



**THE STATES assembled on Monday
2nd December 2013, at 02.30 p.m. under
the Presidency of the Deputy Bailiff,
William James Bailhache, Esquire.**

**His Excellency the Lieutenant Governor,
General Sir John McColl, K.C.B., C.B.E., D.S.O.
was present.**

All members were present at roll call with the exception of –

Senator Paul Francis Routier – excused attendance
Connétable John Martin Refault of St. Peter – en défaut
Deputy Shona Pitman of St. Helier – en défaut
Deputy Trevor Mark Pitman of St. Helier – en défaut
Deputy Tracey Anne Vallois of St. Saviour – ill
Deputy James Patrick Gorton Baker of St. Helier – en défaut
Deputy Kristina Louise Moore of St. Peter – ill

Prayers

Italian Consul – welcome

The Deputy Bailiff, on behalf of all members, welcomed Dr. Massimiliano Mazzanti, Consul General of Italy in London, who was present in the public gallery.

Bailiff of Jersey – retirement

The Deputy Bailiff read a statement from the Bailiff of Jersey, advising that he had received permission from Her Majesty The Queen to retire from office in January 2015.

Bishop of Winchester – Dean of Jersey

The Deputy Bailiff advised the Assembly that the Bishop of Winchester had issued a media release indicating that no action would be taken against the Dean of Jersey following an investigation into his handling of a case relating to a woman known as HG.

Glasgow Helicopter crash – message of sympathy

The Deputy Bailiff advised the Assembly that the Bailiff had sent a letter to the Scottish First Minister and people of Scotland, on behalf of all members and the people of Jersey, following the recent helicopter crash in Glasgow.

Subordinate enactments tabled

The following enactments were tabled, namely –

Motor Vehicle Registration (General Provisions) (Amendment No. 19) (Jersey) Order 2013. <i>Minister for Transport and Technical Services.</i>	R&O.144/2013.
Shipping (Fees) (Jersey) Order 2013. <i>Minister for Economic Development.</i>	R&O.145/2013.
Shipping (Survey and Certification) (Jersey) Order 2013. <i>Minister for Economic Development.</i>	R&O.146/2013.
Community Provisions (Restrictive Measures – Belarus) (Amendment No. 10) (Jersey) Order 2013. <i>Minister for External Relations.</i>	R&O.147/2013.
Road Traffic (St. John) (Amendment No. 7) (Jersey) Order 2013. <i>Minister for Transport and Technical Services.</i>	R&O.148/2013.
Road Traffic (St. Peter) (Amendment No. 7) (Jersey) Order 2013. <i>Minister for Transport and Technical Services.</i>	R&O.149/2013.
Teachers' Superannuation (New Members) (Amendment) (Jersey) Order 2013. <i>Chief Minister.</i>	R&O.150/2013.

Documents presented or laid

Composition and election of the States Assembly: reform – proposal 1 (P.93/2013) – third amendment (P.93/2013 Amd.(3)) – comments. Presented: 2nd December 2013. <i>Privileges and Procedures Committee.</i>	P.93/2013. Amd.(3). Com.
Draft Budget Statement 2014 (P.122/2013): amendment (P.122/2013 Amd.) – comments. Presented: 2nd December 2013. <i>Minister for Treasury and Resources.</i>	P.122/2013 Amd.Com.
Draft Budget Statement 2014 (P.122/2013): second amendment (P.122/2013 Amd.(2)) – comments. Presented: 2nd December 2013. <i>Minister for Treasury and Resources.</i>	P.122/2013 Amd.(2) Com.
Draft Budget Statement 2014 (P.122/2013): second amendment (P.122/2013 Amd.(2)) – amendment (P.122/2013 Amd.(2)Amd.) – comments. Presented: 2nd December 2013. <i>Minister for Treasury and Resources.</i>	P.122/2013 Amd.(2) Amd.Com.
Draft Budget Statement 2014 (P.122/2013): third amendment (P.122/2013 Amd.(3)) – comments. Presented: 2nd December 2013. <i>Minister for Treasury and Resources.</i>	P.122/2013 Amd.(3) Com.

Draft Budget Statement 2014 (P.122/2013): fourth amendment (P.122/2013 Amd.(4)) – comments. P.122/2013
Amd.(4)
Presented: 2nd December 2013. Com.
Minister for Treasury and Resources.

Draft Budget Statement 2014 (P.122/2013): fifth amendment (P.122/2013 Amd.(5)) – comments. P.122/2013
Amd.(5)
Presented: 2nd December 2013. Com.
Minister for Treasury and Resources.

Minimum wage: amendment (P.135/2013) – comments. P.135/2013.
Presented: 2nd December 2013. Com.
Minister for Social Security.

Land Transactions under Standing Order 168(3) – R.146/2013.
(a) Haut de la Garenne Accommodation and Outdoor Activity Centre, including
Fields 685, 686, 695 and 695B – lease to Paradox Ltd.;
(b) Field 107, Maufant, St. Saviour – lease to the sitting tenant;
(c) 1 Don Terrace, St. Helier – sale.
Presented: 27th November 2013.
Minister for Treasury and Resources.

States of Jersey Law 2005: delegation of functions – Treasury and Resources – R.147/2013.
revised delegations November 2013.
Presented: 28th November 2013.
Minister for Treasury and Resources.

Draft 2014 Budget. S.R.13/2013.
Presented: 26th November 2013.
Corporate Services Scrutiny Panel.

Notification of lodged propositions

Composition and election of the States Assembly: reform – proposal 1 (P.93/2013) – P.93/2013.
third amendment. Amd.(3)
Lodged: 26th November 2013.
Deputy J.A.N. Le Fondré of St. Lawrence.

Draft Budget Statement 2014 (P.122/2013): second amendment P.122/2013.
(P.122/2013 Amd.(2)) – amendment. Amd.(2)
Lodged: 26th November 2013. Amd.
Deputy S.S.P.A. Power of St. Brelade.

Draft Budget Statement 2014 (P.122/2013): second amendment P.122/2013.
(P.122/2013 Amd.(2)) – second amendment. Amd.(2)
Lodged: 26th November 2013. Amd.(2)
Minister for Treasury and Resources.

Ratification of the Convention on Mutual Administrative Assistance in Tax Matters. P.154/2013.
Lodged: 26th November 2013. (re-issue)
Minister for External Relations.

Draft Taxation (Implementation) (Convention on Mutual Administrative Assistance in Tax Matters) (Jersey) Regulations 201-. P.155/2013.
Lodged: 26th November 2013.
Minister for External Relations.

Housing Shadow Board: Terms of Reference and appointment of Directors. P.156/2013.
Lodged: 2nd December 2013.
Minister for Housing.

Machinery of Government: committee system. P.157/2013.
Lodged: 2nd December 2013.
Deputy G.C.L. Baudains of St. Clement.

Access to justice in Jersey: review. P.158/2013.
Lodged: 2nd December 2013.
Chief Minister.

Withdrawal of lodged propositions

THE STATES noted that, in accordance with Standing Order 34(1), the proposers of the following propositions lodged “au Greffe” had informed the Greffier of the States that they had been withdrawn –

Committee of Inquiry: costs for local businesses. P.82/2013.
Lodged: 27th June 2013.
Senator A. Breckon.

Jersey Innovation Fund: Board remuneration. P.121/2013.
Lodged: 4th October 2013.
Minister for Economic Development.

Written Questions

(see Official Report/Hansard)

The Chairman of the Environment Scrutiny Panel tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding statements contained within the Panel’s recent Energy Report.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding a review of the Jersey Dental Fitness Scheme.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding safeguards to ensure that employees were not exploited when participating in Advance to Work and Jobs Fest schemes.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the use of zero-hours contracts.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding changes to the medical protocols engaged in the assessment of Long-Term Incapacity Allowance.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding controls in place under the Control of Housing and Work Regulations.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the number of non-professional carers in the Island.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the progress of the 'Knights of Impossingworth' film.

The Chief Minister tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the dismissal of a Minister on a proposition lodged by the Chief Minister.

The Chief Minister tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding adult and children's safeguarding panels.

The Minister for Home Affairs tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding a detailed timeline of the events associated with the arrest of the woman known as HG.

The Minister for Economic Development tabled an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the recent loss of a fulfilment company from the Island.

The Minister for Economic Development tabled an answer to a question asked by the Connétable of St. John regarding succession planning at the Harbours Department.

The Chief Minister tabled an answer to a question asked by Deputy J.H. Young of St. Brelade regarding his policy priorities for the environment.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the handling of combustible waste at the Energy from Waste Plant.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the efficacy of Tamiflu.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the provision of treatment for autism, Asperger's, ADHD and other similar conditions and disorders.

Oral Questions

(see Official Report/Hansard)

Senator A. Breckon asked a question of the Assistant Minister for Treasury and Resources regarding the transferral of Ann Court to a Housing Trust.

Senator S.C. Ferguson asked a question of the Minister for Treasury and Resources regarding the transfer of £13 million from the currency fund to the States of Jersey Development Company Limited.

Deputy S.S.P.A. Power of St. Brelade asked a question of the Minister for Economic Development regarding the factors leading to the closure of the café at the Elizabeth Terminal.

Deputy G.C.L. Baudains of St. Clement asked a question of the Minister for Health and Social Services regarding contractual agreements with consultants.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the use of zero-hours contracts in the economy.

Deputy J.A.N. Le Fondré of St. Lawrence asked a question of the Chief Minister regarding the outcome of the Steel Review.

Deputy M.R. Higgins of St. Helier asked a question of H.M. Attorney General regarding the involvement of defence lawyers in criminal court cases.

Deputy G.C.L. Baudains of St. Clement asked a question of the Minister for Treasury and Resources regarding the impact of the removal of Income Tax allowances.

Deputy J.A.N. Le Fondré of St. Lawrence asked a question of the Chief Minister regarding his involvement in the impending pastoral visit from Lambeth Palace.

Deputy M.R. Higgins of St. Helier asked a question of the Chief Minister regarding the Jersey Independent Safeguarding Panel's decision not to instigate a Serious Case Review into the arrest and welfare of the lady known as HG.

Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding the role and importance of employment agencies in the Jersey economy.

Oral Questions without notice

(see Official Report/Hansard)

The Minister for Social Security answered questions without notice from members.

The Chief Minister answered questions without notice from members.

Committee of Inquiry into Historical Abuse: appointment of Chairman and members P.149/2013

THE STATES, adopting a proposition of the Chief Minister, agreed to refer to their Act dated 6th March 2013, in which they agreed that a Committee of Inquiry should be established in accordance with Standing Order 146 to enquire into a definite matter of public importance, namely historical child abuse in Jersey, and that the Committee should be chaired by a senior legally qualified person from outside Jersey, and to their Act dated 16th July 2013, in which they appointed Mrs. Sally Bradley Q.C. to chair the inquiry; and noted that as a result of ill-health, Mrs. Sally Bradley Q.C. was unable to take up the position of Chairman, and appointed instead Mrs. Frances Oldham Q.C. as Chairman of the Committee of Inquiry and Professor Alexander (Sandy) Cameron C.B.E. and Ms. Alyson Leslie as members of the Committee.

Members present voted as follows –

POUR: 38

CONTRE: 0

ABSTAIN: 0

Senator P.F.C. Ozouf

Senator A. Breckon

Senator A.J.H. Maclean

Senator B.I. Le Marquand

Senator F. du H. Le Gresley

Senator I.J. Gorst

Senator P.M. Bailhache
Connétable of St. Helier
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of St. Mary
Connétable of St. John
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Connétable of Grouville
Deputy R.G. Le Hérisssier (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy of St. Ouen
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy K.C. Lewis (S)
Deputy M. Tadier (B)
Deputy E.J. Noel (L)
Deputy M.R. Higgins (H)
Deputy J.M. Maçon (S)
Deputy G.C.L. Baudains (C)
Deputy of St. John
Deputy J.H. Young (B)
Deputy S.J. Pinel (C)
Deputy of St. Mary
Deputy of St. Martin
Deputy R.G. Bryans (H)
Deputy R.J. Rondel (H)

Changes in Presidency

The Deputy Bailiff retired from the Chamber prior to the consideration of the proposition entitled 'Committee of Inquiry into Historical Abuse: appointment of Chairman and members' (P.149/2013) and the meeting continued under the presidency of Mrs. Anne Helen Harris, Deputy Greffier of the States.

Adjournment

THE STATES adjourned, having agreed to reconvene on Tuesday 3rd December 2013 to consider the outstanding items of public business.

THE STATES rose at 5.10 p.m.

M.N. DE LA HAYE

Greffier of the States