above the very top of the pay scale for the most experienced teachers in Jersey, does the Minister believe that that is a good use of States money, given that there is a real issue for those most experienced teachers in Jersey in terms of their retention?

Deputy I. Gardiner:

First of all, again, as in the Communications Department, as in our department, there are really different scales and including teaching assistants that they are not part of the unions and they are civil servants, right. What is important, and this is part of the work that is currently in place, when we are looking at the terms and conditions and evaluation and to see what grade needs to be updated. This is the work that will be done and this is why N.A.S.U.W.T. decided, okay, it does not happen in one day, we are progressing, we have progressed a lot, we have progressed in some support reducing workload this year and about terms and conditions and evaluation of the jobs. We are working currently and hope we will find this multi-year deal, iron this down.

6.2.1 Deputy R.J. Ward:

That was not an answer to the question about value for money but let us try another one. Given that the teachers at the top of the pay scale each year that they do not get an inflation-linked pay rise, take a pay cut, does the Minister see this as a risk, for example, of the J.T.T.P. scheme that is totally reliant upon mentoring of the most experienced staff in school and given that they are now seeing that a communications job may be more money, is there a risk that they might move out of that profession and what else is going to be done to address this pay issue?

Deputy I. Gardiner:

As we can see, there are so many different factors and if the Deputy already mentioned Jersey Teacher Training, we know that we have 74 per cent retention from 2004 still working in our teaching workforce.

6.3 Deputy B.B. de S.DV.M Porée:

Can I please ask the Minister for Children and Education if she is able to tell the Assembly if the current Jersey single use of vape regulations are in compliance with the U.N.C.R.C.'s (United Nations Convention on the Rights of the Child) Article 3 for the best interests of the children?

Deputy I. Gardiner:

Thank you, Deputy, for the question. I would like to answer, first of all, as a Minister I have raised at the Council of Ministers that from my perspective we need to ban it. This is my position. I did not check exactly the numbers because I do not have it in front of me but I think others who comply or not comply, I do not think we would need to use it and I would like to work with the Council of Ministers to ban it.

6.4 Deputy S.G. Luce of Grouville and St. Martin:

Regardless of their ability to pay or whether they have money or not, in the east of the Island parents with very young children are desperately short of nursery spaces. I know the Minister has seen the challenges faced by many parents but can she update the Assembly on what progress she is making in this regard?

Deputy I. Gardiner:

Absolutely. Thank you, Deputy, for your question. As the Deputy is aware that I have an Assistant Minister with full responsibilities for the early years. We just now announced a grant for £1,200 to make sure that we have more childminders coming and supporting.

[11:45]

There are some options in place that we will really announce shortly how we are increasing capacity. Because at the school nurseries we have 145 free spaces because there is no wraparound care available and we can see more pressure on the private nurseries. We try to work together how we can balance between all the stakeholders and offer not just more places because there are several things that we are working on. It is about the quality of provision. We are working about the availability of the place and affordability at the same time. It is complex but it is in progress and we are doing small steps like supporting, for example, childminders that, hopefully, will provide in the meantime childcare once we are working with the nurseries.

6.4.1 Deputy S.G. Luce:

While safeguarding must be of absolute paramount importance, does the Minister accept that it might be her own rules and regulations which are making it difficult for some of these nurseries to keep operating and open at the hours required?

Deputy I. Gardiner:

I would be very welcoming to have this feedback because, from my understanding, and again I have an Assistant Minister that is working, the regulations were not raised with me. What was raised with me is the difficulty to recruit staff and we know it is across the board. What was raised with me is the physical spaces that are available but we are working. If there is anything in the regulations that the Deputy thinks I need to look at and consider with my staff, I would welcome feedback.

6.5 Deputy G.P. Southern:

The Minister was complaining earlier about loss of different numbers running around the room and getting in the way of her understanding. What then is the Assembly to do with a figure of 74 per cent

retention that she threw into her own arguments? Do we have faith in that number and what does it refer to, 74 per cent retention?

Deputy I. Gardiner:

It is very difficult to address this question. From one side I have been told do not tell the numbers, from the other side I have said I need to understand. I am feeling really bad and I am really disappointed that we have strikes today. I wish we can find a way forward. We have seen the demands from the 3 unions are different and we need to work with each one of them. Now I have been criticised that I have the numbers; if you do not trust the numbers there is not much I can do.

6.5.1 Deputy G.P. Southern:

The question was: what does 74 per cent retention refer to?

Deputy I. Gardiner:

Seventy-four per cent of the graduates from Jersey Teacher Training Programme that had been graduated from 2004 remained in our workforce.

6.6 Deputy R.J. Ward:

Can I ask the Minister, is she fully aware that the other union that she keeps quoting she has been successful with is still in dispute but simply not taking action outside today?

Deputy I. Gardiner:

Yes, absolutely. I am aware, and I mentioned in my previous answer, we are in dispute but they are not taking strike action because they recognise that to create terms and conditions and to do the evaluation, it is not a one-day process. They have had very successful good from this feedback that I had at the workshop last week and it will continue. I am not saying that everything is sorted but there are options how we can continue to work once we are thinking about teachers from one side and their needs and the families and the children and their needs.

6.6.1 Deputy R.J. Ward:

Can I ask the Minister, is she there for putting together whatever the workshop was last week and can she reassure the Assembly that all unions were involved in that workshop with the current pay disputes? If she is not doing that, can I ask what is happening in regards to the current pay dispute over pay, rather than simply terms and conditions, to come to a resolution so that we can all move forward?

Deputy I. Gardiner:

It is 2 questions. From what I have been told that 2 teacher unions were involved. The head teachers' union, because they are in dispute, did not come but one of the headteachers that is not a member of the union joined because we needed to hear the views of all parties. Yesterday at the Ministerial meeting we discussed how we can reach out also for the staff, for example, we have headteachers' representatives. We need to find a way to sit around the table and to communicate and to find a solution.

The Bailiff:

There may be time, Deputy Luce, for an extremely quick question.

6.7 Deputy S.G. Luce:

I am just aware some parents that have been talking to me that the cost of school uniforms is getting higher and higher, even putting a child into a reception class now costs some several hundreds of pounds to kit out. Does the Minister have a view?

Deputy I. Gardiner:

Yes, I do have a view. The conversation started last year and I was grateful for J.C.R.A. (Jersey Competition Regulatory Authority) for providing the report. I have accepted all their recommendations. There is a draft policy developed. We are putting together a working group between the suppliers because the important party, parents' representatives and the teachers hope that, once we have resolved the dispute, to develop the details. The ultimate goal of policy that will be presented for September 2024 is to reduce the cost of school uniforms because it is indeed high.

Deputy M.R. Scott:

Sir, could I please just apologise for not being in the Chamber for my question. I have personally apologised to the Solicitor General. Thank you.

The Bailiff:

If you have apologised to the Solicitor General obviously thank you for your apology, Deputy Scott. Normally of course it is a discourtesy both to the Assembly and to those who have prepared an answer not to be present to ask it but you have tendered your apology.

Deputy M.R. Scott:

Yes, Sir. You did pick up the pace a bit, which was unexpected. Thank you.

The Bailiff:

I am afraid we have to be fleet of foot sometimes, even the Assembly moves quickly.

7. Questions to Ministers without notice - The Minister for Treasury and Resources

The Bailiff:

We now come on to a period of questions without notice to the Minister for Treasury and Resources.

7.1 Deputy C.D. Curtis:

Does the Minister think that it is acceptable that the Connect Finance system has resulted in non-payment to suppliers of all sorts of goods and services to Government? What are his plans to ensure that all suppliers are paid promptly?

Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter (The Minister for Treasury and Resources):

Of course it is not acceptable if suppliers have submitted invoices, invoices have gone through the appropriate processes across the departments and then not being paid. That, unfortunately, from my review of the work, is not simply something that results from the new finance system; that has been happening over the course of many years. What we have done in Treasury with the system that is in place is gone out and spoken directly to departments that have been finding it challenging. We have done workshops with suppliers and we will continue to do so to ensure that not only government but suppliers can work in a way that means that work is undertaken, purchase orders obviously are put in place in advance of that work being undertaken, and when invoices are supplied they are paid in a timely manner. Invoices have been paid quicker under this new system than the old one but there are these teething problems that we take very seriously.

7.1.1 Deputy C.D. Curtis:

I thank the Minister for his answer. But could he give an answer to the Assembly of roughly how many invoices, the number of invoices, that are not being paid within the required time?

Deputy I.J. Gorst:

One of the issues that I found in my review and seeking to understand what is happening is the counterfactual, because I can say that many thousands of invoices have been paid within the 30 days. I can say that tens of millions of pounds have been paid. But what I do not know is what I do not know. What we have found is that invoices from 2022, for example, are still being found across departments, are still being submitted by suppliers. I, unfortunately, cannot answer information around what I do not know.

7.2 Deputy A. Howell:

Please can the Minister explain why he considered it appropriate to increase the Ports of Jersey debt ceiling from £60 million to £150 million and what manner of investigation did his officers take to ascertain the reasonableness and appropriateness of this amount?

Deputy I.J. Gorst:

The decision was to allow them to carry on the work to come back for a formal decision, not to at this point allow them to borrow. As the Deputy will know, the Ports of Jersey were created as an arm's-length body so that they could act in a commercial manner, so that they did not need to come back to government every year for capital investment. In order to do that it is obvious that they would need to borrow over the lifetime of the investment of the changes that they need to make. The Deputy knows that they have a masterplan proposal for the harbour. In order to deliver that masterplan then they need to borrow. But the decision and the quantum of the borrowing will need to return to the Ministerial team for approval.

7.3 The Connétable of St. Saviour:

This is a little bit cross-departmental but I know the Minister has extensive overseas experience. The insurance company, Admiral Insurance, which is based in Gibraltar, has recently announced that they will not be renewing car insurance for the Channel Islands and the Isle of Man. The U.K. remains unaffected. Can the Minister explain the rationale behind this law change in Gibraltar that excludes the islands?

The Bailiff:

I am not sure, I am afraid, that that falls within the portfolio in respect of which the Minister is standing to answer questions in the Assembly, Connétable. If the Minister was standing, arguably, as Assistant Minister for External Relations, which he is not, then he will be able perhaps to answer it but I do not think it is a Treasury matter.

Deputy I.J. Gorst:

Sir, I would like to be helpful to the Deputy. If he does have concerns and further details that he would like to pass either to myself or a colleague Minister in the Council of Ministers, they will certainly review the matter for him.

7.4 Deputy R.J. Ward:

May I ask the Minister for an update on the progress of P.94/2019, Classifications of the Functions of Government proposition, which is still ongoing and I cannot understand why it is not in place 4 years on?

Deputy I.J. Gorst:

Yes, the C.O.F.O.G. (Classifications of the Functions of Government) report, as we call it in Treasury, is nearing completion. Earlier this week I tried to get a commitment that we could publish it by the end of this month. The indication from the officer who is finalising the work is that that might be challenging but certainly if it is not by the end of September then it will be early October.

Deputy R.J. Ward:

I would just like to congratulate the Minister, I have asked this question about 12 times now and I have finally got a date when it may be in place.

7.5 Deputy M.R. Scott:

Now that I understand that the Minister is involved in looking after the infrastructure, or at least to have some knowledge of infrastructure of the States entities, I wonder if he could inform me, following from the answer of the Minister for Economic Development, Tourism, Sport and Culture to my former question, if he is aware when surveys of aerated concrete buildings by the Ports of Jersey are going to take place?

The Bailiff:

I have to ask you, Minister, is this within your portfolio as Minister for Treasury and Resources as a shareholder representative because it does not immediately sound like it is?

[12:00]

Deputy I.J. Gorst:

Sir, I was just going to thank the Deputy for her kind comments saying that I might have some knowledge of infrastructure. I think that is probably the first time anyone has said that. Of course, the Deputy finds that such questions are quite difficult to know where to ask them if one wishes to ask them in a public forum such as this. The information provided to the Minister for Economic Development, Tourism, Sport and Culture is information which I can stand by. Since her earlier question, of course, I have asked officers to contact the Ports of Jersey. Regarding the surveys which are being undertaken, it is proposed that they will be undertaken over the coming months. I have been given a timeline of up to 6 months but I will certainly engage with them to see if that can be more quickly. But they are not focused on whether this particular concrete is in place because, as the information that the Minister for Economic Development, Tourism, Sport and Culture gave, the indications are that that is not the case.

7.6 Deputy S.Y. Mézec:

As a good low tax conservative, as we know this Minister is, could he confirm that, notwithstanding any review taking place into health funding, he would not want to subject the public of the Island of Jersey to more taxation than is necessary, and he has learnt the lessons from his previous tenure as Chief Minister, and will not support the introduction of any kind of health tax as happened in a previous term of office?

The Bailiff:

Yes, sorry I am getting ...

Deputy I.J. Gorst:

Do not worry, Sir. It is confusing when the Deputy asking me the question appears to be parading himself also as a low tax conservative but there we are. We live in a strange world, as we are seeing across in the United Kingdom in their politics as well. Of course, I have no desire to subject Islanders to increased levels of taxation, particularly when we are in a high inflation environment, and we are dealing with a cost-of-living crisis. Rather than increasing taxation, what this Council of Ministers and the Chief Minister has done with her mini-Budget is allow more money to be left into Islanders' pockets so that they can decide how to spend it, although we do have to be clear as the Council of Ministers is bringing forward its Government Plan and seeking to support appropriate investment in health and deal with some of those challenges. A sustainable mechanism for funding of health has been a challenge for not only Jersey but for many, many jurisdictions, and it is a nettle which will

need to be grasped because we are facing an ageing demographic. We know that that will lead to increasing health costs but that will be a decision for this Assembly.

7.6.1 Deputy S.Y. Mézec:

So of course it will be a decision of this Assembly but it is down to the Minister for Treasury and Resources what he, in his capacity as Minister, chooses to bring to this Assembly to ask for our permission to pursue. So will he confirm that anything he may bring, whether it is reluctant or otherwise, will be in line with the Government's own principle on taxation which is that taxes should be low, broad, simple and fair and will not seek to exempt the super-rich from paying the same percentage that the rest of us have to pay as he attempted and, thankfully, failed to do in 2016?

Deputy I.J. Gorst:

I am grateful to the Deputy for reminding me of that one-vote loss. Perhaps of course the health service would have been in a better place today if that one vote had gone the other way, but that is with the benefit of hindsight. The Government will only bring forward proposals which are in line with its underlying policy, and I do not believe that the Deputy would expect us to do anything other than that, but there is an ongoing piece of work looking at sustainable health funding. We know that there is a turnaround team in health. They have done a lot of, I would say, good work but, from a Treasury perspective, difficult work because they have presented challenges to us. We will be meeting those challenges in the Government Plan and Members will see that probably around this time next week, which will go to a large extent to alleviating concern that Members of this Assembly have had but there will still be other health funding issues which will need to be addressed.

7.7 Deputy G.P. Southern:

Notwithstanding the depth of the answer just given by the Minister, which was commendable, is he committing himself to ensuring that any taxation measures that he brings in order to cope with health spending are fair and sustainable?

Deputy I.J. Gorst:

I would only be bringing forward measures which were in line with the Government's underlying policies when it comes to taxation, and we have heard from the colleague's Deputy who has detailed what those policies are.

7.7.1 Deputy G.P. Southern:

That includes fairness, does it?

Deputy I.J. Gorst:

As the Deputy knows the answer to his own question, so, yes.

The Bailiff:

That brings the period of questions for this Minister to an end and the remaining question period is for the Chief Minister. I have a list of people who I imagine were not for the last one so Deputy Mézec.

8. Questions to Ministers without notice - The Chief Minister

8.1 Deputy S.Y. Mézec:

Hopefully, the Chief Minister will be aware of the publication from Statistics Jersey on their average earnings index which came out recently which showed that, in the preceding year, June 2022 to June of this year, real terms earnings fell by what appears to be the greatest amount in one year that their records show. Will the Chief Minister indicate to this Assembly what plan she has to turn that around?

Deputy K.L. Moore (The Chief Minister):

We have, as I spoke about earlier, a commitment to ensure that everybody in the Island is able to enjoy a good quality of life but we also have the pernicious effects of inflation. Therefore, while the figures from Statistics Jersey are as they are, we have to also allow the economy to move forward as best it can. Let us not forget that this Government, on entering office, raised minimum wage to £10.50 an hour and we also have increased tax allowances so that a single person can earn up to £18,500 before they start to pay tax. There are many different levers in our economy to use so that we can ensure that those who most need it receive the support and the ability to enjoy a community where everyone can thrive.

8.1.1 Deputy S.Y. Mézec:

The fact remains that despite those efforts made by the Chief Minister, it is still the case that real terms earnings fell by the greatest amount in one year that the records will show on this. So what will the Chief Minister be proposing in the upcoming Government Plan to make a real effort to see that the trend in the decline of real terms earnings for Islanders, that we have suffered now for a decade with earnings not having improved in Jersey for 23 years, will end under her leadership and can she offer anything more than the wishful thinking of growing the economy without proposing any substance behind that?

Deputy K.L. Moore:

This is not wishful thinking. That is why we have a relentless focus on the cost of living. We are taking action and are pursuing the main aim of ensuring that people have more money in their pockets and the ability to enjoy a good quality of life without contributing to increasing inflation because we need to bring inflation down. That is a key goal. We currently see a correction in the housing market occurring and while, for some, that will be a very difficult position, for many others it offers an opportunity to enter the housing market, and another of our key objectives as a Government is to increase owner occupation. We will be bringing more forward when we publish the Government Plan but I feel that what we are doing is balanced, it is listening to the public and it is tackling most what is needed to ensure that Islanders enjoy the best quality of life here.

8.2 Deputy T.A. Coles of St. Helier South:

Is the Chief Minister aware of the issue of insurance underwriters from Gibraltar no longer underwriting insurance for Crown Dependencies and does the Chief Minister foresee any issues to Islanders?

Deputy K.L. Moore:

I thank the Deputy for the question and for raising this in the Assembly and I think, as the Minister for Treasury and Resources spoke to this issue which was slightly differently directed from the Constable of St. Saviour earlier, we will endeavour to find out exactly what this issue is, what has been the cause and how we can best respond to it if required.

8.2.1 Deputy T.A. Coles:

Does the Chief Minister commit to bringing information back to the Assembly as soon as she receives it?

Deputy K.L. Moore:

I am happy to commit to doing so. Thank you.

8.3 Deputy L.J. Farnham:

Does the Chief Minister know the latest capital cost estimates for the protracted multisite hospital scheme and, if so, what are they, please?

Deputy K.L. Moore:

Those costs will be put in the Government Plan which will be, as the Deputy knows, published shortly. We have been doing considerable work in the preparation of the business case which will follow, I am told, about 3 weeks after the publication of the Government Plan. We are doing considerable work to ensure that costs are being driven down and value for money is being achieved so that we can deliver the best possible facilities that are both affordable and deliverable. I can assure the Deputy that they will be considerably beneath the £950 million price tag that was attributed to the previous project at the time that we entered office.

Deputy L.J. Farnham:

I first need to correct the Chief Minister, Sir.

The Bailiff:

No. I am sorry there is no opportunity to correct an answer.

Deputy L.J. Farnham:

Okay.

The Bailiff:

You can ask a question elicited to get the correct answer, Deputy, but you cannot stand up and say: "No, that is wrong".

Deputy L.J. Farnham:

Okay, all right.

The Bailiff:

So that is just a debate sort of question.

8.3.1 Deputy L.J. Farnham:

Well, we know it is wrong so there is no point in pursuing it. The States approved £804.5 million last time around. My question was: does the Chief Minister know what the latest cost estimates are for the new multisite hospital scheme and is she honestly trying to kid this Assembly that the costs are going to be considerably less than the previous amount approved by this Assembly?

Deputy K.L. Moore:

We made a commitment to the public to find a project that was both deliverable and affordable and that is what the Minister for Infrastructure is working with the team to do because we take that commitment extremely seriously. When we entered office, we were told that the cost of the previous project had risen. It had risen way beyond that affordability that had been agreed by the previous Assembly, and we took the view that it was therefore not possible to continue because, of course, we have many other capital projects to deliver. We have 2 primary schools to build in St. Helier and many other capital projects including Fort Regent that we would like to see delivered so that the public can enjoy them. We also of course have to balance our revenue spending, the majority of which is focused on the workforce who support our public services and help us day to day deliver those services for the public of Jersey.

8.4 The Connétable of St. Saviour:

Further to my question of a few weeks ago to the Chief Minister regarding the phasing out of the mail plane, is the Chief Minister aware that there are many reports around that its deliveries are delayed by one week and sometimes 2? Does the Chief Minister find this unacceptable, as I do, and will she be speaking to Jersey Post and the U.K. postal authorities with a view to reinstating the mail plane?

[12:15]

Deputy K.L. Moore:

That is simply not in my brief, I am afraid, to ask the Jersey Post to reinstate the mail plane. That was a decision taken out of their hands by the Royal Mail, but I absolutely agree with the Constable that we should be seeking the best possible service for Islanders and I am sure that the Minister for Economic Development, Tourism, Sport and Culture will be pursuing that service in his discussions.

8.4.1 The Connétable of St. Saviour:

Does the Chief Minister not find it ludicrous that Guernsey have managed to retain their mail service by plane, yet they cannot seem to find the extra 30 miles to come across to Jersey, possibly sharing a plane even? Will the Chief Minister really pursue this as I have had quite a few people complaining?

Deputy K.L. Moore:

My understanding is that that decision was a commercial decision and reflects the very different nature of the Guernsey economy. They have 2 significant companies that operate out of Guernsey that I imagine have considerable volume in their exportation and that will, I am sure, have led to the decision that was taken.

8.5 The Connétable of St. Brelade:

Given the prolonged absence due to illness of the Minister for External Relations, with which I of course sympathise, would the Chief Minister indicate to Members what alternative provisions she is putting in place to cover his absence?

Deputy K.L. Moore:

I thank the Constable for his concern about our colleague who I registered as malade today but I do hope that he will be returning to work shortly. We of course do have a talented team and we have the former Chief Minister and currently the Minister for Treasury and Resources and an Assistant Minister for External Relations who is more than capable of assuming many of those duties and he does. We also have myself and it is of course, as the Constable will be aware, the Minister for External Relations who works concurrently with the Chief Minister on matters of external relations and constitutional affairs as well. We have other Ministers who have stepped up and stepped into his considerable shoes and fulfilled those duties by engaging with external partners and colleagues.

8.5.1 The Connétable of St. Brelade:

Yes, I know it is difficult for the Chief Minister to give a response but do we have a timeline of the Minister for External Relations returning, in all fairness to those who are being forced to step up to the mark?

Deputy K.L. Moore:

I think that would be straying into personnel matters which we would normally accord to public servants and I think, in this respect, we should to our colleague as well. However, we have a plan with the Department for External Relations which is a plan which they are content with. We have a travel programme of course for which tickets have to be booked, hotels have to be booked, and that has to be done in advance. So we have been able to fulfil all of those various duties within the knowledge of the situation that we have.

8.6 Deputy R.J. Ward:

Can I just ask the Minister for clarity, what is the top level of spend that she would find acceptable for the new hospital project?

Deputy K.L. Moore:

I thank the Deputy for the question. What would be the top level of spend? Forgive me for not giving a figure but I do not think that would be appropriate. What we said was something that is affordable and deliverable and of course particularly in this vastly changing economic circumstance, that depends greatly on our ability to raise funds, probably through borrowing, and divest assets perhaps to raise other funds. So it is very much a shifting project. But what I want to see is something that is both affordable and deliverable and that, at any particular time, has many variables and underlying that is its affordability to the public purse.

8.6.1 Deputy R.J. Ward:

I think what people in Jersey want to hear following the last election is a guarantee from the Chief Minister that the amount of money being spent on our new hospital will be less than the previous project, even if the previous project increased to around £1 billion. Can the Minister guarantee that the spend will be less than previously as promised through a number of election campaigns from herself and her colleagues?

Deputy K.L. Moore:

I am fully with the public in wanting to see an affordable project delivered. What we are now seeing put together is a programme which is slightly different. It covers and will deliver more than 134 additional beds to what was previously proposed and so, without wanting to sound like I am ducking the question, I do want to make it very clear that we are now looking at a programme of upgrading healthcare facilities across the board that will deliver better services for Islanders, a greater number of beds so that we will see the current blocking that we have in the General Hospital avoided in future so that people can receive the best care in the best place for them.

The Bailiff:

There may be time for a very quick question, Deputy Southern.

Deputy G.P. Southern:

It will be very quick, because it is a question about your treatment earlier of the question asked by Deputy Farnham who accused the Chief Minister of “trying to kid” the public. I just wondered if that was parliamentary language because, if it is, I am going to use it. **[Laughter]**

The Bailiff:

It seems to be that I was not asked to make a ruling and I thought the moment had passed. To kid someone is to mislead them. It is to make them think that a thing is one when, in fact, it is another thing and, in my view, that is unparliamentary language. It is a synonym for “mislead”. I would have a ...

Deputy L.J. Farnham:

Sir, may I just ask for a point of clarification?

The Bailiff:

Yes.

Deputy L.J. Farnham:

When somebody is misleading the public, Sir, what is the correct terminology to use? **[Laughter]**

The Bailiff:

Well, the answer is you would presumably wish to say that the responder was unintentionally misleading the Assembly.

Deputy L.J. Farnham:

Thank you, Sir. I shall use it next time. Thank you.

The Bailiff:

Yes. It would have to be unintentionally though, misleading the Assembly, and I think the issue of “kidding” is that it implies intentionality rather than unintentionality.

Deputy M. Tadier:

Sir, could I question that there is obviously an element of joking? So if you say: “You must be kidding”, I think it is reasonable for Members or the public to look at the payoff for that. For example, the Council of Ministers offering teachers and say: “You must be kidding” and that is not unparliamentary in the context, Sir.

The Bailiff:

Well, it is a matter for me what is parliamentary but your submission is that it is not parliamentary. If and when it arises, I will make the decision when I am called upon to do so, Deputy. Very well, that ends question time. We now have next on the Order Paper, a personal statement from Deputy Andrews of St. Helier North. I would remind Members there are no questions that follow from the making of this statement.

PERSONAL STATEMENT

9. Deputy M.B. Andrews of St. Helier North will make a personal statement

9.1 Deputy M.B. Andrews of St. Helier North:

Having read the Commissioner for Standards report and having attended a meeting with the Privileges and Procedures Committee on 25th August 2023, I have taken the time to reflect upon the findings of a Commissioner for Standards investigation into the 2 complaints Deputy Scott lodged against me. Having acknowledged the full severity of the findings, I believe it is appropriate for me to apologise to fellow States Members for bringing the States Assembly into disrepute. As much as the situation became untenable, I happen to be reactionary to the situation that unfolded once a countercomplaint had been lodged against me which has culminated in a series of personal errors which, upon careful reflection, has been something I have genuinely regretted and learned from. Breaching the Code of Conduct, I must apologise to States Members and Deputy Scott for my use of language on Liberation Day which was totally unacceptable. In addition to this, I disclosed details of a live complaint to third parties. As a result, I have breached both paragraphs 5 and 8 of the Code of Conduct. I accept full responsibility for my actions and I wholeheartedly apologise to States Members and Deputy Scott and I hope Members will forgive me for my actions. I also need to apologise for the way I communicated both online and to other Members regarding Deputy Scott. Such behaviour is in breach of paragraph 5 of the Code of Conduct. As the Commissioner for Standards postulates in her report: “Such actions bring the States or its Members generally into disrepute.” Since discussing the use of social media with the Privileges and Procedures Committee, I will endeavour to use social media as a platform to communicate positively and effectively about the work I do in the States Assembly. As the Commissioner for Standards states: “If Deputy Andrew has nothing nice to say about Deputy Scott, then he should not say it.” The Commissioner for Standards is correct. Such communications bring the States Assembly into disrepute. This is something I have taken on board and I will make the necessary changes to ensure such actions do not happen again. On 23rd August 2023, I sent Deputy Scott an email regarding private and sensitive contents which I have previously sent to the Commissioner for Standards which involved Members, officers and members of the public. This is evidently a significant breach of paragraphs 3, 5 and 8 of the Code of Conduct for States Members. This was totally unacceptable and I wholeheartedly want to apologise to Deputy Scott and States Members for my actions. I am fully aware of the

significance of breaching the Code of Conduct and this is something I will certainly learn from. I have been struggling with my mental well-being and this was something I spoke to the Privileges and Procedures Committee about during the meeting that took place on 25th August 2023. During the meeting, I explained to the Privileges and Procedures Committee how I needed help because I was struggling with my mental well-being. In response to this, the States Greffier and the Privileges and Procedures Committee have provided counselling sessions for me. I have also made an appointment to see a psychiatrist because, inevitably, this situation has been too much for me to handle. I have also taken steps forward by attending sessions at the Listening Lounge and Mind Jersey too. It cannot be underestimated how the stress and pressure has been insurmountable and this has impacted upon me greatly. I am pleased to see action has now been taken to assist States Members with the provision of counselling. This was a much needed resource that I needed over this extended period of time, which was not available until now. So, thank you, Sir, for allowing me the time to read that statement and I also will be supporting the Vote of Censure as well. **[Approbation]**

PUBLIC BUSINESS

10. Vote of Censure: Deputy M.B. Andrews of St. Helier North (P.26/2023)

The Bailiff:

Thank you very much. Very well, the next item of Public Business is the Vote of Censure. It is the Vote of Censure: Deputy M.B. Andrews of St. Helier North, and it is lodged by the Privileges and Procedures Committee, and I ask the Greffier to read the proposition.

The Greffier of the States:

The States are asked to decide whether they are of opinion to censure Deputy Max Andrews of St. Helier North whom the Privileges and Procedures Committee has determined breached the Code of Conduct for elected Members as detailed in the report R.130/2023.

10.1 The Connétable of St. Martin (Chair, Privileges and Procedures Committee):

It is my difficult duty today as chair of P.P.C. to bring forward this Vote of Censure in Deputy Andrews. Bringing forward the proposition is not a pleasurable task, nor has it been an easy process, but I suggest it is essential if we are to uphold the Code of Conduct and show the public that we maintain the standards expected. P.P.C. is pleased that Deputy Andrews has today accepted the Vote of Censure, as can be seen in Deputy Andrews' apology. I very much hope that Members have read the report from P.P.C. which contains a report from the Commissioner for Standards on her investigation into the complaints against Deputy Andrews. The commissioner found that Deputy Andrews breached Articles 5, 8 and 3 of the Code of Conduct. The breach of Article 3 occurred once the investigation had been completed. In relation to Article 5, which is to maintain the integrity of the States, the commissioner found that Deputy Andrews breached this part of the code by his sustained disrespectful communications to Deputy Scott and about Deputy Scott including public posts. This Article was further breached by his use of language towards Deputy Scott on Liberation Day. In relation to Article 8, which relates to the access to confidential information, the commissioner found that Deputy Andrews breached this part of the code when he disclosed confidential information including information relating to live and confidential investigations.

[12:30]

In relation to Article 3, which relates to personal conduct, the commissioner found that Deputy Andrews breached this part of the code when he sent the document "Notes on Moz" to Deputy Scott. This particular occurrence happened after the commissioner had completed her investigation and submitted her report to the committee. The commissioner felt compelled to write to us, not only to let us know about the sharing of confidential, personal and sensitive information about the case, but also to let us know that it resulted in a further breach of the code. We held a meeting with Deputy Andrews on 25th August and it is clear that this process has taken a personal toll on the Deputy and

on his well-being. We have since taken measures to aid with his well-being. We did not make this decision to bring this Vote of Censure lightly but we have accepted the commissioner's findings that the code has been breached and agreed with the recommendations that the commissioner has made. We therefore requested Deputy Andrews apologise directly to Deputy Scott, which he has done, and this apology also be given to the Assembly, which we have just heard, but in light of the number and significance of the breaches of the Code of Conduct, P.P.C. concluded that additional sanction was required. It is for these reasons that P.P.C. seeks to bring this Vote of Censure on Deputy Andrews and I make the proposition. Thank you.

The Bailiff:

Is the proposition seconded? [**Seconded**] Deputy Andrews, you have the right to speak first. Do you wish to speak? Very well.

Deputy D. Warr:

Sorry, Sir, I did not want to particularly speak. I just would like to understand the process of the censure because, as a new Member, I am not familiar with it.

The Bailiff:

Yes, the process is this. Rather like for a vote of no confidence or something of a similar nature, the proposition is brought. It needs to be seconded and, ultimately, will need to be voted on. The process is that after the proposition has been made and seconded, the person who is the subject of the proposition gets an opportunity to first speak. Thereafter, any Member who wishes to speak - and no one needs to speak as it is entirely a matter for Members if they think they have something they wish to add - they then have the opportunity of speaking. Immediately before the proposer sums up the proposition, Deputy Andrews will again have a chance to speak. It is one of the few occasions where the subject gets an opportunity to speak twice and then it will be summed up and put to the vote. That is the process. The effect of a censure is simply that. It is a standing record of censure and there is no logical consequence or necessary consequence that flows from that in terms of effect on the subject of the censure at this stage. Does that assist, Deputy? Very well, Deputy Andrews does not wish to speak. Does any Member wish to speak?

10.1.1 Deputy M.R. Scott:

The submission I made to the commissioner explains the extraordinary attempts I made to protect the Deputy from his own conduct, despite his rejection of the options of mediation and, until I complained to the commissioner, of resigning from the Economics and International Affairs Panel. The conduct I complained of took the form of unpleasant verbal communications regarding my conduct and reputation that the Deputy persisted in sending to me privately from November of last year up to last month culminating with a document entitled "Notes on Moz". The duty of confidentiality that I owe to the Deputy required me to keep these messages private. His conduct also took the form of badmouthing me to my colleagues and on social media platforms. When the Deputy complained again against my 2 instances of inappropriate language towards him, for which I have apologised to the Deputy, without providing any context to the Scrutiny Liaison Committee. The Deputy forced my hand to complain to the commissioner about his conduct. This was to provide context for his complaints and prompt an independent and professional investigation of the matter. Subsequently, both of us have had to undergo a gruelling public and unnecessary costly process to reach agreement on what type of conduct is appropriate for a States Member and what most certainly is not. So I need to correct some perhaps misinformation about the Economic and International Affairs Panel. The resignations of Deputies Andrews and Kovacs did not leave the panel in disarray. Three States Members remained on the panel, no fewer than in preceding States Assemblies, and without the same level of internal tensions. Had not the Deputy joined the panel when it was first formed it is quite likely the panel would only have had 2 Members from the outset. I am restricted

in my choices regarding the number and quality of the panel's members owing to the composition and structure of the States Assembly, none of which is of my making. Constable Troy has affirmed his departure from the panel was not related to my conduct as chair. The panel has a particularly demanding and specialised workload not least because, unlike any other Scrutiny Panel, it scrutinises the work of all Ministers. For now, Constable Honeycombe and I have continued to carry the workload with the much-appreciated help of Constable Troy with the panel's supply chain review, for which I thank him. The panel requires high-level experience and maturity on the part of its members to avoid the panel being officer-led. Other States Members' interests, specialisations, workloads and priorities stand in the way of their becoming full members of the panel. Some may argue it could help if Constables were not part of the States Assembly and replaced with Deputies, elected in what can be an equally small number of votes, but the electorate rejected this possibility in 2 referenda. None of this can be said of my making either. Then let us look at the numbers: 28 States Members, including the Constables, can serve on the 5 Scrutiny Panels and the Public Accounts Committee. None of the States Members chosen to serve on the Council of Ministers can. No Back-Bencher is required to serve on Scrutiny and there are at least 9 other panels and committees also requiring resourcing by Back-Benchers. One may look to the Constables to support Scrutiny but a significant number serve on the Planning Committee on which almost a third of Back-Benchers have doubled-up on its work to clear a backlog. Constables not only have their Parishes to oversee but often receive criticism within their Parishes for not prioritising that work. Even as a Deputy, my constituents have asked if I am spreading myself too thinly by acting as the panel's chair. Rather than anyone maligning my work as the panel's chairman and having Scrutiny Panels limp on while needing extra resourcing while many Members question their effectiveness compared to the committee system, Members should be considering a fundamental design of the current Ministerial and Scrutiny systems. They also should be questioning the extent to which the authors of the Clothier report consider the practical and financial information of their proposed machinery for an Island as small as Jersey, particularly in view of its resultant increase of bureaucracy and siloism. We have limited human and financial resources, a disengaged public and a lack of necessary investment to provide objective data for policy-making and problem-solving. The number of members remaining on the Economic and International Affairs Panel currently stands at 2 with no guarantee this number will increase during this term. I thank Constable Honeycombe for continuing for now at least and the officers who support us admirably and professionally.

The Bailiff:

Deputy, I do hesitate to interrupt you because I realise you are very closely involved with the subject matter of the matter before the Assembly at the moment but the question for the Assembly is whether or not to adopt the vote of censure. It is not a general discussion on Scrutiny Panels nor indeed generally of your own position about Scrutiny Panels. It is, is the Deputy to be censured or not, and I really do have to draw you back to a relevant submission on that point if you have anything to add to it.

Deputy M.R. Scott:

No, Sir.

10.1.2 The Connétable of St. Brelade:

I am pleased to stand to speak in support of a Parish Deputy. We have heard much of the mental effect on Deputy Andrews, we have heard nothing of the effect of all this on Deputy Scott with whom I do sympathise wholeheartedly. I would also add that for the female Members of this Assembly this has been quite revealing and an eye-opener, and I do question whether Deputy Andrews would have dealt with a male chairman of a panel in the same way as he has dealt with a female member. I think it raises the point, where can a female Member go if there is no satisfaction from our system as it is at present? Is the next stage to go to the police? What is the mechanism? Do we have one and ought

we to have one? It may be for the Solicitor General, who is present here today, to comment on that. Does he consider or might he consider at which point a female Member may be compelled to go to the police for advice if they consider they have been unfairly, should we say, approached or dealt with by a male Member? Is that question appropriate?

The Bailiff:

Well, it may be an appropriate question to ask in some context, Connétable, but in my judgment it cannot possibly have a bearing upon the answer for the Assembly as to whether Deputy Andrews is to be censured or not. It does not matter what the Solicitor General says, the Assembly will, I am not sure, be helped in reaching its decision. It is open to a Member of course to ask a question of the Solicitor General at any point and it may be that that is an appropriate matter to take up in question time at some point.

The Connétable of St. Brelade:

Indeed, and I shall do that. So in conclusion I feel, certainly as the chair of the P.P.C. has mentioned, this Assembly has been slighted by this whole business, it is unsavoury, unsatisfactory and I honestly feel that the Deputy should consider his position and offer his resignation to the Assembly.

10.1.3 Deputy K.L. Moore:

No Member of this Assembly can ever take pleasure from these types of debates and today I can sense that everyone is quite uncomfortable. I simply wanted to speak briefly on behalf of Ministers and Assistant Ministers in the hope that this will be a short debate. We acknowledge and accept the comments made by Deputy Andrews in his statement and we are grateful to him for what has been, I think, a difficult journey, but the recognition and the acceptance that he has himself breached the Code of Conduct. Deputy Andrews has recognised that he has simply made mistakes. We all of course at times make mistakes and, when we do, the best response is to admit to those mistakes, to learn from them and to move on. It is clear that the recent months have taken a significant toll on Deputy Andrews. We all need to look out for our well-being and that of our colleagues and I hope that the Deputy will emerge from this period stronger and wiser for the experience. I firmly believe that the best course of action today is to be brief. I sense that it is perhaps time to adjourn for lunch but we will all move together constructively from this point with a renewed determination to treat each other with respect and courtesy despite the proposition that is before us today.

Deputy M. Tadier:

I was going to ask before the adjournment is moved by anyone, can we ask how many Members are left to speak?

The Bailiff:

Well what I was going to ask is whether Members consider this is a matter that should be adjourned or should be dealt with now as we have started, but that is a valid question to ask, Deputy, indeed. Do any other Members anticipate speaking in this matter? Well in which case, does any other Member wish to speak? In which case I close the debate and call upon the chair of P.P.C.

10.1.4 The Connétable of St. Martin:

I would just like to say in answer to Constable of St. Brelade that P.P.C. has very much taken on board the toll on Deputy Scott and the ordeal that she has been put through and I reiterate that we are pleased that Deputy Andrews has today accepted this vote of censure.

[12:45]

I will be brief. All Members are aware that we are elected to this Assembly with the expectation that we represent Islanders to the best of our abilities. If we fail to uphold the standards of our own behaviour then we fail as an Assembly and we fail the public. To be a successful Assembly we all

need to adhere to high standards, we all need to show that we have integrity, and we all need to respect our colleagues. High standards and integrity should always underpin this Assembly. I call for the *appel*.

The Bailiff:

The *appel* is called for, I invite Members to return to their seats. The vote is on whether the vote of censure should apply, and I ask the Greffier to open the voting and Members to vote. It is all right, we will wait until you have got through, Deputy. If Members have had the opportunity of casting their vote then I ...

Deputy R.J. Ward:

Can I just confirm you got my vote online?

The Bailiff:

Yes, we do have your vote online, Deputy, yes. Then I ask the Greffier to close the voting. The proposition has been adopted.

POUR: 45		CONTRE: 0		ABSTAIN: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy B.B.de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				

Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

LUNCHEON ADJOURNMENT PROPOSED

The Bailiff:

Yes, before moving the adjournment, can I confirm that I have fined myself for my phone going off and I will pay up immediately, Greffier. **[Laughter]**

Deputy M. Tadier:

It is good to see you carry cash, Sir.

The Bailiff:

Yes, only against this eventuality, Deputy. So, the adjournment has been proposed. The Assembly stands adjourned until 2.15 p.m.

[12:47]

LUNCHEON ADJOURNMENT

[14:15]

11. Amendment to Standing Orders - the establishment of P.P.C. sub-committees (P.46/2023)

The Bailiff:

The next item of Public Business is Amendment to Standing Orders - the establishment of P.P.C. sub-committees lodged by the Privileges and Procedures Committee and I ask the Greffer to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion to make the following amendment to the Standing Orders of the States of Jersey, with immediate effect.

11.1 The Connétable of St. Martin (Chair, Privileges and Procedures Committee):

P.P.C. has lodged this proposition, which proposes to amend Standing Orders to cover the establishment of sub-committees under one term of reference. A detailed explanation has been provided in the covering report to the amendment, although I will briefly run through the detail. The committee has included specific provision for the Machinery of Government Sub-Committee and the Diversity Forum. The committee included these 2 specific sub-committees because the establishment of a permanent Machinery of Government Sub-Committee was agreed by the last Assembly following a proposition lodged by former Senator Tracey Vallois. Provision for the Diversity Forum has been included following a request by the current Diversity Forum to ensure that a permanent sub-committee is established to continue working towards the aim of the States Assembly fully reflecting the population of Jersey and representing all of the communities and interests in the Island. The committee is also taking this opportunity to include provision for it to establish other sub-committees as and when the need arises. Although the committee is already able to do this through longstanding

convention, the amendment reflects that convention explicitly in Standing Orders. I move the proposition.

The Bailiff:

Is the proposition seconded? **[Seconded]** Does any Member wish to speak on the proposition? If no Member wishes to speak on the proposition, then I close the debate, and I ask Members to return to their seats or come to the seats if they have not gone out. The voting is on the proposition P.46. I ask the Greffier to open the voting and Members to vote. It is all right, nothing is happening at the moment. The speed of the debate, I am afraid, has caught the computer by surprise. Very well, the Greffier can open the voting, please, and Members to vote. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. Is Deputy Ward in the chat or any other? Very well, the proposition has been passed.

POUR: 39		CONTRE: 0		ABSTAIN: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy C.F. Labey				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

12. Financial support for local disasters (P.51/2023)

The Bailiff:

The next item of Public Business is the financial support for local disasters lodged by Deputy Farnham. The main respondent is the Minister for Treasury and Resources. I ask the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion that financial support should be made available to support Islanders who are affected by local disasters, and, in order to achieve that aim, to request the Minister for Treasury and Resources (a) to bring forward a proposition to establish this financial support, with the proposed terms of the support to be established by the Minister in consultation with the Council of Ministers and relevant stakeholders; and (b) to ensure that provision is made for the delivery of this financial support in the next Government Plan.

12.1 Deputy L.J. Farnham:

The aim of this proposition is to strengthen Jersey's resilience to unforeseen events by establishing an emergency fund to assist Islanders who have been impacted by local disaster, major incident or emergency. On 10th December 2022 an explosion destroyed a block of flats in St. Helier; 10 people lost their lives in the explosion which occurred just before 4.00 a.m. The incident happened less than 48 hours after another multiple fatality in Jersey when a freight ship collided with and sank a local trawler off the Island's west coast with 3 lives lost. In January of this year, many households were evacuated after torrential rain caused the flooding of numerous properties in the Grands Vaux area. Many Islanders remained displaced from their homes for extended periods of time while extensive repairs were carried out. Some Islanders lost almost everything. While we always pull together, while Islanders always pull together to help those in need when it comes to financial support for individuals following unforeseen events and tragedies, and while recognising there is already a range of powers available to Ministers, I believe we lack structure and continuity in providing that important financial support, and content to rely upon third party contributions and generous public donations. Indeed, once again Islanders have shown their solidarity with those impacted by the recent tragedies by the very generous donation to your Island Appeal established in response ... and I am sure Members would join in expressing their thanks to you, Sir, and to your team and all involved with the organisation of the appeals that are carried out from time to time in response to these tragedies for the swift distribution and support of assistance to those affected by the recent tragic events. I would stress that any emergency fund allocation established by the Government should not serve to replace or impede upon the valuable and essential efforts of the Bailiff's Island appeals and other public fund-raising efforts but instead serve to enhance and improve the financial support available. If I may, I want to refer to Hansard and a question brought by Deputy Luce to the Chief Minister in May of this year. The Deputy asked: "Will the Chief Minister advise whether any considerations have been given by Government to requiring Ministers and senior civil servants to consider their responsibilities in relation to resilience with the view to strengthening Jersey's resilience to unforeseen events?" The Chief Minister answered: "Ministers are aware of their responsibilities in respect to resilience and take these responsibilities extremely seriously." I am going to paraphrase a little bit: "To that end the Government is undertaking work to strengthen the Island's resilience in a changing global context. The Jersey Resilience Forum is constituted of an executive group and a delivery group and is supported by various working groups focusing on areas of risk identified through the Community Risk Register on emerging issues." She went on to say: "As Ministers and legislators we also recognise that the Emergency Powers and Planning Law is outdated" and I know there is a commitment there to deal with that. A government emergency fund, and I have purposefully not tried to specify or prescribe what it should look like or what the processes

should be, I am disappointed to see that the comments by the Minister were critical of that because in a situation when you bring a proposition, if you are too prescriptive you are told you are tying their hands and if you are not prescriptive enough, they say you should be prescriptive. But I do not think it is beyond the will of the Government to take this on board and that is why I have left it purposefully open for them to give due consideration. A government emergency fund could provide the following benefits: provide more rapid response to major incidents, natural disasters, public health emergencies and other crises that require immediate action, provide instant financial support for vulnerable communities such as lower-income families, senior citizens and individuals with disabilities and other circumstances who may be disproportionately affected by certain events; provide funding without delay for relief efforts, including temporary housing, food and water supplies, medical assistance and other necessities. In the situation in relation to Grands Vaux, some Islanders were displaced for very many months. But I am not proposing a one-size-fits-all fund as suggested in the comments, I am proposing a fund that can be proactive as well as reactive, especially as the expenditure to meet an emergency section of the Public Finances Manual and the powers available to Ministers are largely reactive. A government fund working in alignment with the Community Risk Register, the Jersey Resilience Forum and the emergency planning officer could indeed support prevention and preparation efforts, increasing the community's awareness and understanding of potential risks, including public education campaigns, certain minor infrastructure improvements and additional emergency planning initiatives and better communication with those impacted during events as events unfold. A government emergency fund would also help plan government finances more effectively as funds can be allocated for other financial objectives with emergency funds and contingencies already in place. A government emergency fund would provide the flexibility to handle unexpected expenses for major incidents and emergencies without having to rely on reallocating heads of expenditure between already stretched departmental budgets or breaching long-term strategic reserves and investments or having to acquire new debt. If not utilised, a government emergency fund could serve as a foundation for long-term savings and could be added to over time, so this is not a proposition about expenditure, it is about an allocation which can be built up upon. Hopefully we will not have to use it that often but when we do have to use it, it is there and can be utilised quickly. A government emergency fund would help to provide peace of mind to Islanders and restore normality to affected communities much sooner than we have achieved in the past. Its aim: to provide financial support to those members of our community who most need it when they most need it and I am pleased to make the proposition to the Assembly.

The Bailiff:

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

12.1.1 Deputy I.J. Gorst:

I start by saying that I do not like being in disagreement with my colleague Deputy - he is saying I can agree with him - but there are a number of reasons, and I hope that Members have read the comments and understood the mechanisms which are already available to Ministers. I am of course grateful for the Deputy's comments around all of the work that went into supporting Islanders and those affected, emergency services, during and are still ongoing with the disasters that we sadly found happened in our community. I am grateful that the Deputy mentioned those and I am grateful for all of the comments that Members have made in that regard over the days that those disasters took place and subsequently because, to my mind, what that shows, and continues to show, is that we are a resilient community. We do have mechanisms in place to deal with those disasters and emergencies in a timely manner, and so I find myself agreeing with many of the sentiments that the Deputy has set out. He is right, of course, that we in Government stand ready to support Islanders affected, as we have done, by local disasters, a major incident or any other form of emergency. He is also right that it should not be the case that money is the reason that this support is not available.

[14:30]

Again, I think that Ministers in all of those departments and authorities involved have shown that that is not the case here in Jersey, where money, support, people, whatever has been needed has been provided in those emergency situations. That is why I strongly make the case that we already have appropriate and proportionate mechanisms in place to make sure this happens whether that is, as the Deputy says, emergency housing provided by Andium: that could be emergency housing, that could be housing in hotels. Unfortunately, of course, some Islanders had to stay in that emergency housing longer than any of us would have liked but the creation of this fund in the way that the Deputy is suggesting would not have foreshortened that time at all. The reason that I say that we are flexible and able to provide what I think the Deputy is wanting is that only recently we have announced and I have provided funding for an extension of psychological support packages to all Islanders affected by those recent incidents. While there was of course no financial provision for this in the Government Plan, we have worked to ensure that funds were and have been made available in 2023 and we will be putting ongoing funding in place for future years through the Government Plan process. Hopefully Members will see that the comments issued show that the processes are working and I, for one, do not see the case for why they need changing. But of course the Deputy has set out the benefits, and he has mentioned them again in his opening remarks as he sees them, of his proposal over the existing arrangements. He said they would allow for a rapid response. Well we have already proved that we have a rapid response in place. I do not need to go into the details of the rapid response in those emergencies but it will not surprise Members to know that in real time I was able to give authority for spends right across government in order to deal with the emergencies as they were happening and as soon as we were aware of them happening. That mechanism, if we had a separate fund, would still need to remain in place. The case has also been made that it would provide support for vulnerable populations, and that is very important, but that is also possible in our current arrangements. The Minister for Social Security knows only too well of all the support that her department has provided in that regard, and funding has been no barrier to that. The case was also made that a fund would provide funding for disaster relief and that of course is absolutely crucial to get in place as quickly as possible following a disaster. That is exactly of course what we did under the existing arrangements in response to those tragedies. The Deputy also touched on prevention and preparedness and that, of course, is a broader issue but it is also possible and is undertaken without a separate fund. I am not clear, and it is far from clear, how complicating the existing arrangements to provide alternative long-term savings for government would be beneficial. In fact, it surely could not hang together that an emergency fund was created that could at whim be used to deliver savings across government. That would seem to be counterproductive and really run contrary to the main arguments that the Deputy is making. He also refers to his proposals delivering better financial planning and more flexibility. This of course is unfortunately not the case because what the proposal is, is to tie up taxpayers' money unnecessarily, achieving the opposite of what I think the Deputy is seeking to achieve. Funds are structured with important governance and safeguards within the Finance Law and that would mean that such a fund would be less flexible. The Minister would have less flexibility in dealing with all of the aims that the Deputy is proposing. Finally, the Deputy refers to using the fund for the restoration of normality. This is very important in any response but the scale of that ask is unknown. Something like the rebuilding of infrastructure could total very large sums of money. On the one hand, one needs the powers to be able to do that; on the other, sometimes those amounts need to be appropriately planned for and, therefore, tying up large amounts of public money in a way suggested is not a good way, in my mind, to manage public money. We already have the Government Plan process that can reprioritise amounts of these kinds to those efforts. As I have said, I have set out in my comments the various powers that already exist under the Public Finance Law that I and any future Minister for Treasury and Resources will have at their disposal to ensure responses to disasters, and I am not proposing to go over those again and take the Assembly's time up in covering off those very technical details. But it is really important, and I think practice has now shown it, to note that the provisions we have are flexible, and that of course is deliberate because the circumstances of any disaster and the impact it has on Islanders will be unique and our response must

be tailored to these and, therefore, I fear that the Deputy's proposal will be counterproductive. Rather than giving maximum flexibility, which I know is what he is seeking to do, and rather than ensuring that appropriate funds are in place, we could in actual fact find that the reverse was the case. I am, having said all this, as I think I said in the comments, happy to work with the Deputy to see how his ideas can be incorporated into our existing arrangements. But I certainly do not think it is wise, nor in the interests of meeting disasters appropriately, to add in more complication and more bureaucracy over a framework which has very recently demonstrated itself to work, as I have said, albeit in such tragic circumstances. Therefore, while understanding the rationale for the Deputy's proposal, I ask Members to vote against this proposition but, in doing so, I hope that I can continue to work with the Deputy to see what amendments and arrangements can be put in place because we are in absolute agreement with the principle that Islanders should be supported, have been supported, and will be supported when they are impacted by disasters.

12.1.2 The Connétable of St. Saviour:

Possibly take us down a slightly different tack on this one. Something I do have experience of in my younger days, in 2007 I assisted with a major flood in Tewkesbury in the U.K. I took up my amphibious truck and I was delivering food and water for 2 weeks. It was pretty unpleasant, I will not go into details. After 2 weeks the floodwater receded and I parked up the truck, put on my thick rubber gloves, starting helping out with the clear-up. I assisted one senior citizen one day who lived in a bungalow, unfortunately, completely flooded out, and I put all of her goods, white goods and soft furnishings, on the front lawn. I remember saying to this lady: "Do not worry, I have been assured by the insurance company these are your goods and they will not quibble, they will pay up immediately." This lovely lady had tears running down her face and I said: "You are not insured, are you?" She said: "No. After the last flood the insurance company would not insure me for floods" which is something we need to take into account with our own Grands Vaux, as a lot of people there were flooded. I must say that Andium were absolutely brilliant with their tenants, emergency services, absolutely spot on, and even my own staff and volunteers of the Parish of St. Saviour were absolutely marvellous but it is after the event we need to look after people and ensure that people are adequately covered and make sure they have adequate insurance for their homes.

12.1.3 Connétable M. Labey of Grouville:

I just wanted to explain to the Assembly that sadly the Island is not as resilient as it once was. In 1978 Gorey Village flooded after frozen rain decorated our trees and all melted at once. Our farming community reacted very quickly, my dear late father being one, that helped pump out the village. In 1987, again we had a large farming community that cut down many of the trees around our lanes. In fact, my team of 8 did not have any courgettes to pick because they had all been wiped out, so they helped me clear over 100 trees down to the Seymour Inn which was a good destination to clear trees down to. But we are no longer able to supply those sorts of workforces at the drop of a hat because our farming community works throughout the summer months producing potatoes, we have very few to rely on in the stormy winter months. I am just saying this, and I am going to be voting for this proposition, because I think if we are to have a community that can respond, we are going to have to respond with contractors and expensive individuals who will cost us a lot of money to do the same work that we would once otherwise have done for free, so I will be supporting this proposition.

12.1.4 Deputy S.G. Luce:

I am sure we took great notice of the Minister for Treasury and Resources and none of us would disagree, I hope, that the Island's response to those 2 terrible disasters at the end of last year was nothing less than we would have expected. But I am also going to support Deputy Farnham in this because for some time now I have become increasingly concerned about what might happen and, suddenly without warning, our supply chains could break down due to further outbreaks of war or catastrophic disruptions of various sorts. Our population is exposed to greater risk than ever before

from such things happening. We have a just-in-time supply chain and I would say to Members that we probably are one of the least resilient jurisdictions in Europe today when it comes to food supplies and oil reserves and that type of thing. Our ability to look after ourselves in times of emergency is challenged. I accept that that is not the proposition the Deputy has in front of us but I just make the point that I think this Government needs to take this subject more seriously. I cannot see whether Deputy Gorst has the reserves in hand to deal with these emergencies why they should not be put into an emergency fund that can be used specifically for that purpose. I agree with Deputy Farnham it would seem tragic to at the last-minute take funds from somebody's already allocated budget to use for emergency work, so I will also be supporting the proposition.

12.1.5 Deputy B. Ward of St. Clement:

I would like obviously to say that I am going to support the proposition by the Deputy as I think it will set out some fiscal comfort to address and support when we have incidents.

[14:45]

I know people have been talking about the recent incidents that we have had which have been absolutely dreadful, but let us go back to the COVID situation. That was a major worldwide incident and if we had have had some monies in an incident fund we could have accessed that straight away. But what the Government did was withhold money from the Social Security Pension Fund, one of the supply funds into our social - yes, I know you are saying no - from 2020 to the end of this year, so that is over £300 million that has been stopped from going into our Social Security Pension Fund, which really does concern me. So if we have some disaster or incident fund that we can tap into to help when we have these situations, it would give a lot more comfort rather than having to take money, robbing Peter to pay Paul basically, but taking money out of our pension fund. I would just like to say that I will support the Deputy's proposition.

12.1.6 Deputy K.F. Morel:

Thank you, Deputy Farnham, for a really interesting proposition. There is one really key factor, in my opinion, which is missing from this proposition and that is any mention really anywhere of the scale or size of this fund. There is, however, an incredibly long shopping list lettered (a) to (h) which tells you that this fund will be able to provide rapid response, it will be able to support vulnerable populations, it will be able to fund disaster relief, it will also be able to fund prevention and preparedness. We will be able to undertake better financial planning, I appreciate that will not cost much, it could also give flexibility, as well as long-term savings, and pay for a restoration of normality. Now, I remember speaking to Deputy Farnham very much on the fly sort of thing as we were leaving the Assembly once, and in my head I had this idea of a fund which would be perhaps a few million pounds. Then I look at the list here, and taking into account Deputy Ward's speech that she has just given, and Deputy Ward herself mentioned the £300 million had not gone into social security because of that, and we are talking about the list here that Deputy Farnham has on his proposition, which in my unlearned opinion is likely to be in the hundreds of millions of pounds. So, how exactly are we, as any Government, it does not matter who the Government is, how exactly are they meant to provide a fund in which scores, if not hundreds of millions of pounds are set aside just waiting? Just waiting, not being given to public services, not being given to fund the health system, not being given to fund education, because the money will just be sat there waiting. The failure of this proposition to mention the scale of the funds required to fund this list of (a) to (h) I think is glaring. As States Members, I would say again, when we think about being responsible with our spending, tying up vast amounts of money waiting for a day which may or may not occur, knowing that we have been tested in the extreme with COVID, with the awful tragedy at Haut du Mont, with the L'Ecume disaster, and with the Grands Vaux disaster there as well, and our systems were found to be certainly satisfactory, in my opinion. We have provided the rapid response, we have and are providing support for vulnerable populations, we do regularly provide support for disaster relief, both

on-Island and through Jersey's Overseas Aid and the Bailiff's Fund for disasters outside the Island. We, in a completely separate line of work, do undertake prevention and preparedness, we do maintain a risk register and constantly reassess the risk this Island faces. As far as financial planning and flexibility are concerned, well those are political debates as to whether people think financial planning is appropriately done or not, that will depend on your view of the Government of the day and their Government Plan, but we do undertake financial planning constantly. So if this fund is to be more than £2 or 3 million, I really, really, really feel that we need to know what that sum is before we commit to a sum of that sort of scale. That then makes me think: "Hold on a sec, if this fund is to undertake all of this list of items, which is an enormous list of items, then we will need hundreds of millions of pounds set aside." The Minister for Treasury and Resources, I believe we do have hundreds of millions of pounds set aside, it is in a strategic reserve, often known as the Rainy Day Fund, and indeed that is our disaster and our emergency preparedness fund. It is there, it is available. I remember in that very brief conversation with Deputy Farnham I thought, well you could ring-fence a small portion of that Rainy Day Fund and say: "Look, we are never going to spend this on anything else." It will sit there accumulating, you will not spend it on anything except kind of disaster and I would still be accepting of that but this proposition does not ask for that, this proposition asks for a separate fund. So we will have our Rainy Day Fund, which has existed for decades, and we will have a separate disaster preparedness fund, which in itself needs to be of an unknown scale in order to deal with this list of (a) to (h), and so I just cannot reconcile the 2. We do need to spend today on services today. We need to fix a health system today. We need to provide the education system that Islanders require to ensure that we have got the economy of tomorrow but we need to do all that today. We cannot do that if we are tying up tens, hundreds of millions of pounds in a disaster fund for a disaster that may or may not occur at some point in the future while having a fund that is already there and ready to be dipped into. Nothing over the last 3 or 4 years where we have faced these real challenges, nothing has shown me that Jersey has been unable to face those challenges. We have succeeded every single time. So I do not see either the purpose of this proposition, and even if I could be convinced that the purpose is needed, I also then say: so how much? How much of the definitely finite government resources do we want to set aside when we know that we have public servants, as we have seen today, who are putting calls on that public purse? We know that we have all these demands today and yet there is a call to set aside unknown amounts for an uncertain and an unknown tomorrow. So I believe we do have a disaster preparedness fund, I believe it is healthy to the tune of approximately £900 million, and I believe it sits there ready to be used when we need it. For that reason, I do not believe I will be supporting this proposition.

12.1.7 Deputy M.R. Scott:

I have not got much to add to what the Minister for Economic Development, Tourism, Sport and Culture has said, only to agree with him that the Strategic Reserve Fund does what it does. So I think the real question is: what is lacking, what has happened so far in terms of its application and responses is lacking? He has also raised the point about tying up funds and one thing that I just wanted to mention was the mention of the flooding. Now, the Minister for Infrastructure, and it is not really for me to speak on his behalf, he is going to be embarking on a pretty major investment into supporting the Island from future floods. I would, in that particular circumstance, want that money to be available for him and in many ways there being not more money being given to infrastructure, not just to support people in their own homes but also to support our economy. I do not really like the sort of cosmetics that come up with saying: "Well, I set up a fund to do this" when there is nothing in it. It just seems rather pointless to me, as the Minister has said, otherwise you have got to calculate what is going to go in it and how that is going to be put aside and retained. The retention of the fund, whatever money is in it, is also a fair point, as is the Strategic Reserve Fund. How do you keep that there if you do not trust Government to make good decisions? How do you keep that there if Government is flickered in its public spending? Of course, those are things that Government really need to do. How do you replenish the fund if the economy is not growing? I will be looking to the

Minister for Economic Development, Tourism, Sport and Culture on that score, and I promise I still will.

12.1.8 Deputy T.A. Coles:

It is interesting standing up here today and sort of agreeing with everybody, what everybody is saying and finding myself in a position where I do not know which way to go with this because we do have to congratulate all of our emergency services in their responses to all of the [Approbation] disasters that we have faced as an Island. We have to commend the Treasury and the Minister involved for making sure funds were released in an adequate time to ensure that these disasters were handled as professionally and as quickly as possible. However, that being said, as a recent trip away for the C.P.A. (Commonwealth Parliamentary Association) showed me that a number of countries have these kind of funds set up and ready to go for these kind of events anyway. We are also faced with the risks of climate change that we do not know what risk we are going to face next and are we going to be able to respond as quickly and as easily is a mild concern. We had the references with COVID and of course the time Government borrowed money rather than dipping into the Rainy Day Fund; interest rates were lower then but they are not now. Would we be in the same place to do that as well or would we be wearing away at our strategic reserve rather than forward planning in this scenario? With a certain element of risk it would always be good to have a dedicated fund for emergencies to help people in these times of crisis. I hear the words of the Minister for Economic Development, Tourism, Sport and Culture ringing in my ears about the length of this list. He is right, there are certain aspects on this list that maybe should not be covered by this particular fund because they should be things we are funding anyway through our strategies and preparedness. So being prepared for a rapid response should be coming hopefully within, I believe it would be, the vicinity of Home Affairs, and being prepared for certain responses that we saw great response from the police and investigative teams with the Haut du Mont disaster. Deputy Farnham was saying that as a Back-Bencher we are handcuffed by saying too much or saying too little and I believe this proposal does give us the opportunity that we can take the lessons learnt from all these disasters we have had recently, come back with a reasonable fund that should be maintained so we are always prepared. Again, thank you, Sir, to your fund that is set up to help the people on this Island but unfortunately if we are going to continuously rely on charity, at some point that might also let us down. So, there is a gap there that I do believe should be filled, though I do not believe that this fund would take away from anything that we have done and proceeded further, I think it would just add a little air of security for us and, therefore, I will be supporting this proposition.

12.1.9 Deputy M. Tadier:

I do not believe this fund that Deputy Farnham is seeking to set up is a cosmetic exercise. The implication there is of course that he is only doing this to try and look good but there will be no money in the fund that is set up. I hope that would not be the case. The questions that the Minister for Economic Development, Tourism, Sport and Culture raised are quite valid. I have been through a similar thought process. We have got a strategic reserve, have we not, and of course the strategic reserve is also called a Rainy Day Fund, and surely we use the Rainy Day Fund if there is an emergency. The difference is you go back to the beginning of the paragraph of the proposition which tells you about the purpose of the fund, and it is to give financial support and to make that support available for Islanders who are affected by local disasters and, in order to achieve that, to request the Minister for Treasury and Resources to go away and set up this fund, so that is the purpose of the fund.

[15:00]

At the moment there is not a guarantee that the strategic reserve would be allowed to provide that kind of funding for victims of disaster. It most certainly would not be allowed to be used for that kind of purpose. We have already been told, I remember in the last 15 years when suggestions have

been used to use the strategic reserve even when it can be argued there is a rainy day, we are told that is not what the strategic reserve is for. So there are strict parameters around what it can be used for but there are also political considerations which may change, depending on the Government of the day. I think I was really interested in the direct experience that we have heard from the Constable of St. Saviour, and of course the Constable of Grouville, one talking about experience of flooding in the U.K. when he helped out there, and a local example, and of course people do fall through the cracks. So of course when a local disaster happens on a smaller or, as we have seen, on larger scales, it is absolutely the case that our great emergency services step in and they do that but that is business as usual, if I may say that. That is what they do well, they are trained to do that, they are trained to respond, and they do it very well under pressure. However, there is not a guarantee that if you are a victim of that disaster ... and it could be any disaster, could it not? It could be something as outlandish as a meteor strike but it could also be more likely to do with flooding, to do with climate change and people around the coast being affected. Who knows what it could be? It could be a crash that happens somewhere and it could be that lots of people are affected. Of course, the emergency services will step in and save life and protect life, et cetera, but there are other considerations that need to be made in that, so I am very much open to this new fund being set up. I think what then has to be asked is of course how much goes in that fund? That is the question that the Minister for Economic Development, Tourism, Sport and Culture asked. I put it back to them that that becomes a matter for Ministers. So the establishment of this fund if we want to do it, to have foresight ... and I would say that one thing Jersey has always done well is to plan for the future and also to plan for the unexpected. This is not the same, I would say, as a strategic reserve so it cannot do any harm to have a pot of money which is sitting there which could be of the order of 10s or 20s, but it could accrue over time. I would imagine that if the Government is sent away to do this they will have a mechanism to build up funds in that emergency fund which would accrue over time so that it could be potentially self-sufficient after a time. Of course that money does not get lost; that money can be invested in the meantime and the Government can ultimately - if Jersey needs that money for some other purpose in the future - it is within their gift to change the purpose and to drop the ring-fencing for that. In the future of course if there was a change of circumstances, if in 50 years' time there has been no disaster and you have got this massive amount of money which is more than the strategic reserve, of course you might want to think about moving some of that back into general taxation. But my big question is this: can this Government afford it? Can this Government, with its perpetuating bankrupt economic model which sees preferential tax rates given to the super-wealthy, which sees people in Jersey who have got so much money that they have got nothing else to do but buy 3 digit number plates at an auction and spend hundreds of thousands of pounds on that, where they are clearly crying out to pay more tax, where we allow people to move over the Island and pay a miniscule amount of tax while other people are effectively paying well into the 20 per cent when you include all the indirect taxes. I think this Government is on the verge of economic crises and on bankruptcy, not just morally but economically, and so I would question whether or not this Government can do that, which is clearly why they would not be supporting it. But lastly, to be fair, I have to ask the question to the mover of the proposition. When I look at the financial and manpower implications it says that it is considered that there would be a broadly neutral financial impact as this proposition seeks to ring-fence existing funds for the purpose of disaster relief. Well, I have tried similar financial and manpower implication statements in the past to that and frankly I am not sure that completely washes. If you are taking money out of funds already in existence and moving them into a ring-fence that must mean that that money is not being used in other areas. So I would like the mover of the proposition to explain a little bit more about how that works because I think there is a real cost and I think it may be a cost that he thinks is affordable and can be sustainable. So while I am open to the principle of this fund, I think it is a great idea. I think a responsible Government in the future should establish this fund when we have one, but I am just not currently sure that this Government is capable of doing that or can afford it.

12.1.10 Deputy C.F. Labey of Grouville and St. Martin:

As this Assembly knows, emergency response - albeit overseas - is an important part of my Ministerial portfolio. I agree with the Minister for Treasury and Resources that the Island has proved effective in responding to disasters and adding complexity to accessing funds is not the right route. I do believe, however, that the framework must be in place for the community to respond to disasters. Having a dedicated pot of money sitting there I am not sure is the right course of action to take. For example, when we had ongoing the Ukraine War this community responded with £3.4 million, and I think that is one of the greatest responses per capita. It is something this community should be incredibly proud of, and that was done through a framework using Jersey Overseas Aid, using the Bailiff's appeal, using a charity, in this particular case Side by Side, to collect monies. Jersey Overseas Aid are then charged with finding the right N.G.O. (non-governmental organisation) or right charity to deliver the aid where it is needed. I would like to see something similar set up, a framework for disasters such as this rather than the pot of money sitting there waiting, because it could have a reverse effect, for example, if the public were to believe that there is a pot of money sitting there waiting to be used for disasters they would not give. So there is that to consider. So in his summing up, while it is an incredibly difficult proposition to vote against I must confess I feel we do it anyway, we do respond to natural disasters anyway, and we respond to them very well. However, I would like to see, and I think it is happening now, a framework and a better mechanism be set up, and I am sure Deputy Farnham would be prepared - as the Minister for Treasury and Resources said - to sit around the table and work out how best that framework would look.

12.1.11 Deputy J. Renouf:

I felt very demoralised there for a moment listening to Deputy Tadier, and considering the moral bankruptcy of the Government and the financial bankruptcy. It was only when I remember that of course we have increased tax allowances, increased benefits above inflation, increased the minimum wage, and I suddenly thought: "Oh, I cannot quite see where that bankruptcy is coming from; financial or moral." I can see where this proposition is coming from but I endorse everything that Deputy Morel said in his comments, and would also pick up on something Deputy Scott said which was to ask where is the proven need for this fund. I have been listening carefully to the speeches that have been made so far and there has been a lot of talk of hypothetical situations where we might need a fund of some description, but there has been no demonstration of any situation where we have failed to meet the requirements that the community would legitimately expect of this Government. In fact, quite the contrary, people have fallen over themselves to point out exactly how successful we have been in that regard. So the first requirement for anyone bringing a proposition of this type I believe is to demonstrate the proven need, the failure, the thing that we are trying to correct, and I do not see it. I do not see it from the speeches that have been made; I do not see it in the proposition itself. Deputy Morel raised interesting points about the size of the fund and the fact that it is not specified. This is a key point because we have 2 different scales of operation here; we have on the one hand a strategic reserve which is designed to cope with the very biggest disasters. It is in place. It should only be touched for the very biggest disasters. In every other situation we have a flexible ability to respond that has been proven to work every time that it has been needed, and we have a system that is in place and is working. The point was raised that it cannot do any harm. It can do harm. It does have the potential to do harm. As several Ministers have pointed out, it ties up money in a fund that would not otherwise be accessible. That is what the strategic reserve does; it ties up money in a fund that we cannot access. We do not want to access it; we want it tucked away, but we do not want to keep adding funds that tuck money away that cannot be used for any other purpose. It is not an efficient use of resources. I did contemplate the fact that we do indeed have some hypothecated funds that are not the strategic reserve. We have the Climate Emergency Fund of course as one example. The key difference with a fund like that and with other similar hypothecated funds is they are set up to meet a proven outflow of money according to a known schedule. We know what the income into that fund is and we know what we are spending it on. It is ring-fenced for that purpose. It is not

there as a kind of: “Oh, we could dip into it in certain circumstances yet to be defined in the future.” That is not something that we use those hypothecated funds for. The Constable of Grouville was one of those who raised questions about the lack of resources that might be available, and the key point I think to make here is there is no new money available. If we create this fund it does not magically create extra money that will suddenly become available for something that we have previously been unable to do. We will simply be reserving a bit of current government income and putting it in a place where we cannot reach it except in certain designated circumstances. We are not creating some new facility here, some new resource. We are simply creating a set of rules around an undetermined amount of money for which ... as I say, I think the key point is there has been no need for that yet and I cannot see that anybody has specified a situation when it would be required. We need a flexible response and I think that is what we have. We have a flexible response system, it reacts according to the scale of the problem, the particular circumstances, and I note one thing that has not been mentioned, which is the recovery, for example, for the outbreak that killed all the cows recently as well. That has been quietly dealt with under the radar with flexible use of resource that has been used to make sure that the farming industry is able to cope with that. We have the mechanisms in place. There is no huge clamour for extra money to meet a failing. So we have got the flexible response, the system is working, we have a fund in the case of an absolutely huge emergency - the strategic reserve - and to meet every other need we have a system that already works. So I respectfully suggest that there is no need for this proposition and I shall, therefore, vote against it.

12.1.12 Deputy E. Millar of St. John, St. Lawrence and Trinity:

I had not been going to speak and I think Deputy Renouf has largely said what I was going to say. I was quite surprised to hear Deputy Tadier’s proposition that we could set up a ring-fenced fund and then when something came up at a later date we could change the purpose and dig into it. That is not the purpose of ring-fencing. If you ring-fence funds you have to leave them for that purpose and that is exactly why the Social Security Fund is ring-fenced. I believe previous Governments did not take money out of it because they cannot. They did not take money out of the Social Security Fund. The previous Assembly, I understand, agreed not to put the States grant into it. That is a different thing.

[15:15]

The Social Security Fund, as anybody who came to our briefings on the actuarial reports will have seen, is well placed to pay pensions for decades to come and the previous Assembly made that decision on the basis that we had funds to pay our pensions, but that is different from ring-fencing; we did not take money out of it. We cannot set up a fund on the basis of: “In the future we will just go back into it” because that would be absurd. Where does the money come from? As Deputy Renouf says, we do not have that money sitting around. If we tie money up now it is money that we cannot put into another pot or use for another purpose later. So what do we give up? When the Government Plan comes out what are we not going to do? When everybody sits here and looks at the Government Plan and says: “You are not spending enough money there” there is a finite pot. There is a finite pot and we could only increase that pot by a relatively small sum, I imagine, no matter how much you tax the super-wealthy, because they will just leave or change their income structures. Again, I do wonder whether this is like some of the gadgets you see in the back of the Sunday papers, is this a solution to a problem that does not actually exist? I have been part of the Ministerial Oversight Group and what I have seen is fast and significant efforts to support all of the individuals who were affected by these disasters, right from the start of Haut du Mont we had people from Andium and C.L.S. (Customer and Local Services) going out to Marks & Spencer to buy supplies for people, to buy them clothes and the absolute necessities. C.L.S. gave people cash payments. We have prioritised support for those people. That support continues. The people who are displaced, C.L.S. have continued to devote resource, to providing events and resources for the community to come together and stay together as a community. Their voice has been absolutely at the heart of everything we have done. The same with the L’Ecume II disaster and the same with the

flooding. People who were affected by flooding were all rehoused or given accommodation immediately. Nobody was left on the street; everybody was taken into hotels or other accommodation. I think the Minister for Treasury and Resources commented that he has just approved a package of psychological support. That package is incredibly extensive. It supports all of our first responders, it supports the people who were directly affected, it supports the relatives of the deceased on-Island, it supports relatives of the deceased who are off-Island. So someone in Liverpool or Manchester will be supported by Jersey where they have lost a relative or suffered because of any of these very, very tragic incidents. I would absolutely not underestimate the impact of any of those psychologically, physically and mentally on any of those affected. So we really have done everything. The sheer scope of the work that has gone in to trying to recover people's possessions is frankly mind-blowing. Government agencies have recovered thousands and thousands and thousands of items of belongings which will be returned to those people who own them or to their relatives. We really have done a huge amount in all of these. There is no reason to assume that we will not do that again, and that is all without, I believe, recourse to charities. People have been supported by Government. Any charitable funds are additional to those essential steps that we have done. In fact I would go beyond essential; we have gone above and beyond in supporting people affected by these incidents and I really do not believe there is a problem that needs a solution that the Deputy is suggesting so I will not be supporting it, thank you.

12.1.13 Deputy S.Y. Mézec:

What I am about to say I am absolutely sure is against my better judgment but I could not sit still listening to the arrant nonsense spoken by the Minister for the Environment and the Minister for Social Security without at least putting on record my objections to what they said and make that absolutely clear. The opening remarks from the Minister for the Environment show how utterly out of touch with reality he is when he dismissed the comments from Deputy Tadier about the struggles of ordinary working people in our Island, saying: "We have raised tax allowances, we have raised the minimum wage, there is nothing to be concerned about." That is an example of the moral bankruptcy that Deputy Tadier was referring to because the facts are clear before us, compiled by the independent Statistics Unit that in the last year the real terms earnings of Islanders has fallen by the greatest amount since their records began. He may think that that is something to consider, no big deal, but I can assure him it is something to consider. That brings me on to the comments of the Minister for Social Security who referred to the super-wealthy being taxed: "Well, they can just leave." Well, guess what, plenty of people are leaving: middle earners, young people in particular, because of how much they are struggling with the cost of living in Jersey; something that these Ministers seem to be utterly oblivious to. Because they are oblivious to that I cannot really accept their judgment on any other issues which is why it has led me to the conclusion, as someone who was sat on the fence on this matter before, that I will vote in support of Deputy Farnham's proposition.

The Bailiff:

Does any other Member wish to speak on the proposition? If no other Member wishes to speak then I close the debate and call upon Deputy Farnham to respond.

12.1.14 Deputy L.J. Farnham:

Thank you, and of course thank you to everyone who has spoken. I will start off by reminding some Members, mostly Members of the Government, what this proposition is about because they have tried to turn it into something that is unrecognisable from what I am suggesting. Deputy Tadier pointed it out; he was I think the first Member to allude or refer Members to what it is about. This proposition is simply aimed to strengthen Jersey's resilience, and its financial resilience, to unforeseen events by establishing a fund or an allocation of money in the Government Plan to assist Islanders who have been impacted by these local disasters. The Constable of St. Saviour made reference to it, and we all know he has a track record of helping people in problems with his

amphibious vehicle in his oilskins and his wellington boots. He is always there waist deep in it, helping people and actually speaking to people on the front line who have just lost all of their belongings, people that do not have insurance because they could not get it or people that do not have insurance because they simply cannot afford it. When people are up to their knees or up to their waists in floodwater with their lives and belongings dissipating around them they are not interested in listening to Ministers arguing with the water company about whose fault it is. They are simply looking for help. I make no criticism of the Minister for Infrastructure and I spoke very recently to somebody impacted by the flooding at Grands Vaux, and they said there are only 2 States Members that have spoken to them; the Minister for Infrastructure and myself when I was doing research on this proposition. So please, Deputy Binet, do not take exception; I am not criticising that. I am just saying that this proposition is not about hundreds of millions. We have a strategic reserve for that, but you cannot go to the strategic reserve because somebody needs to replay a couple of carrier bags of belongings that they have lost and that is all they have. The Constable of St. Saviour has seen that first hand, and the Constable of Grouville also made some very valid points about how the community would be better equipped in days gone by to help with these problems. We are not as resilient as we used to be, and I think that is why Deputy Luce followed that line of questioning earlier on to the Chief Minister, and the Constable of Grouville gave some very good examples of how the community gets stuck in. Fiscal confidence is essential and any allocation of money is aimed at building confidence among Islanders, especially those impacted. Deputy Morel criticised the scale of the fund; well, there is no scale mentioned. I purposely did not do that, as I explained in my opening speech, and I put a list of suggestions in the report. A list of suggestions that made absolutely clear that it is open to the Government to decide what level of funding or allocation they might put into it. They can make an allocation without transferring it into a separate account. The strategic reserve of hundreds of millions of pounds is there to cover what Deputy Morel was talking about. He completely missed the point of this fund, and I am sorry if I did not explain it clearly enough. I thought the report and the opening speech did clearly state this is to help the most vulnerable in our society and our community from actions beyond no doubt and sometimes actions that are not just acts of God but are helped along, are created by sometimes malpractice or negligence which cause problems such as flooding. Deputy Tadier raised very valid points. I think he read and understood the proposition. The fund, again, it is up to the Ministers ... a number of Ministers spoke as if the terms of the fund had already been agreed. Of course it has not; it is completely flexible. This proposition is here to improve what is already in place. I accept what we have in place is not terrible, it is good, it is generally very good. We are fortunate to be in a very strong financial position, we are fortunate to be able to step in and provide the financial support when needed. But there are gaps and this seeks to plug some of those gaps, mainly the gaps that leave the more vulnerable, the less well-off in our society wanting, short or without. I do praise some of the help that Andium gave and the Island gave with the flooding at Grands Vaux. Some Islanders had to stay I think for up to 6 months in a hotel room; a family of 3 in a single hotel room for up to 6 months provided by Andium. But they still had to pay their rent of their accommodation that they were not able to live in because they were being put up and paid for. Well, that might be fine, I do not know, but Andium do not have an unlimited supply of funds, which is why I envisage this helps the Minister for Treasury and Resources - and he might be pleased to hear this - this fund would perhaps have a fairly modest start and will be built up over a period of time, and would evolve with the thinking and the better understanding we are getting now of the global changes, the environment changes, and we are seeing the impact of that now on our small Island. The Minister for Treasury and Resources called my proposition counterproductive, but I stress again, it is meant to be productive, it is meant to improve what is already in place and get an allocation in place - a small financial allocation in place - and then the Government can develop a good process around it. That reminds me to answer the question that Deputy Tadier asked in relation to finance and manpower returns. I put that in at this stage because I envisaged a fund perhaps being established of perhaps a few million pounds taken from a reserve or an existing pot of money, so it is an internal transfer. When the Government came back with the

detail that is when the financial and manpower implication detail would be required. So when there is no detail around my proposition I am asking the Government to do that work, that is why I had to be not intentionally vague but there is nothing more I could say at this stage because it was a proposition to create a reserve, not spend that reserve. Make the allocation flexible; it does not have to be set in stone or ring-fenced, it can be flexible, and that again I mentioned in my opening speech that that money could be invested, it could be de facto saving. If we do not need it we keep it there, we invest it, we keep it making money for the taxpayer. This is taxpayers' money, it is not our money, it is taxpayers' money that we manage for them and this is about putting taxpayers' money to good use to help other taxpayers who have been affected by tragedy. Deputy Labey, who does an excellent job in her role as Minister and the States Member responsible for overseas aid, and she quite rightly said a framework must be in place. But you need a budget around a framework.

[15:30]

If you have a framework in place, as she does, you need a budget around it, and again this is what this is intended to do, which is why I also made reference in my opening speech to the risk register and the emergency planning officer and the Jersey Resilience Forum because this could also assist them in the work they do. The Deputy of Grouville would know that because she simply could not put her money at Overseas Aid to good use if she did not have an allocation of funds. She has got the framework and she has also got an allocation of funds to work from, and how could she do that if she did not have that allocation of funds and she had to go to the strategic reserve or come to the States or Council of Ministers every time she needed to make the really good grants she does make along with her committee to those in need; those facing sometimes not dissimilar tragedies to what we face here. So that is why we need a budget. I thank Deputy Mézec for saving me a couple of minutes by dealing adeptly with Deputy Renouf and Deputy Millar's comments, so thank you for that. Article 16 of the Public Finances Law already allows an amendment to an approved Government Plan to be lodged, debated and to put in place additional funding. Whatever we decide here, that is in place, and because that is the case then there can be absolutely no disadvantage to us getting one step ahead by allocating funding in the next Government Plan and being properly prepared for when - not if but for when - we need to act. By approving this proposition today, by establishing an emergency fund with robust processes, full flexibility, the Government has a clean sheet of paper to put something together that is really good and answers all the questions that they have asked and did not seem to understand, put all those in place. A fund that can be both proactive in terms of greater education, greater awareness to Islanders of the risks and the challenges we face in the changing global environmental context. By doing that we are putting ourselves on the front foot to provide the appropriate support to Islanders, usually less well-off Islanders and those Islanders who are more vulnerable to this kind of thing and who are most in need when tragedy strikes. I will repeat again just to make it absolutely clear; the aim of this proposition is to strengthen Jersey's resilience to unforeseen events by establishing an emergency fund to assist Islanders who have been impacted by local disaster, major incident or emergency. It would be in place to provide instant financial support for vulnerable communities such as low income families, senior citizens and individuals with disabilities and other circumstances that make them more vulnerable, who may be disproportionately affected by these emergencies. I think this Assembly needs to be more caring and more in tune with the needs of the people who are in these unfortunate positions, and to that end I make the proposition and I ask Members respectfully to support it and ask the Government to get on and do this work for the good of Islanders.

The Bailiff:

Do you call for the *appel* then, Deputy?

Deputy L.J. Farnham:

Yes, please.

The Bailiff:

Very well, I ask Members to return to their seats. The vote is on P.51; I ask the Greffier to open the voting. If Members have had the opportunity of casting their vote then I ask the Greffier to close the voting. The proposition has been defeated.

POUR: 18		CONTRE: 27		ABSTAIN: 0
Connétable of St. Helier		Connétable of St. Lawrence		
Connétable of St. Martin		Connétable of St. Brelade		
Connétable of Grouville		Connétable of St. John		
Connétable of St. Ouen		Connétable of St. Clement		
Connétable of St. Saviour		Connétable of St. Mary		
Deputy M. Tadier		Deputy G.P. Southern		
Deputy S.G. Luce		Deputy C.F. Labey		
Deputy M.R. Le Hegarat		Deputy L.M.C. Doublet		
Deputy R.J. Ward		Deputy K.F. Morel		
Deputy C.S. Alves		Deputy S.M. Ahier		
Deputy L.J. Farnham		Deputy I. Gardiner		
Deputy S.Y. Mézec		Deputy I.J. Gorst		
Deputy T.A. Coles		Deputy K.L. Moore		
Deputy B.B.de S.V.M. Porée		Deputy D.J. Warr		
Deputy C.D. Curtis		Deputy H.M. Miles		
Deputy L.V. Feltham		Deputy M.R. Scott		
Deputy R.S. Kovacs		Deputy J. Renouf		
Deputy B. Ward		Deputy R.E. Binet		
		Deputy H.L. Jeune		
		Deputy M.E. Millar		
		Deputy A. Howell		
		Deputy T.J.A. Binet		
		Deputy M.R. Ferey		
		Deputy A.F. Curtis		
		Deputy K.M. Wilson		
		Deputy L.K.F. Stephenson		
		Deputy M.B. Andrews		

13. Draft Financial Services (Amendment of Law) (No. 6) (Jersey) Regulations 202-(P.54/2023)

The Bailiff:

The next item of Public Business is the Draft Financial Services (Amendment of Law) (No. 6) (Jersey) Regulations, lodged by the Chief Minister. The main respondent is the chair of the Economic and International Affairs Scrutiny Panel. I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Financial Services (Amendment of Law) (No. 6) (Jersey) Regulations 202-. The States make these Regulations under Article 4(2) of the Financial Services (Jersey) Law 1998.

Deputy K.L. Moore (The Chief Minister):

Sir, Deputy Millar is the rapporteur.

13.1 Deputy E. Millar (Assistant Chief Minister - rapporteur):

The Draft Financial Services (Amendment of Law) (No. 6) (Jersey) Regulations, together with the Draft Financial Services (Amendment of Schedules to the Law) (No. 3) (Jersey) Order, which have

been lodged as part of a legislative package, have been lodged to bring in certain enhancements to Jersey's investment business regime, as put forward by the Jersey Financial Services Commission. I should just clarify that only the draft regulations require the approval of the States Assembly, as I am sure Members will understand, but both should be looked at together as a package. It is a consequence of a legislative technicality of the Financial Services (Jersey) Law 1998, which will be amended by the regulations that the changes have been delivered in this way. No formal approval of the draft order is required. The draft regulations will enhance Jersey's regulatory regime for investment business in 3 ways. First, they clarify and align definitions used in Jersey's regulatory investment business regime so that they are consistent with definitions used in international rules for regulated investment business. Secondly, they provide better consumer protections by introducing regulation of the activity of arranging, which happens with certain retail financial products or investments that are introduced to the consumer are set up for the consumer by a third-party provider who operates as a business and who benefits commercially from this activity. I would emphasise that this is about consumer investing and not high net worth or investing by sophisticated and expert investors. Thirdly, they allow for Jersey to adopt in the future a regulatory framework for any provider operating an investment exchange, such as the London Stock Exchange, in Jersey, and introduces provisions for this to be a new form of regulated investment business activity. This will allow the commission to start to build a regulatory framework around this activity with relevant industry participants in anticipation of an exchange wishing to operate in Jersey. The draft regulations and the associated draft order have the support of our industry. The changes have been long rehearsed and discussed and have been awaited by industry and the commission has consulted extensively on the drafts. The draft regulations will ensure Jersey's investment business regime remains fit for purpose and aligned to international standards and, importantly, will give new protections to consumers who are investing in Jersey's retail investment market. I propose the principles.

The Bailiff:

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

13.1.1 Deputy M.R. Scott:

Just to say that the Economic and International Affairs Panel is always very conscious not to keep having Government produce red tape that puts an additional burden on industry, so we do separately make contact with industry to understand if the Government's consultation has been satisfactory to them. We have produced comments just to say that we are content that industry has been sufficiently consulted with and that the proposed amendments are supported by industry.

The Bailiff:

Thank you very much, Deputy. Does any other Member wish to speak on the principles? If no other Member wishes to speak on the principles I close the debate and call upon the Minister to respond.

13.1.2 Deputy E. Millar:

I am grateful to the chair of the Scrutiny Panel for her comments there. May I just move to propose the regulations *en bloc* please?

The Bailiff:

No, because we are voting on the principles.

Deputy E. Millar:

Sorry, apologies.

The Bailiff:

Do you call for the *appel*?

Deputy E. Millar:

Yes, Sir.

The Bailiff:

I invite Members to return to their seat. The vote is on the principles for the Financial Services Regulations. I ask the Greffier to open the voting. If Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. The principles have been adopted.

POUR: 43		CONTRE: 0		ABSTAIN: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy B.B.de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

Does your Scrutiny Panel wish to call the matter in?

Deputy M.R. Scott (Chair, Economic and International Affairs Scrutiny Panel):

No, Sir, thank you.

The Bailiff:

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

13.2 Deputy E. Millar:

May I propose the regulations *en bloc* please?

The Bailiff:

Are the regulations seconded for Second Reading? **[Seconded]** Does any Member wish to speak in Second Reading? Very well, I close the debate. Those in favour of adopting in Second Reading kindly show. Those against. The regulations are adopted in Second Reading. Do you propose in Third Reading, Minister?

Deputy E. Millar:

Yes, Sir.

The Bailiff:

Are they seconded for Third Reading? **[Seconded]** Does any Member wish to speak in Third Reading? If no Member wishes to speak in Third Reading I close the debate. Members in favour of adopting in Third Reading kindly show. Those against? The regulations are adopted in Third Reading.

14. Draft Cold Weather Bonus and Payments (Miscellaneous Amendments No. 2) (Jersey) Regulations 202- (P.55/2023)

The Bailiff:

The next item is the Draft Cold Weather Bonus and Payments (Miscellaneous Amendments No. 2) (Jersey) Regulations, lodged by the Minister for Social Security. The main respondent is the chair of the Health and Social Security Scrutiny Panel. I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Cold Weather Bonus and Payments (Miscellaneous Amendments No. 2) (Jersey) Regulations 202-. The States make these Regulations under Articles 8 and 18 of the Income Support (Jersey) Law 2007 and Article 4 of the Social Security (Bonus) (Jersey) Law 2014.

14.1 Deputy E. Millar (The Minister for Social Security):

Members will recall that last year as part of the mini-Budget it was agreed to provide a £70 a month guaranteed heating supplement to households that qualified for either the cold weather bonus scheme or cold weather payments under income support. The payments were guaranteed for a 6-month period running from October 2022 up to March 2023, which was a total of £420. The normal procedure whereby the temperature each month determines the payments being made was temporarily overridden to provide these guaranteed payments. Comparing the £420 received with the temperatures actually experienced last year and, therefore, what would otherwise have been paid, the recipient households receiving the payments were better off by £155 and also had the certainty of payments being made at an agreed amount for each of those 6 months. Although energy prices have stabilised in the last 12 months they remain well above previous levels. An announcement has already been made by Jersey Electricity that their prices will rise by 12 per cent from January 2024. In light of the success of last year's scheme I propose to provide the monthly £70 allowance for a further 6-month period, running from October 2023 to March 2024. The regulations that I am

proposing follow the same format as last year. The £70 monthly amount will override the normal temperature calculation over the 6 months. The regulations then return the temperature calculation to its normal formula, taking account of the increase in the fuel element of the retail price index in setting the rates for the 2024 to 2025 winter. These payments are well targeted to low income families who are responsible for their own heating costs and are provided at a time of year when heating costs are likely to be highest. I propose the regulations and I hope that Members will support them, thank you.

The Bailiff:

Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles? All Members in favour of adopting the principles kindly show. Those against? Does the Scrutiny Panel seek to call the matter in, Deputy Ward?

[15:45]

Deputy R.J. Ward (Chair, Health and Social Security Scrutiny Panel):

No, Sir, I think it is welcomed.

The Bailiff:

Thank you very much indeed. How do you wish to deal with the matter in Second Reading?

14.2 Deputy E. Millar:

En bloc please, Sir.

The Bailiff:

Are they seconded for Second Reading? **[Seconded]** Does any Member wish to speak in Second Reading? Those in favour of adopting in Second Reading kindly show. Those against? Do you propose it in Third Reading, Minister?

Deputy E. Millar:

Yes, please, Sir.

The Bailiff:

Are the regulations seconded for Third Reading? **[Seconded]** Does any Member wish to speak in Third Reading? Those in favour of adopting ... the *appel* is called for. I invite Members to return to their seats. The vote is on the adoption of the regulations in Third Reading and I ask the Greffier to open the voting. If Members have had the opportunity of casting their votes then I ask the Greffier to close the voting. The regulations are adopted in Third Reading.

POUR: 45		CONTRE: 0		ABSTAIN: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				

Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy B.B.de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

15. G.S.T. on Menstrual Sanitary Products (P.66/2022) - Rescindment (P.58/2023)

The Bailiff:

The next item of Public Business is G.S.T. (goods and services tax) on Menstrual Sanitary Products (P.66/2022) - Rescindment, lodged by the Minister for Treasury and Resource. The main respondent is the chair of the Corporate Services Scrutiny Panel. I ask the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion to refer to their Act of 28th April 2022 and agree to rescind their decision to exempt goods and services tax from menstrual sanitary products and continue the implementation of a scheme by the Council of Ministers to provide free products to those who need them.

15.1 Deputy I.J. Gorst (The Minister for Treasury and Resources):

I intend to respond to this proposition as a matter of principle, as I would on any call to zero rate any kinds of goods from G.S.T. In April 2022, the last Assembly debated the issue of period poverty, desiring to make its views on that subject clear for the incoming Assembly and Government. The Assembly at that time of course voted to zero-rate period products for G.S.T. Some who were there for that debate recognised that zero-rating would not tackle period poverty. Most retail prices might have reduced by 4.8 per cent, all other things being equal, which was never of course likely to be the

case. The new Assembly and Government came along within weeks and acted quickly to tackle the cost-of-living crisis, which had continued to grow through the first half of 2022. As part of her first actions in office, the Chief Minister instructed officers to get on with the business of making period products free for those who could not afford them. This of course was referenced in the mini-Budget we held in September 2022. I know that other Ministerial colleagues will talk today in the Assembly on the current state of play with free provision so I shall say no more on that. In the light of this action, conclusively to end period poverty, the Government's proposed Government Plan for 2023-26 stated the Government's intention not to zero-rate period products retailed commercially. We are debating this issue again today following Deputy Feltham's successful amendment to that Government Plan asking the Government to bring forward this rescindment proposition. I have always defended Jersey's long-held tax policy principles, they were subject to some questioning this morning, which we now set out every year in Government Plans. This includes the principle that, taken together, our tax system should be low, broad, simple, and fair. G.S.T., more than most taxes, works well in smaller jurisdictions like Jersey when it remains low and broad, as it does, for example, in New Zealand. We have a rate of 5 per cent with very few exceptions. This makes the tax simpler to operate for retailers at minimal cost and it makes it simpler and cheaper to administer for Government. We simply cannot afford, nor would it be the right policy intervention, to import the complexities of the U.K. V.A.T. (value added tax) system, which of course is based on the E.U. V.A.T. system. Zero-rating, in my view, seldom helps people who really need most help. At best it might stall the next price increase. Since that debate, evidence emerged in November 2022 from the U.K. that zero-rating of period products had not resulted in price reductions. The tax policy associate said, because of course we know in the U.K. there are varying rates of V.A.T.: "5 per cent V.A.T. applied to tampons until January 2021, then it was abolished. Many were hoping that the savings would go to women in reduced tampon prices. The analysis of O.N.S. (Office for National Statistics) pricing data showed that no more than 1 per cent of V.A.T. saving was passed on to consumers. The rest and very possibly all the saving was retained by retailers." History tells us that reductions in consumption taxes are seldom passed on. In this case, I would expect that to be so because zero-rating one product in this way would complicate accounting systems for retailers who are in many cases used to charging G.S.T. on all of their sales and they would face new compliance costs and would want to recover them. I, of course, acknowledge that one mutual trading company has quite clearly said that it would pass on the tax saving to its members. That of course is no guarantee that retailers generally would pass on that saving, nor is it a guarantee that there would not be other inflation increases or price increases by that trader either. It would also be impossible to know whether they did pass on savings or not without the sort of macroeconomic analysis, which we do not do, but which was undertaken in the U.K. Of course we know that another retailer has told States Members that zero-rating products such as period products provides little to no benefit to the consumer. So I do not want to labour the point. In Jersey, instead of zero-rating period products ... we have had the debate about food previously, but we make sure we look after those who cannot afford to buy them. That is the fair thing to do. For period products, the Chief Minister has introduced a process that will provide them free for those who cannot afford to buy them. Therefore, and for those reasons, I ask Members to continue to support our low and broad approach to G.S.T. in line with our longstanding tax policy principles. I can do so in the knowledge that this Government have tackled period poverty head on and that this is the right approach.

The Bailiff:

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

15.1.1 Deputy K.L. Moore:

I am grateful to the Minister for Treasury and Resources for bringing this rescindment, as was requested by the Assembly following Deputy Feltham's amendment. I wanted to speak immediately following the Minister for Treasury and Resources because there have been several pieces of public

commentary in recent weeks regarding this proposition and the Government's policy on access to period products. Some allegations have been aimed against me, which, if they had been made in this Assembly, would be unparliamentary and would need to be withdrawn. The same requirement to withdraw those comments does not apply outside the Assembly but of course that does not make those allegations accurate or representative of the policy that I have consistently followed in respect of supporting access to period products. I, of course, understand that some Members will seek to present my position in a manner that best suits their own agenda, so no matter how that relates to the reality, that is sometimes the unfortunate nature of politics. I am pleased however that today provides the opportunity to restate my position and to correct misrepresentations made by others and perhaps they might do us the courtesy of an apology. My focus in respect of this issue has always been on supporting the accessibility and the affordability of these products. I have said before that menstrual products are not luxury items; that periods are not opt-in and that we need to do better. My position has not changed. As a Back-Bench Member in April 2022, the only means open to me to support my objective was to propose the removal of G.S.T. from period products. The Government at the time were not proposing any comparable alternative policy other than funding for free menstrual products in schools, a move that, while welcome, did not address the broader issue of accessibility and affordability. During the debate on P.66, support began to be expressed for period products to be made available for free, a proposal that I of course fully supported as I made clear at the time, but was in no position at that time to enact. There was also no firm or deliverable commitment from the previous Government to provide these products for free. So to achieve my goal of making them more affordable and accessible, I had to proceed with my proposition. I was of course delighted to see it approved by the last Assembly, delivering a 5 per cent reduction in the cost of menstrual products. But since that proposition was debated the political world has, as we all know, changed significantly. After the election in June, which I made a manifesto commitment to provide free period products, the Assembly appointed me as Chief Minister. As a new Government, we were in a position to deliver on the policy of making menstrual products more affordable and accessible. I accept that this Government has not delivered on the decision to remove that 5 per cent off the cost of period products, instead, as part of our 100-day plan, we have removed 100 per cent off the cost of period products. They are now available for free and in an increasing number of public places across the Island for anyone who needs them, including in public toilets now. Nobody has to ask, they are there for individuals to help themselves in those venues. I can therefore be clear with Members that my longstanding and consistent policy objective to increase the accessibility and affordability of period products has been achieved by the actions of this Government. In my closing speech to P.66 I said, and I quote: "This proposition was brought to give them", that is the next States Assembly, that is us by the way, "an indication that this was an area to look at and something to do in the early days of the next Executive that will make a difference in many respects." I also made reference to Scotland who began to provide free menstrual sanitary products in November 2020. The new Government took up that challenge, fulfilling and exceeding the requirements of the proposition and indeed emulating the position of Scotland. It is unfortunate that, instead of spending time raising awareness of the free scheme and making sure as many Islanders who need to access it can do so, there are Members of this Assembly who prefer to ignore what we have done and focus on a change that would in practice achieve much less than what we have already delivered. For my part, I remain focused on improving and enhancing the free scheme, both in terms of the range of products available and the choice of places they are available from. In the last week we have announced an increase in the venues from where period products can be accessed for free. In addition, our consultation on free products pilot scheme helped us to understand what has worked well and what could be improved and the types of products that Islanders would like to be provided with. Based on that feedback received, we have already introduced sustainable products to the current range to give more choice and to support the environment. We also need to keep in mind the important principles of our tax system that it should be simple and easy to administer.

[16:00]

While there are occasions where it is suitable for that principle to be overridden, this is an example where a better alternative has been found, which simultaneously allows us to not add complications to the G.S.T. system and enables us to spend that administrative money elsewhere. I recognise that some Members will want to follow both options, providing free products and removing G.S.T. from those that we still buy in the shops. I respect that view of course but equally hope that Members will respect that the removal of G.S.T. was not a dogmatic straitjacket policy that I was following. My objective is, and has always been, affordability and accessibility. That is what I said in summing up to P.66 and that is the policy I have continued to follow. I believe that the current free product scheme is providing and achieving those objectives to a much greater extent than the removal of a simple 5 per cent. We were asked to bring this rescindment motion and I am grateful to the Minister for Treasury and Resources for doing so. I therefore support this rescindment and ask Members to support it too and to get behind the free scheme that we will continue to promote and develop in the months ahead.

15.1.2 The Connétable of St. Martin:

Scotland has become the first country in the world to make period products free for all. There is now a legal duty on all local authorities to provide free items such as tampons and sanitary pads to anyone who needs them. Other countries are addressing rising period poverty. France has announced free sanitary products for under-25s. Charities in France have said that this should be extended to all women. Other countries including South Korea, New Zealand, and Kenya, provide free sanitary products in schools. We, in Jersey, too provide free products in schools and other chosen locations. However, we have been told that removing G.S.T. off sanitary products is difficult. But because something is difficult is no excuse for not doing it. One of the local shops, the Co-op, have said, contrary to what the Government has said that the Co-op had said, and I know that the Minister for Treasury and Resources addressed this just now, but the Co-op have said that it will not be too difficult to remove G.S.T. Menstruation is a fact of life. It is an unpleasant and debilitating fact of life. Sanitary products are not a luxury, they are not a nice-to-have, they are essential. I supported the Chief Minister's proposition in the last Assembly, which was G.S.T. on menstrual sanitary products, P.66/2022. Twenty-six voted for, 16 voted contre, and one abstention. I have not changed my mind and I will not support this proposition. Jersey can do this, we really can. I have been told that this comes from Treasury but I do not see any male Deputy or Constable's names as signatories for this proposition, instead 3 female Members have signed it; Deputy Moore, Deputy Millar, and Deputy Wilson. I am disappointed in these female Members. We can afford to still provide free period products in schools and chosen locations and afford to remove G.S.T. This is not too difficult. This is not beyond our wit. This should not be an either/or. Treasury should not be making money off menstruation. I urge you all to reject this proposition.

15.1.3 Deputy M. Tadier:

I do not know whether to get the violin out for our Chief Minister or to keep things factual. Because I cannot speak for what may or may not have been said on social media, I certainly do not really involve myself too much on social media for political purposes anymore other than to tell people when my surgery is going to be up at Communicare or St. Aubin. But let us look at some facts. We have a remarkable situation here, it is remarkable because we have a rescindment motion being brought, and one of the co-signatories to that rescindment motion is the same person who brought the original proposition to remove G.S.T. from sanitary products. Is that the correct terminology? I am sure somebody can correct me, period products, period products; let us get our words correct from the start. So period products. It is remarkable because the arguments that the Chief Minister is using against her own proposition, which she brought only about a year ago, we have the proposition here, it was in March 2022, so it is about a year and a half, are exactly the arguments that she is using against her own proposition, which were the same arguments that the Government of the day, when

she was a de-facto part of an opposition I suppose as a Back-Bencher then, they used that against her. Essentially the argument is this: it is a rubbish idea, excuse the slightly veering in towards the wind there, I do not think it is unparliamentary, but they are saying this is a terrible idea, it is terrible because we have a long-established principle of G.S.T. and it will not work and it will not save any money. But I remember Senator Moore back then, and I remember other Members, standing up to support the principle, saying: "No, this is not just about taxation, it is not just about a dogmatic approach that Government has systematically taken to say that we want to keep G.S.T. low, broad, and simple. It is about saying there are certain things out there which should not be taxed in the same way as other products." Because it is not fair for a start that a certain section of the population have to use period products when a certain other section will never have to use them. That was the point that Senator Moore I think made at the time, which certainly convinced me to support that. So it is remarkable when you have somebody who not just gets back in, and possibly would have got back in partly because of that kind of proposal, if not that very proposition, you can imagine the now Chief Minister knocking on the door during the election and people saying: "You did really well getting G.S.T. removed on period products because we do not think that it should have ever been taxed. By the way, we do not think that G.S.T. should be applied on food either, can you do something about that?" Not only does she get back in but she then becomes not only a Minister but the chief of all the Ministers. Of course this argument that now that tampons are free we do not need to do it. Well first of all tampons are not free in shops. If you go into a shop you have to pay 100 per cent plus 5 per cent, so you are paying more than the cost of the product because Government is slapping 5 per cent on top of that, or it will be doing that continued. When the current Chief Minister says she did not have any other option but to bring a proposition to remove G.S.T., yes she did; she had the same option that any Back-Bencher has or any Member of the Assembly has is to bring any proposition you want. If she thinks that the current Government of that day bringing forward propositions to make these products available in schools for free is not enough, you bring a proposition to make them free in all other places that you can think of that Government or the Parishes run in the community. She could have done that but she took a decision to bring a proposition forward, knowing that there was ideological opposition to tampering with G.S.T., and I do not criticise the Minister for Treasury and Resources, he is entitled to have that view, it is the consistent approach to taxation which not everybody will agree with, and I take a much more nuanced approach saying, yes, we want to try and be pragmatic and practical. But there are some things and some times that ethics and morality also has to come into politics. There are certain things, like I have said, that should not be taxed. If we had, I would say, a completely better-resourced media, I was going to say a completely free and open media, but certainly also if we had the likes of "Have I Got News for You", of "Mock the Week", of *Private Eye*, some of which do not exist anymore, they would be having a field day with the Chief Minister and it would not be because they were being personal, it is because this is a U-turn of the first order. It is where we have something that a Back-Bench proposer has fought for only to come into power where you can put through your propositions and you decide not only to not do that but to do a complete U-turn on it and to rescind your own decision. Can you imagine a Reform Jersey Government doing that? Can you imagine a Reform Jersey member bringing a proposition to say we would like to reduce taxation for those on the marginal rate from 26 to 25 per cent and put it up from 20 per cent to 25 per cent. But when Deputy Mézec becomes Chief Minister he says: "We have spoken to the Minister for Treasury and Resources, he says it is a stupid idea, so the first thing we are going to do is rescind our own proposition and tear up our manifesto." No, we would quite rightly be mocked, laughed at, but more seriously than that it would create cynicism within, not only the people who had voted for us, but within the general public. I would say we have talked this morning about bringing the Assembly into disrepute, it is this kind of thing that is unfortunately considered legitimate politics which does bring this Assembly into disrepute when somebody says one thing before an election and afterwards they do something completely different. I make no aspersions on that but I am simply stating the facts. This is why I for one will not be supporting this rescindment. I think on the very basic level, to get back to what the proposition is about, explaining why it is a

remarkable proposition and should not be here in the first place is that it is not a mutually exclusive proposition. If Government wants to provide free period products in certain locations they can do that, but they can also say we will not be charging G.S.T. if you choose to go and buy them in a pharmacy or elsewhere. Simple.

15.1.4 Deputy H. Jeune:

Why are we discussing this topic? Because it is about giving those who menstruate the same opportunity to attend work and education with equality and dignity. I mentioned in the debate we had over amendment P.97 on the Government Plan in December that I wanted to indicate to States Members that providing those who menstruate with support for period products was not new in Jersey. I want to give Members more information on this today. Jersey Sustainable Period Products Project, which was set up with seed money from the Co-op Fund, and is now regularly supported by Soroptimist International of Jersey, has been able to provide free sustainable period products to year 6s for the last 2 years, meaning about 1,200 of our young people have been given eco washable pads and wet bag packs. They have also provided over 50 demo packs to schools for demonstrations in relationship and sexual education classes. Because traditional conventional products are wrapped in plastic and are single use, menstrual pads contain up to 90 per cent crude oil plastics, 90 per cent, and menstrual products are the fifth most common item found on European beaches, more widely spread than single use coffee cups, cutlery, or straws. It makes it possible for a sustainable and chemical-free option that is significantly cheaper than a conventional product. There is also lots of choice in the market today than we ever had, myself and Deputy Howell were talking about our choices when we were younger, and the choice in the market today for individuals to find the right product for them, such as reusable period pads, menstrual cups, reusable tampon applicators, and organic cotton tampons or pads. I would like to give Members some figures that I have received for 2023 based on online and in local shops, taking, for example, Tampax would, over 5 years, cost someone who menstruates £335. For Always pads it would cost £520. But a reusable pad is £64 over 5 years or a menstrual cup is £11 over 5 years. Even if we look at, for example, organic cotton tampons, they are significantly cheaper than Tampax, at £265. Therefore, why I am telling States Members this is that, when we are talking about free options for period products, I would also like to ask that sustainable period products are put on the agenda because we will find that it is much cheaper and it is part of the mix that would achieve our objectives. So I support the rescindment on the basis of understanding the difficulties around picking specific products to take off G.S.T., and what I have learned as an Assistant Minister for Home Affairs through Customs officials and the work that was done around the proposition on removing G.S.T. from food. I am encouraged to hear from the Chief Minister that sustainable products will become part of the free offering, but I would urge to increase this amount that are accessible across the section of society and I really hope that the Government can work with Jersey Sustainable Period Products Project to continue to provide all year 6 who menstruate to have access to sustainable products as we can see it is much cheaper to have sustainable products in the long term and this will not only help to achieve the objectives that we are all trying to achieve here, which is trying to give dignity and equality to those who menstruate.

[16:15]

15.1.5 Deputy E. Millar:

I would just like to talk in some more detail about the free period products scheme. The scheme started on 19th October last year. It supported the scheme run by Education to provide period products in schools. When we launched, period products were available in public toilets in I think 5 locations, the 2 libraries, Fort Regent, Customer and Local Services, and I believe Springfield. Fairly quickly thereafter, they were also provided to the foodbanks, they were available at the St. James Centre and the Youth Enquiry Service. They are also now available at Mind Jersey, Beresford Street Kitchen, the Bridge, the Brook Centre, which is available to under-21s, and the Le Bas Centre, so we currently have 14 locations actively participating with products available. From later this month,

products will also be available at C.A.M.H.S. (Child and Adolescent Mental Health Service) premises and also at the Magistrates Court in the public toilets there. They will also be in 20 public toilet beach locations. Those will now encompass the Island and they include public toilets in Green Island, St. Aubin's, Ouaisné, Greve de Lecq, St. Catherine's, Bouley Bay, Archirondel, St. Brelade's Bay, Plémont, Le Braye and Gorey. So we do understand previous criticisms that they are available only in town centre locations, apart from Communicare, but we are really doing our best to widen that as much as possible. This will also hopefully address some of the concerns about accessibility during the working day and at weekends because I think there is only one or 2 of the existing venues are open at weekends. But we are continuing to expand the scheme as much as we can. When the scheme launches in public toilets, they will be available from free dispensing machines and they will contain organic pads and normal range tampons. Our consultation process has shown that there is a preference and a demand for sustainable products and we are looking to see how we can continue to expand the range currently of 7 products, which does now include sustainable items, as far as possible. We will be continuing our marketing efforts, which have been extensive. I think if you go on to gov.je period products is on the landing page. The information is available online. Although I have to confess when I looked on my phone this morning I did find it a little bit difficult to find, but if you do the search it comes up quite easily. The Government have committed to ensuring that people who need them have reasonable access to free period products. This is aimed to address period poverty, ensure dignity, and remove stigma around the subject of periods by making products readily and easily available. Is the scheme perfect? No, of course it is not. I am quite sure there are Members waiting to talk about its deficiencies. I have gone into locations and been disappointed with the stock that has been available. It is a learning process. Schemes like this do not walk out of the sea like Venus fully formed and perfect. They take time to develop. They take time and we are trying to develop, we are working very hard, as you can see by the extent of locations and the range of products that we are trying to provide. Nor, I would add, having spent the last 2 weeks in Scotland, is the Scottish scheme perfect. I have been quite disappointed by what I have seen there. In train stations there are 2 products available in dispensing machines and in the Burrell Museum there was a display with I think 7 or 8 products, but there were not many; you would not pick up your entire supply. Accessibility will remain an issue but we are working on it. Issues like suitability, every woman has a different experience of periods. For some people, yes, it is debilitating, I absolutely agree with the Constable, it can be a horrendous experience. Other people it is neither here nor there, it is a relatively easy thing to manage. Suitability, I believe very, very strongly, is a matter of personal choice. I would say, would I see the products I have seen in Scotland, would they have suited me? No, they would not. But would I have been grateful for them in an emergency? Yes, absolutely I would. That is what they are there for. As the Constable of St. Martin pointed out, I signed the rescindment proposition. I understand her dismay that I should have done that. For me this is really about a matter of simple maths. There is no certainty that, if we remove G.S.T. for period products, that will be passed on despite what the Co-op may say. Most States Members, I would hope you will all have seen the email from one of our local pharmacists, which made this very point about the difficulty of passing on the price increase because of the extra costs in admin. If we do not support the rescindment today, I will be going into the Co-op at the weekend, I will be doing a survey of pricing, and I will be reporting back this time next year on whether prices have come down and I will place bets now that they will not have done. That would be my bet anyway. As a matter of simple maths, even if G.S.T. is removed, if you spend, for simplicity, £5 a month on period products, removing G.S.T. will save you 25 pence a month; that is £3 a year. If you are a person on low income that is neither here nor there, what are you going to do with your 25 pence a month? I am sure Deputy Mézec will think I am out of touch when I say that. But if you are accessing free period products you will save £5 because you are not paying, you can get the £5 products that you need for nothing, free. That will save you £60 a year and I think that is more important. It is an uncomfortable principle - I am like everybody else - it is an uncomfortable principle to be taxing things like this. But we tax everything. There are very few things that we do not tax in Jersey and there are other essential

products that all manner of people need. But the important thing is the free scheme reduces cost, it makes it accessible to people, it will save people on low incomes £5 a month and I believe that £5 saving will make a difference in some households, £60 a year I accept will make a difference in some households; 25 pence a month, no, I do not think that will make a difference to very many people at all. So I do support the proposition and I think it is important that we continue to work on how we make our scheme even better. Again, and I can only emphasise the difficulty of seeking a counsel of perfection, one of the things I would like to do, that I personally would like to explore, is whether we can establish a delivery mechanism. People do not have to go into the library, as was suggested in the *J.E.P.*, and ask for period products. They are there to be collected in the toilets, or they should be. I would like to have a delivery mechanism. We manage to circulate L.F.T. (lateral flow tests) by mail, online ordering, I would like to investigate whether we can do that for period products. I mentioned that at Scrutiny and one of the Scrutiny panel members was of the view that delivery does not work for everybody either. So we are always trying to find a way. For some people delivery does not work, for some people going into the library does not work, we are trying our best. It will take time, but it is there, products are there, and perhaps if you have gone in and there are no products there it is because someone has gone in shortly before you and taken their entire month's supply or taken supplies for them and their sister and their children. So I do have confidence in our scheme, we will get there, we are working very hard to make it as good as it possibly can be, and I do believe that it is the better option for period products, for period poverty, and it is by far the better answer than simply removing G.S.T. from these products.

15.1.6 Deputy T.A. Coles:

I will try to choose my words carefully because of discussions that have happened earlier and it may be more of a case of the Chief Minister's speech being given in the wrong order to Deputy Millar's recent speech. However, the Chief Minister may have unwillingly misled the Assembly in the sense that she said that the current availability of products had increased. But we had received an email from a constituent who took a screenshot of the Government's own website from a couple of weeks ago, which showed there was 32 locations available for products to be collected, but if you go on there now that is only 13, which is a significant decrease in the number of available locations. But of course Deputy Millar has said that they are trying to roll this out and it may be that there was more information at one point and things have changed. Of course knowledge is power, but we are not providing this knowledge to the public as easily as should be. It is also worth noting that on the website, which says that products are also available, and it lists 8 locations, 4 of which of these are youth orientated and would be a safeguarding issue for a random woman or person who menstruates in their mid-30s to late-40s walking in to obtain a menstrual product, which means these products are not easily accessible, easily available, and so causes people problems. We are hearing that this rescindment and the free period products, whether it is something to alleviate period poverty or is it to relieve a period emergency, of course both are welcome, both are required, however does this really give women and people who menstruate the choice they want to have for their own comfort and security in this manner? So I find that is all very difficult to sort of process and handle and manage as to this scheme working successfully. But of course we are also talking about the principle of taxing people for something they have no choice over. We hear that there are so many other things that people do not have a choice over that they are not taxed. Medication is not taxed. If somebody has a regular medication that they have to take for their life, they do not pay tax on this, but it is essential for them. So quite simply the fact of this principle of taxing people that menstruate in this way I find abhorrent and I am really quite sad that this rescindment has come before us, and in that very method I am very glad that I can vote against this. I do have to remind myself that to vote to make sure that G.S.T. is removed from period products, it is to vote *contre* to this proposition, so I will be voting *contre* today.

15.1.7 Deputy M.R. Scott:

I have made it clear that I am not so comfortable when people are brandishing feminist credentials and saying: “Let us have this or that because this is what women should have.” I do think that there should not be G.S.T. on period products. I do not think it should be on food. But I am not just a woman who also realises how rather kind of annoying it can be that you are taxed on things like that, it does not bother me so much now but that is a different story. But I am also bothered about G.S.T. on nappies because I care about the women who have babies. I care about baby milk and the fact that you can have G.S.T. on that. Then there are those people who do not have prescriptions who go to the supermarket who perhaps need aspirin or cough medicine, there is G.S.T. on it. In an ideal world we would not have any of this. But I also am somebody who is interested in economics. I am also somebody who really does want to get the best value out of the money that the Government spends with taxes. I have to accept what the Minister for Treasury and Resources has said about the economics of G.S.T. and that we are a small jurisdiction and that it is better value to say: “Okay, sorry, whoever you are, you pay this, but if in fact you cannot afford it we will find a way to help you.” So I have been really impressed by the way in which the Minister for Social Security has given us details of the period products scheme. I am sorry to hear if it is not working as well as it might. I accept what she said, that it could work better. But I was really impressed by some of the things she said, delivering that to the door of people who need them, I would much rather that money that is being collected on the period products that somebody wealthier might buy goes towards something like that delivery to door service. So she is not in the Chamber at the moment, but I applaud her. In fact I was so impressed by that speech I thought maybe the next Chief Minister, but there you go, who knows. So just to conclude, I also just would like to remind Deputy Tadier that, yes, sometimes decisions do get changed. I know that it is very easy to level suggestions of hypocrisy at anybody.

[16:30]

But I also would like to remind him, just in case he was a remainer and would have voted that way in Brexit, and just thinking about economics of how the Island did vote in favour of Brexit, and then what happened, they had another referendum and changed it because they realised practically **[Interruption]** ... all right, so what happened, I thought they did?

The Bailiff:

I am sorry can we not ... Members, please do not talk among yourselves.

Deputy M.R. Scott:

Okay, sometimes decisions do get rebounded. Maybe I was watching some film of the event and I seem to have completely ... but basically sometimes decisions do get rescinded because people reflect on them. Maybe you think, yes, I will buy that car, maybe you think, hm, okay, that is a bit too expensive to run, and you sell it again. So I hope that despite my apparent ignorance about one aspect of things at the time, that the Assembly might accept the reasons why I think that the Minister for Treasury and Resources has a valid position and that is why I will support this proposition.

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

I just want to reflect on how far we have come as an Assembly, because we all seem to really care about this issue and we are debating how to do it. That for me is real progress because this is not something that would have been debated in any form I think 9 years ago when I was a new Member of this Assembly. So we are discussing how to prevent period poverty and in the past I have voted to take G.S.T. off period products. I have been convinced by the arguments I think, similarly to Deputy Scott. I have been convinced by those arguments and I do think that the Chief Minister is to be applauded for putting this scheme in place and doing that work. Like the Minister for Social Security mentioned, there have been improvements. Last time this subject was debated I called on the Chief Minister to add sustainable period products to the scheme, she is nodding at me and she

was nodding last time. Indeed my colleague Deputy Jeune has mentioned that today as well. The Chief Minister, I believe I did hear her confirm in her speech that sustainable period products have now been included in the scheme and the Minister for Social Security also confirmed that. That is brilliant. That is another step, is it not, that is more progress, that is wonderful. We have also had further progress in terms of the locations in public toilets around the Island, so there is likely to be somewhere where anybody who is menstruating can access those products, another improvement. This is something that has been discussed at the Women's Health Ministerial Group, of which I am a member. I am sure that group will continue to have some input and oversight of this work, it is something that is important to us, and that further improvements will be made. Other speakers have mentioned the sustainable products and that reusable products are really the way to go and Deputy Jeune gave some really interesting numbers on there on the cost of those items. I think it was Deputy Coles that mentioned about prescriptions and how prescriptions are free. Another Member, I think it was Deputy Stephenson or somebody who mentioned about delivery. I cannot remember who that was. But there are so many ideas here and I just think that all of those ideas, we can take those ideas and make sure that the scheme is further improved. Personally, I would like to see reusable period products available on prescription because I do think really they are medical items, or available from pharmacies, I think that would be possibly the easiest way to do it, on request at pharmacies. So I do have confidence that this scheme will remain in place, that free period products will be available to Islanders, and I also have confidence that further improvements will be made and I will be seeking to input into that work and to ensure that those improvements are made.

Deputy M. Tadier:

Can I just ask for clarification? I did not understand whether the previous speaker is supporting this proposition or not, maybe I missed it.

The Bailiff:

Do you give way for a point of clarification, Deputy Doublet?

Deputy L.M.C. Doublet:

The Deputy can be in suspense until we have our votes and see which way I am going to vote then.

The Bailiff:

The answer is, yes, you give way for a point of clarification, and, no, you are not going to clarify.

15.1.9 Deputy M.R. Le Hegarat of St. Helier North:

I have to say I am exceptionally disappointed to see that we are here today. I, like many, spoke in the previous debate in April 2022, P.66. It is interesting that we now want to rescind a proposition that was agreed in a previous Assembly, and I hear what everyone has said and the work that has been done. I am surprised because the Minister for Social Security has given us a good brief on what can be available. But it is quite clear that there are a lot of Islanders who are entitled to things through Social Security who do not claim for them. So I am not confident that those people who need to use period products will go into those places and get what they need. I have spoken to people who clearly will now and I have also had a number of emails about this particular topic. I am also concerned that we are back to discriminating against women and those people who need products of this nature. So again we are back into the discrimination mode. Yes, we are prepared to give them for free, but that is not across the board, that is only if people go to certain locations at certain times. Quite clearly there will be issues with that. The other thing, it is interesting when I listened to Deputy Jeune talking about recyclable products and that is definitely the way forward. But I do recall at the same time as the Co-op was talking about they will take off the G.S.T. that another well-known firm said that they were going to reduce or take off V.A.T. off their reusable products within their stores. That was obviously in the U.K. and not here. But from my perspective, I am all in favour of giving as many free products across the board as we possibly can. But I do also think that we should still move

forward with removing G.S.T. off period products for everybody, not just those that will go into places to collect them. It was identified by one of the charities that spoke that some people find it difficult to go in and ask for things. It is difficult enough for somebody to go into a shop and buy these things, so then we are asking people to go in and identify that they cannot afford a product. Do we really want to do that? I am not sure we do. I, for one, would want to see free products across the board for everybody so that we would not be in this position at all. So for me I will not vote for the rescindment; I do not like the idea that we are going back on what we have already voted for. I want rid of G.S.T. on period products and bring it on with all the free ones as well.

15.1.10 Deputy R.J. Ward:

I am very pleased to follow Deputy Le Hegarat who summed up at the end very well. I have been listening to a very interesting and wide-ranging debate. We have gone from G.S.T. on period products to analogies of Brexit and buying and selling a car. I think we need to rein this in a little bit and think very carefully. But I was also reminded of a couple of things, something my mum used to say to me and my brothers, which was: "Two wrongs don't make a right". We are at risk of going down those lines here. It was interesting to hear the talk about reusable sanitary products and, speaking as a man, this is not my specialist area. But there are a few issues that I think should be around this. It is okay to talk about having them on prescription as long as that does not mean that you have to pay £50 to go and see the doctor to get that prescription in the first place. That is slightly counterintuitive. It becomes something that really is accessible for those who can access the doctor with no problem whatsoever. We all need to understand that there are residents of our Island who are living in poverty and do struggle with the basics. If you talk to people who run food banks, sanitary products are one of the things that they are increasingly providing to members of our community because there is a place of trust there that they are going to, to collect these products. Five per cent absolutely will not make a huge difference on a product, but there is a very key principle here, and to say that we as a Government, and not me as a Government, but the Government, and we as an Assembly, will be happy to say we will take 5 per cent tax on women who menstruate is fundamentally wrong. It is morally wrong. I cannot accept and support that. Now we did have the Chief Minister bring this proposition originally and it is interesting to look at her manifesto, and I have to say, if somebody is - I do not know what the phrase is - questioned or called out on their manifesto pledges before an election, that is not something that is a nasty thing to do, that is about accountability and transparency. We have heard a lot about transparency and accountability. When people change their mind on their election pledges very soon after an election that needs to be understood. It is a shame that happens. This tax is a regressive tax. What we are getting to here in this debate, as we always do, is to this overriding principle that is like a tablet sent down from above to us that we cannot touch G.S.T. on anything at all. The same old arguments come out again and again and again that the retailers will not take it off the products. Now the person in charge of the Co-op has said that they will take it off the products. Why are we not believing these large organisations on the Island who do provide a service to the Island that is absolutely essential in terms of our retail outlets? So I certainly trust them to be able to do that. It is okay for us to provide thousands of pounds in subsidies for people with money to get a particular type of vehicle, but we cannot take G.S.T. off of menstrual products. That is fundamentally wrong and it is the wrong priorities, for example. Well it is not the wrong priorities, it is a mixed message that we are getting. Again, this mixed message that has been thrown into a melange of different ideas throughout this debate, designed I believe to confuse the issue so that people can go away and have a reason to say: "I could vote for that for this reason or that reason." We need to get back to principles. We can do both of the things, the wrongs do not have to be together. It is wrong to charge G.S.T. on menstrual products and it is wrong to not supply free products to women who need them. At the moment, there has been a very strange sort of mix in the provision of them, as was mentioned by Deputy Coles. The website said 32, now it is 13, and it seems to me that for once the Comms Department may have done their job well, so let us remove the number that are available, and then the Minister can stand up in

the Assembly and say: “We are going to increase the number of places that they are available” when they should already have been existing there, but they are not because a member of the public has gone around, had a look very carefully, and taken the time to consult with us to let us know, and that consultation is seen as so important, to let us know that they do not exist in those places. So what we have here is a number of strangely weak arguments put together to encourage this rescindment. So it is interesting to talk about how we should use this tax that is used. Somebody mentioned, I cannot remember who it was, that perhaps we should be taking this tax and using it for something specific. At the same time it is too complicated to work out what the tax will be and take it off the product. So that is simply not a decent argument. There was a point, and I jotted it down, that the Minister mentioned it is difficult to seek perfection in processes. That is a very interesting thing for all of us who have brought propositions to this Assembly to hear from a Minister, and I am in some way quite pleased to hear that from the Minister because perhaps that perfection that is sought and the criticism of Back-Benchers’ propositions can now be forgotten and we can start to look at what we are intending to do. So we have a simple choice in this, we can either increase, we can either leave a tax, a regressive tax, on a product that is directed only at women on our Island, which is both discriminatory, in my opinion, and a backward step. Or we can remove that G.S.T., keep it removed from the products, and act upon something that was passed in the last Assembly, thus making those prices slightly cheaper. I am afraid I do not accept that simple argument that shops simply will not take the price off. Because, as was shown in a previous debate on G.S.T., many shops did say, yes, it is quite easy to remove G.S.T. at the till. That has been shown before. We should increase the access to sanitary products, both the ones that are used already and the reusable ones.

[16:45]

I also say, and I am not sure if I said this before, my head is a bit fuzzy today, I do not know why, just not feeling great. There is an issue with reusable products for some women on the Island. Some women on the Island, too many women on the Island, perhaps do not have direct access to washroom facilities as everyone else, may have to visit laundrettes repeatedly, may be living in bedsits, may be living in accommodation that is not perfect, particularly unqualified accommodation. So, before we start making blanket statements about imposing the way we can live our lives on other people, we need to understand that and we need to be aware of that issue. So these are not simple. What is simple, remove the G.S.T., increase the access to free products, put them where the Government said it would be, and increase that particularly in schools. That is why I ask people to vote contre to this rescindment and let us move forward where we were and keep moving forward in this debate and the actions that we take to make another form of equality on this Island.

15.1.11 Deputy L.J. Farnham:

I just wanted to try to put a myth to rest that taking 5 per cent off period products will not impact on the price, because while it might be true that not every retailer would remove the 5 per cent, I know that the majority of retailers who work with electronic pricing, it is quite a simple exercise to flag that particular item on their system and G.S.T. is not applied. Either way, not applying G.S.T. to a product might not mean it would be 5 per cent cheaper, but it will certainly mean that it will be less expensive in the future as prices rise, it will mean the product will be slightly less than it would be if we retained G.S.T., regardless of what the prices are now and they were likely to be different in all of the different retail outlets. Part of the other problem with this is that the Government are going back on a promise, they are rescinding, they are bringing a rescindment. This is the Government that want to restore confidence. I think that is part of the problem for me. On the positive side, they have had the decency to bring a rescindment for this particular item and I would congratulate them on that and invite them to do the same for the decisions on the location, the access, the budget, and the funding for the previous hospital.

15.1.12 Deputy I. Gardiner:

There are several Members that mentioned that we going backwards and personally I believe we are going forward. There are several speeches that the Minister for Social Security was very clear, if 25 pence a month will reduce poverty, or £60 a year would reduce the poverty, and it is very, very clear and I know that we do have ideas, we make our decisions, and if I will take you back to my speech in December this year when we discussed the Government Plan, and I was very clear ... I remember the debate in April and it was a very big proposition that was in front of us, it was about removing G.S.T. If the proposition back in April in front of me would be to provide free period products and I would have a choice back in April to choose between providing free period products, to remove G.S.T., it is clear for me what I would choose. I would vote for free period products and not for removing G.S.T. But it was not a choice and, if we are thinking about it, if anyone will go today to Boots or to any other pharmacy, we have packs for £1 to £2 and the difference in the companies, the difference in the brands, and the gaps are really, really substantial in the pricing between various companies. So for me this 25 pence, in a good guess scenario, a month will not make a difference. What will make a difference is that we will develop this scheme and, as it has been indicated, that we will include sustainable period products, and it will be available in all locations and might be delivered by post. People do not need to ask, people do not need to, it should be available and this is what this Council of Ministers is planning to deliver. So I am completely supporting the Chief Minister and the Council of Ministers to make sure that we have accessibility and affordability for the period products, and this will mean that the free products will be available as we are also moving for sustainable and chemical-free options.

15.1.13 Deputy M.R. Ferey of St. Saviour:

In relation to something that Deputy Coles raised earlier about the numbers of locations on the website, I just did some research and discovered that the web team in their enthusiasm put the numbers of locations on and subsequently realised that obviously the logistics of installing vending machines and providing adequate stock was not quite going to happen at the timescale that was originally envisaged, so that number has been reduced to 13 for now, but ultimately it will go up to that higher number as soon as they are fully available in all of those locations that we are currently planning.

15.1.14 Deputy S.Y. Mézec:

I was provoked to put my light on because Deputy Gardiner said something absolutely astonishing. She said that had it originally been a choice between free period products or removing G.S.T., it was obvious which she would have chosen. I am presuming she is intimating that it would have been free products. That is exactly what we were told in the April 2022 debate. That is when the Government of the time opposed the proposition from then Senator Moore it was on the basis that free provision was coming; so that was exactly the choice that she had then and has U-turned on it. I have to say, that must cause so much frustration for members of the public when they see politicians who say one thing before an election and something totally different afterwards. It is in my view unconscionable and it is not how politicians should be behaving. I am finding myself sat here having what is the same debate - it is the same debate - it is should G.S.T. be taken off period products in the context of free products also being provided, we are just a bit further on down the line now than we were in April last year. It is exactly the same debate but with the same individuals saying different things. That can do nothing for faith in politics out there when people's positions seem to change depending on what part of the electoral cycle it is. I voted to remove G.S.T. from period products in April last year because of the principle of it that I thought it was wrong to charge G.S.T. on that kind of thing. There are other things that I think it is wrong to charge G.S.T. on too. It is not difficult to remove it, certainly nowhere near as much as we are told, and we have had I think good faith contributions from people who are at the coalface of that who would have to implement that in their shops, whose word I think ought to count for something. That remains exactly the same today. There has been much

talk of the provision of free products. I have to confess it is not a service that I avail myself to and I am not aware on a day-to-day basis of what that provision is like. But I have seen some evidence, and I think there was quite a lot of acknowledgement from the Minister for Social Security herself that that provision is not even close to perfect. So I received communication over the weekend from a constituent who made the effort to look up on the website where these products are provided to physically go to them to check and to take photographs of what provision was available there and send it to me, and I believe other Members as well. I do not know if it was every Member of this Assembly but certainly some of us received it, and the provision was poor. In many of those locations that were listed there was no provision whatsoever and in other places it was not an adequate provision. Just some of those that were listed as being places that you could go to get these products, places like Millbrook toilets, Snow Hill toilets, Green Island toilets, there were apparently none there, no box, no signage, no nothing. One was on the Green Street toilets, which not only were there no products in there but you could not even get in them because they are out of order at the moment and apparently one on the website that was listed simply as St. Aubin. Where in St. Aubin? Presumably the public toilets there, although that description was not clear, but apparently not in there either. So let us not kid ourselves, I am hoping that is parliamentary in this context, let us not kid ourselves, this provision we are being reported back to is not adequate, is not meeting the expectations that have been put to us. It is a political U-turn because the context today is no different to what it was in April last year where the prospect of free products was provided for. The Chief Minister's election website made comments about this, praying in aid her advocacy of taking G.S.T. off as part of her record as something to be judged by, only for that to disappear the moment the election is over. I believe it also said something to do with the provision of products, I think was it through pharmacies or something as well, something that does not appear to have been on the agenda thus far, so again that has disappeared as well. So I ask the Assembly in an attempt to try to claw back from some dignity for this body, as a body that makes decisions on behalf of the people of Jersey and sticks to them, and does not simply change for all sorts of invalid reasons, that we stick to what we decided last year and implement that decision and say to the public of Jersey that we are not going to U-turn on matters like this for completely flawed reasons that frankly have not been explained properly and especially when there appear to be so many issues with the provision that was meant to be the alternative but is not living up to it as the evidence very clearly shows. So I ask Members to vote against this rescindment.

Deputy I. Gardiner:

Can I ask a point of clarification please?

The Bailiff:

Will you give way to a point? Yes, what is your point of clarification?

Deputy I. Gardiner:

Would Deputy advise have we had an opportunity to vote for free period products? Was a proposition tabled for free period products?

Deputy S.Y. Mézec:

No, and neither has the current provision ever been put to this Assembly, it was done by pure act of Government, as was exactly the case in April. Nothing changed whatsoever and the Government told us at that time: "Vote against taking G.S.T. off because we are going to do free products anyway." Exactly the same as the situation we are in now, no different whatsoever.

15.1.15 Deputy G.P. Southern:

Let us hope we are coming towards the end of this debate. It has been a very satisfying debate because it has been very clear. We have a choice between up to 40 places where period products can be found for free, 40 places, or, no, made a bit of a mistake there, only 13. Come on. That says it all

for me. You have started playing with numbers. The numbers do not lie. Forty to 13 is significant and effectively means that we were being fibbed to. Inadvertently fibbed to but nonetheless fibbed.

The Bailiff:

Do you mean inadvertently misled? Because a fib seems to me to be a knowing telling of an untruth.

Deputy G.P. Southern:

Not possible to do.

The Bailiff:

Not to be pedantic about it, but that seems to be the case.

Deputy G.P. Southern:

I accept your ruling and withdraw that statement. That says it all for me. That says, right, we have not received the truth, people have tried to avoid that particular area, but 40 to 13 says enough for me. I must vote against this censure motion.

15.1.16 Deputy L.V. Feltham:

I am going to start my speech today by agreeing with something that Deputy Gorst said. Deputy Gorst said this is a matter of principle. That is exactly what it is. It is a matter of principle and I think the Constable of St. Martin and Deputy Le Hegarat also put this well.

[17:00]

It is a matter of principle about whether or not we wish to revenue-raise from the sale of menstrual sanitary products. The previous Assembly decided on principle that it did not wish to revenue-raise on the sale of those products. Quite clearly, the new Council of Ministers has a different principle and their principle is that they do wish to revenue-raise from the sale of these products. Much has been made within this debate about the Council of Ministers' intention of making their current very, very inadequate, very poor provision of free products better. However, in the financial and staff implications to this proposition, it quite clearly states there are no financial or staff implications from this decision. Therefore, the question I would like to ask the Minister for Treasury and Resources in his summing up is how the Council of Ministers intends to deliver on all of these pie-in-the-sky promises they have made today when they have not set aside any finance or staff in order to deliver on that. Also, what I find quite strange about there being no financial or manpower implications for this proposition is of course, should this proposition go forward, revenue will increase, so we should be seeing the implications there of what the revenue is, what revenue we are indeed raising from this tax on people who menstruate. I have been quite disappointed on the due diligence shown by the Minister for Treasury and Resources in relation to this particular proposition. I would like to ask him why he has chosen to quote an organisation such as Tax Policy Associates. An organisation that has labelled Jersey a tax haven. I thought that was rather an interesting choice of expert to choose. Perhaps the Deputy would like to answer me in his summing rather than in whispers in the Chamber. Also I feel that I need to respond to some of the comments made by the Chief Minister. She did refer to some comments that I made to the media when I was asked by the media what my response to this rescindment proposition was, and I gave my honest response. Perhaps I will put this in more parliamentary language today because I feel that perhaps ... or maybe the request is to the Council of Ministers whether they unintentionally misled the public when the Chief Minister put in her manifesto how proud she was to have removed G.S.T. off of sanitary products and also how, if she was Minister or Chief Minister - we all knew at that point in time she wanted to become Chief Minister - she fully intended to also make these products free from community pharmacies. That is not in this proposition. So when we have Ministers telling us that we, as an Assembly, are in a different position to the Assembly when they voted on this proposition the last time, we are not. There is no additional funding being made available, we are not guaranteed that the products will be

made available. We are still voting on that point of principle. That is why I am so disappointed that people who shared the principle that I have, the principle of the Constable of St. Martin, Deputy Le Hegarat and my Reform party colleagues who shared those principles then can backtrack on those principles. What does that say to the voting public? How can they retain trust in politicians when they can change their principles so quickly? I ask Members to reject this ill-thought through - I will not use the word that I used to the media - proposition because I think we should be voting based on our principles and that should be that we should not be revenue raising in this way.

15.1.17 Deputy J. Renouf:

I wanted to return to the question of principles which Deputy Feltham has been talking about and what is the principle at stake here. The principle to me is about reducing or eliminating period poverty and the question is what is the best way to do this. I think a very coherent position has been outlined by the Government, consistent position in terms of its tax policy and in terms of attempting to achieve that objective in the best possible way. Before I get to the main substance, I did find it disappointing that so little faith has been shown in the positive work that Deputy Millar outlined to show how the scheme is being expanded while honestly acknowledging that there were still issues, but the commitment I think that we heard from Deputy Millar was very deep and something of which this Assembly should be very pleased. I found myself very pleased to see that so much thought had gone into the way that we might improve the offer and I look forward to seeing that carry on, particularly in ways that Deputy Jeune and Deputy Doublet talked in terms of expanding the range of products and so on. I see a very strong desire to see that expand and, indeed, the commitment to extra locations. I do not quite understand how Deputy Southern misinterpreted what Deputy Ferey said, but it was quite clear to me that there was a simple confusion about the dates when the new facilities would become operational, and that seems to me quite clear. I do not quite understand why there is a need to make a big meal of it. So there are 2 issues which I would like to focus on. One is the principle around G.S.T. I think several members of Reform Jersey made clear their position, in fact Deputy Rob Ward said that we make the same points over and over again and, of course, we could say the same about Reform Jersey who have indeed a consistent position that G.S.T. should be removed from many products and items. I think quite explicitly in some of the speeches said that this would be the beginning of a process of removing G.S.T. and that is the thing that worries me. I think G.S.T. is not a hugely popular tax but we are able to keep it low because of our consistent application of a principle that it should be spread broadly, and that 5 per cent rate is something to be treasured and something that we should seek to defend. I think the principle that we hold to is to try and maintain it by keeping it as broad as possible. I support that principle and, if we go into that a bit more deeply, the question is raised about the morality involved in this. Is it morally right to tax products that we need, for example? I will say the same thing as I said in the G.S.T. debate on food, which is that I do not think it is immoral to tax items that are needed by people. We tax a lot of items that are needed by people and the immorality is if people are not able to access products which they need in life, whether that is food or whatever. We have addressed that in the Government Plan and now with this proposition. We have addressed that by putting in place a scheme in which period products are free for everybody who needs them and that scheme will be expanded, as outlined by Deputy Millar. So, to me, the fundamental principle here is about that. It is about can people who need something that is essential to get hold of it and this Government is ensuring that that can happen. So my basic point here is, yes, of course, we could indeed do both. We could cut G.S.T. and we could have the free period products. The question is what is the best use of resources? I would argue very strongly that the best thing we can do is to use all the resource that we have and can make available to make free products available in as wide a way as possible, rather than put our resource into cutting G.S.T. on period products, which will lead to a very small benefit; very small benefit. I know that comments have been made that it will all be passed on in full, it might be by some retailers, it will not necessarily be by all. The local retailers with small turnovers will find it harder than big retailers like the Co-op with U.K. accounting systems already on their software and so on. So, yes, we could, but it would lead to a

very small benefit and actually many people who would benefit from that very small cut actually could afford to pay the amount as they could afford to pay G.S.T. on food. As I say, I think that money would be better used to provide free products for those who most need it - a point made, I think, by Deputy Scott earlier in the debate. So I would rather more money went into expanding the free product availability and not in cutting G.S.T., which will be only passed on in part to consumers and will benefit many who can afford to pay. We have a measure that will achieve ... if we carry on with the attempt to reduce G.S.T., then we will have a very small benefit going to people who do not need it and we can better target our resource with the measures that have been proposed by the Government and carried through with this rescindment motion. So I urge support for the Minister for Treasury and Resources' proposition.

15.1.18 Deputy R.S. Kovacs:

Thank you. I was not sure whether to speak or not because I made a very in-depth research on the G.S.T. on food. This is much, much, much simpler, which also the former Senator, Kristina Moore, acknowledged when she won this proposition. I will start by quoting bits from the proposition at that time. We know that barriers to accessing free products extend beyond financial ones, they are complex and like other gender issues seldom spoken about. Periods are not opt in, they are not a luxury or a choice and they should not be taxed as such. Jersey is the only place left in the British Isles to not get rid of the taxation on menstrual products. Jersey can and must do better. Five per cent goods and services tax is levied on sales of goods and services in the Island, however, there are some exemptions to this rule. Medical supplies, for example, are exempt from G.S.T. Menstrual products are not exempt, which means that they are considered a luxury item. As the Red Box Project so rightly cite in the above code: "Periods are not opt in, they are not something that is a choice and they are not a luxury. At present there are charities that provide menstrual products in schools, however, women should not have to turn to charity to deal with period poverty." So, to me, this is still like reverting to charity. As I also spent a lot of time in places where free period products are provided, like in the library and other places in town, I went regularly to see actually how the supply looks and as the person that emailed the States Members with proof that it is a very low and uncontrolled supply, I could see that with my own eyes. People are not going to resort to going to ask if there is an empty box or if they cannot find it, or when women have irregular periods which they cannot necessarily plan for, they are not going to be able to go 24/7 there if they need to have that at a certain time. I will end ... I am not quite sure if I am allowed to do that but even with having to pay the £10 for doing that, I want to hear ... for State Members to hear the words of the former Senator on an ITV interview.

[17:15]

The Bailiff:

I am sorry. I am sorry, Deputy, please switch that off. You did not ask for leave to refer to any material and I do not think it is appropriate that you play media directly into the debate on the Assembly. It cannot be Hansarded and it really is not appropriate to do so.

Deputy R.S. Kovacs:

Okay, no worries. I will quote what is in there but was exactly so last year Senator Moore said that the move was a no-brainer and she did not realise how simple it would be to implement after identifying that this could be added to the exemption on the medicine list, exactly how that is done. That is my point.

The Bailiff:

Does any other Member wish to speak? If no other member wishes to speak then I close the debate and call upon the Minister for Treasury and Resources to respond.

15.1.19 Deputy I.J. Gorst:

Thank you. Sometimes one stands after a debate and feels enlightened because the debate has been robust and good-natured and full of factual contributions. I am not sure that we can necessarily describe the debate that we have had today quite in those terms. At times, unfortunately, it has appeared somewhat personal in nature and I am sorry about that. We have had just a contribution around whether such products could be added simply to the ... I was not sure if I was being asked to give way.

The Bailiff:

No, I think it was a mistake.

Deputy I.J. Gorst:

Being simply added to the medical list. Although on the surface some had thought that might be the case, that was never actually the case. Therefore the approach that perhaps had had been thought and presented as straightforward was not possible. A lot has been said, and I am extremely grateful to the Minister for Social Security for her contribution, for the work that she has been doing in putting into practice the commitment that the Chief Minister made when she came into office. As she said, that was a commitment to end period poverty for women across our community and it was a commitment to end period poverty across the community. The Minister herself said no scheme is perfect, nor would we expect it to be, as she experienced in Scotland. Their scheme has been going on for some time and it itself is not perfect. Members spoke about the availability of stations or machines or where products could be provided upon request. I think we have heard that there was a change in the website because there had been 13 sites available but with the extension and all of the work that Social Security have been doing, that will be over 30 sites. That is not the limit to the extension, there will be further extensions in due course. As the Minister said, she is also exploring the ability to deliver as well. That was overenthusiastic individuals who had updated the website prior to all of those sites being available. But I am informed before I stand up here - and the Minister has confirmed this - that those 30-odd sites will be available by Friday of this week. So it is not a reduction in availability, rather it is an increase in availability and it will - as was the Chief Minister's commitment - by the provision of those sites end period poverty. The Minister will continue to make sure that it gets to as near perfect as possible. Some Members have made commentary that they believe that the Chief Minister has done a U-turn. I do not believe that at all. She brought forward her original proposition, wanting to end period poverty. She thought one way potentially to help with that was the removal of G.S.T. on these products. Let us imagine that we do live in the world that some Members think we do that when it comes to consumption taxes there is a perfect market and if you reduce or increase the tax the price of a product reduces or increases by that quantum. That, of course, is not how any market works. I will come back to that in a moment. But let us for a moment imagine that was the world in practice. Are we really suggesting that the Chief Minister has done a U-turn when the previous proposal was this reduction of 5 per cent but what she has provided for in her 100-day plan and what Ministerial colleagues are providing for is free period products, that is a 100 per cent reduction in the cost of products to women across our community. I do not believe that that can be described as a U-turn, and it is disappointing to me that some Members have sought to do that. I, of course, have had nothing to do with the provision of these products or this scheme, it is my colleagues that should take the praise for the work that has been undertaken in that regard. The reason I stand here today and bring this proposition, of course, is because Deputy Feltham won an amendment to the Government Plan to say that a rescindment should be brought and because this is a rescindment of a taxation measure, therefore it falls to the Minister for Treasury and Resources to do that. I can reiterate the points that I made in my opening commentary that we have ... when you take our tax system together, a low, broad, simple and fair system, it is a system of G.S.T. which works well in small island communities; as I said it works here in Jersey. We largely mirrored what was done in New Zealand and it works incredibly well there, but it works because it is broad and that

means that the rate can be kept low. What that also means is, as I was chastised for quoting somebody who may not always support Jersey, but they were a body that did a piece of work in the United Kingdom, gathering the evidence which showed that when they took off that 5 per cent - a low level of V.A.T. that was applied in the U.K. - the prices did not drop by 5 per cent, in fact, no more than 1 per cent. This comes back to Deputy Farnham's point, even though he may be voting against me I think he made my point very well for me, that even in the instance where a retailer may take off the tax that is not the only element about that price movement at any given time. The best that we could hope for is that it would help cushion against future price increases. The other point that I wanted to make was around the financial and manpower statements. This is a rescindment motion proposing the status quo when it comes to G.S.T. and therefore it is appropriate to say that if this rescindment motion takes place, there is no additional financial and manpower implications because the status quo remains. I do not think that that is an unreasonable position. Deputy Millar, who had had ... sorry, the Minister of Social Security had had rather more time to do the maths around what the costs are and the cost benefit or not of reducing G.S.T. I think she told us that for - I will be careful how I use my words here - the average woman the saving would be 25 pence. I am not sure if she could just indicate whether that was a week or a month? A month. That would be a saving of that a month. That is again assuming that that is passed on. My officials have told me, and the Minister has just confirmed, that the cost of the scheme that the Chief Minister implemented is an estimated cost of around £400,000. From a simple mathematical calculation, I cannot see how it can be argued that there has been any volte-face. The best approach surely is the provision of the free products that is being delivered rather than a reduction, a potential reduction, of 5 per cent on the product. For me, it is really quite straightforward. The Chief Minister gave her word. She has delivered on this policy and the benefit to women across the island is far greater financially in the approach that she has proposed and delivered than in the approach of taking G.S.T. off sanitary products. Therefore, of course, there is the principle of a low, broad and fair tax system which I would, as Minister for Treasury and Resources, seek to maintain and I think has served Jersey well. But there is the other principle that what has been delivered by the Government is far superior and will deal with the issue of period poverty in a much better way. That is why I ask Members to support this rescindment motion this afternoon.

The Bailiff:

Thank you very much. Do you call for the appeal? Yes, indeed. The *appel* is called for. I invite Members to return to their seats. The vote is on P.58 and I ask the Greffier to open the voting. If Members have had the opportunity of casting their vote then I ask the Greffier to close the voting.

Deputy R.J. Ward:

Just confirming you got my vote, Sir?

The Bailiff:

Yes, indeed, we did, Deputy, thank you. The proposition has been adopted.

POUR: 25		CONTRE: 21		ABSTAIN: 0
Connétable of St. Lawrence		Connétable of St. Helier		
Connétable of St. Brelade		Connétable of St. Martin		
Connétable of Trinity		Connétable of St. Clement		
Connétable of St. John		Connétable of Grouville		
Deputy C.F. Labey		Connétable of St. Ouen		
Deputy L.M.C. Doublet		Connétable of St. Mary		
Deputy K.F. Morel		Connétable of St. Saviour		
Deputy S.M. Ahier		Deputy G.P. Southern		
Deputy I. Gardiner		Deputy M. Tadier		
Deputy I.J. Gorst		Deputy S.G. Luce		

Deputy K.L. Moore		Deputy M.R. Le Hegarat		
Deputy D.J. Warr		Deputy R.J. Ward		
Deputy H.M. Miles		Deputy C.S. Alves		
Deputy M.R. Scott		Deputy L.J. Farnham		
Deputy J. Renouf		Deputy S.Y. Mézec		
Deputy R.E. Binet		Deputy T.A. Coles		
Deputy H.L. Jeune		Deputy B.B.de S.V.M. Porée		
Deputy M.E. Millar		Deputy C.D. Curtis		
Deputy A. Howell		Deputy L.V. Feltham		
Deputy T.J.A. Binet		Deputy R.S. Kovacs		
Deputy M.R. Ferey		Deputy M.B. Andrews		
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				

The Bailiff:

Very well, the adjournment is proposed. The Assembly stands adjourned until 9.30 a.m. tomorrow morning.

ADJOURNMENT

[17:30]