

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 27th FEBRUARY 2024

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[9:31]

The Roll was called and the Greffier of the States led the Assembly in Prayer.

Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:

I would like to apologise to the Assembly and yourself that from this afternoon and tomorrow I will not be here. I have to take my son to a hospital in London. I apologise and I would like to ask to be excusé from tomorrow, if the Assembly does go on to tomorrow. Thank you.

The Deputy Bailiff:

Thank you very much.

Deputy J. Renouf of St. Brelade:

I would like to raise a point of order under Standing Order 12 regarding question 21, which I respectfully suggest was not answered in the written answer that was provided. The question requested a schedule of the Minister, and nowhere in the answer was there a reference to a timeframe or an explanation as to why it might not be possible to provide a timeframe. So I request a ruling from you on whether that is the case.

The Deputy Bailiff:

Thank you, Deputy. I will give you a ruling by 9.30 tomorrow morning under Standing Order 12.

Deputy C.D. Curtis of St. Helier Central:

May I raise the défaut on Deputy Southern?

The Deputy Bailiff:

Are Members content to raise the défaut? The défaut is raised on Deputy Southern.

COMMUNICATIONS BY THE PRESIDING OFFICER

1.1 Welcome to His Excellency the Lieutenant Governor

On behalf of Members, I would like to welcome His Excellency to the Chamber this morning.
[Approbation]

1.2 Tribute to former Deputy Simon Bree of St. Clement

Members may have seen that former Deputy Simon Bree passed away earlier this month. Deputy Bree was born in Jersey and educated at Victoria College before embarking upon a career in the local finance industry, working for Reuters, the Dow Jones Telerate and for BNP Paribas until 2006, when he began his own gardening design business. After a narrow defeat in 2011, he was elected as Deputy for St. Clement in 2014, the Parish where he lived for most of his life. During his 4-year term, he served as chair of the Economic Affairs Scrutiny Panel from July 2015, as a member of the Privileges and Procedures Committee, and also as vice-chairman of the Corporate Services Scrutiny Panel, which undertook a major review of the draft law legalising same sex marriage in the Island. In 2018, he unsuccessfully stood for Senator, coming in ninth, and then withdrew from politics and became an authorised marriage celebrant. He came forward again in 2021 to stand as Connétable of St. Clement in a by-election following the death of Connétable Len Norman, and was not elected on that occasion. Our thoughts are with his widow Nicola, his 2 children, and his extended family and friends at this sad time. I invite Members to stand for a minute's reflection. [Silence] May he rest in peace.

Deputy B.B. de S.DV.M. Porée of St. Helier South:

May I raise the défaut on Deputy Alves?

The Deputy Bailiff:

It is best to wait until the Presiding Officer has finished speaking but are Members content to raise the default? The default is raised.

APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

2. Selection of the Minister for Education and Lifelong Learning

The Deputy Bailiff:

We now move on to F, where there are a number of appointments to be considered by the Assembly this morning. The first is selection of the Minister for Education and Lifelong Learning. In accordance with Standing Order 117(2E), I invite the Chief Minister to make his nomination for that position.

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter (The Chief Minister):

Good morning. I am pleased to nominate Deputy Rob Ward for the position of Minister for Education and Lifelong Learning.

The Deputy Bailiff:

Is the nomination seconded? **[Seconded]** Thank you. Are there any other nominations? Accordingly, I invite Deputy Ward to speak for up to 10 minutes, after which there will be a period of questions for up to 20 minutes.

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

First of all, I would like to start by saying thank you for the nomination to this role. It is a very important one to me on a personal and a professional level. I have spent the best part of my entire working life involved in the teaching profession in several capacities. This role is another exciting opportunity for me and one that I would give my complete commitment and dedication. I would also like to thank those who have taken the role before me, and reassure that I will not simply be stopping anything that came before. I know that the education profession, one of the biggest problems over the last years - I wrote "years" rather than given a number because it could be anything between 10 or 20 years - has been constant change, be it in the curriculum and teaching methods and priorities set for staff rather than with them. I am aware of this as an issue and my leadership will not be characterised by this approach.

[9:45]

I will bring a realism to expectation and a pragmatism to change that will mean we can see meaningful change where it is necessary, that can be enacted with the people involved, and for those who are affected by the decisions made. There were several areas that I see vital for the future. This includes the development of school meal provision across our schools, the need for replacement school facilities in central St. Helier, addressing our nursery provision and making inclusion truly work in our schools and colleges. We need to focus to ensure the correct actions are taken. This includes a realistic and pragmatic approach to addressing nursery provision across age groups, the re-establishing of a respectful and positive relationship with the education profession, and developing the lifelong learning area of this remit. We need to take an intelligent view of what we mean by lifelong learning and how this can be built using the success of our post-16 provision, and build a greater understanding of the role of all apprenticeships and wider vocational education for our society and our economy. We must address the forced divisions between academic and vocational education. It simply does not work for society and the economy. I want to rebuild the relationship with the teaching profession, and want to express my thanks for the resolution of the pay dispute. We can now move forward in a positive way and address wider concerns of this profession. I fully support the split roles that creates a Minister for Children. I have thought this to be needed for some time in

order that we can all - all of us - be challenged in how we address the needs of children who are the future of our Island. I see no problem in working with the Minister. One of the first actions was to ensure that we have a weekly overlap in our meetings to have regular and focused dialogue between Ministries. Beyond 25 years of experience in education, what will I bring to the role? I have over 6 years of experience in this Assembly. During this time I have worked in several roles with Members from across the Assembly. In addition, I have been part of building a successful and very organised party. I mention this for a few reasons. My political identity is important to me. I have been transparent in my beliefs and policies that I have brought forward to this Assembly, but I have also shown a real ability to work with Members from very different political backgrounds and across a wide range of topics. This is vital in a Ministerial role and I am confident I can be successful in this area. I have chaired the Children, Education and Home Affairs Scrutiny Panel. During this time I worked with several Ministers. This included the late Constable Norman, who I really enjoyed working with. Deputy Guida once declared himself - stood just here somewhere - as the arch enemy of Reform. I remember that day well. We all turned into superheroes. But I had a very, very constructive and productive relationship with him when he was Minister for Home Affairs and I was chair of the Scrutiny Panel. I highlight this because I do understand the importance of Scrutiny and want the relationship to be challenging but constructive. It is important for Ministers to state that in this Assembly. My experience includes being chair of the Health and Social Security Panel, membership of Scrutiny Liaison, the Environment and Housing Panel, Future Hospital Panel, Brexit Review Panel, Legal Aid Review Panel, Care of Children Review Panel. I almost certainly have forgotten something, the roles I have undertaken, but I feel that the theme is clear. I have a wide range of experience and learn from every role that I undertake; something that, as an educator, I certainly should be doing. I am very proud of my role as the chair of C.P.A. (Commonwealth Parliamentary Association), which I want to maintain. I value the work we do and the link with Parliaments across the Commonwealth. These relationships enrich our Assembly and our Island. Again, I am pleased to work across the Assembly with most Members who do engage with the C.P.A. and use its resources. I hope this will be all Members by the end of this term. I bring a range of experience and proven ability to work with all Members. My work is thorough, well-prepared, and I think through my decisions based on evidence and key principles linked to the task in hand. I have worked well with the staff in the Greffe and hope and believe that they have enjoyed working with me, feeling supported and included in the work we have undertaken. I would extend this to the officers in the new role of Minister. We must value the staff to get the most from them as members of the team and utilise their skills to the utmost most importantly so that people we work with ... and let us not forget we work with people who are pleased to be part of the team that leads the Island's direction. To finish and before I answer questions, I want to reiterate my dedication to this role, my commitment to the work ahead. It may be a shorter time than expected, but I have the ambition to bring success and the ability to drive change where needed. I thank everyone and look forward to answering questions.

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

The Deputy referred to the need to provide new facilities in the town area for primary schools. Would he accept that there have been significant changes both in demographics and in population flows since the Government Plan was adopted? Will he agree to undertake a robust examination of the case for the new town primary before further work on it is done?

Deputy R.J. Ward:

I thank the Constable for his question. I think all the work undertaken on the planning of a new town primary school must be robust. I do not necessarily agree that the change in demographics are going to have the effect that the Constable is looking for. The new school in St. Helier is a replacement school for one and perhaps 2 schools that are falling apart. I, as Minister for Education and Lifelong Learning, cannot stand in front of this Assembly and do anything other than say we need better

resources for our young people, particularly in the centre of St. Helier at the moment, because they have been lacking for too long. With the positioning of this school by a park and I hope, if the Constable's actions on making walkways and green spaces within the centre of St. Helier works, we will have children in the centre of town, walking to school through a green space, in a green space, in a well-equipped and purpose-built school for the future. As Minister for Education and Lifelong Learning, if the worst-case scenario of falling demographics is over the next few years class sizes drop from 30 to 24, I am absolutely willing to take that on the chin.

2.1.2 The Connétable of St. Helier:

With a price tag of over £40 million for the new town primary, will the Minister undertake to look at alternative ways to spend some of the capital that we have, particularly when he refers to falling down primary schools? This, of course, is news to some Members who were not aware that some of our primary schools are actually falling down. The department does not have a great record on maintenance. It has 36 schools already in its ownership. Will he have a careful look at the opportunities for replacement, contrasted with the opportunities for maintenance and improvement?

Deputy R.J. Ward:

Yes, absolutely. There are 2 things here. We have to maintain the schools that we have. I absolutely agree. I would invite every Member of this Assembly to come with me. Not all at the same time, preferably. I go into Springfield every week and I see the reality of what they are working with there. I speak to the teachers there and I speak to the children, remarkably enough, to find out what they think. There is a real genuine need, but there is a greater need in that area. Go to Springfield School and look at how much play space they have outside. It is wholly inadequate. We have adopted the U.N.C.R.C. (United Nations Convention on the Rights of the Child) - I hope I have said that in the right order - criteria on the right of children to have spaces to play, yet we send our children to school without the right spaces to play. When we do have an opportunity to change that by investing - I hope to come back to that word "investing" - in our education establishment, then we seem to have people who are opposing it for what strikes me as reasons that perhaps need to be thought through more clearly. This is a complex need but it is a need that is real, it is a need that we can accommodate and it is a need that has been budgeted for. What I want to say is let us get on and build the appropriate building in the appropriate place at the appropriate time. Let us have the best for our children in St. Helier.

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

The previous Minister had committed to over half a million of the education growth bids being diverted to early years. Does the Minister agree that this area should continue to be focused on to deliver some nursery places, ideally for 2 to 3 year-olds initially, and will he see that that funding is diverted to the area of early years?

Deputy R.J. Ward:

I thank the Deputy for the question. The simple answer is yes, but I will expand upon the answer. There is an issue with nurseries. There is an issue with capacity, there is an issue with need, there is an issue of cost. I am absolutely aware of that. What I want to do, and I am developing at the moment - it will come forward a bit later if I can ask for a little bit of patience on that - is a targeted, pragmatic and sensible approach that can be actually fulfilled. I point to what has happened in the U.K. (United Kingdom), and there is a real issue. What happened in the U.K., the Government said all 2 year-olds can have this many hours of nursery care without any provision being provided. What that did to parents, is it said to parents: "There is your nursery provision." They made plans and then could not find that provision. That is not the way to do it because it lets parents down. We need to be targeted, thoughtful about the way we are going to deliver it and make it deliverable. But yes, that commitment will not change.

2.1.4 Deputy L.M.C. Doublet:

I am delighted to hear that those plans will continue. Will the Minister commit to the 3 approaches, with accessibility and affordability being key, but not forgetting the quality of the early years care delivered to children being the utmost of importance?

Deputy R.J. Ward:

Absolutely. They are really 3 key points. There was an Isos report, and I know the Deputy was involved so we did send the report to the Deputy regardless of what positions people have now. I thought it was very important that you got that report because I know the Deputy attended and observed some of those sessions that went on, and that is absolutely correct. We need to make sure, and I have said before in this Assembly, that we need to let children play but we need to let the children play in a constructive and useful way so they can socialise, learn their skills, et cetera, and that is very important in early years. I want to start a theme that I am going to answer throughout my questions now. We look constantly at the cost of education. One of the things I want to do is hopefully change this Assembly's narrative on that. I want that word to be replaced by "investment", because every penny that we invest in children, particularly young children, particularly those from the most needy backgrounds or with educational needs beyond other children, has a pay back later on, which is quantifiable but difficult to quantify, both in terms of the money saved in the long term, if you want to be hard-nosed about it, but also qualitatively in terms of the standards and the effect on people's lives. Those targeted approaches, which we are certainly looking to do very carefully, are exactly the way forward. I hope I will get the support of the Deputy when they come forward.

2.1.5 Deputy H.L. Jeune:

Does the candidate recognise the value that the fee-paying schools add to Jersey's education system and the economy? How does he propose to support them? If not, why not?

Deputy R.J. Ward:

We have a very mixed system of education on this Island. It is very selective, but it is one that has grown over time. Over the last 4 years, the funding mechanisms for our state school has changed from the old A.W.P.U. (average-weighted pupil unit), which is now a more general funding mechanism with other areas added on to it, such as link to areas, record of need, et cetera. The state-funded schools still maintain their grant funds and a similar fund, and that does need to be looked at to see the most effective use of that money. Both my children went to J.C.G. (Jersey College for Girls) and Vic. (Victoria College), partly because they did not want to be at school with me, which I fully understand. I can say publicly that the feeling was mutual, if I am honest. **[Laughter]** But I digress. Yes, I do understand the value, but I also understand the value of all of our education establishments. I would like to see, particularly post-16, a greater integration of the provision there so that we can get a greater provision for different courses and different specialisms across our Island, particularly as geographically all of the places are very close together.

2.1.6 Deputy H.L. Jeune:

The grant agreements for Bautlieu and De La Salle will need to be renewed in September 2024. Will the candidate indicate what elements of the agreement he would be minded to amend?

Deputy R.J. Ward:

Yes I do, and the simple answer to that at the moment is I simply do not know. The reason I would not answer that now is because that needs to be thought about extremely carefully. Work needs to be done ... I said in my speech that everything I decide upon will be based upon knowledge, on data, on information. To stand up in the Assembly: "This is the change that will be made", will not help the situation, but I can reassure the Deputy that we do need to look at that grant funding and the way

it works. We need to look at the provision across all of our schools. But we need to do it for one reason, and that is so that we can provide the best possible opportunity and experience for all of our children, regardless of which establishment they attend.

[10:00]

2.1.7 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter:

There was a very useful detailed list of what will come under the new remit of this role. If I have read it correctly, then the Youth Service is included as part of that. Does the candidate believe that the current funding model for Jersey's youth clubs is fit for purpose?

Deputy R.J. Ward:

That is a very good question. I believe that the Youth Service will be delegated responsibility to one of the Assistant Ministers so it gives it a focus. We do not have a statutory youth service at the moment. That is something, if you look back at when I was chairing the Children and Education Panel, we did talk about at that time. I think the first step will be to look very carefully as to whether the Youth Service would be statutory, because that then changes the funding model. It creates statutory funding and I believe may well assist the Youth Service in what they want to do. The other side of that coin is the Youth Service may want a bit more freedom from statutory funding. That is a discussion that has to be had. I am very supportive of the Youth Service. I say again - I can go back to my theme - the investment in the Youth Service, has impact beyond what we see day to day. Every young person that is guided away by the Youth Service from perhaps actions that they may regret is a benefit to this Island. I am very supportive of the Youth Service.

2.1.8 Deputy L.K.F. Stephenson:

I am encouraged by that answer. Obviously, St. Helier is still without a youth centre; what plans does the Minister have to address that?

Deputy R.J. Ward:

The youth centre in St. Helier is a trigger for me. I brought an amendment to the Island bridging plan. We had Nelson Street site plans drawn up. There have been obstacles to every single site that I put forward. I would like to pursue a youth centre in the centre of St. Helier in the best possible site. Other sites have been suggested. I have seen 3 or 4 in my time as a Back-Bencher. Perhaps now, as Minister, I may be able to get a bit more clarity and a bit more drive, but it certainly is required. Again, the youth facilities in the centre of St. Helier, where there is the greatest population, and more and more homes being built within a concentrated area, will become more important as we go through the next few years. Because the earlier you impact on young people and give them purpose in their spare time, the better it is for St. Helier and indeed for Jersey.

2.1.9 Deputy M. Tadier of St. Brelade:

Last year the department launched its new language policy and it noted that there are currently 62 languages spoken in Jersey schools. Recent figures show that there are about 3,000 multilingual learners in nursery to year 13, which is 26 per cent of the school population. Will the Minister give a commitment not to roll back on the progress that has been made with the language policy, to make sure that children can access home language provision for their educational needs?

Deputy R.J. Ward:

I thank the Deputy for his question because what that question did, is highlight the range that we have within our schools that are being addressed day in, day out by our highly professional education staff. I think they need to be complimented on the way that is done. Yes, I would certainly support that provision. It is very important that home languages are supported and they enrich our schools, they enrich our society, they enrich our environment. As somebody who is struggling to learn French at

Alliance Française, a second language, and taking that on is good for you at all ages. Children speaking to each other in school and sharing that language experience, I think, is a really healthy thing for us to have in our schools.

2.1.10 Deputy M. Tadier:

I meant to say in the original question that obviously the Minister did mention the U.N.C.R.C. and Article 30 talks about children having the right to use their own language, culture and religion, even if these are not shared by most people in the country where they live. Will the Minister also ensure that it is possible for as many students as possible who have a home language that is different to English, to be able to take an exam, for example, a G.C.S.E. (General Certificate of Secondary Education) in their home language where possible?

Deputy R.J. Ward:

It is an interesting question where you get the words “ensure” and “where possible” in the same question because I think that is the answer to that question. Where possible, I would absolutely support that but with 67 languages ... I am also very conscious of not saying to teachers: “Here is something else for you to do” because we have a whole range of things going on in schools at the moment; a new P.S.H.E. (Personal, Social, Health and Economic) curriculum, physical education, physical literacy programmes, a music programme, a digital skills programme. All of these things are being put on teachers and at the same time the education establishment has to deliver G.C.S.E.s across the board in education that we would all expect for our children. We have to be careful as to how we do that. I think what we can do is ensure that we have as much offering as we possibly can, and that has been done in an extremely intelligent way by some schools in terms of the offering of G.C.S.E. as an option, when it is available to have a member of staff to teach it, or perhaps even after school if a member of staff is available in a peripatetic way. I think that provision is there. I would support it, and I would go as far as I possibly can to get that in schools wherever I can.

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

Would the Minister outline what he might do to improve relations between the workforce and the Government, of which we have seen recently a sad breakdown?

Deputy R.J. Ward:

I thank the Deputy for the question. The first obvious thing is we no longer have a pay dispute, which I think was really taking its toll on everyone involved. I know that that being resolved has brought a positive opportunity for us to engage with the teaching profession. One of the things I would like to see is to engage with teaching staff on the front line, not just those in leadership, to talk about what can be done to address workload, for example, what can be done to address representation. One of the things I would like to see is better trained reps in schools, in representation from trade unions. I see trade unions as a very positive thing. I was part of that. A well-trained rep with a background and a position in school can solve problems before they even start on the simplest level. We also have that engagement and make members of staff feel that they are listened to and they are valued. That is one of the ingredients for that. The other one is just simply not overloading the curriculum constantly. We need to give teachers the respect to perform. We have a group of people who are qualified to degree level and post-degree level, and then we seem to be obsessed with telling them how to do their job. Let those professionals do their job, and let us listen to them and let them develop the skills that they have. I think that is one of the best ways to restore relationships; by trust and value in the profession.

2.1.12 Deputy K.M. Wilson of St. Clement:

The candidate mentioned the importance of apprenticeships and the relationship between that and the economy. I wondered if you could state what he will do regarding apprenticeships, particularly for 16- to 18-year-olds.

Deputy R.J. Ward:

It is a really good question. First of all, I think we need a clear definition of what we mean by apprenticeship, because I think what we have got is it has been a label. There are certainly very successful apprenticeship programmes at Highlands. I would say to the Deputy as well, talking about to 16- to 18-year-olds, I think the figure is 33 per cent - I might be a percentage out, so forgive me - of those undertaking apprenticeships are actually over the age of 25. The reason we need to look at lifelong learning is the structure we have for our apprenticeships, and our training in our economy needs to be able to be accessed by those throughout their lifetime, both 16-year-olds, 18 year-olds and beyond, if we are genuinely going to train our own. I think that investment in training our own is the most effective way to deal with our skills shortage and other issues around our economy workforce. In terms of 16- to 18-year-olds, I think what we can do ... I think we need to look very, very carefully at the provision that we have, particularly for ... I think it is around 8 per cent of our school population are not in education, employment or training. That hard to get at group, that have not been engaged previously, are the ones that we really want to try and target to get back into training, into work and into that provision that they can provide for themselves and be part of our society because that is a very beneficial thing to do.

2.1.13 Deputy K.M. Wilson:

Based on that position then, would the candidate consider increasing the number of apprenticeships to address that particular issue in that particular population group?

Deputy R.J. Ward:

I can stand up and say yes to that. But I also, pragmatically, need to make sure they can be catered for. That is one of the real issues that we need to have. We cannot say we are going to do something and then do it poorly. That is the worst thing we can do. We also need to look ahead as to what type of qualification we are going to have, particularly, for example, in health. How we are going to train carers, how we are going to train nurses. There are courses in place at the moment. We need to build upon what we have there. Also, and I will mention this, we have to look at the changing landscape within the U.K. as to what they are providing. T levels in the U.K. are in their infancy. We are ...

The Deputy Bailiff:

It was the end of a sentence, I think. As there were no other nominations and the period for the speech and questions has been completed, I can confirm Deputy Rob Ward has been appointed Minister for Education and Lifelong Learning.

3. Appointment of the President of the Scrutiny Liaison Committee

The Deputy Bailiff:

In accordance with Standing Order 121, the Assembly are due to appoint a new president of the Scrutiny Liaison Committee. I invite Members to make nominations for president of that committee from among the chairs of the Scrutiny Panels and Public Accounts Committee.

Deputy M. Tadier:

Could I propose that ...

The Deputy Bailiff:

I had not called upon you. I must go in accordance with the lights in front of me. The first of which was Deputy Doublet.

Deputy L.M.C. Doublet:

I would like to propose Deputy Inna Gardiner for this role.

The Deputy Bailiff:

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

Deputy M. Tadier:

I will try and get in earlier in future. Could I propose Deputy Catherine Curtis, please?

The Deputy Bailiff:

Is that nomination seconded? **[Seconded]** Are there any other nominations? In accordance with Standing Order 121, I will invite candidates to speak and answer questions in the order in which they were nominated. Starting, therefore, with Deputy Gardiner. Candidates will speak for up to 10 minutes and then have up to 20 minutes of questions. In accordance with the regime you are all aware of, I invite Deputy Catherine Curtis to now withdraw from the Chamber and to go to the allocated quiet room.

3.1 Deputy I. Gardiner of St. Helier North:

First of all, I would like to start by thanking the outgoing Scrutiny Liaison Committee for their work, and presidency of Deputy Mézec. The role of the president of the Scrutiny Liaison Committee is to liaise with each other, with the Assembly and with the Government. To communicate and co-ordinate. As the chair of the Public Accounts Committee, I have an overview of all government business, working closely with the Comptroller and Auditor General. Also my previous experience on the Scrutiny Liaison Committee in the previous term, chair of the Public Accounts Committee and member of several Scrutiny Panels. I am grateful for Deputy Ward reminding me of some panels that we worked together in the previous term: Brexit, COVID, Future Hospital. I think that this collective memory and my experience in the previous term and understanding also the Executive side, I believe give me the skills to lead positive and effective work between Scrutiny, Government and the Assembly. We will finalise the work that is in progress, and you have my commitment that we will make sure that work started by the previous committee will be continued, as well as we operate the plan for the next 2 years. The committee keeps under review the overall operation of Scrutiny. As appropriate it makes recommendation for change while maintaining contact with the Council of Ministers so that the respective work programme would be known and will be discussed. The committee co-ordinates the work of the panel to ensure there is no overlap between panels. Joint cross-panel reviews are important to make effective, avoid duplication and support work for breaking silos. We will review particular proposals, issues, projects that are coming outside of the panels and making sure that our recommendations will be joint, will be practical, and we can discuss this as well with the Government. Like an effective body, part of achieving these things is having to have good co-ordination and good organisation. I hope I do have these skills and I would be happy to implement them.

[10:15]

The second part: communication. It is extremely important that we communicate respectfully. We will not have surprises. If we have issues we will raise and we will discuss. We work collaboratively and I hope Members can recognise my collaborative approach and trying to find the best possible way forward. We might not agree all the time, but it is really important to discuss and to work together on it. I also recognise the challenges from the Executive side, because all parts of us have our own challenges and, if we recognise them, we can find a way forward. We need to have a common dialogue and understand each other. Scrutiny does not act as a political opposition. It is not a political role, and political ideology has very little to do with the scrutiny. I always emphasise the positives, what we found in the review, and it is important really to say this works well and these are an area for improvement and let's find the right way to improve. Also, as president, I would like that Ministers would be successful and my engagement will be constructive to meet and discuss. All of us, all us colleagues, would like to have the better for the Island. In the past, I have encouraged

my committee members and Members to take a lead, and I think it is extremely important, as we work together as a Scrutiny, that will empower all members of Scrutiny. That everyone would have an opportunity to challenge himself or herself, and to find the new options and to find the new ways. At Scrutiny, we should be a team and it is important to work together. We will disagree sometime. This is also critical for good scrutiny. How we use our internal disagreement for the benefit, I always believe the right discussion creates new and different ways forward in solutions. Together with all members of the Scrutiny Liaison Committee, and I believe that each chair of the Scrutiny Liaison Committee can be president. I believe that we will work collaboratively together, and we hope to have different also areas of responsibility. It is important to use strengths of each member of the team. In the past, I pioneered new ways of working in Scrutiny and am planning to do it again. One of the other areas that is important for me to mention is engagement with the public. I mentioned Assembly, I mentioned Government, I mentioned Members, but the public is there for us, we are serving the public and their input is important. I respect the democracy of this Assembly, and I am prepared to work with any Member in order to achieve good outcomes for the public. In all my roles over the last 5 years, I think I have strived to be an effective, objective and collaborative operator. I will bring those skills and collective memory to the role of the presidency for the Scrutiny Liaison Committee. I am looking forward for your questions.

3.1.1 Deputy H.L. Jeune:

What importance does the candidate place on Scrutiny's relationship with the public, and how does she envisage fostering and enhancing this relationship during her tenure if elected?

Deputy I. Gardiner:

Thank you for the question. As I mentioned during my speech, engagement with the public is extremely important. We have used different options. We had our stalls in the public, the public can approach us directly. We have sent direct letters to the stakeholders to engage with them and ask for their opinion. We had private and public hearings and I think we started to use more with the new team, and thank you for the Greffe team, engagement team, social media, because in the previous term I think we used less. We can use it more. The most important, I would also like to hear from the Members of the Assembly that are connected in the Parishes and engage us with the Parishes, because sometimes when we have a stall in St. Helier, it does not reach out. Maybe we can come more to the Parish Halls and have engagement with the public there as well.

3.1.2 Deputy K.M. Wilson:

Can the Deputy explain how she will prioritise the work of the committee, and what qualities she feels she will need to bring to this particular responsibility?

Deputy I. Gardiner:

First of all, the prioritisation will be done on the initial stage on the Scrutiny Liaison Committee. We will need to work collaboratively and we need to work together and have our discussion. Also I envisage a day away for all Scrutiny members, because I believe that members of the Scrutiny Panel can bring their views and, based on joint collective understanding of the priorities, we can decide what our priorities are as Scrutiny. But there is another step for me in that I would like, as the president of the Scrutiny Liaison Committee, who will be my vice-chair, to meet with the Chief Minister and say: "This is what our thoughts, this is what our priorities, what our views, what were coming your way from the Government." I think it is really important that we work collaboratively and create our programme according to the joint priorities between what the public are telling us, what the Members of the Assembly and what the Government. I think one of the other things I would like to mention, there were 2 Scrutiny review panels, Future Hospital, even though this will be the biggest project, and we would need to continue to have this review panel, and also assisted drying.

This legislation, I think, will be one of the most emotional, complex legislation that this Assembly will need to deal with. And I do believe that it needs to be also a cross-panel review.

3.1.3 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter:

In her speech, the candidate suggested and referred to the power of cross-cutting review panels. Does the Deputy have any ideas about what topics those review panels might cover?

Deputy I. Gardiner:

I thank the Deputy for her question. There are several options for the cross ... like I said, the 2 cross-review panels that need to continue is the Our Hospital Panel and the assisted dying. Also, there was a review for the work permits and the work needs to be finalised. There are lots of themes in the air but I think what is really ... if you are speaking about the wind, if we are speaking about the birth rates, if we are speaking about machinery of government, there are different options. I would welcome input from the Members of the ideas before we finalise.

3.1.4 Connétable D. Johnson of St. Mary

The candidate may have answered this question already, but in determining her choice or the panel's choice of members of a review panel will she confirm she will look beyond the actual members of the Liaison Committee itself, because I sometimes believe that there has been a tendency to keep the decision-making within the Liaison Committee, which I do not think is necessarily good.

Deputy I. Gardiner:

It is a very good question; I thank the Connétable his question. Absolutely, yes. I believe even if a Member, not a member of any Scrutiny Panel, has a passion and interest for a specific topic, I would welcome to engage with us, to come forward and I definitely will support Members with their passion and their options to progress with the reviews, obviously in co-ordination with all stakeholders. Also, what we would need to keep in mind is that we will work, and I am always grateful for the Greffe staff that support our work. On top of this, if a Member comes with the idea they would like to lead the review but we do not have enough specialists in this area, I am looking to engage with people outside of the normal list.

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

Could the candidate outline how she would deal with conflicts that arise within Scrutiny Panels?

Deputy I. Gardiner:

I thank the Deputy for his question. I think this is one of my specialities, how I deal with the conflicts. I believe that if we can get together and understand what is important and what is a must and what is the need and to listen to each other, we can talk through it. It is how you hold respectively difficult conversations. I trained people for this, I am trained to do this, and I hope I manage to have difficult conversations in a respectful way with Members before, and I will support Members to do it forward.

The Deputy Bailiff:

If there are no further questions for Deputy Gardiner, then this period of questions has come to an end, and I invite Deputy Gardiner to leave the Chamber and ask that Deputy Curtis be brought back in.

3.2 Deputy C.D. Curtis:

I would like to start by saying I am feeling very positive about the new Scrutiny Liaison Committee. We have a great wealth of knowledge and experience among our members. Because 2 of us are standing for the position of president is no indication of division. It is just that 2 of us feel we could effectively lead the committee and would be happy to do so. Whatever the outcome of the vote today, I think the committee will continue to operate well. The advantage I offer is that, above all,

continuity. I am the only continuing panel chair and member of S.L.C. (Scrutiny Liaison Committee). Following the vote of no confidence, there has been much change and some work has been delayed. It is in all of our interest to minimise that disruption. I am the only member of S.L.C. to have been part of the previous work. As an example, I give you assisted dying. The old S.L.C. received briefings and discussed this matter with the previous Minister for Health and Social Services. Very complex and extraordinarily important issues. Just before the vote of no confidence, the past chair of the Health Scrutiny Panel had started to organise a review. Then the vote of no confidence happened and everything stopped. In the intervening period, I discussed this with the officer to see if there could be some momentum, but we have had to wait for the new S.L.C. to be formed to recreate the Assisted Dying Panel. I feel it is important for me to be a member of the new panel for reasons of continuity. I am the only S.L.C. member to have been through the earlier briefing process, and it would be wasteful for all that discussion and information to come to nothing. I hope I have explained, with this example, how important continuity can be. Of course there is other work which was ongoing. That is just one example. Another is the Future Hospital Review Panel. They produced an interim report shortly before the changes following the vote of no confidence. There is plenty more to be done on this subject and this panel needs to be reconstituted. There are matters of transparency around financing, communication between Ministers and process clarity in parts of the project to be considered.

[10:30]

Thirdly, another review with work which is close to completion is the Work Permit Holder Review Panel. The panel presented its report and is waiting for some final feedback. This panel did great work in highlighting issues, which were impacting people's lives and which were not benefiting our economy. I am proud to say that I encouraged the setup of this panel, which was first discussed among my C.E.H.A. (Children, Education and Home Affairs) Panel members before going to S.L.C. for approval. Lastly, we have discussed the need for a review panel on the proposed wind farm. This will be led by members from the Environment and Economy Scrutiny Panels. While on the subject of wind farms, Members may have noticed some publicity in the media recently around wind farms and, more generally, around climate change. There have been numerous letters in an article in the *J.E.P. (Jersey Evening Post)* berating me for stating that an organisation which is currently under investigation by the Charities Commission, and which is at odds with scientific consensus and our finance industry's sustainable aims, should not be given special access to States Members in the States building. I have spoken out in favour of this organisation holding public meetings but still I have been accused of being a totalitarian, shameful, a far-left activist - I am not far left - and masquerading as an environmentalist. I mention this to demonstrate to Members that I am not afraid to speak out. I always try to keep in mind that we are all here to represent and act on behalf of the public of Jersey and, however uncomfortable it seems, we must speak out when we see misinformation, poor practice or lack of policy. This is essential for good scrutiny and essential for the president of S.L.C. Talking of good scrutiny, I would like to thank my fellow C.E.H.A. Panel members while I have the opportunity. During my time as chair, we have brought and have had accepted important amendments to the C.S.P. (Common Strategic Policy) and Government Plan. Through our work, we have seen what is missing in the Island and what is needed most urgently, so we have brought amendments for free G.P. (general practitioner) visits for children, for the extension of funded nursery care and for more sports facilities in the east of the Island. We will soon be completing reviews on the Children and Civil Status Law and on education funding. We have published many comments papers and done a lot of work on legislative scrutiny. I hope Members will see that during my time as panel chair I have led a happy and effective team. Also, as C.E.H.A. chair, I have passed on concerns to more appropriate panels, for example on the management of the Criminal Offences Confiscations Fund. I am lucky enough to be the chair of the Ecology Fund and with my team of extremely knowledgeable trustees we have funded essential work for the environment, including many small PhD projects. It is a real pleasure to see young people succeed

in their work, producing valuable information for the Island. As a member of the Legislative Advisory Panel, I have had an insight into more of the government side of things. I say all this to demonstrate that I have always tried to take a broad outlook as a States Member and would continue to do so as the president of S.L.C. In fact, during my time on the previous S.L.C., I asked for briefings for the committee on subjects including the operation of Statistics Jersey and the management of Jersey's funds. The purpose of this was to help expand our knowledge and give committee members the opportunity to raise any concerns. During my time in Scrutiny, I have always attempted to act as an impartial chair and not as a party member. We all have allegiances. We all have ideologies or beliefs, if we prefer to call them that. My aim in Scrutiny is to leave aside ideology and take a pragmatic approach to every matter. Scrutiny is not a political opposition and Members can be assured that as S.L.C. president, I would have no desire to act as an opposition but rather as a critical friend. My aim would be for S.L.C. to be a base for discussion, for it to be strategic, for every Member to be involved. Formerly, the S.L.C. president and vice-president had meetings each month with the Chief Minister. I would like to alter these meetings slightly, in that different members of S.L.C. would accompany the president to these meetings, so that each member would gain valuable insight and have the opportunity to communicate directly with the Chief Minister. I would support Members' training, for example, a visit to the Scottish Government to examine their methods of scrutiny could be beneficial. There are other matters which S.L.C. were working which should be continued. I have the knowledge and experience to ensure the continuity of these projects. We need to continue to raise the matter of the ombudsman, the lack of freedom of information on A.L.O.s (arm's length organisations) and changes to the Jersey Appointments Commission, for example. I have already been in contact with the J.A.C. (Jersey Appointments Commission) and we are currently arranging a briefing from the Comptroller and Auditor General. As for engagement of S.L.C. with the public, I would like to invite more people in to speak to us, for example, the Association of Jersey Charities, and would be keen for us to hold the occasional meeting in a public place, such as our Parish Halls. Although the meeting would be private, Members could stay behind, should any member of the public wish to talk to us. We will, of course, continue our engagement in schools and in town. I am known to be brief when I speak, so I thank Members to listening to this long speech from me. I ask Members to vote for me to be S.L.C. President. I believe that my knowledge and experience, both from within and outside of the States Assembly, would enable me to do a good job. I welcome any questions.

The Deputy Bailiff:

Thank you, Deputy Curtis. Connétable of St. Mary, I did not want to interrupt Deputy Curtis during her speech, but I think your machine went off.

The Connétable of St. Mary:

So it is alleged, Sir. I will accept it.

The Deputy Bailiff:

Would you like to stand up when you address us? It is not the first time, it is the second or third time it has gone off this morning; is that right?

The Connétable of St. Mary:

I do not quite understand, if it is mine, how it does that.

The Deputy Bailiff:

I think it is yours.

The Connétable of St. Mary:

I do not dispute that.

The Deputy Bailiff:

I can see some nodding in the vicinity, so you need to make the normal financial contribution and also to take steps to ensure that it does not happen again this morning. The first time it happened was during the words of tribute to the recently deceased States Member, which is regrettable. It is important that we make sure these machines do not go off during the meeting of the Assembly. Thank you. The first question is from Deputy Wilson.

3.2.1 Deputy K.M. Wilson:

Can the candidate explain how, given the scope that she has just outlined, she will prioritise the work of the S.L.C.?

Deputy C.D. Curtis:

Thank you for the question. The broad aims of S.L.C. is to make sure that all the Scrutiny Panels work well, that they do not overlap in their work, to make sure the budget is there, and any other support for Scrutiny chairs. That is the priority overall. Then also there is the very important need to examine the work of the Council of Ministers. Those are the 2 broad aims. After that, it would be a matter of ensuring public engagement and anything else like that. Most of all, to make sure that the panel chairs are supported and that we scrutinise all work from the Council of Ministers.

3.2.2 Deputy K.M. Wilson:

Could the candidate explain what kind of support she considers will be important for the chairs and what this might look like?

Deputy C.D. Curtis:

Firstly, the Scrutiny chairs have to feel comfortable in the Scrutiny Liaison meetings. We have to be open to discussion. We have had one meeting already, which went well. That would be a real priority, to make sure everyone feels comfortable to be able to speak freely in the meetings. As for other more practical support, we have great officers already and I believe we have enough staff that if there is ever any suggestion of a shortage, of course we would address that. At every Scrutiny Liaison meeting when someone is considering starting a review they bring that information to us. They prepare scoping documents in terms of reference and so we all need to be able to openly discuss that comfortably and give our feedback.

3.2.3 Deputy H.L. Jeune:

The candidate has already alluded in her speech to the importance of Scrutiny's relationship with the public. How does she envisage fostering and enhancing this relationship further during her tenure, if elected?

Deputy C.D. Curtis:

During the last S.L.C. we engaged with the public a fair amount. We had stalls in town. We have been into schools. These are very important things to continue with. I did say that I would like to ask in more speakers to our committee meetings who have a broad remit that covers many different areas. Also, possibly having meetings in a public place occasionally could raise our profile. Just shortly before the vote of no confidence, the digital and engagement team did have a new plan they wanted to put into place. I would support that.

3.2.4 Deputy M. Tadier:

It follows on from that question. Can the candidate explain, because part of the role will be to deal with external organisations, so members of the public and third parties, what experience she has had either before being a States Member or on Scrutiny in that kind of engagement?

Deputy C.D. Curtis:

Yes, during my time as Scrutiny chair, of course we have dealt with outside organisations, for example, organisations like Brighter Futures, which are amazing. It is important to engage with leaders of different organisations. In my time before the States Assembly, I have run about 6 or 7 businesses; one of them being an international business. We had to engage frequently with different organisations. I was invited to be a speaker in London at certain events. I have a great breadth of experience in dealing with outside organisations.

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

Could the candidate explain what engagement, if any, she has had with the Jersey Youth Parliament in the various roles that she has held and what importance she regards the S.L.C. having to the right of children to have their voice heard? Would she consider any engagement with S.L.C. and the Jersey Youth Parliament?

Deputy C.D. Curtis:

Yes, that is essential. The Jersey Youth Parliament is amazing in what they do and what they say. During my time as the C.E.H.A. Panel chair we really valued any of the feedback we received from young people. I cannot downplay this, it is absolutely essential.

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

I was wondering whether the candidate could explain what she did previously when a fellow member of the S.L.C. was unable to recruit members. What assistance did she provide to her fellow chair? Would there be anything that she would do differently moving forward in her capacity as president of the S.L.C.?

Deputy C.D. Curtis:

It is a common difficulty for chairs to be able to fill their panels. This is not down to one particular Member. However, we did have some struggles there. What was done was that the president of the panel followed any process that was practical to assist. As a fellow member on that panel, it was not my duty to try and change this. It was the president's duty to do that. Anything I could do, I would do.

[10:45]

In my role as the president, should I be elected, I would be interested to look into what more we could do to support Members in that position. It does seem to be a bit of an ongoing problem. That is why I have been very grateful for my own panel members.

3.2.7 Deputy M.B. Andrews:

Is there potentially maybe a lesson that can be learned from this? In one instance a chair proposed that lay members be introduced to their Scrutiny Panel, probably at that point the individual was probably not going to then recruit politicians to their panel. Are there potential lessons that can be learned? Retrospectively, is there anything that maybe the candidate could have done differently and would she also act differently moving forward in her capacity as president of the S.L.C.?

Deputy C.D. Curtis:

I do not know what people could have done differently. As for lay members on panels, we have to remember that the people of Jersey have elected us to represent them, not lay-members. It is our duty to do that and to try and sort out the problem when we find it is hard to get enough panel members. It is something that definitely needs to be looked into more. As for the lay members that are on the P.A.C. (Public Accounts Committee), that is a different matter because they are looking back at what has already been done and examining finances. There have been some very good lay members of

P.A.C. and that should continue, as long as they do not speak on matters in that committee which they are conflicted with. Otherwise that should continue, but not for other Scrutiny Panels.

The Deputy Bailiff:

Are there any further questions for Deputy Curtis? In that case, that brings that time for questions to an end. I invite Deputy Gardiner to be brought back into the Chamber. As both candidates have spoken and answered questions we now move to the vote. As there are 2 candidates, the electronic voting system shall be used. Any Member wishing to vote for Deputy Gardiner will, when the voting is opened, press the pour button. Any Member wishing to vote for Deputy Catherine Curtis, will press the contre button. Members may abstain if they wish by pressing the abstention button. I invite Members to return to their seats and the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce the result of the vote is as follows: Deputy Gardiner 25 votes, Deputy Catherine Curtis 16 votes and 3 abstentions.

| Deputy Gardiner: 25 | Deputy Catherine Curtis: 16 | Abstentions: 3 |
|----------------------------|------------------------------------|--------------------------|
| Connétable of St. John | Connétable of St. Lawrence | Connétable of St. Martin |
| Connétable of St. Clement | Connétable of Trinity | Deputy S.G. Luce |
| Connétable of St. Mary | Connétable of St. Peter | Deputy L.J. Farnham |
| Connétable of St. Saviour | Connétable of Grouville | |
| Deputy L.M.C. Doublet | Connétable of St. Ouen | |
| Deputy K.F. Morel | Deputy G.P. Southern | |
| Deputy S.M. Ahier | Deputy M. Tadier | |
| Deputy I. Gardiner (H) | Deputy M.R. Le Hegarat | |
| Deputy I.J. Gorst | Deputy R.J. Ward | |
| Deputy K.L. Moore | Deputy C.S. Alves | |
| Deputy Sir P.M. Bailhache | Deputy S.Y. Mézec | |
| Deputy D.J. Warr | Deputy T.A. Coles | |
| Deputy H.M. Miles | Deputy B.B. de S.V.M. Porée | |
| Deputy J. Renouf | Deputy C.D. Curtis | |
| Deputy R.E. Binet | Deputy L.V. Feltham | |
| Deputy H.L. Jeune | Deputy R.S. Kovacs | |
| Deputy M.E. Millar | | |
| Deputy A. Howell | | |
| Deputy T.J.A. Binet | | |
| Deputy M.R. Ferey | | |
| Deputy A.F. Curtis | | |
| Deputy B. Ward | | |
| Deputy K.M. Wilson | | |
| Deputy L.K.F. Stephenson | | |
| Deputy M.B. Andrews | | |

Therefore, I announce Deputy Gardiner has been elected president of the S.L.C.

Deputy I. Gardiner:

I am grateful to the Assembly and I welcome in their ideas about reviews.

4. Appointment of the Members of the Privileges and Procedures Committee

The Deputy Bailiff:

In accordance with Standing Order 122, the Assembly is due to appoint members of the P.P.C. (Privileges and Procedures Committee). In accordance with Standing Order 122(1), the Chair must make 3 nominations of the P.P.C. who are not Ministers or Assistant Ministers.

4.1 Connétable K. Shenton-Stone of St. Martin (Chair, Privileges and Procedures Committee):

I would like to note my thanks to my previous committee, who have fallen away, obviously, with the vote of no confidence. I would like to nominate Deputy Lucy Stephenson, Deputy Tom Coles and Deputy Steve Ahier.

The Deputy Bailiff:

Thank you. Are those nominations seconded? **[Seconded]** Are there any other nominations?

Deputy H. Miles:

Yes, I would like to nominate Deputy Jonathan Renouf.

The Deputy Bailiff:

Is that nomination seconded? **[Seconded]** Are there any other nominations?

Deputy L.M.C. Doublet:

I would like to nominate Deputy Karen Wilson, please, Sir.

The Deputy Bailiff:

Is that nomination seconded? **[Seconded]** Are there any other nominations?

The Connétable of St. Martin:

Is this the time to also say that there are Members who have been nominated from the Council of Ministers?

The Deputy Bailiff:

That is a bit later on. We will come to that in a moment. Are there any other nominations for Members of the P.P.C. who are not Ministers or Assistant Ministers? In that case we have 5 candidates for 3 places. We now go to a secret ballot. I invite the ushers to distribute ballot papers. The candidates are Deputy Stephenson, Deputy Coles, Deputy Ahier, Deputy Renouf and Deputy Wilson. This is a secret ballot. Members do not need to put their name on the ballot slip, unless of course you are one of the candidates, in which case you may wish to. Members should all have a ballot paper. To remind you, the candidates are Deputy Stephenson, Deputy Coles, Deputy Ahier, Deputy Renouf and Deputy Wilson. You must choose up to 3. If all Members have cast their votes, I ask that the ballot papers be collected. If all Members have had the opportunity of casting their votes, then the Assistant Greffier will retire with the Viscount to undertake the count. While the votes are counted, I invite the chair of P.P.C. to nominate 2 further Members of P.P.C. from among the Ministers and Assistant Ministers. Have you consulted with the Chief Minister?

4.2 The Connétable of St. Martin:

Yes, I have consulted with the Chief Minister and I would like to nominate Deputy Carina Alves and Constable Mike Jackson.

The Deputy Bailiff:

Are those nominations seconded? **[Seconded]** Are there any other nominations from among Ministers and Assistant Ministers? No. Accordingly I announce that Deputy Alves and the Connétable of St. Brelade have been appointed Members of P.P.C. I do not know, Chair, if you are in a position to nominate a further member of P.P.C. from among the membership of the S.L.C.?

The Connétable of St. Martin:

No, Sir, because the president has only just been appointed.

5. Appointment of the elected Members of the Public Accounts Committee

The Deputy Bailiff:

Yes, I thought you would say that. Yes, thank you very much. We now move on to appointment of elected Members of the Public Accounts Committee in accordance with Standing Order 123. The Assembly is due to appoint Members of the P.A.C. who are elected Members. Standing Order 124 deals with unelected members for P.A.C. which requires notice to be given 14 days before the meeting. That cannot happen today. I invite Deputy Gardiner to make her nominations for elected Members of P.A.C.

5.1 Deputy I. Gardiner (Chair, Public Accounts Committee):

I would like to nominate in the first instance Deputy Wilson and Deputy Kovacs, please.

The Deputy Bailiff:

The nominations are Deputy Wilson and Deputy Kovacs. Thank you very much. Are those nominations seconded? **[Seconded]** Are there any other nominations? Accordingly, I declare that Deputy Wilson and Deputy Kovacs are appointed Members of the P.A.C.

[11:00]

6. Appointment of the Members of the Corporate Services Scrutiny Panel

The Deputy Bailiff:

We now move on to appointment of members of the Corporate Services Scrutiny Panel in accordance with Standing Order 125. I invite the chair, Deputy Miles, to indicate the number of Members she is seeking for her panel and the nominations.

6.1 Deputy H. Miles of St. Brelade (Chair, Corporate Services Scrutiny Panel):

Thank you to Members who have been in touch with me regarding this panel. I would like to nominate 5 Members, please. That would be Connétable David Johnson, Deputies Andrews, Alex Curtis, Lucy Stephenson and Jonathan Renouf.

The Deputy Bailiff:

The nominations you make are the Connétable of St. Mary, Deputy Andrews, Deputy Alex Curtis, Deputy Stephenson and Deputy Renouf. Are those nominations seconded? **[Seconded]** Are there any other nominations? If there are no other nominations I declare that the Connétable of St. Mary, Deputy Andrews, Deputy Alex Curtis, Deputy Stephenson and Deputy Renouf are appointed Members of the Corporate Services Scrutiny Panel.

7. Appointment of the Members of the Economic and International Affairs Scrutiny Panel

The Deputy Bailiff:

We now move on to members of the Economic and International Affairs Scrutiny Panel. Under Standing Order 125, I invite the chair, Deputy Tadier, to indicate the number of Members he is seeking for the panel and the nominations.

7.1 Deputy M. Tadier (Chair, Economic and International Affairs Scrutiny Panel):

Yes, if I could also thank Members who have engaged and expressed an interest in joining now or in the future. The ones who have agreed to join immediately, in no particular order, are Deputy Southern, Deputy Andrews and Deputy Wilson are who I would like to nominate to join the panel.

The Deputy Bailiff:

You nominate Deputy Southern, Deputy Andrews and Deputy Wilson. Are the nominations seconded? **[Seconded]** Are there any other nominations? There are no other nominations, so I declare that Deputy Southern, Deputy Andrews and Deputy Wilson are appointed Members of the Economic and International Affairs Scrutiny Panel.

8. Appointment of the Members of the Environment, Housing and Infrastructure Scrutiny Panel

The Deputy Bailiff:

We now move on to appointment of members of the Environment, Housing and Infrastructure Scrutiny Panel. In accordance with Standing Order 125, I invite the chair, Deputy Jeune, to indicate the number of members she is seeking for the panel and to make her nominations.

8.1 Deputy H.L. Jeune (Chair, Environment, Housing and Infrastructure Scrutiny Panel):

I would like to thank all Members who approached me to have roles on this panel. I would like to nominate 4 Members for the panel, which would be Deputy Coles, Deputy Alex Curtis, Deputy Warr and the Connétable of St. Mary.

The Deputy Bailiff:

You are nominating Deputy Coles, Deputy Alex Curtis, Deputy Warr and the Connétable of St. Mary. Are those nominations seconded? **[Seconded]** Thank you. Are there any other nominations? In those circumstances, I declare that Deputy Coles, Deputy Alex Curtis, Deputy Warr and the Connétable of St. Mary are appointed members of the Environment, Housing and Infrastructure Scrutiny Panel.

9. Appointment of the Members of the Health and Social Security Scrutiny Panel

The Deputy Bailiff:

We now move on to members of the Health and Social Security Scrutiny Panel. In accordance with Standing Order 125, I invite the chair, Deputy Doublet, to indicate the number of Members she is seeking for the panel and to make her nominations.

9.1 Deputy L.M.C. Doublet (Chair, Health and Social Security Scrutiny Panel):

I would like to nominate 3 Members for this panel. First of all I would like to thank Members who have expressed an interest and to remind the Assembly that it is not only the core members of the panel who can take part in the work of the panel but, Back-Bench Members, there is the ability to be co-opted for review. So if Members do have specific interests, please do come and talk to me. In alphabetical order, I would like to nominate Deputy Bailhache, Deputy Renouf and Deputy Stephenson.

The Deputy Bailiff:

The nominations are Deputy Bailhache, Deputy Renouf and Deputy Stephenson. Are the nominations seconded? **[Seconded]** Are there any other nominations? Accordingly, I can announce that Deputy Bailhache, Deputy Renouf and Deputy Stephenson have been appointed Members of the Health and Social Security Scrutiny Panel.

10. Members of the Planning Committee

The Deputy Bailiff:

In accordance with Standing Order 125A, the Assembly is due to appoint additional members of the Planning Committee. The Connétable of Trinity, in accordance with Standing Order 125A(1), you have indicated you wish to appoint an additional 2 members; is that correct?

10.1 Connétable P.B. Le Sueur of Trinity (Chair, Planning Committee):

Yes, Sir. I would like to nominate Deputy Ahier and the Constable of Grouville.

The Deputy Bailiff:

Thank you. Are those nominations seconded? **[Seconded]** Are there any other nominations?

Deputy I. Gardiner:

I would like to nominate Deputy Moore.

The Deputy Bailiff:

Is that nomination seconded? **[Seconded]** Are there any other nominations?

Deputy K.L. Moore:

I would like to nominate Deputy Jeune.

The Deputy Bailiff:

Thank you. Is that nomination seconded? **[Seconded]** Are there any other nominations? In that case we move to a secret ballot. We will circulate the papers, but will not fill in the boxes. That will occur now. I remind Members that the candidates are Deputy Ahier, the Connétable of Grouville, Deputy Moore and Deputy Jeune. It is a secret ballot, so Members should not write their names unless they are candidates. Members can vote for one or 2 of the candidates as there are 2 vacancies.

Deputy I. Gardiner:

Sir, will you remind us of the names and how many we can vote for?

The Deputy Bailiff:

Yes. The candidates for the Planning Committee, there being 2 vacancies, are Deputy Ahier, the Connétable of Grouville, Deputy Moore and Deputy Jeune. The ballot box is empty. If Members have cast their votes, the usher will collect them in the ballot box you have just seen. If all Members have had the chance of casting their votes in the ballot box, I invite the Assistant Greffier to retire with the Viscount to carry out a count. Returning for a moment to the appointment of Members of the P.P.C., the 3 Members who are not Ministers or Assistant Ministers, the outcome of the secret ballot is as follows: Deputy Ahier 27 votes, Deputy Stephenson 25 votes, Deputy Coles 23 votes, Deputy Renouf 21 votes, and Deputy Wilson 18 votes. Therefore, Deputy Ahier, Deputy Stephenson and Deputy Coles have been elected as members of P.P.C.

11. Associate Member of the British-Irish Parliamentary Assembly

The Deputy Bailiff:

We now move on to election of an Associate Member to represent the States of Jersey on the British-Irish Parliamentary Assembly. The Assembly is due to elect an associate member. Ministers and Assistant Ministers cannot be nominated. I invite nominations from the Assembly for elections of an associate member of the British-Irish Parliamentary Assembly.

Connétable A.N. Jehan of St. John:

I would like to propose Deputy Jeune.

The Deputy Bailiff:

Deputy Jeune is proposed. Is that nomination seconded? [**Seconded**] Thank you.

Deputy R.J. Ward:

May I propose Deputy Tom Coles?

The Deputy Bailiff:

Is that nomination seconded? [**Seconded**] Are there any other nominations? In that case, we proceed with a secret ballot. I invite the usher and the Greffier to distribute ballot papers. Members should only write the name of the Member whom they wish to elect as an associate member; either Deputy Jeune or Deputy Coles. Once Members have cast their votes, the usher will collect them in the ballot box.

[11:15]

If all Members have had the opportunity of casting their votes in the ballot box, we will keep that box in the Chamber until the outstanding vote is announced and then it can be counted; to make sure there is no risk of the 2 boxes becoming mixed up.

QUESTIONS

12. Written Questions

12.1 Deputy M.B. Andrews of St Helier North of the Chief Minister regarding employees and vacancies in the Cabinet Office. (WQ.4/2024)

Question

Will the Chief Minister state the current number of employees and vacancies within the Cabinet Office?

Answer

The Cabinet Office brings together the functions of three previous Government departments:

- Chief Operating Office,
- Office of the Chief Executive, and
- Strategic Policy, Planning and Performance

There are 642 public servants currently employed by the Cabinet Office (619.87 Full Time Equivalents) and 5 vacancies.

12.2 Deputy M.B. Andrews of St Helier North of the Minister for Housing and Communities regarding rental stabilisation measures. (WQ.7/2024)

Question

Will the Minister advise whether he intends to propose rental stabilisation measures and, if he does, explain the type and extent of such measures?

Answer

I intend to propose rent stabilisation measures in the new Residential Tenancy Law.

The Chief Economist and his team are currently reviewing potential options for achieving this, which I will give due consideration to. This is likely to include consideration on how often rents can be increased, notice periods required for rent reviews and ultimately how much rent can be increased in a single go.

I hope to update States Members on the status of the Residential Tenancy Law soon.

12.3 Deputy I. Gardiner of St. Helier North of the Minister for Children and Education regarding budget allocation to post-16 education (WQ.8/2024)

Question

Will the Minister state the total overall budget allocated to post-16 education and provide, for each of the following, the total budget and a breakdown of that budget per student per academic year –

- (a) A-level funding at Hautlieu School;
- (b) A-level equivalent funding at Highlands College;
- (c) apprenticeships at Highlands College; and
- (d) apprenticeships through private providers in different sectors?

Answer

Up to 3 years ago, budgets were allocated to schools via a per pupil calculation called the Age Weighted Pupil Unit (AWPU). An Independent School Funding Review was published in 2020 which confirmed that the AWPU was no longer fit for purpose.

Key concerns were that it did not properly recognise the fixed and semi-fixed nature of most costs or provide for individuals with special requirements and that AWPU built in incentives to increase numbers on the school roll and penalised efforts to improve quality for the same number of students. CYPES therefore stood up a project under the umbrella of Education Reform and changed school budgeting to reflect the best practice recommendations in the report.

The Schools Funding Formula is now in its third year and allocates budgets to schools in a way which reflect that the majority of costs in a school are fixed or semi-fixed with very little of the cost driven directly by pupil numbers, age or key stage. Schools are now funded for their planned activities and committed costs with additional funding for individuals with identified high needs. This gives each school what it needs to run its classes, recognising that this will be different from school to school.

For example, Hautlieu's A level teachers will also teach other year groups so their costs apply across all their classes; the facilities, leadership and well-being costs will also apply to all year groups. The consumables that apply to a core academic subject are minimal with only the course materials and exam fees belonging solely for the A level students.

The average unit costs of each school can be calculated but further detailed work would need to be done to apportion the costs across each year group in order to calculate a meaningful cost for the A level cohorts.

Budgets are not calculated or managed by student or by year group. Institutions are funded using the Schools Funding Formula which is published on Gov.je. This method follows best practice to create a fair allocation to schools.

Highlands is budgeted for its whole service provision not by pupil for its full-time courses.

Apprenticeships are budgeted per course and the average direct costs per course are available from the college.

CYPES does not hold budgeting information for private providers.

12.4 Deputy J. Renouf of St. Brelade of the Minister for the Environment regarding income for the Climate Emergency Fund. (WQ.9/2024)

Question

Will the Minister state the Climate Emergency Fund's total expected income for the period 2022 to 2026; and will he advise how much additional income it is estimated would have accrued to the Fund in 2023 and 2024 had fuel duty been uprated in line with inflation in the last two Government Plans?

Answer

The Climate Emergency Fund (CEF) was established in 2020 with an allocation of £5 million from the Consolidated Fund.

The intention was that above RPI increases in fuel duty year on year, as well as income from VED, would be allocated into it.

The 2020 Government Plan agreed a 4p per litre increase in fuel duty would go into the fund. The 2021 Government Plan agreed a further increase of 2p per litre, and in 2022 a further increase of 3p per litre took the total to 9p per litre going into the CEF.

In the 2023 and 2024 Government Plans the decision was taken to freeze fuel duty, with no increase either in line with RPI or in addition to this to go into the CEF. The total therefore remained at 9p per litre from fuel duty going into the CEF.

The current projected total expected income, on top of the initial allocation, into the Climate Emergency Fund from 2022 to 2026 is £20.15m. This includes both the contribution from fuel duty and VED at the current rates.

Each 2p above RPI increase in fuel duty is estimated to accrue approximately £1 million into the fund.

If agreement had been given to continue the annual above RPI increase in fuel duty by 2p per year in both 2023 and 2024, a total of 11p per litre would have gone in in 2023 and 13p per litre would go in in 2024. Under this scenario it is projected that an additional £2.44m would have accrued into the

Climate Emergency Fund in total in 2023 and 2024. Policy delivery will need to be adapted to reflect this and there will be an impact on the rate of emission reductions achieved.

12.5 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for Children and Education regarding funding for Skills Development. (WQ.10/2024)

Question

Will the Minister state the amount of funding currently allocated to skills development in Jersey; and advise whether there are any plans to develop a new skills and careers strategy and, if so, whether a new strategy will require additional funding to be implemented?

Answer

In December 2022 the Further Education and Skills Actionable agenda was published. This report stated:

There have been several recent strategy documents aimed at shaping and reforming skills and further education (FE) provision in Jersey. Additionally, there have been several other strategy documents responding to economic and social developments that see skills provision as being integral to the future prosperity of Jersey.

There is an urgent need to develop an ‘actionable agenda’ to ensure that Jersey has a robust, adaptable, and effective further education and skills system for the future. To a significant extent, this agenda needs only to group proposals from existing strategies for post-16 education.

This actionable agenda set out 37 actions to be explored and delivered to create a robust Skills System in Jersey . One of these actions was:

(7) A Jersey Skills Fund to be established to enable a systematic approach to be taken in skilling, re-skilling and up-skilling Jersey’s workforce

This fund was included in the Government Plan 2024. The budget combines existing skills budgets to create a rolling £900,000 for skills development. This budget can be used to:

- (i) provide training to target specific current and future skills gaps (priority given to those with Entitled/Entitled for work status)
- (ii) provide numeracy and literacy upskilling for Islanders in the workforce
- (iii) attract more people with Entitled/Entitled for work status into careers in Jersey (e.g. school students, graduate returners, retirees)
- (iv) incentivise apprenticeship pathways if evidence supports a future skill gap
- (v) develop pilot/new projects to close potential future skills gaps, including seed funding tertiary education pathways accessible to Jersey’s workforce

Proposals for skills gaps and solutions fitting the above criteria can come from:

- GoJ future skills group
- Jersey Employer Group
- External proposals

External proposals for initiatives and training that reduce skills shortages, or improve productivity will be accepted from:

- industry bodies
- organisations who work with or represent many businesses
- individual businesses delivering training or initiatives that will benefit other businesses in their sector
- training providers with a sound, supported, evidence base of benefits to multiple businesses

The actionable agenda also set out that the:

(28) Functions of Skills Jersey to be reviewed

This action is completed, and Skills Jersey are now setup to administer Jersey's new Skills System and the related skills development budgets.

Skills Jersey will drive economic growth by facilitating effective partnership working between schools, training providers and businesses in order to develop the knowledge, aspirations and employability skills of young people and all Islanders as they learn and develop throughout their working life. This includes ensuring every Islander can access high-quality career guidance to make informed decisions about their future.

There are no current plans for a new Skills and Careers strategy and any decision on this will need to be taken by the Minister for Education and Lifelong Learning once appointed.

12.6 Deputy M.B. Andrews of St Helier North of the Chief Minister regarding changes to the Cabinet Office. (WQ.11/2024)

Question

Will the Chief Minister advise what plans, if any, he has to implement changes to the Cabinet Office?

Answer

The new Ministerial team has been in place for less than three weeks and will need to develop a thorough knowledge of the current position before reaching conclusions.

The new Council of Ministers will be working with the Chief Executive Officer to understand how the Cabinet Office can be most effective and efficient.

12.7 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for Children and Education regarding funding support for parents to return to work. (WQ.12/2024)

Question

Will the Minister provide details of the funding allocated for Early Years in the Government Plan 2024 – 2027, including any funding available to support parents to return to work; and will he advise what plans, if any, he has to enhance this support?

Answer

The funding allocated to the provision for Early Years is shown within the Education service under the Children, Young People, Education and Skills (CYPES) net revenue head of expenditure in the Government Plan 2024 to 2027. There was no new growth funding approved in Government Plan 2024 to 2027 specifically for Early Years.

The base budget across all Early Years settings is **£8,934,000** in each of the years 2024 to 2027. The table below shows how this is spread across the following broad headings:

| | 2024 recurring £ |
|---|-------------------------|
| Nursery Education Fund | 3,421,000 |
| Childhood & Early Years Team & Central budgets | 1,951,000 |
| Nursery classes in 21 primary schools - funding formula | 3,045,000 |
| Nursery Inclusion – additional funding to support inclusion needs | 517,000 |
| Total Early Years budget in each year of GP2024 to 2027 | 8,934,000 |

The Nursery Education Fund (NEF) - £3,421,000 is a universal offer of 30 free hours per week with private and third sector providers for 3 and 4 year olds.

The offer increased from 20 to 30 hours in 2021, extending support for all families, including working families, and affording 10 additional hours of early learning opportunities for all children.

CYPES increased the funding to nursery providers by upping the hourly rate in 2023 from £6.89 per hour to £7.44 per hour. This rate increase was also paid one term early to reflect cost of living pressures felt by nurseries. The department also directly provided further one-off ‘cost of living’ support grants of £85,000 to nurseries to help them to maintain the high-quality offer in the context of higher costs. This enabled them to maintain healthy food and snacks and to renew resources and equipment.

CYPES has increased the NEF budget in line with demand and fee increases since 2020 to cover the impact of these decisions. In 2020, the NEF budget was £1,593,000, rising to £3,050,000 in 2022 to cover the full year impact of the increase in hours from 20 to 30, and increases in the value of the hourly rate, to a recurring level of £3,421,000.

Childhood and Early Years Team - £1,951,000 – this is the base budget including additional funding which was secured in Government plan 2023 for the following purposes:

- **£535,000** allowed the further extension of a targeted childcare offer for children aged 2-3 years with the greatest need, of up to 12 hours of nursery experience. It also provided additional and targeted funding for schools and services that offer programmes and activities for children and families prior to NEF funding.
- **£262,000** was secured to expand the early years inclusion team to increase their capacity to meet the growing needs and work directly with children and families of children with special educational needs.
- **£170,000** was secured to implement the Early Years Policy Development Board recommendation of an integrated developmental review for children aged 3 to support early identification, intervention and collaborative working with health, education, and parents/carers.

Nursery classes in schools - £3,050,000 – 21 primary schools have dedicated nursery classes with qualified early years teachers providing high quality nursery education during school hours. The budget is calculated as part of the Schools Funding Formula and forms part of the school’s allocation.

Nursery Inclusion - £517,000– this element of the funding formula recognises the enhanced level of inclusion support required in schools for nursery children.

Future plans to enhance support for working parents.

- Proposals are being developed under the draft Common Strategic Policy to extend nursery and childcare provisions. This includes additional hours of funded childcare for 2–3-year-olds in greatest need.
- Any expansion programme needs to be acutely aware of the current workforce and capacity challenges and will require careful phasing to ensure successful implementation and a sustainable provision.

12.8 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Chief Minister regarding social and ethical values in the government procurement process. (WQ.13/2024)

Question

Will the Minister detail how social values and ethical purchasing are integrated in the Government procurement process, and the weighting given to these matters and value for money requirements; and will he explain whether there is any plan to evaluate this process and if so, when, and if not, why not?

Answer

The Government procurement process includes policies and procedures that place an importance on sustainability and social value commitments. It also aims to ensure value for money from contracts and service providers.

The process ensures procurement is not just focussed on the bottom-line price or cost of services and goods but takes into account the wider value of contracts to the community over time, maximising the economic, social and environmental benefits for Jersey.

Since 2023, tenders issued by the Government procurement portal with a value of more than £100,000, have included a weighting for Social Value (which should equate to at least 10% of the total contract value) in the Evaluation process.

The contract management process monitors that the social value commitments – principally economic, environmental and social benefits - are delivered. Examples of social value include switching to use of biofuels in transport and heating of buildings. Economic and social contributions have included sponsoring local students to gain IT skills at Highlands College, which enabled them to gain work experience with the Government. Another supplier donated 250 laptops for reuse within our education and higher education establishments.

In 2024 the Government aims to continue developing a social value measuring tool to enhance reporting in the social value area.

12.9 Deputy M.B. Andrews of St Helier North of the Minister for Treasury and Resources regarding transfer of funds from the Consolidated Fund. (WQ.14/2024)

Question

Will the Minister advise what consideration, if any, has been given to transferring funds from the Consolidated Fund to the Strategic Reserve or the Stabilisation Fund; and will she provide details of any proposed transfers?

Answer

Consideration is being given to enacting a transfer to the Stabilisation Fund of up to £25m in accordance with the Government Plan 2024 – 2027, which sets out the intention to make a transfer contingent on the availability of monies in the Consolidated Fund. In considering such a transfer, the position of the Consolidated Fund as at the end of 2023, will need to be finalised, including any carry forward of and application of unspent budgets into 2024. This work is currently underway, with the final financial position subject to audit before publication in the Annual Report and Accounts in April.

Ministers will consider options to grow the Strategic Reserve, as part of the Government Plan 2025 -2028 process, alongside competing objectives including the financing of the new healthcare facilities.

12.10 Deputy M.B. Andrews of St Helier North of the Minister for Justice and Home Affairs regarding cases involving child abuse. (WQ.15/2024)

Question

Will the Minister provide the number of cases involving child abuse that were reported to the States of Jersey police during the period 2019 to 2023; and will she advise how many led to prosecutions and convictions?

Answer

| | 2019 | 2020 | 2021 | 2022 | 2023 | Total |
|--|------|------|------|------|------|-------|
| All recorded offences | 137 | 92 | 104 | 97 | 101 | 531 |
| Charged for Court or warned to Parish Hall Enquiry (PHE) | 20 | 14 | 14 | 16 | 14 | 78 |
| Conviction (any sanction at Court or PHE) | 14 | 9 | 10 | 12 | 3 | 48 |

Notes:

- Police record all reports received as a separate incident (for example, for 2023 there were 101 individual recorded reports of offences– some of which are likely to involve multiple reports for one victim or one suspect).
- The number of charges/prosecution relates to the number of cases (some of which could have been reported during the previous years) that would have met the Evidential threshold and the Public Interest test. Not all reported cases meet the criteria – most of the offences on the list, if not all, are now subject of LOD decision on charge/prosecution.
- Each conviction relates to a specific offence rather than the offender – so it can be that multiple offences/convictions relate to one defendant/offender.
- All recorded offences include –
 - Abduction
 - Abduction of child
 - Abuse of trust by a sexual act against a female child
 - Article 35 Sexual Offences (Jersey) law 2018 - Voyeurism
 - Causing a child to be present during a sexual act
 - Causing a child to watch a sexual act
 - Causing or inciting a sexual act with a female child 12 or younger
 - Causing or inciting a sexual act with a male child 12 or younger
 - Causing or inciting a sexual act with an older female child
 - Causing or inciting a sexual act with an older male child
 - Causing sexual act without consent
 - Cruelty/neglect of children (Art. 9 Children's [Jersey] Law)
 - Gross indecency
 - Gross indecency with child
 - Incite to commit a sexual act
 - Indecent assault on a female
 - Indecent assault on male
 - Indecent exposure
 - Other sexual offences
 - Possess/distribute indecent images of child
 - Rape of a female
 - Rape of a female child aged 12 or younger
 - Rape of a male
 - Rape of a male child aged 12 or younger
 - Sexual grooming of a female child

- Sexual penetration of a female child aged 12 or younger
- Sexual Penetration of a female without consent
- Sexual penetration of a male child aged 12 or younger
- Sexual touching of a female child aged 12 or younger
- Sexual touching of a male child aged 12 or younger
- Sexual touching of a male without consent
- Sexual touching of female without consent
- Unlawful sexual act between children
- Unlawful sexual intercourse with an older female child
- Unlawful sexual penetration of an older female child
- Unlawful sexual penetration of an older male child
- Unlawful sexual touching of an older female child
- Unlawful sexual touching of an older male child
- USI girl under 13 yrs.
- USI girl under 16 yrs.
- Voyeurism

12.11 Deputy M. Tadier of St. Brelade of the Minister for Children and Education regarding Portuguese as a language option in the curriculum. (WQ.16/2024)

Question

Will the Minister advise whether there are any plans to offer Portuguese as a language option in the curriculum and as part of the normal school day for all students (including those who do not have Portuguese as a home language) alongside other language options?

Answer

The Department currently have no plans to change the Jersey Curriculum for languages. However, our Government of Jersey schools enable pupils to access Portuguese lessons across Keys Stages 2, 3 and 4 in collaboration with the Camões Institute. In time these pupils then have the option to select to study for the GCSE in Years 10 and 11.

The Jersey Curriculum for languages requires all pupils in Key Stages 2 and 3 to study French and to learn an appreciation of the cultural influence of France on Jersey’s heritage. This learning is built upon in secondary schools where pupils can also opt to study further languages (currently our schools offer Spanish, Italian, Portuguese, Polish, German and Mandarin).

CYPES’ Language policy promotes multilingualism within its mission statement as below:

Mission

Jersey schools encourage, welcome and respond to a diverse range of language strengths, needs and identities, with the task of preparing students to leave school/college with the linguistic, academic, and social skills and competencies they require to become successful members of the community. A key element for success is empowering children to value their own language and cultures, and those of their peers. Raising the profile of all languages has a positive impact on inclusion and well-being for students.

[Link to the Jersey Curriculum for languages](#)

[Link to CYPES Languages Policy](#)

12.12 Deputy T.A. Coles of St. Helier South of the Minister for the Environment regarding employees and vacancies in the Planning Department. (WQ.17/2024)

Question

Will the Minister state the current number of employees and vacancies within the Planning Department, broken down by job title, and advise what roles are currently filled by overseas or agency staff?

Answer

The Planning Applications Team is made up of **18** Full Time Equivalent posts.

| Job Title | Number of posts | Vacant posts | Comments |
|-------------------------------|------------------------|---------------------|--|
| Planning Applications Manager | 1 | 1 | Senior Planner acting up - January 2024 recruitment unsuccessful |
| Senior Planning Officer | 7 | 1 | Recruitment currently under way – applications close 20/2/2024 |
| Planning Officer | 5 | 0 | |
| Trainee Planner | 5 | 2 | Recruitment currently under way – applications close 20/2/2024 |
| Total | 18 | 4 | |

One of the Senior Planning Officers is temporarily acting up into the Planning Applications Manager post, and during this time their post is being backfilled by a UK contractor.

12.13 Deputy T.A. Coles of St. Helier South of the Minister for Health and Social Services regarding misdiagnosis. (WQ.18/2024)

Question

Regarding misdiagnosis within Health and Community Services will the Minister detail –

- (a) how instances of misdiagnosis are recorded;
- (b) what procedures are in place to prevent misdiagnoses from being repeated; and
- (c) whether the number of misdiagnoses is compared with other jurisdictions, and if so, how they compare?

Answer

(a) When a misdiagnosis is recognised, it is being recorded in incident reporting system called Datix. Datix is commonly used in healthcare organisations. The Datix entry may be completed by any member of staff who recognised the misdiagnosis, for example as a result of a complaint or any mechanism where concern is raised. The recording of a misdiagnosis in Datix will trigger a review, via the Quality and Safety team and elevation to the Serious Incident review panel (SIRP). This committee meets weekly and would initiate an investigation, a report, feedback and actions, from a subsequent panel review, to carry forward learning and ensure the individual is educated and where necessary further training provided.

(b) Through the process of feedback from an investigation and the subsequent report, in isolated cases of misdiagnosis it may be appropriate to undertake a local review, with those involved, into specific factors that may have led to the misdiagnosis. This would enable learning and identify measures that could be taken to prevent a similar process occurring again. This would occur as part of the Serious Incident process.

The use of the Datix system allows tracking of similar incidents in HCS to be monitored by the Quality and Safety team. If there were repeated or sustained misdiagnosis, identified under one individual, then it would be appropriate to review whether the individual should continue to practice.

If deemed a risk to patient safety, it would be appropriate to stop an individual involved in repeated misdiagnosis from working to protect patients, allow investigation into their practice, and, where possible educate and support the individual.

(c) There is no current mechanism for reviewing the number of misdiagnoses against other jurisdictions. It could be possible but there is no comparator at this time

12.14 Deputy C.D. Curtis of St. Helier Central of the Minister for Infrastructure regarding a re-use centre at La Collette. (WQ.19/2024)

Question

Further to the adoption of [P.65/2023](#), will the Minister detail what progress, if any, has been made in reinstating the re-use centre at La Collette, and provide an indication of when it will be open?

Answer

Following the acceptance of P.65/2023 (amended), the Solid Waste Section of the Department for Infrastructure has held discussions with a number of charitable organisations and commercial businesses that have expressed an interest in operating from the site at La Collette. The outcome of the discussions is that none of the charities operating general reuse/resale activities (such as Acorn/Durrell/Hospice) see the site fitting into their current operation and would not engage in a tender for its use.

There is interest from a charity working in a specific area and also from commercial businesses who work in the electrical/technology market, and all would work to direct these materials from waste streams or alternative recycling routes.

The Department is currently finalising the tender documents to go out to identify a suitable tenant for the site.

12.15 Deputy C.D. Curtis of St. Helier Central of the Minister for the Environment regarding labelling of allergens in food. (WQ.20/2024)

Question

Will the Minister provide an update on the progress being made on bringing forward the [Food \(Jersey\) Law 2023](#) Regulations, including the labelling of allergens in food?

Answer

Environmental and Consumer Protection officers have commenced work on a programme of subordinate legislation under the Food (Jersey) Law 2023 (the Law) in preparation for when the States, by Act, bring the Law into force.

The subordinate legislation will address gaps in current information legislation for domestically produced food, including packaged food (food that is ‘pre-packed for direct sale’² (per Natasha’s Law in the UK)), and information provision on menus. This work is also mindful of UK developments from the last few months on provision of allergen information for consumers.

It should be noted that once the Law comes into force, Article 61 enables the retention of existing Orders and regulations made under the Food Safety (Jersey) Law 1966 and the Food Safety (Miscellaneous Provisions) (Jersey) Law 2000 until they are repealed and replaced.

Pursuant to the Law, subordinate legislation will be prepared and consulted on for the following:

- Allergen labelling
- Codes of Practice
- Food hygiene
- Food management
- Food primary production
- Food supplement
- Import and export of food
- Labelling of food
- Licensing of food businesses
- Matters of conscience labelling – vegetarian, vegan, halal, kosher
- Methods of production

- Offering of food to the charitable sector
- Palm oil
- Pest control
- Record keeping
- Registered premises
- Sanitary facilities
- Temperature
- Traceability
- Training
- Water quality

A number of factors to greater or lesser extents have impacted the timeline for producing subordinate legislation, these being:

- Ensuring that any changes in our technical regulations are consistent with UK legislation and ‘Best-practice’ and World Trade Organisation commitments (arising from being parties to the Trade and Cooperation Agreement (TCA) with the EU through the UK).
- Retaining a close watch on:
 - o the UK’s approach to its border model (finalised 29 August 2023);
 - o its retained EU legislation – subject to change under Retained EU Act;
 - o divergence with the EU since Brexit (including update to UK guidance on allergens); and
 - o developments at Codex Alimentarius (International Food Standards) (of particular interest is the use of technology in food information).
- Considering food standards policy in light of the Council of Ministers published priorities.
- Changes to the Council of Ministers in January 2024.
- Until new legislation in this area is ready for consideration by the States Assembly, which is expected in Q4, it is worth noting that most of the packaged food available locally is either imported from the UK or EU, meaning that the Island is provided an elevated level of consumer protection. Mandatory EU labelling requirements, which are substantively unchanged by Brexit, provide for detailed ingredient lists in a legible font size with prominence given to the 14 most serious allergens on labelling¹. The Food Safety (Labelling) (Jersey) Order 2005 deems such imported products compliant with local legislation, provided they are in a language understood by the intended consumer. Local legislation also legislates against misrepresentation of food, e.g. claiming that a product is suitable for an allergic consumer when it is not.

12.16 Deputy J. Renouf of St. Brelade of the Minister for the Environment regarding a new Island Plan. (WQ.21/2024)

Question

Will the Minister outline his proposed schedule for the production of a new Island Plan, including a review of the current Island Plan; and clarify if he intends to make any Orders under Part 2, section 4 and Part 3, section 5 of the [Planning and Building \(Jersey\) Law 2002](#)?

Answer

Whilst the Bridging Island Plan was developed for a shorter plan period, it provides a fully comprehensive framework for managing the use and development of our scarce land and marine resources. It also sets out an ambitious programme of delivery.

I am developing a prioritised programme to deliver the plan's policies and proposals that aligns with and supports delivery of the government's objectives, particularly in relation to the provision of new homes, over the remainder of this term of government.

Some of the proposals of the current plan are required to be implemented to inform the next island plan. In this respect, I am working to establish a clear understanding of the evidence that is required to inform its preparation, and a programme to deliver it.

The next island plan should be able to provide an appropriate planning response to the critical issues that will need to be addressed over the next plan period. This will likely involve the provision of homes, together with a planning response to, amongst other things, the island's need for critical elements of infrastructure associated with the management of waste; and the adequate provision of minerals and water. The need for new evidence will help inform and shape the next island plan review programme.

In addition to this, I want to consider how best we might prepare an island plan that can provide the necessary framework for decision-making, whilst introducing the potential for flexibility in response to changing circumstances. This may result in changes to the legal framework, including Orders, under which the form of the island plan is defined; and the process for its development and approval, prescribed.

12.18 Deputy I. Gardiner of St. Helier North of the Minister for Children and Education regarding skills gaps identified by the Skills Barometer and Market Research. (WQ.22/2024)

Question

Will the Minister advise what skills gaps have been identified and evidenced by Skills Jersey using Skills Barometer and Market Research; and detail the number of apprenticeships that will be required over the next 5 years to fill any gaps identified?

Answer

Jersey's Labour supply / demand model (skills barometer) estimates demand for and supply of workers under different net migration scenarios. The model includes vacancies and provides estimates of mismatch for whole economy and by sector. This allows for estimates of skills gaps by sector by comparing current skills demands for sectors that are estimated to have a growth or mismatch in future scenarios.

In January 2024 the skills development team of Skills Jersey began a series of industry specific workshops to identify from local experts the current and known future skills gaps and drill into possible unknown future skills gaps. The results of these workshops will be ratified against the data held and various scenario estimates from the supply and demand model and will form proposals to focus skills development support. These proposals will cover a variety of solutions including:

- Short course recommendations
- Apprenticeship growth areas

- Potential new apprenticeship areas to be explored and established
- Other skills gap solutions such as highlighted future careers likely to be needed in Jersey

The estimated number of apprenticeships required over the next 5 years will not be known until the work described above has been completed.

12.19 Deputy I. Gardiner of St. Helier North of the Minister for Children and Education regarding apprenticeships. (WQ.23/2024)

Question

Regarding apprenticeships will the Minister detail –

- (a) the number of individuals undertaking apprenticeships this academic year;
- (b) the cost per academic year of offering the following apprenticeships;
 - (i) Bricklaying;
 - (ii) Childcare;
 - (iii) Electrical;
 - (iv) Health and Social Care;
 - (v) Motor Vehicle; and
 - (vi) Plumbing;
- (c) the average cost per academic year of offering all types of apprenticeships;
- (a) the 2023/2024 revenue expenditure budget available through the Tracker programme to support individuals and businesses with apprenticeships; and
- (b) the 2023/2024 revenue expenditure budget that would be required to provide individuals with 100% apprenticeship funding?

Answer

- (a) the number of individuals undertaking apprenticeships this academic year;
 - i. Apprentices – 408
 - ii. Higher Apprentices – 32
- (b) the cost per academic year of offering the following apprenticeships.
 - a. Bricklaying - £4,900 per learner (based upon 252 learning hours)
 - b. Childcare (early years level 3) - £3,400 per learner (based upon 160 learning hours)
 - c. Electrical - £5,600 per learner (based upon 252 learning hours)
 - d. Health and Social Care - cost is not known as CYPES is not the provider for this training
 - e. Motor Vehicle - £5,300 per learner (based upon 252 learning hours)
 - f. Plumbing - £5,200 per learner (based upon 252 learning hours)
- (c) the average cost per academic year of offering all types of apprenticeships - £5,400 per learner (based upon 252 learning hours)
- (d) the 2023/2024 revenue expenditure budget available through the Trackers programme to support individuals and businesses with apprenticeships - £650,000

- (e) the 2023/2024 revenue expenditure budget that would be required to provide individuals with 100% apprenticeship funding

Based upon the predicted number of apprentices and the current mean average course cost if the funding was considered as a separate funding stream, the total budget required to fully fund all courses is £2,200,000.

Currently the funding is a combination of core funding provision for Highlands, funding from the Trackers provision and some costs to employers where appropriate. A wider consideration of how these funding streams blend is an ongoing project.

- (a, b, c & e) This relates to students studying at Highlands College only.
- (a, b, c & e) The above figures do not include staffing or resources outside of Highlands College e.g., related to SKILLS Jersey or the Trackers Mentors.

12.20 Deputy I. Gardiner of St. Helier North of the Minister for Children and Education regarding subsidies for apprenticeships. (WQ.24/2024)

Question

As the maximum subsidy for apprenticeships is £1,600 per academic year and any costs over and above this need to be met by the apprentice or employer, will the Minister state, for each of the last three years –

- (a) the number of businesses and apprentices that have received the full subsidy;
- (b) the number of businesses and apprentices that have received a partial subsidy;
- (c) the number of businesses and apprentices that have received no subsidy;
- (d) where a partial, or no, subsidy has been received by either business or individual, the reasons they did not receive the full amount;
- (e) of the businesses identified in (a) (b) and (c), the number that employed 10 or fewer employees and the number that employed over 10 employees; and
- (f) of the apprentices identified in (a) (b) and (c), the number that were aged 18 and under and the number that were over the age of 18?

Answer

- (a) the number of businesses and apprentices that have received the full subsidy;
- (b) the number of businesses and apprentices that have received a partial subsidy;
- (c) the number of businesses and apprentices that have received no subsidy;

The number of businesses is not currently recorded. The below is the number of apprentices:

| Subsidy | 2021 | 2022 | 2023 |
|-------------|------|------|------|
| (a) Full | 376 | 383 | 280 |
| (b) Partial | 26 | 27 | 14 |
| (c) None | 83 | 115 | 128 |

- (a) where a partial, or no, subsidy has been received by either business or individual, the reasons they did not receive the full amount;

The current Trackers Subsidy model is capped at £1600 per individual, per year. Where the course fees are more than this the individual or business pay the remainder.

- (b) of the businesses identified in (a) (b) and (c), the number that employed 10 or fewer employees and the number that employed over 10 employees;

Not Recorded

- (c) of the apprentices identified in (a) (b) and (c), the number that were aged 18 and under and the number that were over the age of 18?

| Age | 2021 | 2022 | 2023 |
|--------------|------|------|------|
| 18 and under | 142 | 169 | 147 |
| 19 and above | 320 | 346 | 270 |

NOTE WQ24:

- (a, b & c) The apprentice programmes above, are all subsidised from Highlands College Budget.

12.21 Deputy D.J. Warr of St. Helier South of the Minister for Infrastructure regarding purchase of the Gas Works site. (WQ.25/2024)

Question

Will the Minister advise what negotiations, if any, have taken place, between his Department and Andium Homes with regard to the purchase of the Gas Works site by the Government; and, if negotiations have taken place, will he advise whether the potential purchase price will equate to the costs incurred by Andium Homes and what that price is?

Answer

The gas site remains in the ownership of Andium. The site is a key acquisition and will enable consolidation and modernisation of the school estate to allow vitally important outside play space and modern facilities for pupils who are currently in very outdated premises. It will also allow the

provision of green spaces and support sustainable access for pedestrians and cycles across town and link town to the eastern cycle routes.

Negotiations with Andium are ongoing. JPH and the Andium shareholder representative in Treasury will be working with Andium to find a compromise in the valuation of the site, acknowledging the close working relationship between Andium and the government and the successful development of Summerland, Green Street and the Limes, amongst other social housing developments.

12.22 Deputy D.J. Warr of St. Helier South of the Minister for Housing and Communities regarding the Haut du Mont Site. (WQ.26/2024)

Question

Following the partial demolition of the Haut du Mont site, will the Minister advise what steps, if any, are being taken to bring the currently vacant homes back into use and when it is estimated they can be occupied?

Answer

As the Deputy is aware during his time as the Minister for Housing and Communities, and as a member of the Political Oversight Group for Major Incidents, consideration is ongoing in relation to the future of this site. We are in the process of formulating ideas, in partnership with Andium Homes, which are likely to include both a memorial garden and housing. Further details will be made available once these have been discussed with the new Government and, more importantly, with the displaced residents and bereaved families.

12.23 Deputy D.J. Warr of St. Helier South of the Chief Minister regarding Dame Kate Barker's report on Jersey's Housing Market. (WQ.27/2024)

Question

Will the Chief Minister advise when the report on Jersey's housing market prepared by Dame Kate Barker will be published?

Answer

The report on Jersey's housing market by the Fiscal Policy Panel, chaired by Dame Kate Barker, is expected to be published by the end of March 2024

12.24 Deputy M. Tadier of St. Brelade of the Chief Minister regarding Portuguese speakers. (WQ.28/2024)

Question

Will the Chief Minister –

- (a) provide an estimate of the total number of –
 - (i) Portuguese speakers in Jersey, and as a percentage of the Island’s population;
 - (ii) Portuguese-speaking students in Jersey, and as a percentage of Jersey’s student population; and
- (b) state whether Portuguese is the most commonly spoken language in Jersey after English?

Answer

(a)

- (i) The 2021 Census (‘the Census’) asked about cultural and ethnic identity and 9,739 people (9.4% of Islanders) declared a cultural or ethnic identity of Portuguese or Madeiran. This is the largest cultural and ethnic group after ‘Jersey’ and ‘British’. The [Census](#) did not ask about languages, so there is no data on the total number of Portuguese speakers in Jersey.

The Census also identified that 8,280 (8.0%) Islanders were born in Portugal or Maderia; this is the largest group after ‘Jersey’ and the ‘British Isles’. It is probable that Islanders who were born in Portugal or Madeira or have a cultural and ethnic identity of Portuguese or Madeiran, will be Portuguese speakers.

- (ii) The [2021 Jersey Children and Young Persons Survey](#) asked students whether they spoke English at home. The 1,006 young people that said they spoke English at home ‘some of the time’ or ‘hardly ever / never’ were also asked which language they mostly speak at home.

Of this group 43% said they spoke Portuguese at home. This represents 10% of all students who responded to the survey.

- (b) There is no definitive information on whether Portuguese is the most commonly spoken language in Jersey after English, but the evidence from the 2021 Census and the Jersey Children and Young Persons Survey would suggest that this is the case.

12.25 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding the Health Access Scheme. (WQ.29/2024)

Question

Further to the response to my question during [Questions Without Notice on 6th February 2024](#), will the Minister advise whether he is now in receipt of sufficient information to consider the impact of the Health Access Scheme (HAS) on primary care and the potential for expansion of the HAS; and will he liaise with the Minister for Social Security to agree to the publication of the review of the HAS that has been carried out and, if not, why not?

Answer

I have now had the opportunity to read the outcomes of the Review of the Health Access Scheme which was provided to me by the Minister for Social Security. In addition to this I have further briefings scheduled to ensure I gain a comprehensive understanding of the impact of the scheme on primary care.

The Minister Social Security has confirmed that she will be publishing the review outcomes in due course. Furthermore, moving forward the Minister and I intend to work collaboratively on all matters where our Ministerial portfolio's overlap to ensure the best possible outcomes for Islanders.

12.26 Deputy G.P. Southern of St. Helier Central of the Minister for Health and Social Services regarding the Medicines Optimisation Committee. (WQ.30/2024)

Question

Regarding the Medicines Optimisation Committee (MOC), will the Minister –

- (a) detail how the MOC is constituted;
- (b) explain the criteria used by the MOC when making a decision, and advise whether those decisions are made solely on medical grounds or if other factors, for example, social circumstances, are considered;
- (c) state whether a decision of the MOC can be appealed and, if so, provide details of the procedure;
- (d) advise to what extent, if any, a cost benefit analysis is performed on decisions made by the MOC; and
- (e) advise whether the Minutes of the meeting held on 13th December 2023 are available, and if they are, provide a copy?

Answer

- (a) Medicines optimisation is a person-centred approach to safe, effective, and sustainable medicines use, to ensure people obtain the best possible outcomes from their medicines within available resources.

The Medicines Governance Committee (MGC) was established in 2005. The Medicines Optimisation Committee has been developed to continue the work of the Medicines Governance Committee and to also include items that have been looked at by the Drugs and Therapeutics Committee such as the introduction of new medicines, and review of clinical policies involving medicines.

HCS established a Medicines Optimisation Committee in September 2023, which was developed to provide assurance of the safe, effective, and cost-effective use of medicines across HCS and is supported by a specialist pharmacist. Introduction of new medicines, review of clinical policies involving medicines and the management of medical gases are also supported by this committee.

The Committee is chaired by the Chief Pharmacist. Members of the committee also include senior medical, nursing, pharmacy and quality and safety staff. Mental health is also represented.

- (b) Wherever possible members of the Committee will seek to make decisions and recommendations based on consensus. For any decision to be made, the Committee must be quorate (5 members).

In order for an application for a new medicine to be considered the applicant (or nominee) may attend the meeting to present the application and answer questions. The applicant must be a consultant who is currently providing care for the patient.

HCS have a standardised approach for dealing with requests for a new medicine. This is complex and dependent on several factors. These factors include:

- Whether the medicine has a positive NICE Technology Appraisal in place
- Whether the medicine is for use in primary care as well, or just for use in secondary care
- Whether it is to be used for multiple patients, or for an individual patient

Depending on the answers to these questions, it will depend on the type of application which is required.

Factors considered will be evidence-based and include:

- Evidence of clinical effectiveness (*such as from clinical trials, reviews, peer-support evidence, national policy and guidance*)
- Anticipated health outcomes
- Comparisons with standard care which are currently available
- Cost-effectiveness
- Safety
- For individual patient requests – the specific patient details are considered such as why the patient would not be suitable for following the usual pathway of treatment or where any alternative options are not considered appropriate.

Individual patient funding requests are for treatment as an exception to existing policy. Therefore, specific patient details will be considered as to why the patient should be treated as an exception.

- (c) Further evidence can be brought back to the Committee by the applying consultant for consideration, in line with the application process.

For Individual Patient Funding Requests, a separate panel can be arranged for the applying consultant to present the case.

- (d) As explained, there is a standardised approach for dealing with requests for new medicines. Specifically, in relation to cost analysis:

Where the National Institute of Clinical Excellence (NICE) have reviewed a medicine for a particular condition and determined that the medicine represents a cost-effective use of resources, HCS will automatically adopt this clinical and cost-effective opinion. The medicine can be used routinely for the indication covered by the NICE Technology Appraisal and in strict accordance with any conditions specified.

NICE undertake economic evaluation in the form of a cost-effectiveness analysis, with the health effects being measured using an appropriate non-monetary outcome indicator. Specific guidance on methods used can be found in NICE's Technology Appraisal Guidance website.

For medicines which have not been appraised by NICE for a particular indication or where NICE have reviewed a medicine and issued guidance such that the medicine does not represent a cost-effective use of resources – a consultant can make an Individual Patient Funding Request. These applications must include the likely financial implications of making the medicine available. An economic assessment will be performed which considers the true cost of the treatment to HCS. This will include the overall expected cost over the planned course of treatment as well as any offset costs that may be saved e.g. not having an alternative intervention or preventing the need for further treatment.

In assessing whether an intervention is 'value for money' the Incremental Cost Effectiveness Ratio (ICER) is used by NICE comparing Quality Adjusted Life Year (QALY) values with the alternative treatment. For IPFRs, relevant cost effectiveness data should be provided – the IPFR panel will use a description of the expected clinical benefit to assess value for money.

(e) The requested minutes are available at the following link –

<https://statesassembly.gov.je/assemblyquestions/2024/wq.30-2024.pdf>

12.27 Deputy G.P. Southern of St. Helier Central of the Minister for Social Security regarding the high-level review of benefits in 2023. (WQ.31/2024)

Question

Further to the high-level review of benefits completed in 2023, will the Minister detail any gaps identified and overlaps between incapacity and impairment awards and their assessment tests; and explain what progress, if any, is being made in implementing any necessary changes?

Answer

The high-level review completed by the previous Minister did not include an examination of any gaps or overlaps between incapacity and impairment awards and their assessment tests. In response to WQ.152/2023, the previous Minister for Social Security noted that A separate and detailed review of incapacity benefits is underway with actions planned for later this year.

In terms of contributory incapacity benefits, Members will be aware that the first outcome of the incapacity benefit review was the new WorkWell service which was launched last year, providing working age people who are receiving short term incapacity allowance with support to help them to return to work. Planned work for 2024 includes a comprehensive review of the long-term incapacity allowance (LTIA) system, including the assessment tests used. This work is now underway.

Impairment awards are made under Income Support legislation. No work is currently planned in 2024 but the assessment tests used in this area will be considered as part of the development of a more

modern assessment process for LTIA. This will include addressing any issues with gaps and overlaps between the two systems as the work progresses.

12.28 Deputy M.B. Andrews of St Helier North of the Chief Minister regarding remuneration for consultants. (WQ.32/2024)

Question

Will the Chief Minister advise the total amount spent on remuneration for Consultants from June 2022 to date?

Answer

Under Proposition P59/2019, the Chief Minister is required to report the cost of consultants to the Assembly every six months. In addition to consultancy services, the report includes expenditure on interims/ contingent labour, fixed-term contract employees and agency staff.

The production of the P59 report includes extensive data collation and verification from a number of systems. It involves teams within Treasury & Exchequer as well as senior budget-holder staff across all Government departments.

Due to other Government priorities over the past 12 months, including supporting recovery work from three major incidents, the HCS financial recovery plan and the implementation of the new Connect System, departments and Treasury have needed to reprioritise and divert resources. This has resulted in delays in non-critical operational activities, including the P59 reporting.

The data for the second half of 2022 will shortly be published as a Report. It will show detail of expenditure incurred on consultancy services across Departments and projects for the period July to December 2022 which is summarised below as:

| | |
|---|--------------------|
| Consultancy services expenditure for July-December 2022 (H2) | £ |
| Consultancy spend excluding Major projects | £7,189,438 |
| Consultancy spend for major projects | £10,679,047 |
| Total Spend | £17,868,485 |

N.B these figures exclude interims, agency and fixed term contract employees.

Analysis of the spend for the 2023 financial year is currently in progress. Verification by departmental budget holders has yet not been completed, and therefore the figures shown below are subject to change.

| | | | |
|--|---------------------|--------------------|--------------------|
| Consultancy services expenditure for 2023 | (H1) Jan- June 2023 | (H2) July-Dec 2023 | Total 2023 |
| Total Spend | £18,583,166 | £22,026,911 | £40,026,911 |

N.B. Figures above are unverified data at date of this response and subject to change and restatement.*

*N.B.**Additional consultancy expenditure was incurred, during 2023, in relation to the Major Incidents' recovery support. It is planned to identify such expenditure separately in the P59 report for 2023.*

12.29 Deputy M.B. Andrews of St Helier North of the Chair of the States Employment Board regarding staff Grade 11 and above in the Health and Community Services Department. (WQ.33/2024)

Question

Will the Chair confirm the number of staff currently employed in the Health and Community Services Department at Civil Service Grade 11 and above?

Answer

The Health and Community Services Department currently employs 270 (242.99 FTE) staff at Grade 11 and above. These roles include:

- Senior Clinical Psychologist
- Dental Officers
- Speech and Language Therapists
- Audiologists
- Adult Social Workers
- Occupational Therapists
- Physiotherapists
- Biomedical Scientists
- Ultrasound
- Senior Pharmacists

12.30 Deputy M.B. Andrews of St Helier North of the Minister for Justice and Home Affairs regarding deaths by suicide. (WQ.34/2023)

Question

Will the Minister advise the total number of deaths by suicide in the Island over the last 5 years?

Answer

Statistics on suicide are based on the National Statistics definition, encompassing all deaths from intentional self-harm among individuals aged 10 years and over, as well as deaths resulting from injury or poisoning where the intent was undetermined for those aged 15 years and over. The cause of death is determined using the International Classification of Diseases, Tenth Revision (ICD-10).

When a death occurs unexpectedly, a Coroner investigates to ascertain the cause. Inquests for deaths that may involve suicide can be protracted, sometimes lasting months or even years. Consequently, reporting on suicide deaths typically occurs retrospectively.

The 2022 Mortality report, with Suicide data for 2021, was initially released on 28 Sep 2023 and will be updated annually, with the next report expected to be published or September 2024. This forthcoming report will include suicide data for 2022.

[Jersey Mortality Report 2022.pdf \(gov.je\)](#)

As of the Mortality report's publication, comprehensive data on deaths by suicide was only available up to 2021 due to ongoing inquests.

Number of deaths due to suicide in Jersey (2017 to 2021)

| Year | Number |
|------|--------|
| 2017 | 7 |
| 2018 | 13 |
| 2019 | 12 |
| 2020 | 6 |
| 2021 | 6 |

12.31 Deputy L.M.C. Doublet of St. Saviour of the Minister for Health and Social Services regarding assisted dying legislation. (WQ.35/2023)

Question

Will the Minister provide a timeline for progressing the assisted dying legislation, detailing each stage of this work, advise how and when external stakeholders, States Members, Ministers and Departments will be involved; and state when assisted dying proposals will be brought before the Assembly for debate?

Answer

A detailed Report and Proposition is currently being finalised, that will reflect feedback from the consultation. It will be lodged by the 22nd of March, for debate at the States Sitting on the 21st of May. Extensive consultation has been undertaken to inform these detailed proposals:

- 2 phases of **public consultation** which included specific sessions with health and care professionals and disabled Islanders
- Key **stakeholder engagement** sessions – including with on-island HCS (Health and Community Services) professional leads, the Jersey Care Commission. UK professional regulatory and representative bodies (such as the General Medical Council and the British Medical Association)
- An **Ethical review** of proposals by a panel of experts in medical ethics and law
- Dialogue with practitioners from **other jurisdictions** regarding legislation and practice
- 4 States Members briefings

My predecessor had proposed a 12-week lodging period, but I have decided to implement a 9-week lodging period. This will still allow time for States Members to consider the proposals, but also recognises the clear public interest in proceeding to debate.

During the lodging period there will be:

- targeted engagement with disabled Islanders (building on previous engagement)
- two information sessions for the public
- two information sessions for health and care professionals
- three information sessions for States Members and a weekly ‘drop in’ session, enabling Members to discuss the proposals in depth on a 1-to-1 or small group basis

In the event the Assembly adopts the proposition, work will commence of the development of a draft assisted dying law. Given the detail and complexity of the proposals, it is anticipated that the law drafting process will take 12-18 months, allowing for a debate on the draft law before the end of 2025. There would then be approximately an 18-month implementation phase which would include;

- Set-up of Jersey Assisted Dying Service
- Recruitment and training of staff
- Development of all regulatory and oversight mechanisms including service standards

This would see the law coming into effect in Spring 2027.

12.32 Deputy L.M.C. Doublet of St. Saviour of the Minister for Justice and Home Affairs regarding recommendations from the Violence against Women and Girls taskforce. (WQ.36/2023)

Question

Will the Minister advise which recommendations, if any, of the Violence Against Women and Girls (VAWG) report she plans to accept; and advise the order of priority for their implementation?

Answer

I am still considering the some of the report’s detailed recommendations, but I certainly support and will prioritise recommendations to strengthen our legislation around violence against women and girls and improve data collection. These include:

- Pursuing the ratification of the Istanbul Convention (recommendation 1)
- The development of a stalking offence (recommendation 26)
- The introduction of a non-fatal strangulation offence and emergency barring orders (recommendations 24 and 25)
- Strengthening our legislation around online and technology-facilitated abuse (recommendation 11)
- Strengthening legislation to combat sexual harassment in public spaces (recommendation 8)

- The development of a centralised dataset on violence against women and girls (recommendation 3)

I will publish a response setting out my position on the recommendations in March 2024.

12.33 Deputy I. Gardiner of St. Helier North of the Minister for Children and Education regarding student finance support. (WQ.37/2023)

Question

Will the Minister advise how many students applied for and received student finance support to study the following subject areas, in each of the last three academic years –

- (a) Paramedic science;
- (b) Pharmacy;
- (c) Occupational Therapy;
- (d) Physiotherapy; and
- (e) Social work?

Answer

The data below has been sourced from the Student Finance database for the last three years. The figures represent the number of applications made in each year so will not reflect the total number of students in any given year studying those subjects.

| | 2023/24 | 2022/23 | 2021/22 |
|----------------------|---------|---------|---------|
| Paramedic Science | 4 | 4 | 3 |
| Pharmacy | 0 | 2 | 2 |
| Occupational Therapy | 0 | 2 | 3 |
| Physiotherapy | 3 | 5 | 4 |
| Social Work | 8 | 14 | 2 |

12.34 Deputy I. Gardiner of St. Helier North of the Minister for Children and Education regarding student funding applications. (WQ.38/2023)

Question

Will the Minister advise how many student funding applications have been received over the last three years from students who requested that one or more of their parents' income be disregarded, or applied as an independent student, broken down by –

- (a) the number of applications that were accepted and the reason(s) they were accepted;

(b) the number of applications that were rejected and the reason(s) they were rejected?

Answer

Disregard of parental income

Student Finance is administered in accordance with the [Education \(Grants and Allowances\) \(Jersey\) Order 2018](#) (the Order). Article 4(6) copied below provides discretion to disregard the whole or part of the income of a parent.

4(6) The whole or any part of the income of a parent may be disregarded if the family circumstances of the student are such that it would be unfair to the student not to do so.

| | Academic Year | |
|---|---------------|---------|
| | 2023/24 | 2022/23 |
| Students who requested that one or more of their parents' income be disregarded | 32 | 20 |
| (a) the number of applications that were accepted | 28 | 14 |
| (b) the number of applications that were rejected | 4 | 6 |

Requests for the disregard of parental income are considered based on the unique circumstances of each application. When the Minister is satisfied that it would be unfair not to do so the whole or part of the income of a parent can be disregarded. If the Minister is not satisfied that it would be unfair not to do so, the application will be assessed on two incomes.

Due to the small numbers involved, the specific reasons which support the decisions made cannot be published as this may risk identification of individuals.

Appeals for independent student status (Deputy Gardiner confirmed on 21/02/24 that this part of her question is for any appeals ref independent status)

Article 2 of the Order (copied below) defines dependent and independent students and the applicants' specific circumstances will define which of these definitions they meet. There is no discretion within the Order for a dependent student to be assessed as independent or vice versa, the relevant criteria must be met.

2 *Dependent and independent students*

(1) A student is an independent student in respect of an academic year if, on or before the relevant date for that year, the student –

(a) is 25 years of age or older;

(b) is married or in a civil partnership;

(c) has been living financially independently of the student's parents for at least 3 years before the first academic year of the student's course;

(d) has no living parent;

(e) is the natural or adoptive parent of a child of the household; or

(f) is the subject of an order committing the student to the care of the Minister for Children and Education made under the [Children \(Jersey\) Law 2002](#) or, before attaining full age, was so subject.^[3]

(2) A student who is not an independent student is a dependent student.

(3) In this Article –

child means a person at or below the upper limit of compulsory school age;

child of the household means, in relation to a student, any child whose main place of residence is with the student as part of that student’s household.

Less than 5 appeals of this nature are recorded and due to the risk of identifying individuals it is not appropriate to share any information on the outcome or reasons.

12.35 Deputy I. Gardiner of St. Helier North of the Minister for Children and Education regarding the annual budget for Hautlieu school. (WQ.39/2024)

Question

Will the Minister advise the total annual budget for Hautlieu School and the number of students attending the school for each of the last 3 academic years?

Answer

School budgets are set annually on a financial / calendar year basis so it is not possible to provide an annual total budget figure for an academic year.

| | | Financial Year - January to December | | |
|---------------------|--|--------------------------------------|------------|------------|
| | | 2021 | 2022 | 2023 |
| Total annual budget | | £6,361,000 | £6,440,000 | £7,273,000 |

| Academic Year September to August | | 2021/22 | 2022/23 | 2023/24 |
|--------------------------------------|--|---------|---------|---------|
| Student Numbers | | 752 | 806 | 846 |

12.36 Deputy J. Renouf of St. Brelade of the Minister for the Environment regarding the Bridging Island Plan. (WQ.40/2024)

Question

Regarding the Bridging Island Plan, will the Minister provide a schedule for the delivery of –

- (a) Strategic Proposal 4 – A west of Island planning framework and masterplans, including by what date he expects to complete the planning framework; and
- (b) the more focused masterplans referenced to in Strategic Plan 4, including for Les Quennevais and Jersey Airport?

Answer

The Bridging Island Plan contains at least 40 proposals requiring the preparation of plans and supplementary planning guidance, including the planning framework and masterplans identified in strategic proposal 4.

Some of this work is required to inform the use and application of policy within the plan itself, particularly where policies are new; and other work is required to help prepare the evidence base for the next island plan review.

The progression of all of this work is subject to the availability of resources.

I am developing a prioritised programme of delivery that both responds to the proposals within the Bridging Island Plan; and which aligns with and supports the realisation of the government's priorities, particularly the creation of new homes.

On this basis, therefore, I am unable to provide a definitive schedule for the delivery of (a) a west of island planning framework; or (b) specific areas-based masterplans, as might be required for Les Quennevais or Jersey Airport; and would not expect to do so until at least 2025.

12.37 Deputy J. Renouf of St. Brelade of the Chief Minister regarding the Future Places Ministerial Group. (WQ.41/2024)

Question

Will the Chief Minister advise whether he intends to continue with the Future Places Ministerial Group established by the previous Chief Minister; and if does, outline the terms of reference and membership of the group?

Answer

The Future Places Ministerial Group replaced the Regeneration Steering Group, which is required as a result of a States Assembly decision in 2010. The group is currently under consideration and will be discussed with other Ministers before a final decision is made on how it moves forward.

12.38 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter of the Minister for Treasury and Resources regarding GST on personal importation of medical goods. (WQ.42/2024)

Question

Will the Minister advise the total amount of GST that was collected on personal importation of items classed as medical goods in 2023; and provide details of which policies are in place that dictate that GST is charged on such items?

Answer

Simplified customs procedures in Jersey (in particular for movements of goods within the UK & Crown Dependencies Customs Union) mean that insufficient data is gathered at the point of importation to answer the first part of the Deputy's question.

GST in Jersey was founded on the principles of a low rate (now 5%), broadly applied (ie few exemptions or zero-ratings), in order to keep the tax simple for islanders and simple to administer both for retailers and Government.

The Goods and Services Tax (Jersey) Law 2007 regulates the GST treatment of personal importations of any kind.

Group 4 of Schedule 5 of the Law exempts a number of supplies of goods and services by certain medical practitioners in many circumstances. For example, Group 4 includes the supply of any service or goods by a doctor, dentist or optician in the course of his or her practice.

Item 3 of Schedule 6 of the Law zero-rates medicines on prescription.

GST Direction 2020/05 provides relief from GST (including personal importations) for vehicles and other motorised equipment for the use of people with severe disabilities which essentially render them confined to bed or to a wheelchair. I have asked officers to consider the case for widening eligibility under that direction in the future.

12.39 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter of the Minister for Children and Education regarding the departmental spend on sport and physical activity in 2023. (WQ.43/2024)

Question

Will the Minister detail –

- (a) the total departmental spend on sport and physical activity in 2023;
- (b) how that spending was allocated; and
- (c) the extent to which individual schools manage their own budgets in relation to sport and physical activity?

Answer

- (a) The department does not hold this information centrally, each school has delegated funding and the department does not hold any central budget for this purpose.
- (b) Please see answer above
- (c) Schools are allocated a budget and use it accordingly

12.40 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter of the Minister for Children and Education regarding PE teachers. (WQ.44/2024)

Question

Will the Minister advise how many dedicated PE teachers are currently employed in schools in Jersey, broken down by primary and secondary schools; and provide details of which schools, if any, are currently without any dedicated PE teachers?

Answer

Primary Schools

All primary teachers are trained to cover the breadth of the curriculum, including PE. The default is for the class teacher to teach their class' PE lessons.

As headteachers decide the actual staffing and curriculum in their schools, some elect to have a teacher who delivers all PE and whose work allows, for example, the class teacher to take their PPA (Planning, Preparation and Assessment) time when the class do PE.

There are 13 teachers in Primary Schooled dedicated to the delivery of PE in this way.

Secondary Schools

PE is a specialist subject in Secondary, for all students, as well as for those who chose to do this to GCSE.

There are 39 PE teachers in our schools and colleges (full and part time).

Special School

Mont à l'Abbé has 1 dedicated PE teacher.

Further/Higher Education

Highlands College has 8 specialist PE teachers who also deliver the degree courses in Sports Coaching and Development.

12.41 Deputy K.M. Wilson of St. Clement of the Minister for Infrastructure regarding the refurbishment of Clinique Pinel. (WQ.45/2024)

Question

Regarding the refurbishment of Clinique Pinel, will the Minister –

- (a) state the estimated completion date and when he expects the facility to be operational;
- (b) explain the reasons why it has taken 5 years to progress this work;
- (c) detail any measures that exist to prevent any further delay;
- (d) advise the total spend on the refurbishment scheme since commencement; and
- (e) detail the reasons for any variation in spend to the original allocated budget?

Answer

(a) State the estimated completion date and when he expects the facility to be operational:

The main contract works are complete. Some additional upgrade works pertaining to a number of existing doors/fire doors have been requested by the Health team before occupation and there has also been a request to provide some additional anti-ligature ironmongery. Actions have been taken to provide and install the additional items as soon as possible.

Part of the remodelled/refurbished building is presently being occupied by Cedar Ward.
The decision to operate lies with the Health Department.

(b) Explain the reasons why it has taken 5 years to progress this work:

This has been a very complex project acknowledging that the facility remained live throughout the works, the contractor has been through a series of changes and there were a number of changes in Health personnel which caused amendments to scope and requirements. Over the life of the project, there have been a number of heads of mental health who have each had a different view of the project.

While the original feasibility study was undertaken in 2016, the scope of work has increased significantly since the project began in terms of additional operational needs. For example, 303 architect's instructions were issued which resulted in 750 variations.

In addition, as works evolved, so the need to address legacy fire safety issues with the building prior to the project starting emerged; these only became apparent once the area was vacated and intrusive works commenced.

Clinique Pinel now has access to 40 operational bedrooms – 26 en-suite bedrooms on the ground floor and 12 on the first. There are a further 2 bedrooms on the first floor that have access to a shared bathroom. The original scheme had 33 bedrooms – 26 en-suite bedrooms on the ground floor and access to 7 existing bedrooms on the first floor. A place of safety and a seclusion room have also been added to the project scope.

(c) Detail any measures that exist to prevent any further delay:

As noted above, the main contract works are now complete and the project is in a defect rectification period.

(d) Advise the total spend on the refurbishment scheme since commencement:

The estimated final cost of the project including the 'essential upgrades' to the existing Orchard House, the internal alterations and extensions to Rosewood House, and the internal alterations and extensions to Clinique Pinel Rosewood House is £10,229,145.00.

(e) Detail the reasons for any variation in spend to the original allocated budget:

The cost increases were as a result of 2 key issues: first, the scope of work increased significantly from that initially envisaged. The original feasibility study in 2016 was priced at £2m, however that was subject to a number of scope changes that saw the price increase to £4.3m in 2019 and with changes introduced during the tender phase by the health department that sum grew to £7.9m. Subsequent cost growth has arisen due to additional building works for fire mitigation that emerged as the construction was undertaken. The second key reason for variation was the fact that this project could not be stopped for COVID and the pandemic and a protracted period of very bad weather resulted in some very serious delays to the programme.

12.42 Deputy K.M. Wilson of St. Clement of the Minister for Infrastructure regarding capital programmes in the Government Plan 2024-2027. (WQ.46/2024)

Question

Regarding the capital programme included in the Government Plan 2024-2027, will the Minister advise what changes, if any, are planned to the following projects; and provide details of any proposed changes -

- (i) Mont à l'Abbé
- (ii) Sexual Assault Referral Centre
- (iii) Gas Place School
- (iv) Fire and Ambulance Headquarters
- (v) Le Squez Youth Centre; and

will he confirm what stage of procurement each of the above schemes is at, when he expects work to start on these schemes, and if he has any further plans to enter into land purchases across the Island?

Answer

1. The requirements for the projects continue to evolve, with progress driven by the sponsoring departments:

- (a) Mont à l'Abbé – going through stakeholder engagement process;
- (b) Sexual Assault Referral Centre – no foreseen changes; Planning approval expected;
- (c) Gas Place School – going through stakeholder engagement process;
- (d) Fire and Ambulance Headquarters – waiting boundary line ministerial decision;
- (e) Le Squez Youth Centre – going through stakeholder engagement process.

2. These are the project stages for each of the identified projects. In some, the procurement strategy has yet to be determined or approved.

- (a) Mont à l'Abbé – procurement strategy not yet defined – JPH Design Team – Stage 1 – Concept Brief Development
- (b) Sexual Assault Referral Centre – procurement strategy approved – Design Team appointed and procurement route of open tender for construction – Stage 3 waiting for Planning Approval
- (c) Gas Place School – Stage 1 – procurement strategy not yet defined – JPH Design Team - Concept Brief Development
- (d) Fire and Ambulance Headquarters – procurement strategy not yet defined – external specialised Design Team – Stage 1 – Concept Brief Development
- (e) Le Squez Youth Centre – procurement strategy not yet defined – JPH Design Team – Stage 1 – Concept Brief Development.

3. Work on these projects is generally ongoing involving the drawing up of requirements, early stages of feasibility and design scope, albeit ground will be broken on site as below:

- (a) Mont à l'Abbé – scheme works started – expected on site Q2/3 2025
- (b) Sexual Assault Referral Centre – scheme works started – expected on site Q2 2024
- (c) Gas Place School – scheme works started – expected on site Q2 2025
- (d) Fire and Ambulance Headquarters – scheme works started – expected on site Q3 2025

(e) Le Squez Youth Centre – scheme works started – expected on site Q1 2025.

4. The requirement of the government for operational space continues to develop with the evolving needs of the Island, advances in technology and the changing economy. There are no formal capital bids in for the procurement of any specific sites, however, I fully anticipate the procurement of land if requirements dictate.

12.43 Deputy M. Tadier of St. Brelade of the Minister for Sustainable Economic Development regarding the new sound and lighting system for the Opera House. (WQ.47/2024)

Question

Regarding the new sound and lighting system for the Opera House, will the Minister –

- (a) provide a breakdown of the budget allocated to undertake this work;
- (b) advise whether the budget previously allocated has been reduced; and
- (c) provide details on the implications any reduction in budget will have on the specifications and capabilities of the system?

Answer

a) The agreed schedule of works for the Opera House is set out in WQ.235/2022, with the relevant items being:

108. Replace lighting control system

109. Replace lighting which is broken or not standard

110. Replace electrical cables

111. Replace electrical switchgear

Items 108 – 111. Inclusive, relate in whole or in part to the Prime Cost Sum for the technical solution at £189K within the contract. It covers items such as replacement lighting controls for the front façade and lighting controls to the lobbies and corridors around the auditorium i.e. it relates to front of house areas where the Jersey Opera House staff can control lighting to tie in with performance requirements. It does not include anything in relation to upgrading the existing stage production sound or lighting system as this was never part of the agreed scope of works.

b) The budget has not changed.

c) The budget has not changed.

12.44 Deputy K.M. Wilson of St. Clement of the Minister for Infrastructure regarding the survey into the condition of Government-owned properties. (WQ.48/2023)

Question

Will the Minister confirm whether he has received the results of the survey into the condition of Government-owned properties that was scheduled to take place in 2023, and if yes, will he advise what his priorities from the results of this survey will be?

Answer

The initial results of the condition survey are currently being reviewed by officers in Jersey Property Holdings and this work is expected to be completed by the end of March 2024, which will then provide a clear prioritisation of works. This prioritisation will be the basis of developing a much longer term view of the estate with the Treasury department to smooth the capital programme and give a more structured approach to asset management.

13. Oral Questions

13.1 Deputy D.J. Warr of St. Helier South of the Minister for Housing and Communities regarding open ended tenancies (OQ.30/2024)

Further to his commitment to bringing in new protections for tenants in residential legislation, including open-ended tenancies as the default, will the Minister provide statistical evidence that confirms that revenge evictions are a systemic problem on the Island?

Deputy S.Y. Mézec (The Minister for Housing and Communities):

No, Sir. Statistics on revenge evictions are not and cannot be collected for all of the same reasons that my predecessor explained or had explained for him during the Residential Tenancy Law consultation. By the nature of what a revenge eviction is, it is axiomatic that statistical data could not be put together. However, we can put plenty of anecdotal evidence together. Exhibit A, my email inbox, we also have testimonies from Citizens Advice and the Environment Health Department. The mere existence of Article 6 of the Residential Tenancy Law shows that revenge evictions are possible without any requirement for them to be registered anywhere. My predecessor cited several of these when he published the Residential Tenancy Law consultation with a proposal that action be taken as part of that process to protect tenants from revenge evictions. I maintain the commitment of my predecessor in that regard.

13.1.1 Deputy D.J. Warr:

In the findings document that reflects the feedback from the 2023 consultation on the new Residential Tenancy Law proposals it states that the draft law will be published for further consultation ahead of being debated by the States Assembly in 2024. Is that the intention of the current Minister for Housing and Communities and, if not, why not?

Deputy S.Y. Mézec:

Yes.

The Deputy Bailiff:

Any further questions for the Minister in relation to this question? Question 2, Deputy Renouf will put to the Chief Minister. Deputy Renouf.

13.2 Deputy J. Renouf of the Chief Minister regarding a new Common Strategic Policy (OQ.35/2024)

Will the Chief Minister advise what his plans are for bringing forward a new C.S.P. and state whether he intends to amend the Government Plan 2024-2027?

Deputy L.J. Farnham (The Chief Minister):

The new Council of Ministers is required to bring forward its Common Strategic Policy within 4 months of taking office, but we are aiming to do that in a slightly shortened timeframe. Work is underway. We do not plan to change the Government Plan that was approved by this Assembly in December 2023, although we may wish to prioritise some spending within the current expenditure envelope. Members will know that we are obliged to lodge a Government Plan every year and this will be lodged in accordance with the normal timescale.

13.2.1 Deputy J. Renouf:

Could the Chief Minister state whether it is his intention to produce Ministerial Plans as was done under the previous Government?

Deputy L.J. Farnham:

We have not decided that yet. We have been looking at the previous Ministerial Plans and the previous Common Strategic Policy and looking at the work that has been done there; looking at, can I say, some of the good work that has been done by the previous Government, so we are still balancing that to see what we are going to bring forward.

13.2.2 Deputy L.K.F. Stephenson:

Can the Chief Minister explain the process that has been followed so far to develop what has been developed so far of the new C.S.P. and whether all Ministers have contributed to it?

Deputy L.J. Farnham:

We are in the early stages of that. I believe we have 2 meetings of the full Council of Ministers. We have another meeting planned for Thursday and a number of other meetings after that. I believe all Ministers have been present. There might have been one or 2 apologies sent. However, I will ensure that all Ministers are involved in the compilation of the plan and it will not be presented until the Council of Ministers are content and happy to support it.

13.2.3 Deputy L.K.F. Stephenson:

Is there a timeframe on when it may be brought to the Assembly?

Deputy L.J. Farnham:

We have 4 months. We are the best part of a month into that, I would like to bring it forward before the 4-month period is up. I would say 6 to 8 weeks would be realistic, but reserve our position on that because we want to make sure we get it right.

Deputy L.K.F. Stephenson:

Could I ask a point of clarification, Sir?

The Deputy Bailiff:

As long as it is not another question.

Deputy L.K.F. Stephenson:

Is it 6 to 8 weeks from now or 6 to 8 weeks having said that we are already a month into it?

The Deputy Bailiff:

Yes. Chief Minister, do you want to clarify that?

Deputy L.J. Farnham:

Yes, 6 to 8 weeks from now, I predict.

13.2.4 Deputy J. Renouf:

When the Chief Minister develops the Common Strategic Policy with his colleagues, will it be his intention to use it as a basis for collective responsibility within the Council of Ministers? Could he outline his thoughts on how strict he will be enforcing a policy of collective responsibility based on the Common Strategic Policy?

Deputy L.J. Farnham:

I plan to work with the Council of Ministers on a merit-based system. We have a Council of Ministers that represent a good political balance of this Assembly and the Island. Ministers are clear that we have to have good debates around the Council of Ministers' table and we have to win the debates on their merit to deliver the best outcomes for Islanders. I have never been a supporter of collective responsibility in our system. I believe Members and Ministers should be given the choice to vote freely wherever possible. Having said that, unity in the Council of Ministers, with all Ministers, is important, so I hope we can reach compromise and support each other when we bring propositions to the Assembly. I will not be enforcing full-collective responsibility, mainly because we do not have a legal mandate to do that.

The Deputy Bailiff:

Before we move to question 3, I can announce the outcome of the election for appointment of Members of the Planning Committee as follows: Deputy Ahier 30 votes, the Connétable of Grouville 21 votes, Deputy Moore 16 votes and Deputy Jeune 13 votes. Therefore, Deputy Ahier and the Connétable of Grouville have been appointed as Members of the Planning Committee. Members will note that the ballot box in relation to the Associate Member to represent the States in the British-Irish Parliamentary Assembly has now left the Chamber and is in the process of being counted.

Female Speaker:

Sorry, are you able to clarify those numbers once more; I thought I misheard?

The Deputy Bailiff:

Yes. Deputy Ahier 30 votes, the Connétable of Grouville 21 votes, Deputy Moore 16 votes and Deputy Jeune 13 votes.

13.3 Deputy M.B. Andrews of the Minister for International Development regarding funding for supporting people displaced by the conflict in Gaza (OQ.31/2024)

Will the Minister confirm what funding, if any, has been provided to support displaced persons from the ongoing conflict in Gaza?

Deputy C.F. Labey of Grouville and St. Martin (The Minister for International Development):

Since the escalation of hostilities on 7th October 2023, Jersey Overseas Aid have allocated a total of £280,000 to directly address the humanitarian needs in the Occupied Palestinian Territories, the O.P.T. On 20th October 2023 £200,000 was allocated to United Nations' for the Co-ordination of Humanitarian Affairs, O.C.H.A., which is a pooled funding scheme. Given that 85 per cent of the Gazan population have been displaced, it is safe to say the majority of our funding was used to meet their needs. The other £80,000 was allocated in December 2023 to international health partners, Europe's leading organisation sourcing donated medicines for humanitarian responses worldwide. However, since 2009, Jersey has allocated £1.7 million to humanitarian interventions in O.P.T.

13.3.1 Deputy M.B. Andrews:

Of course, there are concerns with Hamas, which is a terrorist organisation. When funds are being granted to support those in need, can the Minister reaffirm that all of the funds are going towards people who are displaced and no funds have been indirectly directed to Hamas as a terrorist organisation?

Deputy C.F. Labey:

I cannot stand here and say 100 per cent no aid has got through to Hamas. As the Deputy may know, U.N.R.W.A. (United Nations Relief and Works Agency) is under investigation at the moment. However, with those allegations aid should not be stopped. In fact we should be increasing aid because we have famine on the shores of the Mediterranean in 2024.

13.4 Deputy K.M. Wilson of the Minister for Health and Social Services regarding reduction in costs of employing locum and agency staff (OQ.29/2024)

Could the Minister advise how he intends to achieve a reduction in the costs associated with employing locum and agency staff in his department?

Deputy T. Binet of St. Saviour (The Minister for Health and Social Services):

As the Deputy will, I am sure, be aware, H.C.S. (Health and Community Services) are already working to implement solutions that aim to reduce the spend and the cost associated with the local and agency staffing. That is through the implementation of the financial recovery plan. This work is already underway. As far as my own intentions are concerned, I will be looking to facilitate changes that make H.C.S. more efficient, which in turn will help make it a better and more consequently more attractive place to work. These changes include efforts to make H.C.S. more self-sufficient in areas like human resources, information technology, finance and procurement. I will also be involved in shaping the proper workforce strategy to ensure that we offer both prospective staff, both local and from overseas, an attractive and competitive employment package.

13.4.1 Deputy K.M. Wilson:

That is welcome to hear that some of the work that was started to allow H.C.S. to be self-sufficient is continuing. Could I ask the Minister also what impact the locum situation is currently having on service continuity and delivery of front line care?

Deputy T. Binet:

It is difficult to articulate that precisely, other than to say that we know full well that when you have a very stable ongoing workforce your care is bound to be better than when you have people coming and going. In terms of a way of quantifying that, I am afraid I cannot, but I am sure we would all accept the general principle.

[11:30]

13.4.2 Deputy H.L. Jeune:

Has the Minister discussed these concerns around locums and the plans that he has outlined with S.E.B. (States Employment Board) and, if not, will he endeavour to do so and when?

Deputy T. Binet:

I certainly have not to date, but am very happy to do so at the earliest sensible opportunity.

13.4.3 Deputy K.M. Wilson:

Will the Minister consider making any cuts to services if there is any further demand to increase resources to cover the cost of locums?

Deputy T. Binet:

It is a slightly imprecise question. I certainly will not be looking to cut any services at all if I can possibly help it.

The Deputy Bailiff:

Thank you. Before we move on to question 5, I am in a position to announce the results of the ballot for election as associate member of the British-Irish Parliamentary Association. The votes cast were as follows: Deputy Jeune 24 votes and Deputy Coles 19 votes. I therefore declare that Deputy Jeune has been elected as associate member of the British-Irish Parliamentary Association.

13.5 Deputy L.K.F. Stephenson of the Chief Minister regarding building a sustainable population (OQ.33/2024)

Given the Island's declining birth rate and fertility rate of just 1.32 births per woman, coupled with the ageing demographic, will the Chief Minister explain the Government's position on building a sustainable population and how they intend to achieve this aim?

Deputy L.J. Farnham (The Chief Minister):

One of the biggest challenges facing Jersey is the ageing population and the economic versus the economically-active population. That is dealt with in the economic strategy recently published by the Minister for Sustainable Economic Development and identified: "A clear goal for 2040 for Jersey to be a consistently high-performing, an environmentally sustainable and advanced small-Island economy with growth that is repeatable and meets current needs, while keeping our future options open." Population issues will be actively considered as part of the annual common population policy report that is due to be delivered later this year. Ministers will be working together over the coming months to deal with that, with special attention being paid to the challenges that face us, not least through the ageing population. The decrease in fertility rates, which is not just a local issue, it is a global issue, although our fertility rates are slightly lower than that in the U.K.; we are aware of that.

13.5.1 Deputy L.K.F. Stephenson:

Does the Chief Minister believe that reducing the decline in the birth rate specifically is achievable and, therefore, if so, will he be making it a priority? Does that include having any of his Assistant Ministers having delegated responsibility for population and a specific focus on this area?

Deputy L.J. Farnham:

I would like to think it is possible but we are not sure at the moment. We are examining trends and potential options in relation to addressing that situation. We are watching closely what other countries are doing. As I said, it is not just a local issue, it is a global one. I am likely to be appointing another Minister or Assistant Minister to lead on the population issue but that is yet to be decided upon and agreed. Yes, population has to remain a priority for the Island because, as I said, it is probably linked to the most challenging issue we face, the ageing population and those who are going to remain economically active in the years ahead.

13.5.2 Deputy H.L. Jeune:

A large part of a declining birth rate is the increasing cost of childcare, which means one parent has no choice but to stay at home, rather than return to work and parents cannot just afford this, and also the gender pay gap shows that there is also at the end of this choice you are also put at a disadvantage when you return to work. What plans does the Chief Minister propose to reduce childcare costs and what priority is he attaching this to the whole area of work within the Council of Ministers?

Deputy L.J. Farnham:

Those are areas under discussion and are playing a part in prioritisation relating to the Common Strategic Policy. I believe we need to provide more financial support and we need to target that at early years and nursery because parents cannot afford to have larger families at the moment. I speak as a grandfather of 2 very young children, so I know the challenges young people face. I think the cost of having families and housing in Jersey does remain a barrier and is not helping the situation. But I know that is a priority for Ministers, it is a priority for the Minister for Housing and Communities and affordable housing, it is a priority for the Minister for Education and Lifelong Learning. Yes, we are alive to those challenges and we do whatever we can to assist.

13.5.3 Deputy H.L. Jeune:

I was just wondering if the Chief Minister would agree with me that also part of that is the future economy strategy to encourage those in the Island to go back to work, to be able to contribute to the economy, and this is not just housing and education and kind of small level, but it is a bigger future economy's issue and quite a high priority. Would the Chief Minister agree with me?

Deputy L.J. Farnham:

Yes, I do agree with that. If we want to ensure people become and stay economically active we have to provide the right support mechanisms to do that, especially when it comes to raising families, although there is as big an issue at the other end of the scale with longevity increasing. We are alive to both issues and I do wholeheartedly support providing more affordable options which allow Islanders to have families and remain economically active.

13.5.4 Deputy S.M. Ahier of St. Helier North:

Does the Chief Minister believe that the introduction of independent taxation may lead to more financial stress on families intending to have children?

Deputy L.J. Farnham:

To be honest, I had not really thought about that as part of the views I have on independent taxation. I support the principle of independent taxation but Members will know that I also support leaving the ability for existing married couples to continue to file joint returns. I am not sure if I can make a link between the 2 but I can certainly think about that.

13.5.5 Deputy S.M. Ahier:

Will the Chief Minister consider in giving tax incentives to encourage people to start families and, if so, what might they be?

Deputy L.J. Farnham:

That could be an option but I do not think it would be sensible to try and guess that at this stage, but we will certainly make sure that is part of the deliberations we have in helping young families.

13.5.6 Deputy M. Tadier:

Does the Chief Minister think it could be dangerous when the Government starts to use these kind of incentives? Does he think that the Government and Treasury's position should be one of neutrality when it comes to matters of family planning?

Deputy L.J. Farnham:

A bit of a tricky question. I think generally we should leave family planning to families to decide. We do not have any rules or laws about how many children people can have or what they might want and what suits their own circumstances. I think it is important that we provide support. It is worth mentioning that 2 per cent of babies born in the U.K. last year, I think, were down to I.V.F. (in vitro fertilisation) support and financial support. We must not forget that. We also need to make sure that

young families who want 2 children can afford to have children and keep working. I think there is a balance to be struck.

13.5.7 Deputy M. Tadier:

Does the Minister accept that when you introduce tax incentives or tax allowances that you are only really helping people who already pay income tax and that another mechanism by which one should be dealing with if one wants to incentivise or perhaps make sure that there is enough financial support for families, that is through the benefit system, not necessarily through the tax system?

Deputy L.J. Farnham:

Yes, I would agree with that, which is why I was unable to give a full answer to Deputy Ahier because that is something that needs consideration.

13.5.8 Deputy L.K.F. Stephenson:

I am pleased that the Chief Minister mentioned I.V.F. treatment in there. He almost read my mind for my supplementary question. Does the Chief Minister agree with me that addressing the outdated and inadequate means-tested model for funding high-level fertility treatment that we currently have in Jersey, which is currently set a level so low that no one has ever qualified for it, would be a very positive place to start to support those wanting to start or grow their families?

Deputy L.J. Farnham:

Absolutely, yes, I do.

13.6 Deputy G.P. Southern of the Minister for Health and Social Services regarding public appeals for clinical decisions (OQ.37/2024)

Will the Minister advise whether members of the public can appeal to him directly regarding clinical decisions made within his department and how these appeals are dealt with?

Deputy T. Binet (The Minister for Health and Social Services):

As I am sure the Deputy knows, members of the public are free to appeal to Ministers as they see fit. I am always happy to hear from interested parties. However, I am sure Members will understand that it is not appropriate for me to become involved in clinical decision-making or to comment on issues of individual patient safety. That is the job of trained clinicians and the ones that have got the appropriate experience. Responsibility for patients' experience currently rests with the chief nurse and the medical director and I am now in contact with both of them on a pretty frequent basis. Where a patient disagrees with or wishes to appeal a clinical decision they are entitled to a second opinion from another clinician within H.C.S. If that second opinion is not available on-Island that can be sought from off-Island. I would just add that H.C.S. has an established process by which Islanders can appeal clinical decisions and that is the Patient Advisory Liaison Service.

Deputy G.P. Southern:

That was a very comprehensive answer for which I am grateful and will study, so thank you but no thank you.

13.7 Deputy D.J. Warr of the Chair of the Comité des Connétables regarding a review of the Rates (Jersey) Law 2005 (OQ.36/2024)

Further to the recent work carried out on vacant homes which demonstrated we are not making the most of our built environment and revealed that some rate assessments were based on figures over 20 years old, will the chair commit to undertaking a review of the Rates (Jersey) Law 2005 and present to the Assembly the findings of this review within the next 12 months and, if not, why not?

Connétable D.W. Mezbourian of St. Lawrence (Vice-Chair, Comité des Connétables - rapporteur):

I thank the Deputy for his question, asking whether the chair will commit to undertaking a review of the Rates (Jersey) Law 2005. In the absence of the chair, as vice-chair, I cannot give such a commitment. However, I recognise that the Deputy, when he was Minister for Housing and Communities, did not have the opportunity to meet with the Supervisory Committee to progress the findings of his report, *Action on Vacant Properties*, R.151/2023. I am, therefore, pleased to invite him to a future meeting of the Supervisory Committee to express his views to us on how he believes we are not making the most of our built environment and how a review of the Rates (Jersey) Law 2005 would mitigate this. We will, of course, also be meeting with the newly-elected Minister for Housing and Communities and I understand that officers are in the process of arranging that meeting.

13.7.1 Deputy D.J. Warr:

I thank the Constable for her answer. What proactive measures does the Constable believe would be most appropriate to ensure that homes that lie vacant in the Parishes of our Island are encouraged to be brought back into use?

The Connétable of St. Lawrence:

I think the former Minister himself was keen to see obviously empty homes being brought back into use, and I know that he recommended a number of ways forward that he thought would be useful to do this. He was not proposing to tax empty homes, as I understand it. But he did feel - if I can just find his recommendations - that there should be legislation considered to identify vacant and ownerless properties. He did work with the Supervisory Committee to identify that there were a number of vacant homes available at the moment and he was consulting with H.M.C. (His Majesty's Counsel), the General also.

[11:45]

I cannot disagree with the recommendations that he made in the report that I have just mentioned. I think the best starting point is for the Deputy to meet with the Supervisory Committee so that we can consider his views and can consider his report in detail, as well of course as to meet with the now Minister for Housing and Communities to hear how he would want to progress this situation.

13.7.2 Deputy L.K.F. Stephenson:

Does the vice-chair believe that aspects of the Rates Law, which mean that homeowners who make improvements to their properties for environmental and energy-reduction reasons can end up paying more than they did before, are fair and encourage Islanders to want to be environmentally responsible?

The Connétable of St. Lawrence:

The Rates (Jersey) Law 2005 does not stipulate whether homeowners or indeed those who rent properties should make any environmental improvements to their homes. However, the law itself does state that the attributes of a property are what the value of the property is based on. I do not think I am explaining that very well. The attributes of a property are assessed and not the rental property. We have not considered, as the Supervisory Committee, making any changes to the Rates Law to take into account the benefit to properties that have had environmental work undertaken on them or work to improve them environmentally. No doubt the Deputy, if she feels that should be considered, would want to put her suggestion to us to consider it.

13.7.3 Deputy L.K.F. Stephenson:

Yes, I am encouraged by that. I would very much like to take the vice-chair up on that discussion further, and certainly I have one example of a constituent who had put cladding in place and then their bill was a lot higher. Sorry, I have not asked a question, have I, Sir?

The Deputy Bailiff:

No, we are looking forward to one though, have you got one?

Deputy L.K.F. Stephenson:

No, I am now stuck. But will she agree to receive further information from me on that point?

The Connétable of St. Lawrence:

The properties are assessed on the attributes and their condition. It is a case that those properties that are in poor condition are assessed at less than those that are maintained in good condition. Therefore, it does encourage people to make improvements to them for an environmental reason.

13.7.4 Deputy J. Renouf:

Would the Constable agree with me that there is a considerable social and environmental cost to the Island for empty properties in the sense that properties that are already built and not being used mean that we have to, potentially, consider building on greenfields or in other places where we might otherwise prefer not to? We have to put in facilities to those locations and so on. Does she, therefore, accept that this is a significant issue that we should be addressing as a matter of urgency?

The Connétable of St. Lawrence:

I do not disagree with the Deputy's comments. However, the review that was undertaken last year into vacant properties only identified the relatively few number of them, compared to the 46,000 residential properties that we have in the Island. Although I do not disagree and I do think that we should be looking at vacant properties, not least of which is our properties that are owned by the States, the Government themselves. I think we should be looking at how we can utilise unused States-owned properties to find additional homes for the many people that need them.

Deputy D.J. Warr:

Sorry, Sir, can I just clarify? The Constable said 46 ...

The Deputy Bailiff:

No, it is not your question though, is it?

Deputy D.J. Warr:

Sorry, no, but it is just a factual error I just wanted ...

The Deputy Bailiff:

Yes, perhaps in your final supplementary you can ask a question involving that matter. Yes, any supplementary, Deputy Renouf, or not?

13.7.5 Deputy J. Renouf:

Would the Constable be able to commit to investigating whether changes to the Rates Law might be a method by which empty properties might be incentivised to be brought back into use, for example, increasing the foncier rate on empty properties, which my understanding is would require a change to the Rates Law?

The Connétable of St. Lawrence:

Yes, I think reviewing the Rates Law on empty properties is certainly something that the Supervisory Committee could commit to. However, as I said earlier, we would need to hear from the current Minister for Housing and Communities on what his views are and how he thinks that should be progressed. I am just trying to find the correct number of domestic properties that Deputy Warr thinks I have misled the House. I am just trying to find that so that I can agree or disagree with him.

The Deputy Bailiff:

The question was about vacant homes, so no one is expecting you to know everything about housing. Any other questions for the Connétable? Final supplementary, Deputy Warr.

13.7.6 Deputy D.J. Warr:

I do not really have a final supplementary, I just want to help the Connétable with the number. She referred to 46,000, it is 4,000 was the original figure, which has ended up being 900 as identified by the housing team.

The Deputy Bailiff:

Sorry, can you clarify your question, 4,000 what? Because you said there were 46,000 homes.

Deputy D.J. Warr:

46,000 vacant homes, sorry.

The Deputy Bailiff:

I think she said 46,000 homes in total.

Deputy D.J. Warr:

I thought you had referred to vacant homes. I apologise if I misheard that.

The Deputy Bailiff:

No, she said there were 46,000 homes in total, she did not give a number of vacant homes. Do you have a final supplementary question, Deputy Warr?

The Connétable of St. Lawrence:

If I may just address that, Sir. I understand that there are about 46,000 domestic properties ...

The Deputy Bailiff:

So you said, yes.

The Connétable of St. Lawrence:

... and 13,000 non-domestic in the Island. I was not saying that there were 46,000 vacant homes.

The Deputy Bailiff:

No, you were not. Thank you.

13.8 Deputy G.P. Southern of the Minister for Treasury and Resources regarding a review of the High Value Residents taxation scheme (OQ.36/2024)

Let us see if we get as clear an answer to this. Will the Minister commit to reviewing the high-value residents taxation regime in the light of publications such as *The Myth of Millionaire Tax Flight: How Place Still Matters for the Rich* and the C.A.G.E. (Competitive Advantage in the Global Economy) working paper, *Taxation and Migration by the Super-Rich*, which contain research demonstrating clearly that jurisdictional taxation increases have little to no effect on where the super-rich choose to be resident and, if not, why not?

Deputy E. Millar of St. John, St. Lawrence and Trinity (The Minister for Treasury and Resources):

The high-value resident tax regime was last reviewed in autumn 2022. Changes to the fourth version of the regime came into force in January 2023. A fifth version of the regime came into force for new people coming to Jersey from July 2023. The Income Tax Law requires me to undertake the next review before the end of 2027 and I will ask officers to review the publications to which the Deputy refers to at that time. I would, however, point out that the whole rationale of our high-value regime is people coming here to Jersey so they have clearly made a choice to relocate, which does not quite stack up with the information which he is referring to.

13.8.1 Deputy G.P. Southern:

Does the Assistant Minister accept the statement made by these authors that peaks on their careers, people have family responsibilities, thousands of children who may be opposed to moving? They also have a loss of business and social contacts with prominent well-connected insiders where they live. There is no need for any mature person to move in order to respond to tax and that is what the overriding position is.

Deputy E. Millar:

I think the Deputy will find that while he has identified 2 pieces which support his argument, there are other pieces of research which say quite the reverse. As a matter of fact, we do have young people coming to the Island under the high-value regime with children and they do so for a number of reasons; tax may be part of that but they also come for economic and social and other benefits. It has been a feature of Jersey for very many years and I see no reason to discontinue it.

13.9 Deputy M.B. Andrews of the Chief Minister regarding reform to the public sector (OQ.32/2024)

Will the Chief Minister advise what consideration, if any, is being given to reforming the public sector and provide details of any proposed changes?

Deputy L.J. Farnham (The Chief Minister):

Discussions have begun on what steps might be taken to ensure the public service operates in the most cost-effective and efficient way to deliver the very best outcomes for our community. It is not the job for our Government but future Governments, and I know that is always going to be challenging. The Council of Ministers though is currently working to develop a thorough knowledge of the current position before reaching conclusions, but we are doing that work and we will keep Members updated accordingly.

13.9.1 Deputy M.B. Andrews:

Of course dialogue is very important among Ministers, however, what is the Chief Minister's personal views on what he would like to see in terms of public sector reform?

Deputy L.J. Farnham:

I want to start by saying I hold the public sector in the highest regard. We have some fantastic people working for the community through our organisation. But my view is that we can do better on efficiency. We can be more effective and that is what we are going to aim to drive out. We are going to try and deliver more efficiencies. We are going to try and deliver the most cost-effective outcomes for Islanders without compromising the service we provide and that might mean reprioritisation of priorities but we are looking at that now.

13.10 Deputy L.K.F. Stephenson of the Minister for Infrastructure regarding acquiring properties of high public value (OQ.34/2024)

Further to the adoption of P.53/2023, will the Minister advise what progress is being made in notifying the Government when properties or areas of significant value to the people of Jersey become available so that early consideration can be given to, potentially, acquiring them on behalf of the public?

The Connétable of St. John (The Minister for Infrastructure):

I thank the Deputy for her question. The identification and acquisition of land or property to support future government services or community benefits is undertaken by Jersey Property Holdings on behalf of the Minister for Infrastructure. It is normally based upon the known future needs and capital planning. It is recognised that not all potential sites are known via existing sources and so to provide better signals and information to the markets Jersey Property Holdings will also be publishing the current government-owned land and property sites map on gov.je. This will allow landowners and agents to consider where their land interests may potentially supplement existing government-owned property and sites.

13.10.1 Deputy L.K.F. Stephenson:

The amended proposition specifically referred to asking the Government to go away and do a piece of work looking at what mechanisms could be put in place to prevent things like the acquisition of Greve de Lecq happening again. I thank the Minister for his response but it does kind of sound like not an awful lot has happened in relation to that review work specifically. Is he able to provide any further details about what has happened since P.53 was approved by this Assembly?

The Connétable of St. John:

As I mentioned, we are looking to put an online map of our existing property. We are talking with agents about potential sites. I am happy to listen to Members' ideas and suggestions, as well as those ideas from members of the public and people in the property profession.

13.10.2 Deputy S.M. Ahier:

Does the Minister have the resources to make any such purchases if they become available?

The Connétable of St. John:

The short answer is no. Once a site is identified we have to identify funding. As I said when I stood for this position, we need to look at divesting in some properties to allow us to build up some capital to acquire those properties and land that would be of benefit to the Island, compared to some of those that are no longer in use.

[12:00]

13.10.3 Deputy S.M. Ahier:

Will the Minister engage with the Minister for Treasury and Resources to consider the option of setting up a pool of funds which would be made available in the future for any such purchases?

The Connétable of St. John:

I look forward to discussing property with the Minister for Treasury and Resources. My first priority will be to ensure we get sufficient funds to maintain the properties that we currently own before we go and buy further properties. That does not mean to say that we will not take opportunities to buy properties but I will re-emphasise the importance of maintaining our existing stock before adding to it.

13.10.4 Deputy J. Renouf:

Would the Constable agree with me that the issue that was raised with the Greve de Lecq purchase was the problem of finding of what to do with strategically important sites that might have community benefit, significant community benefit to the Island? Is he able to offer the Assembly any reassurance that we have in place some kind of mechanism for helping to identify those sites before they go to the point where they get planning permission and, therefore, increase dramatically in cost?

The Connétable of St. John:

I do not believe that there is a formal process in place. I think the officers have been made well aware of our need to act faster in some cases. But, as pointed out earlier, currently there are not funds to secure these parcels of land or properties. It is work in progress. It is something that I am really keen on looking at strategic options for the Island and something I have worked with the officers on.

13.10.5 Deputy J. Renouf:

Would the Minister agree to report back to the Assembly in relatively short order on how he progresses P.53, particularly with regard to the mechanisms by which we might identify strategic properties and make purchases?

The Connétable of St. John:

Currently I am coming up to speed with the property element of my portfolio. There are a number of things in there, and P.53 is something that this Assembly has agreed to and, therefore, I feel duty bound to come back at some stage. I cannot put a timeline on that currently.

13.10.6 The Connétable of St. Lawrence:

The question refers to properties or areas of significant value to the people of Jersey. I hope this is not straying too far from that question but my question is: is there a policy at the moment whereby the States look to provide domestic properties to provide homes?

The Deputy Bailiff:

You are probably straying too far from the question.

The Connétable of St. Lawrence:

You think so.

The Deputy Bailiff:

Sorry about that. Are there any other questions? Final supplementary, Deputy Stephenson.

13.10.7 Deputy L.K.F. Stephenson:

Does the Minister agree with me - and, hopefully, this just expands on what my colleague, Deputy Ahier, has asked - that returning to this Assembly with any potential options for a mechanism should be backed up at the same time with the creation of a mechanism or a fund, even ahead of expenditure within the Government Plan, for, potentially, making such strategic purchases?

The Connétable of St. John:

I totally agree. There is no point in coming back with a plan if there is no funding to enforce that plan.

14. Questions to Ministers without notice - The Minister for Justice and Home Affairs

The Deputy Bailiff:

Now I move on to questions to Ministers without notice. The first question period is questions for the Minister for Justice and Home Affairs.

14.1 Deputy C.D. Curtis:

Has the Minister received the 2022 Police Annual Report or the policing plan for the next few years and, if not, why not?

Deputy M.R. Le Hegarat of St. Helier North (The Minister for Justice and Home Affairs):

The actual annual report was slightly delayed and was only issued at the end of 2023. I, therefore, will be looking at it and reviewing it and ensuring that I am happy with it and then it will be, ultimately, published.

14.1.1 Deputy C.D. Curtis:

I did also ask about the policing plan for the next few years and I wanted to say I believe that the data relating to searches, vehicle checks and custody has not been included in the Police Annual Report since around 2016. Will the Minister ensure this information will be included in the future, as required by law?

Deputy M.R. Le Hegarat:

Apologies to the Deputy. Yes, the policing plan needs to be looked at as well by myself, and I will also look at why the figures in relation to custody were removed in the 2016 plan and advise her of that position once I have established it.

14.2 The Connétable of Trinity:

If I could ask the Minister, her predecessor gave an undertaking that she would investigate means of supporting the Parishes with the excessive cost of T.E.T.R.A. (Terrestrial Trunked Radio) radios and their licences and also the cost of the States police providing training to the Honorary Police and would she undertake to maintain that commitment?

Deputy M.R. Le Hegarat:

Thank you to the Constable for the question. As a former police officer, I fully understand the value and important role of the Honorary Police in keeping the Island safe. We would not be able to have the service that we do without them. I am pleased, therefore, that I have now got the Constable of St. Peter as my Assistant Minister, so we will be able to provide a very close update in relation to the Constables and the Honorary Police. I am committed to further exploring the options that we may have in relation to the viability of the Honorary Police and in relation to the equipment that they receive. I am fully aligned to the fact that there are quite a number of different types of licences that are required for various types of access and I will look at that as a priority, and will look to meet with the Comité as soon as I possibly can.

14.3 Deputy S.M. Ahier:

With reference to the Criminal Injury Compensation Board's Annual Report, could the Minister explain the reason for the final award payments increasing by a multiple of 3 since 2020 to 2023 from £145,000 to £423,000, even though the number of cases resolved has reduced from 32 to 27?

Deputy M.R. Le Hegarat:

I thank the Deputy for the question. I recently met with the chair of the Compensation Board and obviously COVID did have some impact in relation to delays, potentially, of cases. The increase is in relation to historic abuse cases, which have now been finalised. There has also been an increase in relation to some sexual offences as a result of some additional law which has been introduced.

14.3.1 Deputy S.M. Ahier:

Is the Minister expecting these award payments to rise incrementally in the coming years?

Deputy M.R. Le Hegarat:

I think that is a difficult one for me to answer but I think realistically they probably will, from the point of view that compensation will rise like everything else does by percentages. But also I think the thing is, is that there is probably better knowledge and understanding in relation to victims in relation to offences. I think that it is likely or is potentially likely that that will happen.

14.4 Deputy L.K.F. Stephenson:

Given that there is a shortage of jockeys and qualified professionals to fill other horseracing-related jobs within the U.K., which in turn is impacting on Jersey, will the Minister commit to investigate whether the role of jockey can be designated an exception under the skilled worker criteria of the Jersey Work Permit Policy, in a similar way to how professional rugby players have been in the past?

Deputy M.R. Le Hegarat:

It is a bit ironic the question from the Deputy because in the last week or so there has been a review by the Immigration Department exactly into this matter.

14.4.1 Deputy L.K.F. Stephenson:

I am very glad to hear that. Is the Minister able to explain that that means there is a change, which will allow that to be accepted?

Deputy M.R. Le Hegarat:

I think the Immigration Department has reviewed a number of licences. I think with work permits in relation to everything, in relation to people coming into the Island on work permits, there needs to be a continual look at what skills are necessary. I think it is an ongoing piece of work. As I said, we were able to assist in relation to the matter that the Deputy raised.

Deputy L.K.F. Stephenson:

Sorry, Sir, I do not believe that my question has been answered because it was about an exception to the policy, rather than just a single case that has been appealed and approved. It was about a wider policy position.

The Deputy Bailiff:

I think she said it is being reviewed, did you not, Minister?

Deputy M.R. Le Hegarat:

Yes, Sir. What I said was I think for all skilled positions there will be a need for Immigration to continually look at what skills fit into the criteria. Because obviously if you look at our workforce it is constantly changing. What today may be skilled employment which we can fill on-Island, there may be a need for it to come off-Island. I think it is something that the Immigration Department are aware of and will look at individual matters. The one that the Deputy raises was one that was looked at and, as a result of that, it was achieved.

14.5 Deputy H.L. Jeune:

Does the Minister have any plans to change the underlying philosophy of the child first justice and the youth justice strategy?

Deputy M.R. Le Hegarat:

Thank you, Deputy, for the question. I think the youth justice, child first principle is something that will be maintained. This piece of work is currently sitting with me and is going to be reviewed by myself shortly, so that is my point at the time. It is with me for review and I will be looking at it as it is shortly.

14.5.1 Deputy H.L. Jeune:

Will the Minister support proposals to create behavioural orders and explain her reasoning for why she will or will not support such proposals?

Deputy M.R. Le Hegarat:

I think with any justice policy there is a need for various elements. In relation to justice orders I believe that we need to progress and move forward. I think we need to look at all options to ensure that we assist in ensuring that our justice system is fit for purpose.

14.6 Deputy R.S. Kovacs of St. Saviour:

The States of Jersey Customs and Immigration Service no longer publish an annual report but do provide relevant statistics where required for government management or reporting purposes. There is no current obligation for the report to be published, so it was felt to be more efficient to focus resources on the provision of accurate information as required. That what was included in these annual reports, such as drug seizures, now has to be acquired via annual freedom of information request. Will the Minister consider the reintroduction of annual reports for the Customs service and, if not, why not?

Deputy M.R. Le Hegarat:

I think most departments do publish an annual report. I am not aware why the Customs and Immigration Department stopped publishing an annual report. I would, therefore, need to go back to the department and ask that question in order that I can feed that back to the Deputy.

14.6.1 Deputy R.S. Kovacs:

Can the Deputy circulate with all the Members why it was initially stopped, that report and then if there is a possibility to have that report started again?

Deputy M.R. Le Hegarat:

I can certainly do that.

14.7 Deputy K.M. Wilson:

Can the Minister confirm if she will continue the work of her predecessor in relation to the diversity, equality and inclusion programme?

Deputy M.R. Le Hegarat:

Yes, I absolutely will be continuing the work that was started by the previous Minister in relation to inclusivity.

14.7.1 Deputy K.M. Wilson:

Can the Minister advise what priority she has identified in that programme in terms of the resources that she needs to be able to progress that work?

Deputy M.R. Le Hegarat:

This document is currently still on my list to review and I will be reviewing that within the next week or so and then I will forward that information to the Deputy.

[12:15]

14.8 Deputy S.M. Ahier:

Has the Minister made a decision about the siting of the blue light services? Does she believe that they should be at Rouge Bouillon and is there enough space at Rouge Bouillon if the school remains on the same site?

Deputy M.R. Le Hegarat:

Ironically I accosted the Minister for Infrastructure at Broad Street yesterday. This is a matter which myself, the Minister for Infrastructure and the Minister for Education and Lifelong Learning will be looking at in the coming week or so because obviously there are 3 of us that need to sit down and work out exactly what is going to happen. I will not give my own personal view but I think we can come to a very good successful resolution.

14.8.1 Deputy S.M. Ahier:

During any considerations about what should be sited at the Rouge Bouillon location, has there been any engagement with the owners of the Curwoods Garage, that is situated right between the 2 sites and if any extension is made that would need to be purchased?

Deputy M.R. Le Hegarat:

As far as I am aware, no consultation has been made with Curwoods in relation to purchase of the site, unless that was made within the previous Government, but that is not something that I have been made aware of. But obviously when I speak to the Minister for Infrastructure and Minister for Education and Lifelong Learning that is something that we can obviously discuss.

15. Questions to Ministers without notice - The Minister for International Development

15.1 Deputy H.L. Jeune:

How does J.O.A. (Jersey Overseas Aid) ensure proper oversight and that correct financial management is being administered by partners to safeguard any potential misuse of funds of corruption?

Deputy C.F. Labey (The Minister for International Development):

As the Deputy will know, the countries that we choose to work with we take into account the Corruption Perception Index of a particular country. I think we are one of the only aid agencies that do this. But as far as partners, we do huge amounts of due diligence on them. We put them through Mango checks. Do not ask me what the exact acronym stands for. We also visit our partners. We visit the projects. I think having scored a 4 out of 4 on the internal audit, I think we do as much as we possibly can do.

15.1.1 Deputy H.L. Jeune:

Is the Minister aware of any example of instances where misuse of funds has been identified within J.O.A.-funded projects and, if so, how did J.O.A. ensure that the recipients of the project, and particularly the most vulnerable, were not adversely affected by such misuse?

Deputy C.F. Labey:

We always encourage a dialogue with our partners. If we are unhappy with how a project is going or unhappy about certain elements of it, as I say, we speak to them, we try to work it out with them if they need an extension of time. We like to work with them in all cases. There have been a couple of instances where we have been unhappy and unhappy enough to request the money back. Obviously we will do all we can to mitigate the circumstances. But we cannot do everything; if the project is failing it is failing.

15.2 Deputy B.B. de S.DV.M. Porée:

Ahead of the debate we will have today on the ceasefire, would the Minister at this moment in time consider giving aid to Israel?

Deputy C.F. Labey:

Aid must go where there is a need and on the basis of humanitarian principles, which are humanity, impartiality, neutrality and independence and I would not support giving aid as a balancing gesture. In any event, to date the state of Israel has not requested international humanitarian assistance and nor would I be able to give it. Israel is a member of the O.E.C.D. (Organisation for Economic Co-operation and Development) and is not classified by the World Bank as a low to middle-income country. In fact in 2022 it rated as the 18th wealthiest country in the world. Israel is, therefore, not eligible to receive the aid that I give, the official development assistance, which would not be accepted in a humanitarian financing framework. In other words, I cannot give humanitarian aid to Israel but I do not really believe it needs it at this time.

The Greffier of the States (in the Chair):

Do you have a supplementary, Deputy? Are there any other questions for the Minister for International Development? If there are no other questions, somebody needs to call the Chief Minister because he is going to have to deal with the remaining time period. I think if we could pause the clock, Greffier. Excellent. [Laughter] I think you may need it, Chief Minister, because there is quite a lot of time on the clock.

16. Questions to Ministers without notice - The Chief Minister

16.1 Deputy T.A. Coles:

Given that Germany is now another country that has legalised cannabis for personal use and possession and the then Senator Farnham suggested that it would be sensible to look at other jurisdictions, does the Chief Minister now agree that it might be time to consider decriminalising cannabis for personal use?

Deputy L.J. Farnham (The Chief Minister):

I am not sure whether I am personally in favour for that or not. But I think it is a debate this Assembly needs to have and I would hope we would have that debate during this session.

16.1.1 Deputy T.A. Coles:

Only around the sort of timescale the Chief Minister would consider for this debate on cannabis.

Deputy L.J. Farnham:

I have not discussed it with colleagues on the Council of Ministers but I would say, given our list of priorities and what we are seeking to achieve, it is unlikely to come on a proposition from the Government but I will discuss it. Of course it does not stop a Back-Bencher or a non-Executive Member from bringing a proposition.

16.2 Deputy G.P. Southern:

Following the response of the Minister for Justice and Homes Affairs who said she was not aware that the annual report published by her department were no longer freely available and that information, which used to be contained in the annual report, is now only available by F.o.I. (Freedom of Information), is the Chief Minister aware that several departments have ceased publishing annual reports and, therefore, become much less transparent in terms of how easy it is to get information on their activities, which used to be through the annual reports?

Deputy L.J. Farnham:

I believe I speak for all Ministers when I say the aim of this Government is to be as transparent as we possibly can. I am not aware of all of the reports that have been made available only by F.o.I., and if they have we need to understand the reasons why they have in relation to Home Affairs. It could be in relation to security, I do not know. But we will undertake to look at that and ensure that

if there are no valid reasons why a report should be withheld, we will make them available to the public but we need to understand the reasons.

16.2.1 Deputy G.P. Southern:

Will he take a step further, rather than accept what is now the status quo? Will he agree to press for greater transparency by having in particular - and I mention this one department in particular - the Social Security Annual Report, which used to be a mine of information, all of which useful, no longer is that accessible? Will he press Ministers to change the status quo and try and get more information released in annual reports?

Deputy L.J. Farnham:

I will certainly discuss it with the relevant Ministers. I hope the fellow Ministers will be of a similar mind that transparency is key to restoring confidence in the Assembly and the Government. I certainly undertake to have those discussions.

16.3 Deputy H.L. Jeune:

Will the Chief Minister advise whether he will be supporting his Minister for External Relations' amendments to P.7 and how has he worked with his Council of Minister colleagues to ensure they will also be supporting their Minister for External Relations who works on behalf of the Council of Ministers?

Deputy L.J. Farnham:

It is absolutely clear that this is a matter of conscience and there is no expectation among the Council of Ministers or Members to vote outside of their conscience of this issue. I am going into the debate with an open mind. I intend to support the amendment of the Minister for External Relations and I understand that progress is being made with a further amendment to the amendment that has been lodged. I think as small as our voice might be on this occasion, I would like us to have the debate to represent freely our own consciences, to represent the best we can the views of Islanders and to leave the Assembly this evening, if we finish it this evening, more united than when we came in this morning. [Approbation]

16.3.1 Deputy H.L. Jeune:

Thank you very much to the Chief Minister for his explanation. In light of this and to ensure the transparency for the public and the Assembly, will the Chief Minister be publishing a code of conduct for his Council of Ministers or will he leave each Minister to be lobbying for each and every proposition or amendment that they bring forward to the Assembly in the future.

Deputy L.J. Farnham:

We do have an agreed code of conduct for Ministers. I thought it had been published but if it has not ... I am really sure it is published because it has been agreed by the Council of Ministers.

16.4 Deputy J. Renouf:

On a similar theme, the Minister said in his earlier answer that the Chief Minister will not be enforcing full collective responsibility because he does not believe in it but he also says he wants to achieve unity where I can. I think I got that right; correct me if I am wrong. Does he accept that there is a risk that Ministers, notwithstanding matters of conscience such as the vote on the Palestinian ceasefire proposition, will end up speaking against each other in public?

Deputy L.J. Farnham:

I think we have to learn how to disagree in this Assembly from time to time and realise that it is part of a healthy democracy when we do that. As long as we disagree, when we do disagree, we are unable to present our arguments in a proper way to win the arguments, to win the debates. I do not

think there is anything wrong with that. I will of course be persuading Ministers to unite and show unity wherever possible. I am pleased to say that from the early experiences of the Council of Ministers' meeting I am very pleased to note the very positive can-do attitude of Ministers and the willingness for us all to work together, even when we do not agree. That is what we are going to try and do and, moving forward, we are going to apply some common sense. We are going to allow ourselves to debate, I think, thoroughly. We are going to say it is okay to disagree at times and we are going to learn to articulate our arguments in a way that we can win the debate and bring the best outcomes for Islanders.

16.4.1 Deputy J. Renouf:

I thank the Chief Minister for that explanation. I think the point I would hone in on is the question of who, in that case, will speak for the Government in particular circumstances where there is a disagreement? Who should the public, for example, listen to to establish what the Government's view is on a matter where the Ministerial team may be disagreeing among themselves?

Deputy L.J. Farnham:

I think we have a mature Council of Ministers who are engaged with their subjects and have one outcome in mind, and that is to deliver the best outcomes for Islanders. Of course all Ministers speak on behalf of the Government when they are speaking on issues that relate to them. As Chief Minister, I will speak on behalf of the Government when necessary. But the Council of Ministers will act in a democratic way, will have the debates around the table and then we will bring the results of those debates to the Assembly.

[12:30]

Where there are not matters of conscience I will try and insist, where reasonably possible, that we are united. Where there are matters of conscience I will always leave it to a free vote. I just want to demonstrate an example, as said by Deputy Mézec, who is the Minister for Housing and Communities and the leader of Reform Jersey Party, that they will accept democratic decisions around the Council of Ministers' table and move on. I think that should be applauded and we should all move to take a leaf out of that book when we disagree.

16.5 Deputy S.M. Ahier:

The Chancellor is intending to announce a vaping-products levy in his budget next week. Does the Chief Minister support the concept of a tax on vaping?

Deputy L.J. Farnham:

I was just trying to sneak a view of the Minister for the Environment, who is sitting behind me, who I know is considering that. We are alive to the dangers of vaping and I know the Minister has plans for, I think, banning the use of disposable vapes. Further than that, I would have to discuss that with the Minister for the Environment or perhaps he could direct the question to the Minister for the Environment.

16.6 Deputy L.M.C. Doublet:

From what age does the Chief Minister think that Government should fund a universal high-quality childcare offering from? Does he believe it should be from age 2 or perhaps from earlier, at one year of age?

Deputy L.J. Farnham:

I believe right now that it should be from earlier.

Deputy L.M.C. Doublet:

Sorry, could the Minister give a number and age? That is not my supplementary, that is a clarification.

Deputy L.J. Farnham:

In answer to the question, I believe the Deputy asked if I believed it should be supported from 2 or one. I would say one.

16.6.1 Deputy L.M.C. Doublet:

I thank the Chief Minister for his answer. Prior to that age, before a child is in childcare, and for parents who cannot afford to care for their child at home, how would the Chief Minister propose that the Government support parents to do so?

Deputy L.J. Farnham:

I have not been able to consider the detail on that yet. We will have to consider that. I presume the Deputy is referring to help outside of income support measures. Perhaps she could clarify that in her supplementary.

The Greffier of the States (in the Chair):

She has had a supplementary. Are you content with the response that has been given there, Deputy, that it is something that the Chief Minister will be considering?

16.7 Deputy A. Curtis of St. Clement:

The Chief Minister highlighted work is underway on a new Common Strategic Policy. Does he envisage this will include a priority for Jersey to provide good quality housing that meets reasonable standards, such as for the accessibility of individuals?

Deputy L.J. Farnham:

I am trying to look for any lacunas in the question, but I think it is fairly straightforward. Yes, it would support that.

16.7.1 Deputy A. Curtis:

Does he support, in his Common Strategic Policy, accessibility and inclusion more widely as a priority?

Deputy L.J. Farnham:

I am not sure how the priorities will end up in the Common Strategic Plan because we are still discussing it, but unity, inclusion for all citizens, is going to be a high priority. I am not sure where it is going to appear on the scale in the plan though.

16.8 Deputy K.L. Moore:

Could the Assembly receive an explanation of the reason for transferring £3 million from the Currency Fund to the Consolidated Fund, please?

Deputy L.J. Farnham:

I cannot off the top of my head, I will have to confer with the Minister for Treasury and Resources and come back to that.

16.8.1 Deputy K.L. Moore:

I look forward to the Assembly being provided with the answer at its earliest convenience. Perhaps then the Deputy might be able to tell the Assembly whether they will maintain the funding solution

that had been found for a new series of “Bergerac” to be filmed in the Island for broadcast later this year, given the recent good response to the Island being on national television last week.

Deputy L.J. Farnham:

I thank the Deputy for that. Members may know or remember that I have in the past been a proponent for the establishment of a screen fund and the support of investment in such activity to promote Jersey. Of course, there have been one or 2 hiccups along the way. In relation to “Bergerac”, there have been one or 2 false starts. The ask for the investment is I think £1.8 million towards the contribution and I have a meeting scheduled later in the week to discuss it. Ultimately it is something I would have to take to the Council of Ministers, given the priorities we have. Having said that, and we must remember that these sort of things are our investments and could return us significantly larger amounts of money than we put in, so it is something that is being considered.

Deputy K.L. Moore:

That does not answer the question. There was a funding solution already on the table. The question was simple: will he be following it up and agreeing to it?

Deputy L.J. Farnham:

The answer is simple; I have not decided yet.

16.9 Deputy K.M. Wilson:

Could the Chief Minister confirm that all matters have been resolved in relation to the teachers’ pay dispute and that terms and conditions have been signed off?

Deputy L.J. Farnham:

I can confirm that in relation to pay. I cannot confirm that in relation to the terms and conditions. It is a question for the Minister for Education and Lifelong Learning. That is likely to be ongoing, but I, touching wood, do not envisage too many problems and I understand discussions are progressing well.

16.10 Deputy S.M. Ahier:

Will the Chief Minister update the Assembly on the introduction of the ombudsman, which we have been waiting approximately 7 years for, and I understand the funding was allocated in the Government Plan?

Deputy L.J. Farnham:

Again, that is something we have yet to discuss at Council of Ministers, but being absolutely open with the Assembly, there is concern from some Ministers that the cost of running the ombudsman needs to be re-examined, so we need to have those discussions before agreeing to the timetable. I am mindful that budget has been approved for that, but, as I mentioned earlier, we are going to be looking at prioritisation and, being open with the Assembly, I think that is one area we might need to reconsider. Having said that, I am not saying I am for or against it, and I am aware that it is based on a decision that was made some time ago for this Assembly. So I think it is going to be about the timing and how we prioritise funds.

16.11 Deputy M.B. Andrews:

How soon will the Council of Ministers make the minimum wage into a living wage?

Deputy L.J. Farnham:

I am very pleased to say that the Ministers for Social Security and Sustainable Economic Development are leading on this and currently discussing with officials and other Members and third parties the best way to deliver this in a manner that is manageable and affordable for the business

sectors that are impacted. I am confident that we can get to a minimum or a living wage ... we can move from a minimum wage to a living wage, and we can make significant progress to that over the next 2 to 3 years maximum. But I am pleased to say good progress is being made and I am supportive of obtaining that goal as soon as we possibly can.

16.11.1 Deputy M.B. Andrews:

The Chief Minister, can he confirm that this will be implemented before the end of this term of office?

Deputy L.J. Farnham:

I cannot guarantee it. I cannot guarantee it, but I am confident that we can get most of the way there. We can make significant progress.

16.12 Deputy H.L. Jeune:

Following from the Carbon Neutral Roadmap that was agreed in 2022, which included appointing a Minister for Energy and Climate Change, will the Chief Minister explain to the Assembly how he will ensure specific responsibilities assigned to someone within the Council of Ministers around energy and climate change?

Deputy L.J. Farnham:

I am content for that responsibility to lie with the Minister and Assistant Minister for the Environment. I have discussed this with the Minister for the Environment and I believe it is a matter for him to decide at this stage, and I believe he is intending to lead on it himself.

16.13 Deputy J. Renouf:

Could the Chief Minister advise where the funds came from to solve the teachers' dispute?

Deputy L.J. Farnham:

The difference between 7.9 per cent to 8 per cent and the increase in the payment, which applies to 2024, I understand will come from existing government revenues from the Government Plan. In relation to 2025 and 2026 cost of living plus 1 per cent, that will be allocated in the budgeting for the forthcoming Government Plan. But the expenditure, as the Deputy should know, for future budgets are based on the revenue. So the payroll expenditure for the whole public sector, including teachers, comes from the tax revenues we receive.

16.13.1 Deputy J. Renouf:

So the point I was trying to get to was the increase in funding for the pay rise over and above the previous pay rise, money was not provided in the Government Plan and therefore presumably had to be allocated from somewhere. I wonder if you could clarify where that was and, as a supplementary, could he also clarify whether he has considered the potential for pay rises in the public sector to increase to try and match the pay rise that was achieved by the teachers?

Deputy L.J. Farnham:

I will come back to the Deputy on exactly where the approximately £500,000 increase is being allocated from. I will refer to the Treasury on that; they will be able to provide that. This is something that the States Employment Board discussed at its first meeting last week, whether we wanted to ... we are aware that what we have offered to the teachers might be attractive to the rest of the public sector. It might not be attractive to the rest of the public sector. Perhaps the rest of the public sector were hoping that, on the grounds that their pay in real terms has decreased by 15 per cent against the cost of living over the last few years, might be asking for significantly more. So I do not think it is too negative. I think we have recognised that pay increase for teachers was to recognise the value we place on the teaching profession and to go some small way to bringing their pay back into line. I expect to have similar discussions with the rest of the public sector.

16.14 Deputy M. Tadier:

Why does the Chief Minister think that he and his Government were so quick to resolve the teachers' dispute when the previous Government were not able to do so?

Deputy L.J. Farnham:

I think the previous Government was very, very close and it was just a small step to get there.

16.15 Deputy A. Curtis:

Will the Chief Minister outline if there are any areas of perceived or actual government red tape or burdensome processes he has asked Ministers to prioritise addressing?

Deputy L.J. Farnham:

The Minister for Sustainable Economic Development is due to report on that imminently. I have not had detailed discussions with him how he is going to prioritise on which bit of red tape we want to get rid of first. But I expect him to report on that imminently, so I am trying to remember when that is due to happen; I think it was April.

16.15.1 Deputy A. Curtis:

Does the Chief Minister have any areas personally he has felt need addressing outside of the Minister for Sustainable Economic Development's remit and which Ministers would he like to see address what?

Deputy L.J. Farnham:

One of the biggest concerns for me, and again this is not meant to criticise Ministers, but one of the biggest areas for me is planning. I think our Planning Law needs completely reviewing and I think we need to find a way of streamlining, fast-tracking certain planning applications for crucial affordable homes. I think we need to look at reducing planning fees where we can to encourage developments. So short answer is planning is a big area that I think we need to look at and the Minister for the Environment is aware of that. We have had some discussions about that.

[12:45]

16.16 Deputy G.P. Southern:

Bandyng around the words "red tape" is very common and the Minister has just done it. Could it not be the case that what we should be referring to when we talk about red tape is health and safety? Is it not the case that red tape is not a great burden, but health and safety issues might be, but quite justifiably?

Deputy L.J. Farnham:

Absolutely. I would start by saying that the other colours of tape are available, but not making light of the matter of course. I think we have over the years put restrictions in place where we have not needed to. Those are the areas we need to focus on. We need to free up society from being overburdened by detail that we should not need to provide, which is impacting upon our lives. I think planning is an example where quite clearly important and key developments have been held up for various reasons and sending applications back to the department are hugely costly for people wanting to invest in property or build homes. Again, that is no criticism of any of the Planning Committee or the Minister of course. We must not interfere when it comes to health and safety as long as the Health and Safety Regulations that keep us safe are appropriate and proportionate, I continue to support them.

16.17 Deputy M. Tadier:

The Chief Minister has been on record as saying that he thinks Government tries to do too much. Could he give some tangible examples of where he thinks that is the case?

Deputy L.J. Farnham:

I would rather not just yet. I would rather complete our research into that. I do not want to criticise or set hares running in departments without being in a position to know all the detail and present that in a balanced and sensible way. I hope the Deputy can understand that.

16.18 Deputy M. Tadier:

I do understand that. But I also presume there must be some evidence that the Minister has seen to make him have that conclusion that Government does too much, so I am not sure if he is anything he can add to say why he has come to that conclusion.

Deputy L.J. Farnham:

I have come to that conclusion because comparing the Government Plans ... if you look at the 2023 to 2026 Government Plan heads of expenditure and then you compare that to the 2024 to 2027 heads of expenditure, there are huge increases. So we want to know why there are huge increases. Obviously inflation plays a part in that, but at the same time we have huge challenges on the front lines of the health service. We have challenges for education. We need to build homes, affordable homes for young people. This Government wants to ensure that we have the funds available to do that. So we are going to reprioritise and look at where we are spending funds, where perhaps we do not need to, and point those funds in the right direction. So those are the principles that has led to this review.

The Greffier of the States (in the Chair):

Are there any other questions for the Chief Minister in the final minutes of question time?

LUNCHEON ADJOURNMENT PROPOSED

The Greffier of the States (in the Chair):

The adjournment has been proposed. Does anybody want to second that? [**Seconded**] Then the Assembly stands adjourned until 2.15 p.m.

[12:49]

LUNCHEON ADJOURNMENT

[14:18]

PUBLIC BUSINESS

17. Reduction of Lodging Period

The Deputy Bailiff:

Before we start Public Business, a decision needs to be made about whether to reduce the minimum lodging period in respect of a matter on the Order Paper, namely the amendment to the Ceasefire in Gaza proposition lodged by the Minister for External Relations, Deputy Gorst. Minister, do you invite the Assembly to permit you to reduce the lodging period in relation to the amendment and the amendment to your amendment to allow this matter to be debated at this sitting of the Assembly?

17.1 Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter (The Chief Minister):

I do. I think that this is an important matter for the reasons I state in my report. I think the amendment is important and that States Members should rightly have the democratic right to decide which wording that they wish to agree to today.

The Deputy Bailiff:

There is an amendment to your amendment as well that was lodged yesterday.

Deputy I.J. Gorst:

Indeed, both please.

The Deputy Bailiff:

Yes. Is the proposition seconded? **[Seconded]** Does any Member to speak on the proposition? In that case, those in favour of reducing those lodging period kindly show. The appel has been called for. Members are invited to return to their seats and the proposition is that the lodging period for the Minister's amendment and amendment to his amendment be reduced under Standing Order 26(7) and I invite the Greffier to open the voting. If all Members have had the opportunity of casting their votes, then I invite the Greffier to close the voting. The proposition has been adopted unanimously: 41 votes in favour.

| Pour: 41 | | Contre: 0 | | Abstain: 0 |
|----------------------------|--|-----------|--|------------|
| Connétable of St. Helier | | | | |
| Connétable of St. Lawrence | | | | |
| Connétable of Trinity | | | | |
| Connétable of St. Peter | | | | |
| 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 M.R. Le Hegarat | | | | |
| Deputy S.M. Ahier | | | | |
| Deputy R.J. Ward | | | | |
| Deputy C.S. Alves | | | | |
| Deputy I. Gardiner (H) | | | | |
| Deputy I.J. Gorst | | | | |
| Deputy L.J. Farnham | | | | |
| Deputy S.Y. Mézec | | | | |
| Deputy T.A. Coles | | | | |

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|--------------------------|--|--|--|--|
| Deputy D.J. Warr | | | | |
| Deputy H.M. Miles | | | | |
| Deputy J. Renouf | | | | |
| Deputy C.D. Curtis | | | | |
| Deputy L.V. Feltham | | | | |
| Deputy R.E. Binet | | | | |
| 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 | | | | |

18. Ceasefire in Gaza (P.7/2024)

We now come to Ceasefire in Gaza, lodged by Deputy Tadier. The main respondent is the Minister for External Relations. Deputy, there is of course the amendment to your proposition. Do you accept the amendment?

Deputy M. Tadier:

No. I do accept part (a). I am not sure if that can be dealt with now but apart from that I do not.

The Deputy Bailiff:

I do not think it can be. I invite the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion - (a) to express their profound sadness and dismay at the extent of loss of civilian lives in Gaza and Israel, and to condemn the taking of hostages in all acts of aggression which violate international law and result in the loss of civilian lives, especially children; (b) that a permanent ceasefire should be established, and that all hostages and those held under unlawful detention should be released; (c) that international law should be adhered to in order to stop further significant loss of civilian lives and to avoid potential acts of genocide; (d) that the interim ruling of the International Court of Justice in South Africa’s case against Israel should be respected; (e) that a diplomatic solution to end the conflict, including an immediate end to the military occupation of the Palestinian territories, should be pursued by the U.K. Government and its allies in order to secure stability and a lasting peace in the region; and (f) to request that the Government of Jersey express the view of the Assembly on this matter to the U.K. Government.

18.1 Deputy M. Tadier:

First of all, it is not clear whether or not we will end up all being able to debate this proposition or whether we will be left with an amended version, but what is certain is that we can at least hear what

I am proposing before moving on to the consideration of the amendments. I will get around to that in a moment. First of all, I would like to set the tone of this debate, and I will address that in my opening few remarks. But what I want to do initially is just to thank Deputy Gorst and his officers for the way in which I think they have engaged constructively in this, what I think is a debate of fundamental importance. I will also address why I think it is important that we have this debate and do not shy away it in due course. Just because I will not be accepting many of the amendments that have been put forward by Deputy Gorst, it does not mean that I do not think we are both working for essentially one common good, which is to see an end to violence as soon as possible, so that there is not any more unnecessary suffering and death in the region that we are talking about. My opening remarks are really that there are no winners in this war. So from the very beginning of the debate, I think the tone and the focus of this debate needs to be and stay where it should be. That is on the innocent civilians who are losing their lives and who are being seriously injured and it needs to be with those innocent civilians who are being injured in their hundreds and thousands because of what has become, and in fact has been an attritional conflict, not just in the last few months, but for many decades. As we know, in these kind of attritional conflicts, it is always the ordinary people who suffer, and in particular it is the women and children who often suffer the most. My second point is that this proposition is not about taking sides. But again, if there is a side to take, it is the side of civilians, the side of peace, and the side of hope in a situation where there is at the moment, it seems, just violence, destruction and fear. More importantly, I am not here to prove that one side is better than the other, or that one side is doing much worse things than the other side. I do not want the debate to be about Members simply saying one side did this, one side has done that, and listing what we are entitled to do, but listing what might just be gratuitous examples that may end up creating more heat than light. This brings me to the opening statement for part (a). I am pleased that we can at least start this debate with consensus and let us read it, because both Deputy Gorst and I have agreed the following wording; we will agree it shortly in the amendment. But: "To express our profound sadness and dismay at the extent of loss of civilian lives in Gaza and to condemn the taking of hostages and all acts of aggression, which violate international law and result in death and harm to civilians, especially women and children." I hope that is an opening statement that we can all agree with. I would emphasise that the wording has been very carefully chosen and agreed upon to make sure that not one side is singled out, but that we condemn all acts that would violate international law and result in death and harm to civilians. This is important because we have been lobbied hard on this issue. I do not have a problem, incidentally, with being lobbied. I do not have a problem with those emails, and I think we should encourage those emails because I prefer those kind of approaches to certain other kind of approaches, which we might be otherwise receiving in this impassioned area. I think we understand that passions do get high. But it is important that we, as parliamentarians, bring this back down to the issues and, more importantly, the issues that we think we might be able to at least contribute to moving things forward so we, as an Assembly, are able to start this debate with a united position. We condemn all wrongdoing, whoever and wherever it is being perpetrated, and this is a good start. Ultimately, all of these acts I hope will need to be accounted for in accordance with international law, and that will not be us that is doing that, but I hope that those who have committed potential acts of atrocities will be held to account, whoever they are and wherever they have been done. I think it is important at this point to consider our position as a Parliament and as an Assembly, because I think we are quite lucky. I think we have seen a scenario to the north where a similar ceasefire was being called for, or that Parliament was grappling in the House of Commons to have some kind of meaningful debate, and it all fell apart very quickly. I do not take any pleasure in that because I do not think it was edifying for that country, but at least we have to recognise that in our system, first of all, if I may say, even though we have an unusual way for selecting our president, who is our effectively our Speaker, it is not up to the Speaker to decide which amendments, once they have been lodged, can be heard, and which cannot be heard. It is not up to the Speaker to decide whether a Member gets to speak. He may choose the order in which they speak, but that is by the lights that come on. We know that, in this debate, every voice that wants to

be heard can be heard, and every amendment that wants to be tabled and lodged will be tabled and lodged and considered. I think, in that, we do ourselves hopefully proud as an Assembly. But while we are talking about the wording of this proposition, I want Members to know that I did spend a great deal of time thinking about how, and indeed whether, to bring this proposition and then what the wording of the proposition should be. So I turn to part (b) because that I think is the first part where we need to establish consensus on. Hopefully there is some consensus already. Part (b) calls for a ceasefire. I must admit, when I first started drafting this, I did use different words. I said let us have a cessation of hostilities. I gradually talked to different people around the issue and they said there is a word for that, it is called a ceasefire, and that is why I think countries around the world are using the term “ceasefire”. I do not think it should be seen as a radical stance hopefully, in 2024, to point out that a ceasefire is not only desirable, but in this case it is vital if the killing and the harm that we talked about in part (a) is to stop, and if long-term peace is to have any chance whatsoever. But it also talks about things that need to happen. So it is not just about a ceasefire, and I do want to raise at this point that I have heard people say a ceasefire is no good because Hamas will not respect a ceasefire. The whole point of a ceasefire is that it cannot be a ceasefire unless both parties agree to it and adhere to it. So I think there should be that understanding that, in calling for a ceasefire, there is an assumption and a definition that means that it must be adhered to and that hostilities must stop.

[14:30]

But there is also a reference, and I think it is important that this reference is here, to the taking of hostages, because what we saw on 7th October has already being condemned, and it needs to be condemned again, because, in my view, the taking of hostages is a particularly nasty practice, especially when some of these hostages are vulnerable people and those who happen to just be in the wrong place at the wrong time. But, sadly, and it is not just in this conflict, but there has been a longstanding practice of hostage and prisoner trading where humans are used as pawns in a bigger, more violent game. At this point, I add the word of warning that there is wrongdoing on both sides. I will not go into detail because I see that there is little to be gained from reading out a list of alleged abuse that has occurred or does routinely occur on either side. But we know that there has historically and there is still an issue ongoing and serious questions to be answered about the detention of child prisoners in the region. This has been an issue that has been flagged up by charities in the region. I will simply add that, according to a Save the Children paper, it is estimated that there were between 500 and 1,000 children held in military detention in Israel each year, and I bring us back to the U.N.C.R.C. that Article 37 writes that: “No child shall be deprived of his or her liberty unlawfully or arbitrarily, and that arrest, detention, or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort for the shortest appropriate period of time.” But we know that there are children on both sides and our heart goes out in particular to the child hostages that have been taken. Now turning to part (c), I think this is hopefully also clear, but I think it does need some attention. Because of course we will be looking at amendments later on, and while I am not using this speech to talk against the amendments, I do it to speak for my proposition and say that there are certain words that I have put in there deliberately, there are certain words which are being removed by the Minister, and there are certain words that are being substituted for them. So part (c) again is quite, I think, straightforward: “That international law should be adhered to in order to stop further significant loss of lives and to avoid potential acts of genocide.” I think we can break that down into 2 parts. The first part, in fact I think all of it should be uncontroversial, but I know that the first part is probably the least controversial among Members. So that international law should be adhered to in order to stop further significant loss of civilian lives. I hope that is not controversial. But we of course come to the potential acts of genocide. I hope that we all, as an Assembly, want the avoidance of potential acts of genocide in the region. If we do not, I would find that very strange, but also that wording has not been plucked out of thin air, and we will look at that in a moment. Those are the words of the International Court of Justice. That is a body which has been set up, rejigged, in fact reconstituted after the horrors of the Second World War in, I think it was 1948, to

make sure that atrocities did not happen again and that in fact countries and powers were held to account if and when those atrocities did occur. Of course one of those international conventions is the Convention on Genocide which has obligations on all Member States not simply not to commit genocide, but not to stand by while acts of genocide may be happening. Again, the words of the International Court of Justice, which does talk about that. What I want to do is at this point perhaps introduce a different interlocutor, because sometimes in all the emails that we get from members of the public lobbying us one way or the other, you get that email which really stands out that somebody has put a particular amount of thought into and comes at it from a completely different angle and brings the troubles, if we can call them that, which are quite far away in some ways, they are beamed to us on the radio and on the TV, but sometimes they can seem quite far away, and we can seem removed from them. That said, I know that there are members in our Assembly for whom they are very close. So, if you do not mind, I will read a letter from one of the women who contacted us from the public, even though she is well known to this Assembly and even though she said she would be quite happy for me to name her, I think I will not because of Standing Orders, but Members will have worked with her, especially the older ones, in a different capacity. I say the older ones, I put my hand up too: "Imagine, if you will, a very different life in Jersey where there are 420,000 inhabitants living across the Island. There is no way in or out of the Island without the consent of another nation, and none is given, and there is no food, no water, no medication coming in. Then one day, all those living in the west of the Island are told they have to move to the east of the Island for their own safety, old, young, healthy, or sick, with or without transport. The west is then bombarded. All the schools, churches, the many residences, health facilities, desalination plant, farms are lost. You resettle in the east with the little that you could carry, many people to a room or in tents, and then you are all told to move again to St. Helier, where you will be safe. The east is then bombed and you are traumatised. The hospital is attacked, there is no electricity, operations are carried out without anaesthetic, vinegar is used to sterilise wounds. Women and children are particularly hard hit in all of the bombing, as the men allow them to occupy the overcrowded dwellings while they sleep outside and buildings are targeted. Women give birth and even have Caesarean sections without anaesthetic. Children are terrified. Whole families are killed. People are dying all the time. You cannot collect your relatives' bodies because of the danger and you cannot see what the future holds, and you are so hungry that there is no food and even babies start to die of malnutrition. Is it reasonable to seek a ceasefire in such a situation? Is it reasonable to say enough is enough? Our attackers must stop now. By the way, they are going to start bombing St. Helier next week." She goes on to say: "I do not pretend to understand why Hamas did what they did, and I certainly do not understand how killing more than 25 times the number that were initially killed can be an appropriate response." She says: "This is not an act of self-defence. This is surely a genocide. And if you would not accept this behaviour towards your home or a country near you, neither should you accept it elsewhere." I will leave that there. It does go on a little bit longer. Now there are members in our society who think that what is happening at the moment does constitute a genocide. I, as a parliamentarian, would be very careful about using that kind of language, because of course what we know ... and this is where it becomes difficult because we have heard different interlocutors over the last few weeks. While it has been really useful to hear those different voices, but when some of the arguments are put forward that this cannot be a genocide, and I am paraphrasing because there are not enough people being killed, and that is the message that I have effectively heard. That is how I have heard it. There are not enough people being killed for this to be a genocide. We have to bring it back to the fact that, first of all, we do not decide on if or when genocide is being committed. There has to be an independent arbiter and the test of what constitutes genocide is not the magnitude of the acts that are taking place but the intent. Of course, there is a legal definition for that. When we look at the statistics, and I personally look at the U.N. (United Nation) statistics on the U.N. website and the tally at the moment has gone up from since when that constituent of all of us wrote to us, and it is the death toll is estimated at 29,000. I know we can get into arguments about those figures; how did those figures come about, how do you know that they are all civilians, how do you know that they are not combatants? Of course, we also

remember the 1,200-plus Israelis and the hostages who are still being held. We remember the thousands more who have been injured. We remember the children who have been orphaned and we know that there is a whole generation of children who will be growing up without parents, without family to look after, and one can only think about what will happen to them, especially when we as an Island take the rights of the child so seriously, and yet this is such a dramatic departure from anything that we could rightly imagine. That is before you even get to the infrastructure and the desolation that is being created in this small strip of land. That cannot be good for people in Gaza or living in Israel. I cannot see how any of this spiritually, emotionally, can be good for anyone, unless that pause and that ceasefire comes. So let us look at what the I.C.J. (International Court of Justice) said. I think it is important that we do leave the reference to the I.C.J. in there, and we also contextualise it that the I.C.J. have given a ruling, not in a void or a vacuum, they have done it because the case was brought to them by a member country, and that country was South Africa. We do not need to remove that reference. I am sorry if I am talking to the amendment, but I am saying why I put this there in the first place. Let us not try to whitewash anything here. Just let us be factual about what has happened. If we want to get away from he said/she said, or they said/they said, let us stick to the facts. The facts are that a case has been brought by South Africa because they believe that what is happening in the region may constitute genocide. By way of a note, I think South Africa have a particular sensitivity to these issues, of course, because of their history. They have lived through a system of apartheid and they have come through that system of apartheid and, by all means, I am not saying that everything is rosy in South Africa, but we know as a valued member of our Commonwealth community that they have some experience in what they are talking about here. So what did the I.C.J. say? Well, the court ordered Israel to refrain from any acts that could fall under the Genocide Convention and to ensure that its troops committed no genocidal acts in Gaza. They ruled that it was plausible that what was happening in Gaza may constitute genocide, and that in itself I think is sufficient for us to really stand up and listen, but more importantly, and this is where we are going with this debate, it is important that the U.K. listens to that, because Jersey does not have sovereignty in these issues, but we do have a voice as an Assembly. When we see the U.K. and the U.S.A. (United States of America) prevaricating on this issue, to the point where they cannot even get a position on what should be a relatively simple proposal for a ceasefire, I think it is right that we in Jersey stand up and say: "Hang on a minute, the U.K. does not legislate for us", but they do not make policy for us either. How many times have we been told that they cannot do that for us? So I think it is absolutely right, if our position as an Assembly happens to coincidentally be aligned with what the U.K.'s position is, which I find difficult because the U.K. does not have a position at the moment, they have not taken that final stance that they can get behind, I do not think. But if it happens to be aligned, that is fine, but I for one am not convinced that the U.K. position is the correct one to take. I am going to draw this proposition to a close and make the proposition. But I want to leave Members with some further thoughts. I am not going to address in detail part (e) because I have circulated information about what is meant by the occupied Palestinian territories. That is simply factual. It is the internationally recognised position that there are Palestinian territories which have been occupied since 1967 in the region, and that is part of the wider problem. So this problem did not start on 7th October last year. This is an ongoing conflict and the point is, if we simply leave it, if the international community leaves it to the 2 sides to fight out, we are simply going to get more hatred, because hatred begets hatred, violence begets more violence, and this issue will not be moved on.

[14:45]

So I think we need to bring this back to position of hope and just before the lunch break - Deputy Gorst will not mind me saying this - but I had taken my jacket off and Members will not be able to see, although they will if I do this, but I have a nice pattern. This is the shame about men get to wear these beautiful suits, being parliamentarians, and all of the lovely stitching, not in your case, you get to where your magnificent robes on the outside, we can see them. But often some of the best stitching

and best linings of course are on the inside. I know Deputy Ferey is showing me his now. It is a show and tell I think. I am not entirely sure, but I think that is what you might call paisley. It is a reference. I said to Deputy Gorst: "I am going to make a reference to paisley in my summing up." But not the pattern, I am going to talk to you about Ian Paisley and I am also going to talk to you about Martin McGuinness. Because I was reading an article in the *Atlantic*. They said how remarkable it was that even 25 years ago the idea of these 2 men even just sitting in a room talking to each other about a possible peace process would have been unthinkable. Everyone would have laughed at you. The article made the point about how this strange friendship has sprung up between these 2 individuals. It is partly the election to B.I.P.A. (British-Irish Parliamentary Assembly) which made me think about that as well this morning. I think it is in these times that you have to still cling on to that hope. Where is the hope in that scenario? Because it is not a perfect parallel to make, it is not a perfect analogy, but there are, of course, many similarities that one could legitimately draw between the troubles that we have seen in Ireland, both because they had a very real present day implication, there was that fear and there was that fighting that took place but there was also a historical context that needed to be addressed. I think at the moment a lot of the attention is focusing, quite rightly, on the immediate issues. We need to get people to lay down their arms and to engage in talking. But how do you get people to talk when they cannot be sitting in the same room as each other? So I think this is the thing that we need to grapple with but we also need, as an international community, to facilitate those conversations. I am realistic, I know that as a small Island in Jersey we will not be facilitating that but I think as a small and hopefully unified Island, when it comes to the big ticket items that we can speak with one voice and say that we are a peace-loving Island, we do know what it is like to have had conflict in our community, we do know what it is like to have had an occupation in our community and we also know what it is like to have moved beyond that. So I do make the proposition. I am sorry to Members if I have missed anything out that they think that I should have addressed but, of course, there is an opportunity eventually for a summing up on some proposition or another. I make the proposition.

The Deputy Bailiff:

Thank you, Deputy. Is the proposition seconded? **[Seconded]** Thank you.

18.2 Ceasefire in Gaza (P.7/2024): Amendment (P.7/2024 Amd.) - as amended

The Deputy Bailiff:

There is an amendment lodged by the Minister for External Relations. Minister, do you want your amendment to be read as amended?

Deputy I.J. Gorst:

If you could, please, Sir.

The Deputy Bailiff:

Thank you. Yes, it is the removal of 2 words, is it not, from the amendment? Are Members content for that to occur? Yes. I invite the Greffier to read the amendment as amended.

The Greffier of the States:

Page 2, paragraph (a) for the words "the loss of civilian lives" substitute the words "death and harm to civilians", and after the word "especially" insert the words "women and". Page 2, paragraph (b) for the words "a permanent ceasefire" substitute the words "an immediate suspension of hostilities", and for the words "and that all hostages and those held under unlawful detention should be released" substitute the words "to enable the unconditional release of hostages and those held under unlawful detention, the urgent provision of humanitarian assistance and a permanent ceasefire". Page 2, paragraph (c) for the words "stop further significant loss of civilian lives and to avoid potential acts of genocide" substitute the words "prevent death and harm to civilians and damage to civilian

infrastructure on a massive on a mass scale”. Page 2, paragraph (d) for the words “interim ruling” substitute the words “independence and work”, for the words “in South Africa’s case against Israel” substitute the words “, including in relation to the conflict in Gaza”, and after the words “should be respected” insert the words “having particular regard to the court’s interim ruling”. Page 2, paragraph (e) for the words “solution to end the conflict” substitute the words “resolution to the conflict is vital”, delete “including an immediate end to the military occupation of the Palestinian territories should be pursued by the U.K. Government and its allies”, and after the words “lasting peace in the region” insert the words “, based on a solution which provides justice, freedom from occupation and security for both Israelis and Palestinians”. In page 2, paragraph (f) for the words “expressed the view of” substitute the word “updates”, and for the word “on” substitute the words “over the steps taken by Ministers to raise”, after the word “matter” for the word “to” substitute the word “with”.

18.2.1 Deputy I.J. Gorst (The Minister for External Relations):

I am going to start my remarks very much in the same vein that Deputy Tadier started his by saying that I am grateful to him for the way that he is engaged with me and my officials since he lodged his original proposition. But I am also grateful to all of those who have engaged with me during the course of thinking about and drafting the amendment that we have before us. I am grateful to Members for agreeing to take this amendment, and particularly the very late amendment which removed the words “two-state”. That was because during and throughout this process I have endeavoured to listen to the voices across our community. I want to also say that I am grateful to those Islanders who gave up their lunchtime and had a peaceful protest outside the States Assembly at lunchtime. I think their dignity set the tone for what I hope is a thoughtful but reasoned and careful debate on what is a difficult issue. I know it is with great sadness, concern and perhaps, as I have said, also some anxiety that Members come to this debate today. Our minds will be focused and have already been focused on the tragic suffering and loss of innocent lives in Israel and Gaza in the months since the Hamas attacks on 7th October 2023. We will reflect on the statement that we, as an Assembly, wish to make both in respect of recent tragic events but also with the complexity and history of the conflict in mind. We will be cognisant of how members of our own community in Jersey have been affected by the awful events of the last few months. But I want to be clear at the start, my amendment in part (b) calls for an end of hostilities and a permanent ceasefire. As Deputy Tadier has said, our Island has experienced the darkness of war. The effects and consequences of armed conflict exist in the conscience of many in our community. As a result of those experiences, we appreciate and value the need for peace and reconciliation and the importance of freedom and liberation. We know that the world is complicated and the resolution of longstanding conflicts with diverse geopolitics at play can sometimes seem impossibly difficult. But we should not, as Deputy Tadier said, lose hope that a resolution can be achieved and peace can ultimately be reached through the diplomatic efforts that are currently underway that we see progress on. We have heard only this morning an announcement from the American President about the progress being made not only in the Paris talks, but the work that we see our friends in Qatar doing as well to seek resolution. As we debate this issue today, my thoughts are with all those affected. Those who have lost loved ones, those still held hostage and their families waiting for news, those living in fear of further violence, living in fear of hunger and living in fear of displacement. Jersey has a rich history of demonstrating kindness and compassion to those in need as we provided a clear rejection of division in our own community through the unity statement published in November last year. That was incredibly important, demonstrating how even in the most sensitive and challenging of circumstances, leading voices in our community were able to come together to call for unity and peace, and also to support cohesion and solidarity here at home. I understand that there are different perspectives and different points of view, including from people living in Jersey on both recent events and the long history of this conflict. In our democracy, it is important that we have the freedom to express those differing opinions but it is also imperative that those differing views are expressed clearly, politely and respectfully. That is the basis on which I have tabled my amendments for the debate today. In my

role as Minister for External Relations, I have spoken to local faith leaders to ensure that I and the Government are listening to perspectives from all sides. On such a complex and sensitive issue, I do not propose my amendments lightly and in substance, as we have heard, both Deputy Tadier and I agree that an urgent end to the violence and suffering in the Middle East must be found. Nevertheless, I find it necessary to bring forward these amendments for 3 key reasons. Firstly, and as I hope I have made clear, I aim to preserve the ongoing cohesion and unity of our community in Jersey. There is no doubt, as some have unfortunately experienced in recent days, that recent events have the potential to reverberate across our local community too. Secondly, and it is to that end it is my intention to support balance and accuracy in any public expression on this intricate area of foreign policy. I regret that in my discussions with faith groups it has become apparent that the original wording of the proposition does not achieve that balance. The proposition, as initially worded, could not be supported by the leaders of the Jewish community in Jersey and I do not believe that is something which the Assembly should or could ignore. I have met representatives of faiths in the past weeks and months and I believe that I have arrived at wording which better represents differing views and which can be supported by a greater number of those differing views. In this conflict words matter and they matter hugely. Thirdly, I wish to ensure that the constitutional position between Jersey and the U.K. is respected. This is a point on which I have been criticised in recent days by some Members but our constitutional status matters and it should be respected by Jersey and by the United Kingdom. This Assembly is, of course, entitled to express a view on this matter which is distinct from British foreign policy, but we should be clear on the potential consequences of doing so, which is why I am seeking to keep this proposition within the tramlines of our longstanding constitutional position, while maintaining unity and seeking to represent a range of views on this subject. Fundamentally, my amendments take the same direction as the original proposition, which is to end the violence on all sides, a permanent ceasefire and seek a diplomatic solution. But each of my proposed amendments are designed to ensure that we can move towards peace in a way which maintains unity, and I will now briefly set out my rationale for the amendments, probably in much the similar way that Deputy Tadier did in regard to his original proposition.

[15:00]

In paragraph (a), I propose to insert a broader concept of harm as well as loss of life, noting the severe impacts on millions of Israelis and Palestinians, even in non-lethal situations. I am grateful to Deputy Tadier for accepting this part of the amendment. Following further discussions, I have also included specific reference to condemn the mistreatment of women as well as children, noting that gender-based violence and abuse has been reported on a significant scale throughout the conflict. These amendments reflect, I believe, core Jersey values both at home and abroad. Turning to paragraph (b), my amendment describes the practical steps and the sequencing of those steps which will be needed to secure the permanent peace that we all wish to see. An immediate suspension or cessation of hostilities to enable 3 things: release of hostages and those unlawfully detained, the increased provision of vital aid - an aspect which is not covered in the original proposition - and a permanent ceasefire. It is an important principle for maintaining unity. All communities who I have spoken to in Jersey want the same outcome but for some groups there are important actions that need to be taken before they believe a permanent ceasefire will hold. I will, just as an aside, say that I think it is important to include the words "increased provision of vital aid". Things have been said about the work of Jersey Overseas Aid, which I distance myself from. I think this Assembly and the wider community can be proud of the aid that Jersey Overseas Aid administers in all conflicts and natural disasters around the globe. It has first class due diligence. We have seen reviews undertaken but perhaps I am even more confident than the Minister herself, having sat in that role, having been with her on a visit to Jordan when the overseas aid first decided it was going to send money via O.C.H.A. I think that they do everything possible to ensure that their funds are not used in an inappropriate way. I hope that no Member reiterates what was suggested outside of this place and I, for one, would like to see them providing more funding into this desperate situation. That is slightly an aside but

why I think it is important to include that phrase. On paragraph (c), I am seeking to steer the language specifically relating to avoiding potential acts of genocide away from such problematic terminology. Given both its powerful historic connotations and specific legal application, references to genocide must be used with extreme caution, even where the Deputy is clearly stating his opposition to such acts. Indeed, I have received communications from those who feel at best uncomfortable and at worst intimidated by such language. There is no way of sugar coating the awful scale of loss of life in Israel and Gaza and my amendments are in no way designed to do that but rather to insert more objective and less sensitive terminology in a highly contested area of foreign policy. Proposed changes to paragraph (d) reflect discussions I have had with the Muslim community leaders, in particular, and served to strengthen Deputy Tadier provision by acknowledging the broader work and independence of the I.C.J., as well as having regard to the interim ruling. Paragraph (e), I believe it is very important that the Assembly reflects on some of the challenging and potentially divisive statements contained within the original proposition. References to an ongoing military occupation of the Palestinian territories not only ask Members to support a position which is presupposing a Palestinian state that is beyond that of U.K. foreign policy but, more importantly, it asks Members to opine indirectly on the current status of that territory, which the Deputy is aware is disputed under international law. I do not believe that it is proportionate nor helpful to ask the Assembly to determine the status of the territory in question. However, I do think we express support for a practical solution in the pursuit of permanent peace by pointing to a longer-term vision of a diplomatic solution which delivers justice, freedom from occupation and security for Israelis and Palestinians. For paragraph (f), I think all States Members will agree that we have been discussing a highly emotive and complex area of foreign policy. The situation on the ground is extremely distressing but it is also fast moving, and I continue to hope that the various international actors with influence will be able to encourage progress in the coming days. I believe that the proposed changes better reflect the role of the executive function which is already well enshrined through past practice and through the common policy for external relations. The additional emphasis on the importance of updates to States Members through the proper channels will ensure that Members can be kept apprised of the latest developments. Throughout my consideration of this proposition, I have engaged with and listened to the varied views of communities with families and links in Israel and Gaza and with States Members. I have sought to arrive at an amendment that can maintain unity and cohesion in the Island. In my engagement, almost all sides have shown a willingness to change and modify language and, as I said right at the start, I express my gratitude to them for that. This is an amendment which would support a cessation, as I said, of hostilities, a permanent ceasefire, an end to death and destruction, and encourage diplomatic solutions to this conflict. It is an amendment which I would be able to deliver in our engagement with United Kingdom and shows Jersey is a balanced, credible, mature jurisdiction but also one which understands and respects unity within its own borders. I propose the amendment.

The Deputy Bailiff:

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

18.2.2 Deputy M. Tadier:

If nobody else wants to speak at the moment, it may be helpful for me to guide Members through my thinking and my levels of opposition to the amendment. Just to clarify, because I was not able to move it partially amended, I am happy with part (a) of the amendment. In part (b), I would probably start off by saying I am not fully opposing part (b). I think there is some value that is added in the wording of part (b), in particular the reference to provision of humanitarian assistance. If I was being particularly robust in my opposition, I would say that we do not really need the new wording for part (b), because I think humanitarian assistance is trying to get into Gaza, in particular, all the time, and there are difficulties around that we know. We also know that a ceasefire or a suspension in

hostilities, whichever you want to call it and whichever comes first, will presumably only help that humanitarian aid to get to its destination. So in a sense I do not think it is necessary but I think it is important to signal that intent. The other thing to point out is that I know Members will be reading it and say: "Well, actually it is pretty much the same wording but Deputy Gorst just seems to have rejigged certain parts of it and put it in a different order." I think he has spoken to that. He has talked to the fact that he thinks certain things need to happen in a certain order and that we should not presuppose these things just materialising automatically. Although I note that there is nothing automatic in his wording that would necessarily suggest that there needs to be a particular order. So if I am being targeted with my words, I think it is more ... I would not waste a lot of energy on my part in opposing part (b), I would say that I think my wording is still better but if Members are inclined to vote for part (b) I think there is some merit in that as well. But that is not the case for the other amendments. So while I do not think I will lose any sleep over (b) I think that the other parts are there for a particular reason. I do want to focus now, I think, on a more serious matter because I think it is not exactly the best reference but I remember Einstein has a famous quote about making things as simple as possible but no simpler. I think in these kind of propositions, it is important to get as much consensus as possible but without it becoming a completely meaningless proposition. I have to say when we get an argument put forward, and I am looking at axiomatic arguments here rather than necessarily material ones, is that when you say that a certain group ... a certain thing is a red line for a certain group therefore I cannot put that in, it is not a reasonable rationale to follow because you need to know why it is a red line for that particular group and why, in fact, when it is a proven fact and a proven set of wording that is being used in the international community. Just because one group purports for all its members to have an issue with the certain wording, I think that is highly problematic. It raises the question then, of course, what happens if there are 2 red lines for 2 separate groups which are mutually exclusive? What if one group that you are talking to says: "Actually, it is a red line for us that you include this in your proposition" because it is a red line for some members of the community that this wording is included and that is why it has been included in there. The point is it has not been included arbitrarily. It has been included for a reason. So let us look at the wording so we are not just talking in the abstract all the time. We are talking about the potential for genocide, which is being removed from a proposition. I think that has to be strange unless there is a very good reason for it. As I said at the beginning, I presume this Assembly wants the situation and the players in that part of the world to adhere to international law and to avoid potential acts of genocide. Similarly, we want the U.K. not to stand by while one of its allies is maybe committing genocide. Not because it is an abstract concept but because the International Court of Justice has used exactly that form of words. The International Court of Justice, which is made up of 17 judges, the vast majority of whom - I think is 15 or 16 of them - have agreed to this. Are we better than the International Court of Justice? Are we more impartial than the International Court of Justice when it comes to deciding whether plausible acts of genocide are taking place now in a region around the world where we know 30,000 people and counting are being, yes, killed, but many more thousands injured and losing their homes? It is not for us to say whether a genocide is happening but it is definitely not for us to just recoil because the word itself is so terrible that we cannot utter its name. I suspect that actually going through a possible genocide is much worse than the actual words "potential genocide". I do not know what we are going to call it. That is why I was quite passionate when I heard that Deputy Gorst was moving this amendment. Is that okay? I thought: "Do I put a second amendment in? What do we want to call it if it is not a genocide? If it is not a potential genocide, is it a mass killing?" Because that is the suggestion that came forward when I was drafting this. I had a well-intentioned email which said: "Are you sure you want to use the word 'potential genocide'?" In fact, I did change it. I made sure it was potential acts of genocide because genocide can mean lots of things. It can mean not just killing people, it can mean bombing their culture, getting them out of an area so that they cannot return, meaning that they cannot have ... they cannot deliver their children that they will not be able to ... that their culture is being

destroyed. I know that there is also that potential for genocide to occur on both sides, because we have heard that there is a desire ... and this happens when you have hatred dominating the discourse.

[15:15]

You get countries and you get factions which say: "We want to destroy that country and we want to destroy that people." We have heard those comments being made on both sides. So I think we should not overly sanitise a debate about a very serious issue that is taking place right now, simply because some people in our community do not like the words "potential for genocide". I think that is where we have to draw the line. I will quote what somebody said on the other side of the debate, because Deputy Gorst and his officers were kind enough to send me, with the person's consent, some correspondence. So this is somebody actually speaking from the Muslim point of view and he qualifies that by saying: "By the way, I cannot speak for all Muslims, this is just my own personal opinion." One further comment is that recognising the potential for genocide is, I believe, very important for us to acknowledge. The proposition did not accuse Israel of conducting genocide, although many independent genocide experts and the International Court of Justice believe that there is a case to answer in this regard. The proposition asks that potential acts of genocide are avoided, which is entirely consistent with the I.C.J. ruling. So that is part (c) taken care of, I hope. I leave that with Members' conscience. I am not going to take any of this personally but I think it is a matter which we should not shy away from just because we find some of this emotive. Then I come on to part (d) because I think this is where there is a lot of messing around going on because we have got something very clear in front of us, that there was a ruling in January from the International Court of Justice, and it was a very long ruling but it was also very clear. On the one hand, it did not tell Israel to stop what they were doing. It recognised that there is a conflict going on and that they have rights around that to address and to defend themselves. But they did say actually they needed to change the way that they were fighting. Which is exactly what was said at the beginning by the Americans, which said, you know, it does matter how Israel defends itself. So, again, that theme was consistent and it is saying: "Actually, you do need to change the way you are fighting and you need to make sure that potential acts of genocide are avoided. That is the way you need to continue to fight if you are going to continue fighting." So to remove any reference to the South Africa case, I just think is complete madness because there is a tangible ruling that has been there. To simply say that the independence and work of the International Court of Justice, including in relation to the conflict in Gaza, should be respected but having particular regard to the interim ruling is the classic example of watering down something that does not need to be watered down, I think just for the sake of it. So I would urge Members to reject part (d) on that basis. Part (e), I am very pleased that Deputy Gorst has listened to Members. I think that whatever our individual thoughts, if we have any, about what the potential solution might be in that area, it is not our place as an Assembly, I do not think, to say that the solution must definitely be a 2-state solution. I think it is worth addressing that quickly. We had a very helpful, I think, presentation yesterday. I will not go into too much detail because it was a private briefing, I think, for States Members but it was useful in the sense that we got some of the scope of different views, even within the pro-Israel camp, if you like. So we had the first address from somebody who is of Arab origin, who lives in the area and says that actually Israel ... he joined the Israeli army, even though he is not Jewish he is an Israeli, because he sees Israel as being for everyone. There are Palestinians living there, there are Christians, there are Jews, there are secular people and there are religious people who live there. So it was not anything weird for him to join the Israeli army. So for somebody like that, you might think that actually he is already living in a one-state solution. He sees a vision where it is possible for Jews and Arabs and Christians and people who are of no particular creed or faith who can live together. That might well mean that there is ultimately a one-state solution. I think there is definitely some merit to that, where all human rights are treated equally and everyone's human rights are respected equally as well. But Deputy Gorst is right, it is not our place to say, then, that a 2-state solution should be superior to another one. Ultimately, whichever solution provides the most peace and stability is the one to be pursued. So,

on the one hand, I do welcome the suggestion that there of course needs to be a solution which looks at justice, freedom from occupation and peace for Palestinians but it comes at the removal of the reference to the occupation of the Palestinian territories and the fact that we do have occupied Palestinian territories. I have circulated information to Members and I am surprised that Deputy Gorst talks about this being contested. I mean, there will always be things that are contested by people who have a particular vision about how things should be but the international community consensus on the occupied territories is exactly that. They call them the occupied Palestinian territories for a reason. I think this is where it gets down to the important parts, is that if there is to be any solution, there has to be compromise that is forthcoming. So while there will be some who simply point to one side and say if they release the hostages then the war will be over, you can imagine another side saying: "Well, if they leave our occupied territories then we will release the hostages and then the war will be over." So I am simply saying that we need to recognise that there are demands on both sides that need to be met and that are asking to be met, and, again, that we should not simply shy away from what the international consensus is on those issues. I will leave Members to consider that because I know Members will have their own thoughts and will have done their own reading around that. But I do come to part (f) and I think this is fundamental. So I think if we cannot agree on anything else during this debate, and I think we have already agreed on quite a lot, it surely has to be part (f), because this comes back to the autonomy not of the Island against the U.K. but the autonomy of the Assembly with regard to our own Ministers. Part (f) is just standard wording in my original proposition and there is absolutely no need for this to be amended. When Deputy Southern moved his proposition back in 2003, asking the then Assembly to condemn the U.K. Government's position, or to say that we did not want any part of what was, it turned out to be, an illegal invasion of Iraq. Deputy Southern was right when the legal advice was received and the States Assembly, in its wisdom, even though it was a majority it was not unanimous, said that, no, we do not want the U.K. to invade Iraq but he asked the Bailiff to convey that message, because, of course, it was the decision of the Assembly. It may well be that we could have asked the Bailiff to convey this message to the U.K. Government, whatever message it is that we decide we want to have today. But of course we are under a Ministerial system so it is probably quite right that it should be the Government of Jersey and probably the Minister for External Relations, if not the Chief Minister, who conveys that message to the U.K. Government. So part (f) in the original wording says: "Request the Government of Jersey or the Minister who is part of the Government of Jersey to express the views of the Assembly on this matter to the U.K. Government." Quite straightforward because I think he talks to the U.K. Government quite a lot anyway, so he can probably just tell them when he is over there next: "By the way, we have had this decision." I think it would be a bit more formal than that actually but he has access to them. Not to have this very strange wording, which is to request that the Government of Jersey updates the Assembly over the steps taken by Ministers ... in the passive voice taken by Ministers to raise this matter with the U.K. Government. Of course, there may not be any steps because it depends what the Government wants to do. It could be actually: "Yes, we have not taken any steps because we did not think it was appropriate." In fact that has been the theme from the Minister anyway. He says: "I do not think we should have had this debate anyway." The comments say that this could have been dealt with by an in-committee debate. That is not true. We could not have had an in-committee debate and then come to a decision about what the next course of action is. So we are making a decision one way or the other today. We are making a decision either to adopt some of these amendments, all of the amendments, none of the amendments, hopefully at least part (a), and then once we have made that decision, please go away, Minister, and tell the U.K. Government that we have made this decision. That is, I think, the simplest, lowest hanging fruit that we should all be able to agree on as an Assembly. If we cannot do that ... and I look to Ministers even to uphold that basis of democracy, is to say that please just go away and say that it is the Assembly that has made this decision. It is not necessarily a Government position, it may be a partial Government position but that is not important because we have our own Assembly

in Jersey, they have debated this issue, there has been a petition in public on this issue and the Assembly has spoken.

18.2.3 Deputy S.Y. Mézec:

I strongly oppose this amendment and hope that Members will reject it. Of course, with the exception of part (a), which for the reasons Deputy Tadier has explained is acceptable. It is important to understand the purpose of this amendment as distinct from the purpose of the original proposition, in order to understand why it ought to be opposed. If you looked at the amendment at first glance, you might suspect that the amendment is proposed to achieve exactly the same thing as the original proposition but simply with a slightly different form of wording having had the benefit of more time for consideration and perhaps workshops with others to just finesse the wording to make it as acceptable as possible. That would be a mistake, because that is not the purpose of the amendment and it does materially achieve something different to the proposition as it would be unamended. That difference is this. The unamended proposition from Deputy Tadier is not a proposition aimed at virtue signalling and it is not a proposition aimed at making us feel better for having said something about something we observe elsewhere that makes us feel very upset. It is about establishing a position for Jersey, distinct from that which the U.K. Government currently holds, to add our voice to the voices of so many others across Britain who are seeking to change the position of the U.K. Government because they dislike that that position and think that that is a position which is at odds with those who wish to see peace in this conflict. So the U.K. Government has its international role and its presence on bodies like the U.N., et cetera, and it currently uses its position on the U.N. to abstain on resolutions which call for an end to the violence and the killing. As a British citizen, I strongly disagree with how the U.K. is representing me internationally on the U.N. because it does not reflect what I want to see take place to resolve this conflict. Bit by bit, as the growing chorus of voices come together, eventually the U.K. will have to change its position because violence is unsustainable and cannot carry on for ever. The question is, do we aim for it sooner so there can be as little suffering as possible, or do we, for political reasons, prevaricate? That is the purpose of the original proposition. It is to add our voices in the hope that it will have an effect in reaching that tipping point sooner rather than later that convinces the U.K. to change its position. The amendment does not do that for this very simple reason. Deputy Gorst listed the reasons for his amendment and on the third of those he referred to our constitutional position. I think in reality that ought to have been top of the list. But what the amendment does is it provides the Assembly instead with an opportunity to say how sad we are to see what is happening in the Middle East but ultimately to still align ourselves with the position of the Government in London. To say we are aligned with that and, therefore, our voice is not seeking to do anything that materially changes anything or puts pressure on any government office in the U.K. to change its position. That is the material difference between the amendment and the unamended proposition. We saw in the House of Commons recently some pretty awful shenanigans in terms of how amendments were ordered and how M.P.s (Members of Parliament) were presented an opportunity to get their point of view across and to vote on different motions.

[15:30]

That has caused great consternation, which is still playing out there. You can understand the anger of those M.P.s who wanted to vote for an immediate, permanent ceasefire and were deprived of the opportunity to do that because of those sequencing of votes in the House of Commons. Let us be clear about what the impact of adopting this amendment has on our own sequencing of votes. If the proposition is unamended, we can vote pour or we can vote contre, or you can abstain, of course, but to vote contre against that proposition means that in terms of Jersey's voice, we default to what the U.K. already says, in line with our constitutional position that the U.K. is responsible for us on the international stage. No proposition, it is taken as read, that Jersey is aligned with the U.K.'s default position. But vote pour the proposition and our position is different. We have a different view to

that that is being adumbrated by the U.K. Government and we are asking them, along with all of those other voices across Britain, to change that view. If we accept the amended proposition, which seeks to align the statement on what is happening in Gaza and Israel, again, we can vote pour or contre. If we vote contre and have no resolution, then the U.K. default position prevails. But if we vote pour the U.K. position prevails as well because we have passed a motion aligning ourselves to the U.K. So whichever way we vote, it actually does not matter. It turns it from a proposition that seeks to do something good, to materially contribute to achieving peace, into a proposition that we may as well not bother with, apart from it enables us to say how sad we feel at what is happening there. It is essentially virtue signalling in that respect, because it does not offer us the ability to materially contribute to it. That is the fundamental reason why I oppose the amendment, and would seriously ask Members to consider voting against it, to enable the Assembly to have that proper choice. Do we want to use our voice for something that will materially contribute, hopefully, to the U.K. changing its position on the basis of it hearing a growing dissatisfaction across the British family of voices saying we do not like the U.K. position of abstaining on motions in the U.N., something I regard as a cowardly thing to do, speaking frankly, and to hope that us, with all of the other voices, will eventually lead to that position where we reach a tipping point and the U.K. Government knows it is unsustainable to use its international might to continue to not materially argue for peace and an end to the violence there. Or we vote for the amended proposition, which achieves nothing apart from a footnote and minutes of the States Assembly reflecting that we are unhappy with what is happening in the Middle East. I think it ought to be taken as read that we are all deeply unhappy about it. I think the Minister for External Relations has also made a grave mistake in seeking to bring religion into politics. I take the view that there is no place for religion in politics, apart from people having their own private religious views and faith that may influence their own values and how they seek to work for the benefit of others. That is a wonderful thing and a noble thing, and I respect that. But on a matter that is political, not religious, I think it is a dangerous thing to bring in religious voices associated with titles that purport to be speaking on behalf of everyone, because we know that just because you are part of a religious faith does not mean we can judge you automatically on any basis and assume that you believe one thing or another, or hold one political view or another simply because you are part of that religion. It is wrong to do that. I think the Minister makes a grave mistake in doing that. I had dinner 2 weeks ago with 2 Israeli Jews and a Palestinian Muslim, who, as a collective, all held exactly the same view on the situation in Gaza and the situation in relation to the International Court of Justice. They were very much in favour of respecting the I.C.J.'s ruling and acknowledging it, and had an identical political position on this ultimately. The fact that they were of different religions and different nationalities was, frankly, an irrelevance. I deeply regret any political angle that suggests that a religious community in Jersey can be tarred with the same brush and presumed that they all believe one thing. It is not the case, whatever religion or cultural group it turns out to be. The point about the International Court of Justice is also vital in this. The words "potential acts of genocide" ... and I ask Members to look at part (c) of the unamended proposition, which says that international law should be adhered to - does anyone want to say no to that? I would hope not - in order to stop further significant loss of civilian lives - again, I would hope nobody would object to that - and to avoid potential acts of genocide. The reason the phrase "potential acts of genocide" is included is because that is exactly what the International Court of Justice has been dealing with. This is not about political rhetoric or demonstrations or anything, it is about a specific court case from the International Court of Justice brought by South Africa that has determined in its interim ruling that it is plausible that acts of genocide may be taking place and that action must be taken to prevent potential turning into definite. What is wrong with accepting that ruling? It is not pre-empting their final ruling and it is not pre-empting where we will be at the end of this conflict, which will hopefully come sooner rather than later, it is about reflecting what is already the interim ruling of the International Court of Justice, which has issued instructions to the Israeli Government to make sure that they do not undertake acts that could be ruled as genocide in the future. Who could possibly disagree with that? Removing that from this proposition strikes me as a cop out. I want the

U.K. Government, on behalf of Jersey and on behalf of me as a British citizen, to do whatever it can to stop potential acts of genocide wherever they occur and to do so in line with international law and in line with those bodies that it is a part of and holds some degree of influence in, like the United Nations. If we say that we do not have any interest in highlighting that particular part of the I.C.J. ruling and the situation that there currently is, is to turn a blind eye to what is happening and what could happen. I think it is a grave mistake trying to bring religion into it, I just find that unfathomable in the year 2024 that we would seek to do that. This is a political body not a religious body that we are Members of. I hope that I have been clear in explaining what the difference between the unamended proposition and the amendment is. It is not simply one form of words versus another form of words that maybe is more palatable or has been workshopped more. It is about the significant difference, about what opportunity it provides us as an Assembly to have a say on an issue taking place a long way away but which is causing unimaginable horror on those who are suffering from it. I have seen images on social media and on the news that I will never be able to unsee, so horrific they are. Or whether we accept the amendment and use this as an opportunity instead to simply virtue signal and say: “Carry on with what you are doing, U.K. Government, carry on abstaining, carry on providing political cover. Do not do what a growing number of people want to see, which is more direct action taken to prevent further harm and further killing.” On that basis, I urge Members to vote against this amendment.

18.2.4 Deputy P.M. Bailhache of St. Clement:

I too have problems with these amendments, not because of what they seek to do but because they would leave in place a proposition which I think is misconceived. In saying that, I do not doubt in any way the sincerity of those many people who have sent emails to us, who have protested in the Royal Square outside here. Of course, I agree with many of the sentiments which are contained in the proposition, expressing profound sadness and dismay at the extent of loss of civilian life and stopping further significant loss of civilian lives. A diplomatic solution should be found. Who could disagree with all that? One can understand that an end to all the killing and fighting would, of course, be highly desirable but it is not as easy as that. I think that, as an Assembly, we risk engaging in hubris. We are treading in territory that we do not fully understand. So far as I do understand the position of the United Kingdom Government and indeed of the official opposition too, it seems to me that their caution is right in terms of the immense complexity of events in the Middle East. The report on the proposition is essentially based on lobbying material from one side of the argument, and the issues are more complicated and enmeshed in a bloody and twisted history. A permanent ceasefire, of course, would be highly desirable but it would require the return of the hostages. Work that is going on in Qatar at the moment, but we know nothing really about what is being said there and the negotiations that are carrying on. It would require the abjuring of terrorist attacks on Israel but that is not easy in the light of the founding document of Hamas. I do not know whether any Members have had the opportunity to read the 1988 charter of Hamas. There are various translations online by distinguished academic institutions and they leave no doubt as to the raw hatred of Jews which consumes the text. Article 13 is interesting and it reads as follows: “Peace initiatives and so-called peaceful solutions and international conferences are in contradiction to the principles of the Islamic Resistance Movement. There is no solution for the Palestinian problem except by Jihad. Peace initiatives are but an exercise in futility.” Those are the principles of Hamas which led to the appalling and unprovoked attacks on 7th October. One can understand why the Israeli Government exercised its right of self-defence. A permanent ceasefire would require a recognition of Israel’s right to exist and perhaps the Palestinians right to their own state.

[15:45]

Last week, the Israeli Knesset adopted a resolution which negated an independent Palestinian state. As I think Deputy Tadier said in relation to his conversation - or perhaps it was Deputy Mézec, forgive me - over dinner, there are those who think that a single state solution might be the right one.

Hamas has given no indication that it is interested in a ceasefire and we obviously cannot expect Israel to adopt a unilateral ceasefire while Hamas continues to fire missiles into their country. The proposition involves the Assembly in international issues about which we are not fully informed but I am going to support the amendments of Deputy Gorst essentially for 2 reasons. Now, the first is that if the proposition is passed in its original form it would considerably ... if the proposition is to be passed, it would benefit from being moderated by the language employed by Deputy Gorst. I was at first actually disappointed that Deputy Gorst removed the reference to a 2-state solution, because it seems to me ... perhaps who am I to say that a 2-state solution is the only way in which permanent peace in this troubled area can be found but it may be that that is not correct. Secondly, the unamended proposition might actually cause harm in our own community. We have Muslim and Jewish communities living in Jersey in peaceful and respectful co-existence. One might contrast that with what happens in other places. The leaders of those 2 communities in our Island are friends. The adoption of this unamended proposition would or could give the impression that we are on the side of the Palestinians and against the Israelis. I think that would be unhelpful in our own community. The message to give is that we want a peaceful solution that is fair and just to both sides. It seems to me that Deputy Gorst's amendments tend to that result.

18.2.5 Deputy I. Gardiner:

It is a very, very, very complex situation. I happen to be personally involved as somebody who is holding dual citizenship, I am British Israeli and Members know this. I am also probably one of the Members most familiar with the situation, even though I do not think anybody, including myself, is an expert in this situation, a situation going back decades. I would like Members to look at the amendment because the amendment is asking for the ultimate goal of permanent ceasefire, stop suffering, because people suffer from both sides and people are killed from both sides. We talk about the rockets, only today 34 rockets landed in Israel but nobody knows how the rockets are landing because I just have it on my phone. What is really important is that the amendment brings reality to a very complex situation. Who would not like to have a permanent ceasefire? I think everyone here, everyone in Gaza and everyone in Israel. People would love to have a permanent ceasefire. After some consideration, I would like to ask for Members' attention for 2 minutes and take you back to the 1990s to my personal journey. I promise I will bring it back to the amendment. I am not sure where you were in 1993 when the Oslo Agreement was signed between Israel and the Palestinian Liberation Organisation, creating a roadmap for a 2-state solution. Most of the people, at least all my uni friends, we were extremely happy. We were so hopeful that peace is coming. It is 1993, more than 30 years ago. Unfortunately, a 23 year-old child of my uni friends - we were happy together when it was signed - was killed at the Peace Festival on 7th October. We were really dreaming that our children will not need to go to the army. Probably my child will not go to the army, I live in safe Jersey, but my friends' children need to go to the army, even though 30 years ago we all thought that it will disappear, we will live in peace. We thought in 5, 6 years we will have joined together. But, as a third-year student, as a social worker third-year student in Jerusalem, I was travelling to my placement every Sunday. Sunday is the first working day. In February 1996, on a Sunday, as I was getting ready a bus was blown up by Hamas terrorists; 26 people died. I used the bus service every day. Exactly a week later, Sunday morning again, the central Jerusalem terrorist bombing attack by Hamas on a bus; 19 people died. I lived here and I was using buses, getting on the bus until I could afford a car. On Wednesday, 30th July 1997, a year later, we are talking not a long time ago, I was actually extra lucky. I left the tax office, and our tax office in Jerusalem was like a house, not far from the market. It was July, it was really a hot day and I was standing there and thinking: "Do I need to buy some stuff at the market or go home?" It was really, really, really hot. I decided to go home, the moment that I sat in my car I heard an explosion. Two Hamas suicide bombers had carried bags laden with explosives and nails, they detonated the explosives 150 feet apart, almost simultaneously in the central alley of the busy market. Sixteen people were killed, 178 injured, including teenagers and tourists. Again, it was Hamas. Why am I mentioning Hamas?

Because in 1993, when the Palestinian National Liberation Organisation, Fatah - today is the Palestinian Authority - signed a peace agreement Hamas did not accept it. It did not start on 7th October. Hamas, as Deputy Bailhache mentioned, have very clearly stated in their charter their vision that Israel does not have a right to exist. Hamas has a well-documented history of violating ceasefires in the past conflicts, 2008, 2014, 2021 and again in 2023. Every time that Hamas violated a ceasefire ... because of 6th October we did have a ceasefire, we did not have many soldiers, we had around 600 soldiers and 3,000 Hamas terrorists infiltrated and they killed people, burned people and took people as hostages from their beds. A permanent ceasefire is possible when you have a partner who wish to have a permanent ceasefire. This is why part (b) of the proposition is extremely important. We must stop hostilities. People are dying. We do not want children and Palestinians to die but we need to stop hostilities. We need to return soldiers and we need to find a partner with hope that the Palestinian Authority or any other international will step in. If somebody in this Assembly thinks that a permanent ceasefire with Hamas is possible, it is not. Let us see the reality. I wish it would. When people are chanting on the street "From the river to the sea" over the last 4 months, do Members understand what river it is? It is the Jordan River. What is the sea? It is the Mediterranean Sea. What is between the river and the sea? It is Israel. Any free Palestine map that you will find in Gaza you can find that it is from the river to the sea according to the Hamas charter. So Israel is the part of this from the river to the sea. So basically Israel does not have a right to exist. Qatar, U.S., France, Egypt are trying to find a way to negotiate and I really hope that we will find a way and we will hear about a ceasefire by next Monday as President Biden promised. This morning it was reported that it looks like one hostage will be exchanged for 10 prisoners and obviously more humanitarians. We all want to go that way. But back to the amendment. So part (b) for me is the way stop hostilities, release hostages, ensure that humanitarian aid delivered and we get to the ceasefire. Now, amendments paragraph (c) and (d) this is where there is tension. It is clear that the International Court of Justice order needs to be respected. This is in the amendment. Now about South Africa. Today it is South Africa. I know that Brazil maybe would like to put in a claim and tomorrow it will be something else. Are we going to debate each one? For me we must respect International Court of Justice, whatever they are saying, to respect, accept and make sure that we are standing by this. Now let me speak about genocide. I would also raise a couple more things. Far East Asia. Yangon is committing genocide against people belonging to Rohingya community. For decades, Rohingya have suffered in Burma, being discriminated against, having citizenship removed and freedom from movement stopped. Rohingya women, children and men die in attacks and almost 800,000 fled to Bangladesh. Africa. I am sure that we know several, but I will mention just one. Since 1996 in the Democratic Republic of Congo as many as 6 million people have been killed; 6 million people. The conflict has been the world's bloodiest since the Second World War. Almost half of the individuals who have died are children under 5. The U.N. declared that number is not internally displayed, reaching 6.9 million and fighting continues. Middle East. I.S.I.S. (Islamic State of Iraq and Syria) abducted and killed thousands of Yazidis, forcing boys to become child soldiers and selling women and girls into sexual slavery. The number of people killed are unknown. Yemen. Estimated 233,000 people have been killed since the outbreak of hostilities. The list continues. If we are thinking about Syria, the numbers are really unknown but it is touching 2 million. I ask Members why is Israel selected as the one to be debated in this Chamber? I leave that to Members to decide. About the genocide claim. We need to understand 20 per cent of the Israeli population are Arabs, 30 per cent of them working in medicine, we have judges. So you have 2 million Arabs and Palestinians living there. I would like also to read Members something else. I am reminded of my time. Going back to the Israeli side, Kibbutz Be'eri. It was just recently released a couple of days ago. Kibbutz is a small village. Over 130 people of all ages were murdered at Kibbutz Be'eri, some were shot to death, others were stabbed, whole families were burnt alive in their homes. According to first responders, 80 per cent of recovered bodies showed signs of torture. Some victims were found with their hands and legs tied, others decapitated. Dozens were mutilated and many shown signs of sexual abuse. This is not resistance, this is a gleeful and deliberately taking of innocent life with the intention of

wiping Israel and Israelis off the map. Is this not genocide? A big question, because for me the proposition, as it stands now, and report, as Deputy Bailhache mentioned, is very one-sided for the original proposition.

[16:00]

This is what I would think we need to balance. I am going back to the ruling made by the court. It has not instructed Israel to stop its operation, it did not call for a ceasefire. I am sure that the International Court of Justice, if they were shown there is a genocide happening, would call for a ceasefire. Very clear conditions were presented to Israel, including that Israel has one month to report actions as per the ruling. Israel has said publicly that they plan to trust the international community and they promise to stick to the ruling. A major difference between the original proposition and the amendment, the proposition refers to the Palestinian territories and the amendment to the solution for peace for Palestinians and Israelis. If people really care for Palestinians and Israelis they need to understand that Hamas needs to be dismantled, disarmed and disbanded. Israel has not been in Gaza since 2005. Israel left Gaza in 2005, hoping - and I remember this hope - that it will be an option to start peace. Israel does not wish to occupy the Gaza Strip and does not intend to control it. It is nothing for Israel to do that. Demanding the release of the hostages and surrender of Hamas will end this war. What is reasonable is call for suspension of hostilities, release hostages, full package of humanitarian aid for civilians and eventual permanent ceasefire as amendment proposed. I cannot finish without mentioning 134 hostages, including babies, 9 month-old baby that become one year-old baby in captivity - hope he can speak - are still held and we hope they are still alive and my thoughts and prayers for those families, friends, and people who care for them. Also my thoughts and prayers for the old people who are involved with the conflict because children, women, and civilians need to be protected from both sides. I believe the amendment bring pragmatic approach and hope Members will support it.

18.2.6 The Connétable of St. Mary:

As I do not think it is been said yet, can I congratulate both Deputy Tadier and Deputy Gorst on their manner of presentation. Having seen the shambles in Westminster last week, I was concerned as to how we might end up and I do appreciate their manner of approach and positiveness. Again, I may well say something which I might live to regret and deemed to be taking sides, but some years ago, many years ago, I was in the Middle East for about 2 or 3 months. I remember one time when I was befriended by a Palestinian lawyer, who shortly after the 6-day war he had been removed forcefully from his home in 1948 when the Israeli state was formed, and 7 years later, after the 6-day war, he had done so again. It was, as I recall it, and I am not an expert on history here, the idea of the Israel state was it should be a one-party state ... it should be one state designed to accommodate all. For whatever reason, and without taking sides, the 2 sides have not been able to live together. So, again, a sad background. I do have some sympathy for what Deputy Bailhache said as to what is the aim of this proposition, but I certainly do think that, despite what Deputy Mézec says, the purpose is that the people of Jersey do want to make their point. They want to hear their voice to be heard. So I think there is merit in bringing it in a certain way. So where I come to is just comparing the original proposition as made by Deputy Tadier against the amendments. I do see the sense in wishing to not dumb it down, make it more acceptable to most people, by which I mean avoid offensive language if we can. As I see, the 2 propositions are not greatly different. I think the 2 sides, if I can call them that, are agreed on (a). On (b) I think Deputy Tadier concedes that he is not going to lose any sleep over it if that is accepted. The (c) of Deputy Tadier's proposition refers to avoid potential acts of genocide, and that word is inflammatory, I suggest. By removing that word, we are not removing it from the equation because in Deputy Gorst's proposition he makes reference to the decision of the International Court and that in turn refers to genocide. It is just we are not flagging it, and I think that is a sensible step to take. Moving on to (d) of the original proposition, again the concern I have with Deputy Tadier's point is that it refers to a diplomatic solution to end the conflict, including an

immediate end to the military occupation of Palestinian territories. I accept what Deputy Mézec says, I have been to those Palestinian territories across from Jordan and went back again on the basis of my Israeli passport, it is an artificial situation out there. But they are in occupation. They have been for years. To talk in terms of an immediate end to that occupation is not going to happen. That would be part of an overall solution I suggest. So I believe again that Deputy Gorst's amendment is helpful in that respect because it is not asking for what is unattainable. Again, whether it is a 2-state solution or a one-state, as I mentioned earlier, I think the original idea was that the 2 elements should live in harmony. That is not happening and they did agree on a 2-state solution some years ago, but I think, as I recall, the Egyptian President was shot for his pains. So it is a long way to come before we can end up at that state. So the final point I make then is clause (f). Deputy Tadier's proposition requests that the Government of Jersey expresses the view of the Assembly on the matter to the U.K. Government. Deputy Gorst updates the Assembly on steps taken. I mean on that point I can see that I have some sympathy with Deputy Tadier's proposition there. I think that if we do take a view then why should we not make that view known to the U.K. Government? So with that I conclude.

18.2.7 Deputy K.F. Morel of St. John, St. Lawrence and Trinity:

I stand to speak with some trepidation and fear in fact. The reticence of which Members themselves have put themselves forward to speak is quite unusual in debates in this Assembly. It also suggests there is a desire to reflect and to understand. There is also, I think, a sense ... certainly I have a sense of fear that we may say the wrong thing and, in so doing, upset one community or another within the Island. That is certainly absolutely not what I wish to do. The proposition and the amendment have, no question, been going around my mind for some time. I am even now, as I speak, not entirely sure which way I would wish to vote. So in that sense, without meaning to make light of this, I may well adopt a mix-and-match approach when it comes to voting and would ask Deputy Gorst to take all items separately on there if possible. Every speaker who has spoken so far has done so incredibly well, and I fear I am going to let them all down. Every time someone has spoken, I have been nodding, I have been thinking, nodding internally, if not externally, and it does not matter if it is Deputy Tadier, Deputy Gardiner, Deputy Mézec, Deputy Bailhache, the Connétable of St. Mary, I have listened and I have really heard and I have understood and felt pained by the decisions that are before us. But what is a decision like this compared to the suffering that is going on in both Israel and Gaza at the moment? It is incredibly hard. There is no, as Deputy Bailhache said, simple way forward and the complexity of this situation is immense. But I have to say, for a long time I have personally held sympathy for the Palestinian people and for what I see as enormous suffering, and I was just checking now, if you look at maps from 1967 compared to now, and how large the Palestinian territories are now compared to where they were, to be honest, even 10 or 15 years ago. We talk of the West Bank as though the West Bank is some homogeneous mass of land. It is absolutely not. If anyone wishes to go on their screens right now and have a look and compare the size of the Palestinian territories today compared to 10, 15, 20 years ago, 30, 40, 50 years ago, they are constantly being eroded. So just in my head, religion falls away, religion is irrelevant. Religion and culture in this situation are irrelevant because it is about humanity and human beings. If you are saying to human beings, a massive group of human beings, millions of human beings, that you must for ever live in a smaller and smaller and smaller and smaller space, to me that is untenable. That is not something that can continue. It is not sustainable. That to me is one of the things that has been happening. We have, or the world has, to be honest, been expecting Palestinian people to live in an ever-decreasing space. That will, no question, cause volatility and instability. I agree wholeheartedly that there is no excuse - none - for the attack on 7th October that Hamas launched on Israel. In fact, part of my silence was I have friends, dear friends in this Island, who have been disappointed by my silence and at the time I was Deputy Chief Minister particularly. I was really very much putting my duty to the Island first, but also my silence came from a fear of speaking as the conflict in Gaza itself grew and escalated and escalated. I did not want to in any way be seen to be justifying or condoning what Hamas did on that day and since with the hostages in Israel; what they did was horrific,

inexcusable, and can only be condemned. The continuation of the holding of hostages has to be condemned as well, because it is to some extent definitely playing a part in the continuing conflict in Gaza itself. But I come back to humanity and human beings and so I have just been checking some of the statistics, which are obviously best estimates and approximations. But come January, 65,000 tonnes of bombs had been dropped on Gaza. Gaza is a population of 2.1 million people in an area of 161 square miles, 3 times larger than Jersey, 2 million people living in an area 3 times larger than Jersey have had, as of a month or so ago, had 65,000 tonnes of bombs dropped on them. Most of those bombs, it is accepted, were indiscriminate, they were not guided or targeted bombs or missiles in any way. They were just what are called dumb bombs. That is not a response. That is utter destruction. We know that the population in Gaza was asked to move south, but then bombing continued and followed them south. That to me is not how you treat any human beings or any population of people. Again, I will pull some statistics from my head from January. In January they were talking about I think 24,000 people had been killed. Now we believe it is 29,000 people. But of those 24,000 people, 16,000 were women and children. So even if you believe that 100 per cent of the males who had been killed, the 8,000, even if you believed that 100 per cent of them were all combatants, 16,000 women and children had also been killed, and I will stake myself on that, I am pretty sure 16,000 women and children were not combatants. They are just innocent people who have been killed and no longer on this earth. That is the thing that I cannot get past, is you have a population in a tiny area that has been told to move and they moved and the bombs followed them. You know that of the people being killed 2 in every 3 are women or children. We have signed the Convention of Rights of the Child.

[16:15]

Today we are speaking about International Women's Day. Yet two-thirds of the people being killed in this conflict at the moment are women and children. Yes, there is no doubt that, to be fair, and I feel bad about this, of the 1,700 to 1,800 civilians who were massacred by Hamas, I do not know what the proportion of women and children there were. I am willing to guess it was a majority of women and children, I do not know. Again, so I make this point to say that in all of these conflicts, no matter where they are, it is women and children who suffer the most. It is never the soldiers, the men. It is the women and the children. They are the ones who suffer the most. I know Deputy Gardiner listed a whole number of conflicts and they have gone through my mind time and again. I was thinking of the Karen people and the Rohingya people in Myanmar and Burma. I was also thinking of Congo. I was also thinking of all these places. I thought: "Why do we not know about them?" There are simple reasons, they are farther away. The media over here does not cover them. It is really hard for us to see or learn about these conflicts. They are not covered in the same way. There is no doubt that the story of Israel and Palestine, Britain itself has played an enormous role in that story ... I will not go either way, it has played an enormous role in that story, and so it is perhaps more natural that we hear the news from there. Obviously, America plays today a huge role in that story. Our media is dominated by America. So these are many of the reasons we hear these things and so our mind is focused on this particular conflict. All of my life, I do not remember a day when I have been conscious about the world and not heard about the Israel Palestine conflict; all of my life it has been going on. So in many ways, yes, I do not expect any resolutions anytime soon and it is not for us to discuss 2-state solutions or otherwise because we just want the fighting to stop and solutions to be found. But it is not for us to do that. But I also come back to we are States Members elected by the people of Jersey. We do not represent people outside of this Island and so there is a huge part of me that says our strongest and our overriding duty as States Members is to the people of Jersey. and that then brings me to the people who have talked about not wanting division in this Island because back to me, when I was Deputy Chief Minister back in November, December, when people were challenging me about this very issue and I was saying my duty is to the people of Jersey. I do not want division in this Island. That is what I have to think of. I believe, as a States Member, that is what I have to think of first. Everything else comes after that, as awful as that may sound. So

there is that really strong part of me that says, when Deputy Gorst as Minister for External Relations says this is the draft which is best for the people of Jersey, my mind is thinking well that is what I have to think of first. So you can see it is intensely difficult, both of these propositions. I thank Deputy Tadier for bringing his and I thank Deputy Gorst for taking the time and I know the immense effort that he has put into drafting an amendment that he believes is right for this Island and for this Assembly. But it is right, and I am very pleased that the Chief Minister also said it is a matter of conscience and everyone in the Assembly should vote as they think fit, and I imagine there are a lot of people in this Assembly, as me, who are not quite sure how best to proceed on this, even now as we move through the debate. But I think I do keep coming down to women and children and thousands and thousands and thousands of deaths. It was the mention of Congo, which also made me think of Rwanda, and I am a child of the 1990s. I may be born in the 1970s, but it was in the 1990s that I grew into an adult, that I was a student, and I defy anyone who lived through the 1990s not to sit there and say they learned nothing about genocide during the 1990s. In Rwanda, we learned what it is to look away. We learned what it is to ignore death and destruction taking place elsewhere in the world. We learned, we were told by our leaders, who now we revere, whether they are Mandela or others, we revere these people, and they told us you must never, ever look away and pretend it is not happening. So, between never, ever wanting to look away and my duty as an Islander, I will find a way to mix and match a vote, which hopefully others may reflect as well.

18.2.8 Deputy J. Renouf:

I would say it is very good to follow particularly the last 2 speakers. I would say that Deputy Morel did not disgrace himself in comparison with previous speakers at all and set a very high bar to follow. I particularly appreciated both of the last 2 speakers, the sensitivities with which they tried to weigh the different issues. I would echo Deputy Morel's call to have the amendment taken in parts. I think that would be helpful. There are 2 things which seem to me to be axiomatic, if you like, here. One is that in my view Israel has gone too far. Deputy Morel alluded to the suffering, the bombardments, the death, the forced movements of people; I think it is an excessive reaction to what happened, however horrific. And it was horrific. The events of 7th October and immediate aftermath in Israel were. So I do think Israel has gone too far. The question then is, and the second point is: how do we in Jersey respond to that? I think that is the issue that we are all wrestling with. I think what Deputy Gorst has attempted to do is to make the proposition specific to Jersey in a way. He has tried to turn a generic ... not a generic, that is unfair to Deputy Tadier. I apologise. Not a generic, but a proposition that is particularly strong on one side of the argument. It attempts to make it more palatable to more people in Jersey. Now I know that certainly Deputy Mézec would find that not unacceptable but certainly hard to accept. But I think that is a noble thing to try and achieve. Then the question is: has he achieved it in that amendment? I think the only thing I can add to what has already been made - some very strong speeches that have already been made - is to think of it this way, which is what if there was no proposition from Deputy Tadier? What if there was only the amendment in front of us? How would we feel about that amendment? Would we feel that it did the job that we wished it to do? I must say that I find myself leaning in that direction, to think that we would be reasonably content with it. It does ask us to respect, as the Constable of St. Mary said, the International Court of Justice. It does call for all the things that we want to achieve. It does so in language that is less contentious for particularly the Jewish community in the island. Now that can be called a watering down. But, as Deputy Morel said, our first duty is to people in this Island. We must be aware that there has been a rise of anti-Semitic attacks in the U.K. and therefore the words that we use do matter. So the question is: can we achieve most of what we want to achieve through the amendment without achieving the antagonism that might come from adopting the fully unamended proposition? I will probably, assuming we have the option, take a yes, I will take some of the original proposition, but I will also take some of the amendments. Certainly on point (f), I agree with those who have already said that, I think point (f) should stand in the original proposition. I do not find it difficult. The one thing I do struggle with in the amendment is the refusal to acknowledge the occupied territories.

They are occupied territories in all reasonable definitions of occupied territories, and I will consider quite hard how to vote on that part of it. But I think the reference to genocide is something that we need to be very, very cautious about in the context of the Jewish community. It is not that we are saying that we do not want to stop genocide. It is not that we are saying we do not accept the court's opinion. In fact, the amendment explicitly does say that we should respect the court's opinion. But I think we should be wary of that. What a trigger word that is. Is it necessary to mention it in order to achieve what we actually want to achieve in terms of making sure that we reinforce our support for the International Court? Do we actually have to use the word? I will probably, on that, choose to support the amendment on that part. I shall not say any more than that.

18.2.9 Deputy R.J. Ward:

I am pleased to follow the last few speakers and to have heard everyone speak and listening to some sat next to us, because people were speaking here and I think it is impolite to walk past people when they are speaking. This has been a debate which shows a bit of quality to what we are trying to do in this Assembly, I think, because of the way people have expressed those opinions. I think what we have seen is more of a coming together of thoughts as we have gone through this debate at times. It also shows how we can perhaps disagree on some areas in the right way. I would also ask for this to be taken in parts, simply to give Members the opportunity because in some ways it is a very complex proposition but in other ways it is very simple. Those simple ways carry the thoughts, and Deputy Morel has spoken many times and I have sat here - and I enjoyed what he said - and it has got me quite annoyed, to be honest, in the past. But today I share that view about how we look at the actions that are being taken and the effect on children and women in that area, and that exposition of so many people in this small area and the tonnage of bombing has really got me thinking about the difficulty that I have had as a privileged Westerner who has never had to go through any of these things in viewing this and thinking what can I do. What can I do to stop this happening? There was something I was going to say and, again, it is so difficult because you do not want to say the wrong thing. But I do not think ... and I want to say I am not Islamophobic if I condemn the actions of Hamas in killing people. I am not anti-Semitic if I criticise and condemn the actions of a Government of Israel and the actions that are taken that have been at times indiscriminate. I do not believe either of those 2 things ... I do not think we should be labelling. We should be looking and all we can do in this Assembly is to look to say to the rest of the world, and we do have a voice in that world, that we, as an Assembly, would like to see a ceasefire, an end to the killing and then not saying what the solution should be because I simply do not know. I have learned a lot about the issues around a 2-state solution. I have learned a lot recently around a single-state solution and getting together. I have learned a lot about the occupied territories. It was not my specialist subject. I knew some, as most people would, if they are any form of politician you know about some of the history of Palestine.

[16:30]

The reason I mention this is because I do not see a problem and it is difficult. If I may, and I talk about the amendment and it has to be in reference to the main proposition to some extent, so stop me if you think I am not talking about the amendment. But the parts that are removed I think do change the nature of what we are saying in this Assembly. I do not agree with the last speaker and, again, this is where it is, I think, nice in a debate to calmly be able to say I do not agree with one element of it but there are other elements where the speaker was absolutely spot on. I think the use of the word "genocide" is important because in the proposition, which is removed by the amendment, it talks about the possibility of genocide. What that does is it puts a real question mark in all of our minds as to what is happening. By considering that, which the International Court has done and ruled upon about possible genocide, we are being realistic about the possible outcomes of what is happening right now. I do not have a problem with using that word. I do have a problem with that word, it is one of the most horrific words we could possibly use, I would suggest. But I do not have a problem with that being included and I do not think it has the implications that have been suggested at times.

I have received a lot of emails and I would like to thank people for emailing me on both sides because we keep saying to people please engage in your Assembly and then when they do it ... I have not answered them all, there were just too many, and I did not want to send a generic email back to everyone because I feel that is wrong. Perhaps that is what I do need to do in future to say: "Thank you for your email", et cetera, and put some sort of reply on to say that I have acknowledged that you have sent me an email. But I have no problem because what those contacts have done has made me think and made me consider. I, like so many others in this Assembly and so many others on this Island, would at times be just not wanting to watch the news. I love watching the news and I have stopped at times because I simply cannot cope with it. Because I have my own children and I cannot put myself in a position of the individuals who are going through what is happening in Gaza at the moment. I cannot put myself in a position of those families whose families are held hostage or are killed on 7th March. I cannot do that. I do not have the experience and I do not want the experience of being able to do that. But neither can I put myself in the position or have the experience - and I do not want to - of those people who are currently living in what is an impossible situation. Therefore, I have come to the conclusion that the only thing that we can do is to call for a genuine ceasefire to end the hostilities. I would like to thank Deputy Tadier and Deputy Gorst. I know they have had good conversations and they have really tried to come to a resolution whatever we vote for today. I hope we can come to some agreement across this Assembly and send a clear message from this Parliament, from this Assembly that values life, values the life of children and families on all sides but in all groups in that area. I do not feel I can support all of the amendment. The first part is fine. Part (f) in particular I think is really watered down and it does not really do anything. I would urge Members to reject part (f) and keep the main part of the proposition. On the other parts I do not see an issue in accepting the main proposition because this does send a very clear message with evidence from an international court, which is enough for me. But I thank Members for the quality of their debate so far and for the way in which they have thought about every single word that they have said and I hope we can continue that.

18.2.10 The Connétable of St. Martin:

Deputy Morel articulated his thoughts very well and clearly and sensitively and articulated much of what I would like to have expressed. I know that this Assembly has already mentioned it, and we do not overlook the horrific and barbaric massacre in Israel on 7th October, which Members will know resulted in the largest loss of life in one day in Israel's history. I also hope that this Assembly will also join me in condemning the horrific rise in anti-Semitism around the world in recent months. This is such a difficult and soul-searching vote and this area of the world is so complex and I, like Deputy Morel, have lived with the Israeli/Gaza conflicts through my whole life and I am a great age now. It is horrific that it is still going on. It should not be possible for us to accept this unbearable violence; the inhumane conditions that the people of Gaza are being forced to endure. Sorry, I did not realise I was going to get upset. I cannot condone the level of devastation and destruction that is taking place. The sheer loss of life or the starvation they have been forced to endure. I cannot see any alternative to voting for this proposition. I ask for this amendment to be taken in parts. To quote the Palestinian academic Malaka Shwaikh, I do not know how to pronounce it but I have seen the *London Review of Books* in January: "We should call things what they are. The conditions in Gaza are inhumane but they are also human-made." Deputy Bailhache has often spoken of Jersey to seek greater independence in its external relations, to speak with its own voice rather than that of the U.K.; perhaps this is one of those moments. But the vote last week in the House of Commons was, at best, a complete mess. We, as an Assembly, can stand up today and speak with the clarity that the United Kingdom should have spoken. We have a chance to add our voice to those in the international community seeking a ceasefire, so let us take it.

18.2.11 Deputy G.P. Southern:

I shall speak briefly because I want just merely to sum up where we are. I am taken back to 2003 when I first started interfering with what turned out to be our foreign policy. My question I asked was: do the people of Jersey have an opinion on the invasion at the time? Do the people of Jersey have an opinion on what is happening in the Middle East today? The 2 seem to be similar. The answer was in both cases yes. Of course the people of Jersey have a position, then as now. The second question then becomes: and do the people of Jersey want to express that opinion to our U.K. associates? The answer, again, is yes. As far as I am concerned, we can get rid of paragraph (f); it does not do what is required. Because what was required is the people of Jersey should take a position and express that to the U.K. in the hope that it may just, as some have said, tip the balance so that the U.K. stops ignoring what is happening all around them and adopts a more reasonable approach. The position for me is that paragraphs (a) and (b) work for me, they express the opinion required particularly on the potential for genocide. People have used the word, have repeated the words “genocide, genocide, genocide” but, no, we have not proven any genocide. It has not been investigated yet properly. All we have is instructed people to avoid the potential of genocide. That is what we are asking and that is what we, I believe, inevitably must ask; avoid the potential for genocide because we might see down the road that potential genocide has taken place and we want to stop that potential. For me, as I say, paragraph (a) I do not think is unacceptable, that is where we want to be. Paragraph (b) also, paragraph (f) does not do the job, does not transmit an opinion, does not ask the Minister to transmit opinion to the U.K. It just says tell us what your thoughts are basically. For me, I have got my position; I would urge Members to adopt a similar position on what was before us.

18.2.12 Deputy D.J. Warr:

I want to really just talk about my own personal experience and this is from being born in southern Ireland when at the height of the troubles of the Northern Ireland conflict. I saw first-hand as a child masked men lead Easter parades with guns and armed. It was a scary sight. I was also asked if I was a Protestant or a Catholic before I even understood the distinction. There was Bloody Sunday where the British Army slaughtered 13 Irishmen and women. There was a bandstand bombing, probably some of us will remember, where there was the slaughter of British military forces and many horses as well. There was the Brighton bombing when Margaret Thatcher nearly lost her life. We saw H-Block protests, the hunger strikes, the death of Bobby Sands. This is a conflict that goes back hundreds of years, in the end we saw the Good Friday Agreement, which at last brought some degree of peace, even though today we are still in a troubled environment. It took a long time but my point is words matter. This is why Deputy Gorst is having to tread such a careful line. This is a hugely complex area of which I know so little about. In fact yesterday’s meeting brought by Deputy Gardiner was insightful as well. I really know nothing. I have just scratched the surface of this conflict. I know more about the Northern Ireland conflict because of having lived in southern Ireland and knowing the history of that. I cannot understate how important every single word matters in this situation I think, that is why we have to respect Deputy Gorst and I think his amendment, I will be backing that.

18.2.13 Deputy C.F. Labey:

Since the Israeli offensive in Gaza 29,700 have been killed, approximately 70 per cent of those are reported to have been women and children, 1.7 million have been forced from their homes, around 50 per cent of housing stock destroyed, 394 schools damaged, that is about 80 per cent of total school buildings and all 7 universities destroyed; 12 of the 36 hospitals in Gaza are partially functioning and famine, not food insecurity but famine is now a reality on the shores of the Mediterranean in 2024. This is appalling. Yes, of course a ceasefire is required. Hostages must be released and a resolution found. As Minister for International Development, my primary concern is advocating for humanitarian assistance, as over 2 million people now depend on it. The attacks on Israel on 7th October were horrendous; I condemn them utterly. But what we are witnessing now is a human

tragedy in our time. Prior to 7th October 2023 over 1.5 million people were in need of humanitarian assistance. There are now 2 million without homes or food. Jersey in some small way, through Jersey Overseas Aid, has tried to support those in need; 280,000 since 7th October 2023 and 1.7 million since 2009. I am sorry that some in our community have chosen to criticise our support, especially as their public criticisms were based on inaccuracies.

[16:45]

But I welcome the discussions taking place in Paris and Qatar to this highly, highly complex situation. I am grateful to Deputy Gardiner for touching on just how complex it really is. I welcome the proposition that is being brought forward and to the amendments. Both are good and well-meaning, both ask for a permanent ceasefire. It is just up to individual Members which, as has been said before me, wording is important. It is up to Members how they vote on each.

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

When I was first elected to this Assembly in 2011 to represent St. Martin my motto was working together, making things better for my parishioners by working together on local issues; St. Martin issues such as drains, car parking, schools but also to help decide on wider Island issues here in this Assembly. However, every once in a while a debate such as this one - one far, far wider than just Jersey or England or the U.K. - is lodged for discussion. Consequently and prompted by the very many huge number of emails I have been sent, I have spent much time in the last few days thinking about affairs outside of the Island. One of those emails suggested to me that I think back to the Occupation here in Jersey and I have done that. Unlike my correspondent who had grandparents who lived through those dark days, I have the memories, the knowledge and the recollection of both my parents, both who lived here at that time. During the Occupation my late mother worked in the Island's leading music shop in Beresford Street and many of the occupying forces regularly visited the shop to buy sheet music, instruments and other items. Despite having both her brothers away serving in the armed forces and despite living in really challenging conditions brought on specifically by the Occupation, my mother always made every effort to be polite and helpful to German soldiers but never accepted any of the many invitations she had to play at a concert arranged by the occupying forces. She continuously trod a difficult road to find a middle ground. In the same way, Sir, the Bailiff of the day sat in the very chair that you occupy today and also had to make some equally difficult but far more significant decisions during those dark days of Nazi rule. Not only were they difficult but often they were unpopular with many Islanders. Lord Coutanche was accused by some of being too helpful to the occupying forces and by others of not being friendly enough. There were accusations on both sides at that time that he might have done better. Hindsight is a wonderful thing but looking back it is clear that he too found a middle ground and worked together with all on the Island at that time to find outcomes that helped everyone, even if they did not realise it at those difficult times. I would not begin to speak on behalf of other Members in this debate but, for me, politics is about finding the middle ground. For me it is about compromise. It is about empathy and spending time considering how other people feel, people from all sides of the debate wherever they might be. For me it is about, as it always is and always has been, working together with all sides to find that common ground and search out those solutions that everybody can work with to make progress. I will be supporting the amendment.

The Deputy Bailiff:

Thank you, Deputy. Does any other Member wish to speak on the amendment? I call upon the Minister to reply.

18.2.15 Deputy I.J. Gorst:

It is sometimes said that this Assembly, and not just this but previous Assemblies, can get very fractious and is ill-informed; Members do not read their papers. But it has always been my experience that on the big important matters that it has to consider that Members find it straightforward to put aside differences and have a thoughtful and reasoned debate. I am very grateful to Members for the approach that they have taken to this debate this afternoon. I find myself in that slightly strange position that I feel as though I am summing up the debate but I am not; I am simply summing up the position for the amendments. But I am so very grateful for the spirit in which Members have taken part in this debate. The recognition that the issues are not straightforward, they are longstanding. We heard from Deputy Warr, his experience of the problems in Ireland, which have been ongoing for hundreds of years. We, of course, know when we look to the history of this conflict, it has been difficult for not just hundreds of years, but thousands of years. We have to bear that in mind when thinking about resolution. I do not want to go through all of the points I made about why I drafted the words that I did to Deputy Tadier's proposal. But I just want to remind Members of the 3 reasons and the 3 stances that I approached to this proposition and therefore the amendments from. Firstly, that was aiming to preserve the ongoing cohesion and unity of our community here in Jersey. I think that that is important because it is something that we can have as Members a direct influence over and where our voice will be loudest, because there can be no doubt that some have unfortunately experienced difficulties in recent days, and those difficulties have reverberated across our community. Secondly, it was my intention to support balance and accuracy in any public expression on this intricate area of foreign policy. Thirdly, which some felt should have been firstly, but I do not think that is correct, my wish to ensure the constitutional position between Jersey and the United Kingdom is respected. That is important because I and Ministers for External Relations and Chief Ministers before me, have sought and often have conversations with United Kingdom Ministers seeking to ensure that they respect the constitutional position in the opposite direction. I do just want to pick up on one point. It was suggested that if Members support the amendment, that that would take the original proposition and turn it into a virtue signal. I refute that. I could go through some of the terminologies used on why I do not think that is the case, but perhaps I will just pick up one. The original proposition calls for a permanent ceasefire in (b). I have amended (b) to say call for an immediate suspension of hostilities. So not just a permanent ceasefire in the future but an immediate suspension of hostilities. It is not fair to say or accurate to say that one is asking for action immediately and one is not. If we are making that accusation, say that the amendment is asking for immediate action and that is immediate suspension of hostilities to, as I said, deliver those 3 important things: the release of the hostages and those held under unlawful detention, provision of humanitarian assistance and a permanent ceasefire. It is no coincidence or no surprise to me that that is the ... and they are roughly the terms that were proposed in another place last week, and are the type of language and terms which are being used in the peace talks in Paris and further afield, which I alluded to earlier. Equally, as the Minister for International Development said, the amendment calls for a permanent ceasefire. Words matter here. They matter in this Assembly. They matter in relation to this conflict. They matter to the community that we serve. The Assembly is about to express its view on this matter, and I discuss that in my opening comments. But I am strongly of the opinion that we should do so in a balanced, nuanced and constitutionally-appropriate manner. My aim is to maintain respect and unity within our community, and I have taken time to speak to representatives of faith communities prior to lodging these amendments, and attempted to incorporate these views in my proposals. I do not see that as odd. I see it at the core of our ability to stand together as a unified community. It is my view this conflict will ultimately only ever be resolved through unity and tolerance. As I was continuing to speak to representatives of our community and to States Members and others, it is that that led me to lodge the late amendment around the 2-state solution. Someone that I respect greatly and has great experience in the international aid field globally, but importantly in this area, perhaps for the first time instilled in me the possibility of hope. The hope that perhaps a

one-state solution could work. It was after these conversations that I decided that it was better to leave the solution, although the parameters around what that solution should provide for, i.e. based on a solution that provides justice, freedom from occupation and security for both Israelis and Palestinians, but to leave it for others, who will need to come together and find within themselves the ability to forgive and to work together in a unified way if that solution is to work. The conversations that I have had, have made very clear that we cannot take this unity and tolerance in Jersey for granted, especially when discussing issues as complex and sensitive as we are.

[17:00]

Which is why some speakers have spoken and felt very strongly that they would like to keep the word “genocide” in, for all of the other reasons the potential genocide, but it is the use of the word, even with the caveating of “potential”, that to some members of our community is so strongly opposed because of their history. Again with the other point about the occupied territories. But most of all, those discussions have shown that moderation and respect will have a lasting benefit for our peaceful coexistence. As I said right at the start, I am grateful to all of those people who have spoken to me. They have been respectful and informed, but important in their ability to maintain unity. For my part, whatever is decided this afternoon, in these dark times of division and conflict, I am not willing to abandon efforts to maintain or seek to maintain, where possible, unity and social cohesion in our Island. With that, I maintain the amendment. I have heard what Members have said, and I had already intended to seek individual votes on the various parts. I have also heard what the majority of Members have said about part (f). I think it has already been proposed, so it will need to go to the vote because it has been proposed. But let me reiterate to Members that my job is to be the Minister for External Relations for Jersey, while I have the confidence of the Assembly. Therefore I will act in the way that they ask me to act, whatever the vote is this afternoon. But I just thought it was clear that I said that. So I maintain the amendments and call for the appel on the individual paragraphs, please.

The Deputy Bailiff:

So, Members, we now move to 6 separate votes.

Deputy R.J. Ward:

May I just confirm? The default position if any one of the (a), (b), (c), (d), (e) and (f) fails is the original proposition wording?

The Deputy Bailiff:

That is correct.

Deputy R.J. Ward:

Just to confirm so that absolutely ...

The Deputy Bailiff:

That is absolutely correct. The Greffier will read out the specific amendment that the Assembly is considering before the vote. Members will be best able to appreciate the consequence of the amendment if you have in front of you the original proposition and the amendment, which has highlighted in yellow the amendments. If any Member wishes to be reminded about the content of those documents because they are not in front of them, then do let us know before the vote takes place. We now move to the first amendment. The Greffier will read the amendment and then open the voting.

The Deputy Greffier of the States:

Page 2, paragraph (a) – For the words “the loss of civilian lives” substitute the words “death and harm to civilians”. After the word “especially” insert the words “women and”.

The Deputy Bailiff:

The voting is open. I invite Members to return to their seats and cast their votes in relation to the first amendment. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The first amendment has been adopted unanimously: 45 votes pour, no votes contre.

| Pour: 45 | | Contre: 0 | | Abstain: 0 |
|-----------------------------|--|-----------|--|------------|
| Connétable of St. Helier | | | | |
| Connétable of St. Lawrence | | | | |
| Connétable of Trinity | | | | |
| Connétable of St. Peter | | | | |
| 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 (H) | | | | |
| Deputy I.J. Gorst | | | | |
| Deputy L.J. Farnham | | | | |
| Deputy K.L. Moore | | | | |
| Deputy S.Y. Mézec | | | | |
| Deputy Sir P.M. Bailhache | | | | |
| Deputy T.A. Coles | | | | |
| Deputy B.B. de S.V.M. Porée | | | | |
| Deputy D.J. Warr | | | | |
| Deputy H.M. Miles | | | | |

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|--------------------------|--|--|--|--|
| Deputy J. Renouf | | | | |
| Deputy C.D. Curtis | | | | |
| Deputy L.V. Feltham | | | | |
| Deputy R.E. Binet | | | | |
| 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 | | | | |

We now come on to the second amendment to paragraph (b), and the Greffier will read the amendment.

The Deputy Greffier of the States:

For the words “a permanent ceasefire” substitute the words “an immediate suspension of hostilities”. For the words “and that all hostages and those held under unlawful detention should be released” substitute the words “to enable the unconditional release of hostages and those held under unlawful detention, the urgent provision of humanitarian assistance, and a permanent ceasefire”.

The Deputy Bailiff:

I invite the Greffier to open the voting and Members to cast their votes. If all Members have had the opportunity of casting their votes I ask the Greffier to close the voting. I can announce that the second amendment has been adopted: 35 votes pour, 10 votes contre.

| Pour: 35 | | Contre: 10 | | Abstain: 0 |
|----------------------------|--|-----------------------------|--|-------------------|
| Connétable of St. Helier | | Connétable of St. John | | |
| Connétable of St. Lawrence | | Deputy M. Tadier | | |
| Connétable of Trinity | | Deputy R.J. Ward | | |
| Connétable of St. Peter | | Deputy C.S. Alves | | |
| Connétable of St. Martin | | Deputy S.Y. Mézec | | |
| Connétable of St. Clement | | Deputy T.A. Coles | | |
| Connétable of Grouville | | Deputy B.B. de S.V.M. Porée | | |
| Connétable of St. Ouen | | Deputy C.D. Curtis | | |
| Connétable of St. Mary | | Deputy L.V. Feltham | | |
| Connétable of St. Saviour | | Deputy A.F. Curtis | | |
| Deputy G.P. Southern | | | | |

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|---------------------------|--|--|--|--|
| Deputy C.F. Labey | | | | |
| Deputy S.G. Luce | | | | |
| Deputy L.M.C. Doublet | | | | |
| Deputy K.F. Morel | | | | |
| Deputy M.R. Le Hegarat | | | | |
| Deputy S.M. Ahier | | | | |
| Deputy I. Gardiner (H) | | | | |
| Deputy I.J. Gorst | | | | |
| Deputy L.J. Farnham | | | | |
| Deputy K.L. Moore | | | | |
| Deputy Sir P.M. Bailhache | | | | |
| Deputy D.J. Warr | | | | |
| Deputy H.M. Miles | | | | |
| Deputy J. Renouf | | | | |
| Deputy R.E. Binet | | | | |
| Deputy M.E. Millar | | | | |
| Deputy A. Howell | | | | |
| Deputy T.J.A. Binet | | | | |
| Deputy M.R. Ferey | | | | |
| Deputy R.S. Kovacs | | | | |
| Deputy B. Ward | | | | |
| Deputy K.M. Wilson | | | | |
| Deputy L.K.F. Stephenson | | | | |
| Deputy M.B. Andrews | | | | |

The Deputy Greffier of the States:

Those members voting contre: the Connétable of St. John and Deputies Tadier, Rob Ward, Alves, Mézec, Coles, Porée, Catherine Curtis, Feltham and Alex Curtis.

The Deputy Bailiff:

I now move to the third amendment to paragraph (c) and invite the Greffier to read the amendment.

The Deputy Greffier of the States:

For the words “stop further significant loss of civilian lives and to avoid potential acts of genocide” substitute the words “prevent death and harm to civilians and damage to civilian infrastructure on a mass scale”.

The Deputy Bailiff:

I invite the Greffier to open the voting and Members to cast their votes. If all Members have had the opportunity for casting their votes I invite the Greffier to close the voting. I can announce that that amendment has been adopted: 26 votes pour, 19 votes contre.

| Pour: 26 | | Contre: 19 | | Abstain: 0 |
|----------------------------|--|-----------------------------|--|-------------------|
| Connétable of St. Helier | | Connétable of St. Peter | | |
| Connétable of St. Lawrence | | Connétable of St. Martin | | |
| Connétable of Trinity | | Connétable of St. John | | |
| Connétable of St. Clement | | Deputy G.P. Southern | | |
| Connétable of Grouville | | Deputy M. Tadier | | |
| Connétable of St. Ouen | | Deputy L.M.C. Doublet | | |
| Connétable of St. Mary | | Deputy K.F. Morel | | |
| Connétable of St. Saviour | | Deputy R.J. Ward | | |
| Deputy C.F. Labey | | Deputy C.S. Alves | | |
| Deputy S.G. Luce | | Deputy S.Y. Mézec | | |
| Deputy M.R. Le Hegarat | | Deputy T.A. Coles | | |
| Deputy S.M. Ahier | | Deputy B.B. de S.V.M. Porée | | |
| Deputy I. Gardiner (H) | | Deputy J. Renouf | | |
| Deputy I.J. Gorst | | Deputy C.D. Curtis | | |
| Deputy L.J. Farnham | | Deputy L.V. Feltham | | |
| Deputy K.L. Moore | | Deputy R.S. Kovacs | | |
| Deputy Sir P.M. Bailhache | | Deputy A.F. Curtis | | |
| Deputy D.J. Warr | | Deputy L.K.F. Stephenson | | |
| Deputy H.M. Miles | | Deputy M.B. Andrews | | |
| Deputy R.E. Binet | | | | |
| Deputy M.E. Millar | | | | |
| Deputy A. Howell | | | | |
| Deputy T.J.A. Binet | | | | |
| Deputy M.R. Ferey | | | | |
| Deputy B. Ward | | | | |
| Deputy K.M. Wilson | | | | |

The Deputy Bailiff:

We now move to the fourth amendment to paragraph (d) of the proposition, and I invite the Greffier to read the amendment.

The Deputy Greffier of the States:

For the words “interim ruling” substitute the words “independence and work”. For the words “in South Africa’s case against Israel” substitute the words “, including in relation to the conflict in Gaza,”. After the words “should be respected” insert the words “having particular regard to the court’s interim ruling”.

The Deputy Bailiff:

I invite the Greffier to open the voting and Members to cast their votes. If all Members have had the opportunity of casting their votes I ask the Greffier to close the voting. I can announce that the fourth amendment has been adopted: 29 votes pour, 16 votes contre.

| Pour: 29 | | Contre: 16 | | Abstain: 0 |
|----------------------------|--|-----------------------------|--|-------------------|
| Connétable of St. Helier | | Connétable of St. Martin | | |
| Connétable of St. Lawrence | | Connétable of St. John | | |
| Connétable of Trinity | | Deputy G.P. Southern | | |
| Connétable of St. Peter | | Deputy M. Tadier | | |
| Connétable of St. Clement | | Deputy K.F. Morel | | |
| Connétable of Grouville | | Deputy S.M. Ahier | | |
| Connétable of St. Ouen | | Deputy R.J. Ward | | |
| Connétable of St. Mary | | Deputy C.S. Alves | | |
| Connétable of St. Saviour | | Deputy S.Y. Mézec | | |
| Deputy C.F. Labey | | Deputy T.A. Coles | | |
| Deputy S.G. Luce | | Deputy B.B. de S.V.M. Porée | | |
| Deputy L.M.C. Doublet | | Deputy C.D. Curtis | | |
| Deputy M.R. Le Hegarat | | Deputy L.V. Feltham | | |
| Deputy I. Gardiner (H) | | Deputy R.S. Kovacs | | |
| Deputy I.J. Gorst | | Deputy A.F. Curtis | | |
| Deputy L.J. Farnham | | Deputy M.B. Andrews | | |
| Deputy K.L. Moore | | | | |
| Deputy Sir P.M. Bailhache | | | | |
| Deputy D.J. Warr | | | | |
| Deputy H.M. Miles | | | | |
| Deputy J. Renouf | | | | |
| Deputy R.E. Binet | | | | |
| Deputy M.E. Millar | | | | |
| Deputy A. Howell | | | | |
| Deputy T.J.A. Binet | | | | |
| Deputy M.R. Ferey | | | | |
| Deputy B. Ward | | | | |
| Deputy K.M. Wilson | | | | |
| Deputy L.K.F. Stephenson | | | | |

We now move on to the fifth amendment to paragraph (e). I invite the Greffier to read the amendment.

The Deputy Greffier of the States:

For the words “solution to end the conflict” substitute the words “resolution to the conflict is vital”. Delete “including an immediate end to the military occupation of the Palestinian Territories, should be pursued by the U.K. Government and its allies”. After the words “lasting peace in the region” insert the words “, based on a solution which provides justice, freedom from occupation, and security for both Israelis and Palestinians”

The Deputy Bailiff:

I invite the Greffier to open the voting and Members to cast their votes. If all Members have had the opportunity of casting their votes I ask the Greffier to close the voting. I can announce that the fifth amendment has been adopted: 31 votes pour and 14 votes contre.

| Pour: 31 | | Contre: 14 | | Abstain: 0 |
|----------------------------|--|-----------------------------|--|-------------------|
| Connétable of St. Helier | | Connétable of St. Martin | | |
| Connétable of St. Lawrence | | Connétable of St. John | | |
| Connétable of Trinity | | Deputy G.P. Southern | | |
| Connétable of St. Peter | | Deputy M. Tadier | | |
| Connétable of St. Clement | | Deputy R.J. Ward | | |
| Connétable of Grouville | | Deputy C.S. Alves | | |
| Connétable of St. Ouen | | Deputy S.Y. Mézec | | |
| Connétable of St. Mary | | Deputy T.A. Coles | | |
| Connétable of St. Saviour | | Deputy B.B. de S.V.M. Porée | | |
| Deputy C.F. Labey | | Deputy C.D. Curtis | | |
| Deputy S.G. Luce | | Deputy L.V. Feltham | | |
| Deputy L.M.C. Doublet | | Deputy R.S. Kovacs | | |
| Deputy K.F. Morel | | Deputy A.F. Curtis | | |
| Deputy M.R. Le Hegarat | | Deputy M.B. Andrews | | |
| Deputy S.M. Ahier | | | | |
| Deputy I. Gardiner (H) | | | | |
| Deputy I.J. Gorst | | | | |
| Deputy L.J. Farnham | | | | |
| Deputy K.L. Moore | | | | |
| Deputy Sir P.M. Bailhache | | | | |
| Deputy D.J. Warr | | | | |
| Deputy H.M. Miles | | | | |
| Deputy J. Renouf | | | | |
| Deputy R.E. Binet | | | | |
| Deputy M.E. Millar | | | | |
| Deputy A. Howell | | | | |
| Deputy T.J.A. Binet | | | | |

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|--------------------------|--|--|--|
| Deputy M.R. Ferey | | | |
| Deputy B. Ward | | | |
| Deputy K.M. Wilson | | | |
| Deputy L.K.F. Stephenson | | | |

The Deputy Bailiff:

We now move to the sixth amendment to paragraph (f). I ask the Greffier to read the amendment.

The Deputy Greffier of the States:

For the words “express the view of” substitute the word “updates”. For the word “on” substitute the words “over the steps taken by Ministers to raise”. After the word “matter” for the word “to” substitute the word “with”.

The Deputy Bailiff:

I invite the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce that the final amendment has been rejected: 15 votes pour, 30 votes conte.

| Pour: 15 | | Contre: 30 | | Abstain: 0 |
|---------------------------|--|-----------------------------|--|-------------------|
| Connétable of St. Helier | | Connétable of St. Lawrence | | |
| Connétable of St. Peter | | Connétable of Trinity | | |
| Connétable of St. Clement | | Connétable of St. Martin | | |
| Connétable of St. Saviour | | Connétable of St. John | | |
| Deputy S.G. Luce | | Connétable of Grouville | | |
| Deputy I. Gardiner (H) | | Connétable of St. Ouen | | |
| Deputy I.J. Gorst | | Connétable of St. Mary | | |
| Deputy L.J. Farnham | | Deputy G.P. Southern | | |
| Deputy K.L. Moore | | Deputy C.F. Labey | | |
| Deputy Sir P.M. Bailhache | | Deputy M. Tadier | | |
| Deputy D.J. Warr | | Deputy L.M.C. Doublet | | |
| Deputy M.E. Millar | | Deputy K.F. Morel | | |
| Deputy M.R. Ferey | | Deputy M.R. Le Hagarat | | |
| Deputy B. Ward | | Deputy S.M. Ahier | | |
| Deputy K.M. Wilson | | Deputy R.J. Ward | | |
| | | Deputy C.S. Alves | | |
| | | Deputy S.Y. Mézec | | |
| | | Deputy T.A. Coles | | |
| | | Deputy B.B. de S.V.M. Porée | | |
| | | Deputy H.M. Miles | | |
| | | Deputy J. Renouf | | |

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|--|--|--------------------------|--|--|
| | | Deputy C.D. Curtis | | |
| | | Deputy L.V. Feltham | | |
| | | Deputy R.E. Binet | | |
| | | Deputy A. Howell | | |
| | | Deputy T.J.A. Binet | | |
| | | Deputy R.S. Kovacs | | |
| | | Deputy A.F. Curtis | | |
| | | Deputy L.K.F. Stephenson | | |
| | | Deputy M.B. Andrews | | |

18.3 Ceasefire in Gaza (P.7/2024) - as amended

The Deputy Bailiff:

We now move back to the proposition as amended. Does any Member wish to speak on the amended proposition? If no Member wishes to speak on the proposition as amended, I close the debate. Is the appel called for?

Deputy M. Tadier:

No, Sir. I would like to sum up if I am ...

The Deputy Bailiff:

No one has made a speech.

Deputy M. Tadier:

I presumably sum up, though, because it has been amended. It is an amended proposition.

The Deputy Bailiff:

Well, in the circumstances, and without setting a precedent, you will be able to make a speech.

18.3.1 Deputy M. Tadier:

Thank you, Sir. I am not sure what the correct protocol should be in that case, but it seems strange that, on the one hand, already have suffered - if I can use that kind of language with slightly tongue in cheek - the indignity of not having my proposition voted or even debated because it did not get to the floor of the Assembly. That is just politics, I accept that, and I was able to move the proposition before it was amended therefore I think I should be able to sum up having had it amended because, first of all, I may not agree with it. I may not want it to be supported and it is in my name. Members should probably know whether I still support the proposition, still think it is worth supporting, or indeed, I might wish to withdraw it. I will not do that, Members will be happy to know. The key reason for that, as I started off at the beginning, is that I am grateful that the key red line for me, if you like, was the fact that if a 2-state solution had been put in there, that would have been a red line and I could not have supported it. I would have had to vote against the same proposition which I brought and then which has been amended. It does not necessarily fill me with great enthusiasm to sum up somebody else's proposition, but we have had a debate on it, and I think the debate has been useful insofar as it has allowed Members who perhaps, up until now, have not put anything on the record to this in the context of a parliamentary debate, which is, of course, the right context for us to make those comments in. I want to put these thoughts on record. I think, of course, it was entirely well meant to seek consensus and to bring something, but there is always a trade off in doing that. First of all, I would like to thank the Members who spoke and who voted either way on this and who

spoke either way, but particularly those who did recognise, I think, what I was getting at, particularly in (c), (d) and (e) because it is not simply okay to say because certain parts of the community do not like something that we have to do it.

[17:15]

I think we are here to make not just tough decisions, but the right decisions. Sometimes if it comes to a choice between voting for something that might possibly offend some sections of the community or doing the right thing, I know which I will always choose. It will always be the latter, which is doing the right thing. The second point is that we cannot have cohesion in the community on an issue like this. I think we have to accept that, but we also have to accept that the divisions that we have are far preferable to the divisions that exist in the region, because it is okay to say I do not really agree with you on that, and this is the reason for that. I think we do not do that enough in Jersey. I think we do not have the cohesion that we sometimes like to believe that we have. What we simply do is that we just silence voices, that we actually operate in different communities. We say: "We will tolerate you." We will come together once a year for Remembrance Sunday. We will come together again once a year for Holocaust Memorial Day, and we will go through the motions of parading next to each other and saying, "Oh, look at the faith communities. They agree with each other." When in reality nothing serious is ever touched on. You do not get those debates where Radio Jersey say: "Today we have 2 guests on the radio. We have the leader of Jersey's Muslim community, and we have the leader of the synagogue, and we have the leader of the church community, and we are going to have a phone-in about Gaza", because we do not want to do that, because it is too difficult a subject to broach in Jersey. So what happens, it bubbles under the surface. This idea that by passing an amendment today, an amended version of this, everything is going to be okay. It is quite likely that there is not going to be social cohesion over this, because we are more likely to have annoyed another group for a particular reason rightly or wrongly. They are going to remember that and it will create those divisions. I am not going to dwell on that. We have had the debate on the proposition. It has taken us, effectively, back to the point where at least we have claimed our right to be able to tell the Minister what to do, even if we are not going to tell the U.K. what they have to do. Essentially we have a proposition here which mirrors, to all intents and purposes, the U.K. proposition. It has been watered down. Many of the better parts of it have been taken out. We are simply going to tell the U.K. that we agree with them. Hand that over to the Minister for External Relations, who thankfully will come back, we have passed the one part of the proposition which is the lowest common denominator. To bring this back to where we started; this is not about us. It is not about our individual views about what should or should not have been in the original proposition. It is about getting to that point of peace in the region. It is about making sure that those conversations happen. Deputy Warr was quite right to make the comparisons with the island of Ireland, which is still divided in 2. But it is in a much better position than it was 25 years ago, despite, of course, the fact that the U.K. has thrown another metaphorical - what shall we call it - surprise on to the table by saying: "Guess what? We are not going to be in the European Union anymore. Let us see how you deal with that, being 2 countries in one." Again, the U.K. has shown itself to not always be leading by example. What we have done in this Assembly today, despite some disagreements, is that we have done ourselves proud in showing that we can have a parliamentary debate where we disagree, where amendments are put in order, where we have an orderly debate and that we can move things forward. If I might say so, the reason it is so important and I am grateful that part (b) is intact and references humanitarian assistance and the immediate suspension of hostilities. It is because if we have a scenario where 70 per cent of the fatalities in that area are women and children that means that ... of course it is bad when men are getting killed too. They are fathers, they are brothers, they are uncles and those are men who are not going to be around. However, that means the majority of people being killed in Gaza at the moment are women and children. It will be the women and children who play a fundamental role in the peace process. This is what we saw in Northern Ireland. It is their voices. It is when the conversations and the shouting

stop and the conversations start. It is when the children start playing in the schools and on the streets together, irrespective of creed and language and upbringing. It is when the women start getting together. I was reading an article by Hillary Clinton where she said it was when the women in Northern Ireland started to get together over the kitchen table and started drinking tea together and started realising that what they had in common was much more than the divisions that they had. If we can bring it back to that point where the ordinary civilians who are now suffering in Gaza ... we all hope that stops. We all hope it stops very soon, that an immediate response is put on the table, that a diplomatic solution is found, which we do not have all the answers, but which can bring lasting peace in the region, so that in 25 years' time, and hopefully quicker than that, future politicians can be looking back at those politicians in the area and say: "Is it not strange, we did not think there would ever be peace in the region, but now these 2 feuding parts have this strange friendship which we never thought they would have." I do maintain the amended proposition and ask for the appel.

The Deputy Bailiff:

Thank you. The appel has been called for. Members are asked to return to their seats. I ask the Greffier to open the voting on the proposition as amended. If all Members have cast their votes, I ask the Greffier to close the voting. The proposition as amended has been adopted unanimously: 45 votes pour.

| Pour: 45 | | Contre: 0 | | Abstain: 0 |
|----------------------------|--|------------------|--|-------------------|
| Connétable of St. Helier | | | | |
| Connétable of St. Lawrence | | | | |
| Connétable of Trinity | | | | |
| Connétable of St. Peter | | | | |
| 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 (H) | | | | |

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|-----------------------------|--|--|--|--|
| Deputy I.J. Gorst | | | | |
| Deputy L.J. Farnham | | | | |
| Deputy K.L. Moore | | | | |
| Deputy S.Y. Mézec | | | | |
| Deputy Sir P.M. Bailhache | | | | |
| Deputy T.A. Coles | | | | |
| Deputy B.B. de S.V.M. Porée | | | | |
| Deputy D.J. Warr | | | | |
| Deputy H.M. Miles | | | | |
| Deputy J. Renouf | | | | |
| Deputy C.D. Curtis | | | | |
| Deputy L.V. Feltham | | | | |
| Deputy R.E. Binet | | | | |
| 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 | | | | |

[Approbation]

19. Jersey Overseas Aid Commission: Re-appointment of a Commissioner (P.4/2024)

The Deputy Bailiff:

The next item is Jersey Overseas Aid Commission: Re-appointment of a Commissioner (P.4/2024), lodged by the Minister for International Development. The main respondent is the chair of the Economic and International Affairs 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 reappoint Mr. Alistair Calvert as a non-States Commissioner of the Jersey Overseas Aid Commission effective from 20th March 2024 until 20th March 2027, in accordance with the Jersey Overseas Aid Commission (Jersey) Law 2005.

19.1 Deputy C.F. Labey (The Minister for International Development):

After the debate we have just had, Members might realise I need all the help I can get on Jersey Overseas Aid. I would like to reappoint Mr. Alistair Calvert. He is an experienced and

compassionate man. Jersey Overseas Aid would benefit particular from his voluntary service to us and a new area that we are exploring in impact and besting and philanthropy. I make the proposition.

The Deputy Bailiff:

Thank you. Is the proposition seconded? **[Seconded]** Does any Member wish to speak on the proposition? Those in favour of adopting the proposition, kindly show. Thank you very much. The proposition is adopted.

20. Cabinet Office expenditure savings (P.8/2024)

The Deputy Bailiff:

The next item is Cabinet Office expenditure savings (P.8/2024), lodged by Deputy Andrews. 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 - to request the Chief Minister to review the revenue expenditure of the Cabinet Office and ensure that expenditure savings are identified and included within the Government Plan 2025 to 2028.

20.1 Deputy M.B. Andrews:

This proposition has been something that I have considered for some months now. The reason being is because, like anything, when politicians have to be responsible for forming something there are always going to be some complexities in terms of establishing a structure, in this case the Cabinet Office. In my view, what we have done is tried to do a bit too much too soon. Unfortunately, in terms of when we were looking at the accountability, in terms of what is happening in the Cabinet Office, it is very difficult to discover what everybody is doing within the Cabinet Office. What we ought to be doing here is looking at how we can best restructure not only the Cabinet Office but also the public sector. There has to be, importantly, lines of accountability between civil servants and the Ministers who are the political lead of each Ministerial department. However, when we look at, say, the Cabinet Office, it is the Chief Minister who is the accountable politician, who is accountable to the States Assembly and the public. I must say, I have been very concerned with recent growth-bid approval. In the last 2 consecutive years, growth bids have nearly been £25 million in total. We have to ask questions: what exactly is the £25 million going to deliver within the Cabinet Office? Is that going to provide better service delivery? Is that going to provide benefit for the public? More questions have to be asked moving forward, and this is the reason why I have lodged this proposition. It is important, even though we have had a transition in leadership, that the new Chief Minister is held to account, because he did say in his vision statement that we have lost our way. Government is too cumbersome. It tries to do too much and achieves little. We must slim down. Those words resonate very much with me. Hence the reason why I have decided to lodge this proposition, to give the new Council sufficient time to propose reform to the Cabinet Office and that may comprise of changes where we see certain elements of the Cabinet Office being reshuffled back into Ministerial departments. It may also see a reduction in terms of the size and scope of what the Cabinet Office is seeking to do. I am quite content in terms of proposing this. I spoke to Deputy Farnham and he is going to be supporting me. It is best that we move the proposition and allow Members to contribute to the debate.

The Deputy Bailiff:

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

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

It was my pleasure to recently be appointed by the Chief Minister to be vice-chair of the States Employment Board. It is in that capacity that I speak to this proposition today. One of the key roles

of the board is to ensure that the public service conducts itself with economy, efficiency, probity, and effectiveness. That includes the Cabinet Office. I understand the concerns that I have heard from some Members expressed about the size of the Cabinet Office and the importance of investing our resources in front line services. We have a duty to prioritise services and to use public monies well. However, that includes investing in services such as information technology, especially cybersecurity, and human resources. That is what any public sector company would do. Our front line services could not work effectively without investment in these corporate support services. We also need a strong policy function that can help us deliver complex pieces of legislation and support us in achieving the outcomes we all want. We need more propositions to come into this Assembly not less. A number of functions have also moved into the Cabinet Office over the recent years, including the People Hub and Health accommodation team and the immunisation team. Since 2020, 184 staff have moved into the Cabinet Office as a result of these changes. The growth in staff since 2019, therefore, has been around 120, of which 70 are in information technology and human resources. That is still a large number and needs examination. Indeed, I believe Statistics Jersey, as agreed by the Assembly, are developing a schedule of fiscal briefings for 2024, which will help us in this work. All that said, the Cabinet Office has also not been structured in the way envisaged by the Democratic Accountability and Governance Report. The report recommended a small function at the centre of Government co-ordinating business. Instead, in the Cabinet Office, what we have is a combination of 3 existing central departments with numerous functions. This should enable us to achieve economies of scale and increasing knowledge sharing. We need to examine whether this has been achieved. In the meantime, we should not jump to a conclusion that there is lots of money to be saved nor spend too much energy in government restructuring. What matters more is good leadership and supportive culture, clear priorities and objectives. The new Ministerial team has only been in place for 4 weeks. As a comment presented by the Council of Ministers said: we need time to develop a thorough knowledge of the current position before reaching conclusions. Ministers will do this with the chief executive and with the care and attention that our staff deserve.

[17:30]

We have an excellent and hardworking staff and I want them to be motivated and focused. This means taking them with us. Many of them will no doubt be listening to this today. I personally know how committed they are to public service. We expect high standards from our employees. In return, we should provide them with a fit-for-purpose environment. I hope Members will agree with this sentiment. As such, Ministers with the States Employment Board will review the Cabinet Office and we will seek to deliver savings in the public.

The Deputy Bailiff:

Thank you, Deputy. I see the time. Before a proposition is made, could I perhaps identify how many other Members wish to speak on this proposition?

Deputy L.J. Farnham:

I intend to speak very quickly, Sir.

The Deputy Bailiff:

Just the Chief Minister. Are Members content to continue?

20.1.2 Deputy L.J. Farnham:

I agree with Deputy Andrews, the Government should be more cost-effective and focused on the issues and the services that matter most to Islanders. That work is already underway. I have met with the chief executive and asked him to provide information and analysis, so we can make informed decisions about the future of the Cabinet Office. I want to be very clear that throughout my time as Minister and my short time to date as Chief Minister, I have been nothing but impressed by the skill and dedication of the public sector. We need to offer all staff clarity on their positions moving

forward. We equally need to deliver savings where we can through continued efficiencies to ensure that we are cost-effective and focused on what we need to deliver. I have committed to complete this review and to update Members as we make progress and that is what I will do. I support the proposition.

The Deputy Bailiff:

Thank you, Chief Minister. I call upon Deputy Andrews to reply.

20.1.3 Deputy M.B. Andrews:

I would like to take the time to thank both Deputy Ferey and Deputy Farnham for their contributions to this debate. It is quite clear that the States Assembly is very much in support of this proposition and I do not believe there is any need for me to waste any more time, so I will call for the appel.

The Deputy Bailiff:

The appel has been called for. Members are invited to return to their seats and the Greffier will open the voting. If all Members have had the opportunity to cast their votes, I ask the Greffier to close the voting. I can announce the proposition has been adopted: 38 votes pour, one abstention.

| POUR: 38 | | CONTRE: 0 | | ABSTAIN: 1 |
|----------------------------|--|------------------|--|--------------------|
| Connétable of St. Helier | | | | Deputy A.F. Curtis |
| Connétable of St. Lawrence | | | | |
| Connétable of Trinity | | | | |
| Connétable of St. Peter | | | | |
| 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 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. Gardiner | | | | |
| Deputy I.J. Gorst | | | | |
| Deputy L.J. Farnham | | | | |
| Deputy K.L. Moore | | | | |
| Deputy S.Y. Mézec | | | | |

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| Deputy Sir P.M. Bailhache | | | | |
| Deputy T.A. Coles | | | | |
| Deputy D.J. Warr | | | | |
| Deputy J. Renouf | | | | |
| Deputy C.D. Curtis | | | | |
| Deputy L.V. Feltham | | | | |
| Deputy R.E. Binet | | | | |
| Deputy M.E. Millar | | | | |
| Deputy A. Howell | | | | |
| Deputy M.R. Ferey | | | | |
| Deputy R.S. Kovacs | | | | |
| Deputy B. Ward | | | | |
| Deputy K.M. Wilson | | | | |
| Deputy L.K.F. Stephenson | | | | |
| Deputy M.B. Andrews | | | | |

The Deputy Greffier of the States:

Deputy Alex Curtis abstained.

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

The Deputy Bailiff:

That concludes Public Business for this meeting. I invite the chair of P.P.C. to propose the arrangement of public business for future meetings.

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

The arrangement of public business; at the moment there are 7 items on the agenda for our next meeting on 19th March, including P.12, which has been lodged today. Deputy Scott is withdrawing P.75 Ethical Standards and may relodge it at a later date. The Minister for the Environment has asked for P.82 to be moved to 16th April. Those now listed are P.94 Scrutiny Panel Constitution; P.95 Appointment of Non-Executive Director of the new States of Jersey Development Company; P.98 Protection of Trees; P.104 Draft Children and Civil Status Amendment; P.2 Draft Children and Young People Jersey Commencement Act; P.10 Cash Payment at Government Sports Facilities; and today's, which is P.12 Update of Higher Education Funding. I make the proposition.

The Deputy Bailiff:

Thank you. Is the proposition seconded? **[Seconded]** Does any Member wish to make any observations on the proposals of the chair of P.P.C. for the next meeting? Are Members content to adjourn? The States stand adjourned until 19th March.

ADJOURNMENT

[17:36]